

July 27, 2023

Ordered to be printed as passed

118TH CONGRESS
1ST SESSION

S. 2226

AN ACT

To authorize appropriations for fiscal year 2024 for military activities of the Department of Defense for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “National Defense Authorization Act for Fiscal Year
 6 2024”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Organization of Act into divisions; table of contents.
- Sec. 3. Congressional defense committees.
- Sec. 4. Budgetary effects of this Act.

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- Sec. 901. Improved funding flexibility for payments made by the Central Intelligence Agency for qualifying injuries to the brain.
- Sec. 902. Clarification of requirements to seek certain benefits relating to injuries to the brain.
- Sec. 903. Intelligence community implementation of HAVANA Act of 2021 authorities.
- Sec. 904. Report and briefing on Central Intelligence Agency handling of anomalous health incidents.

TITLE X—ELECTION SECURITY

- Sec. 1001. Strengthening Election Cybersecurity to Uphold Respect for Elections through Independent Testing Act of 2023.

TITLE XI—OTHER MATTERS

Sec. 1101. Modification of reporting requirement for All-domain Anomaly Resolution Office.

Sec. 1102. Funding limitations relating to unidentified anomalous phenomena.

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

3 (a) DIVISIONS.—This Act is organized into four divi-
 4 sions as follows:

5 (1) Division A—Department of Defense Au-
 6 thorizations.

7 (2) Division B—Military Construction Author-
 8 izations.

9 (3) Division C—Department of Energy Na-
 10 tional Security Authorizations and Other Authoriza-
 11 tions.

12 (4) Division D—Funding Tables.

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

15 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

16 In this Act, the term “congressional defense commit-
 17 tees” has the meaning given that term in section
 18 101(a)(16) of title 10, United States Code.

19 **SEC. 4. BUDGETARY EFFECTS OF THIS ACT.**

20 The budgetary effects of this Act, for the purposes
 21 of complying with the Statutory Pay-As-You-Go Act of
 22 2010, shall be determined by reference to the latest state-
 23 ment titled “Budgetary Effects of PAYGO Legislation”

1 for this Act, jointly submitted for printing in the Congres-
2 sional Record by the Chairmen of the House and Senate
3 Budget Committees, provided that such statement has
4 been submitted prior to the vote on passage in the House
5 acting first on the conference report or amendment be-
6 tween the Houses.

7 **DIVISION A—DEPARTMENT OF**
8 **DEFENSE AUTHORIZATIONS**
9 **TITLE I—PROCUREMENT**
10 **Subtitle A—Authorization of**
11 **Appropriations**

12 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

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

18 **Subtitle B—Army Programs**

19 **SEC. 111. REPORT ON ARMY REQUIREMENTS AND ACQUI-**
20 **SION STRATEGY FOR NIGHT VISION DEVICES.**

21 (a) REPORT REQUIRED.—Not later than February
22 29, 2024, the Secretary of the Army shall submit to the
23 congressional defense committees a report on night vision
24 devices.

1 (b) ELEMENTS.—The report required by subsection
2 (a) shall include the following elements:

3 (1) An identification of the specific capabilities
4 the Army is seeking to achieve in night vision.

5 (2) An identification of the capabilities in night
6 vision required by unit, including the number and
7 type of units for each capability.

8 (3) An identification of the total requirement
9 for night vision devices in the Army, disaggregated
10 by number and type of unit.

11 (4) A description of the acquisition strategy of
12 the Army for achieving the capabilities described in
13 paragraph (1), including a description of each of the
14 following:

15 (A) The acquisition objective for each type
16 of night vision device.

17 (B) The programmed purchase quantities
18 for night vision devices required each year.

19 (C) The contract type of each procurement
20 of night vision devices.

21 (D) The expected date for achieving the
22 capabilities.

23 (E) The industrial base constraints on
24 each type of night vision device.

1 (F) The modernization plan for each type
2 of night vision device.

3 **SEC. 112. ARMY PLAN FOR ENSURING SOURCES OF CAN-**
4 **NON TUBES.**

5 (a) UPDATED ASSESSMENT.—The Secretary of the
6 Army shall update the assessment of the Secretary on the
7 sufficiency of the development, production, procurement,
8 and modernization of the defense industrial base for can-
9 non and large caliber weapons tubes.

10 (b) SUBMITTAL TO CONGRESS.—Not later than Feb-
11 ruary 29, 2024, the Secretary shall submit to the Com-
12 mittee on Armed Services of the Senate and the Com-
13 mittee on Armed Services of the House of Representatives
14 an update to the report submitted to Congress in March
15 2022 entitled “Army Plan for Ensuring Sources of Can-
16 non Tubes”.

17 **SEC. 113. STRATEGY FOR ARMY TACTICAL WHEELED VEHI-**
18 **CLE PROGRAM.**

19 (a) STRATEGY REQUIRED.—In the budget justifica-
20 tion materials submitted in support of the budget of the
21 Department of Defense (as submitted with the budget of
22 the President under section 1105(a) of title 31, United
23 States Code) for fiscal year 2025 and every five years
24 thereafter, the Secretary of the Army shall include a re-

1 port on the strategy of the Army for tactical wheeled vehi-
2 cles.

3 (b) REQUIREMENTS FOR STRATEGY.—Each strategy
4 required by subsection (a) shall—

5 (1) align with the applicable national defense
6 strategy under section 113(g) of title 10, United
7 States Code, and applicable policies;

8 (2) be designed so that the force of tactical
9 wheeled vehicles provided under the strategy sup-
10 ports the national security strategy of the United
11 States as set forth in the most recent national secu-
12 rity strategy report of the President under section
13 108 of the National Security Act of 1947 (50 U.S.C.
14 3043); and

15 (3) define capabilities and capacity require-
16 ments across the entire fleet of tactical wheeled vehi-
17 cles, including—

18 (A) light, medium, and heavy tactical
19 wheeled vehicles; and

20 (B) associated trailer and support equip-
21 ment.

22 (c) STRATEGY ELEMENTS.—Each strategy required
23 by subsection (a) shall include the following:

1 (1) A detailed program for the construction of
2 light, medium, and heavy tactical wheeled vehicles
3 for the Army over the next five fiscal years.

4 (2) A description of the necessary force struc-
5 ture and capabilities of tactical wheeled vehicles to
6 meet the requirements of the national security strat-
7 egy described in subsection (b)(2).

8 (3) The estimated levels of annual funding, by
9 vehicle class, in both graphical and tabular form,
10 necessary to carry out the program described in
11 paragraph (1), together with a discussion of the pro-
12 curement strategies on which such estimated levels
13 of annual funding are based.

14 (4) The estimated total cost of construction for
15 each vehicle class used to determine the estimated
16 levels of annual funding described in paragraph (3).

17 (d) CONSIDERATIONS.—In developing each strategy
18 required by subsection (a), the Secretary of the Army shall
19 consider the following objectives and factors:

20 (1) Objectives relating to protection, fleet oper-
21 ations, mission command, mobility, and the indus-
22 trial base.

23 (2) Technological advances that will increase ef-
24 ficiency of and reduce demand for tactical wheeled
25 vehicles.

1 (1) in the matter preceding paragraph (1), by
2 striking “March 31, 2026” and inserting “March
3 31, 2030”; and

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

6 “(5) A description of any changes made to the
7 master plan based upon current global events, in-
8 cluding pandemics and armed conflicts.”.

9 **SEC. 115. REPORT ON ACQUISITION STRATEGIES OF THE**
10 **LOGISTICS AUGMENTATION PROGRAM OF**
11 **THE ARMY.**

12 (a) IN GENERAL.—Not later than 90 days after the
13 date of the enactment of this Act, the Secretary of the
14 Army, in conjunction with the Office of the Secretary of
15 Defense and in coordination with the geographic combat-
16 ant commanders, shall submit to the Committee on Armed
17 Services of the Senate and the Committee on Armed Serv-
18 ices of the House of Representatives a report reviewing
19 the proposed recompetes of the operational task orders of
20 the geographic combatant commands under the contract
21 for the logistics augmentation program of the Army that
22 will expire in 2028 (commonly referred to as “LOGCAP
23 V”).

24 (b) ELEMENTS.—The report required by subsection
25 (a) shall include the following:

1 (1) A business case analysis of the cost and
2 operational benefit of recompeting the task orders
3 described in subsection (a).

4 (2) Input from stakeholders, including Army
5 Sustainment Command, the geographic combatant
6 commanders, and Army service component com-
7 manders, on the desirability and operational impacts
8 of the proposed recompetite described in subsection
9 (a).

10 (3) Detailed cost estimates and timelines, in-
11 cluding projected transition costs and timelines for
12 the task orders described in subsection (a).

13 (4) An assessment of the potential impacts re-
14 lated to quality and timing of transitioning to the
15 new logistics augmentation program (commonly re-
16 ferred to as “LOGCAP VI”).

17 (5) An analysis of recompeting the task orders
18 described in subsection (a) compared to transitioning
19 to LOGCAP VI.

20 (6) An overview of potential innovations and ef-
21 ficiencies derived from a competition for LOGCAP
22 VI.

23 (7) An explanation of the benefit of recom-
24 peting the task orders described in subsection (a)
25 compared to an open competition for LOGCAP VI.

1 (8) A breakdown of additional authorities need-
 2 ed to move directly to LOGCAP VI.

3 **Subtitle C—Navy Programs**

4 **SEC. 121. REDUCTION IN THE MINIMUM NUMBER OF NAVY** 5 **CARRIER AIR WINGS AND CARRIER AIR WING** 6 **HEADQUARTERS REQUIRED TO BE MAIN-** 7 **TAINED.**

8 Section 8062(e) of title 10, United States Code, is
 9 amended—

10 (1) in paragraph (1), by striking “until the ear-
 11 lier of” and all that follows and inserting “until the
 12 date on which additional operationally deployable
 13 aircraft carriers can fully support a 10th carrier air
 14 wing;”; and

15 (2) in paragraph (2), by striking “the earlier
 16 of” and all that follows through “and (B) of” and
 17 inserting “the date referred to in”.

18 **SEC. 122. EXTENSION OF PROHIBITION ON AVAILABILITY** 19 **OF FUNDS FOR NAVY PORT WATERBORNE SE-** 20 **CURITY BARRIERS.**

21 Section 130(a) of the John S. McCain National De-
 22 fense Authorization Act for Fiscal Year 2019 (Public Law
 23 115–232; 132 Stat. 1665), as most recently amended by
 24 section 123(a) of the James M. Inhofe National Defense
 25 Authorization Act for Fiscal Year 2023 (Public Law 117–

1 263), is further amended by striking “through 2023” and
2 inserting “through 2024”.

3 **SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR VIR-**
4 **GINIA CLASS SUBMARINE PROGRAM.**

5 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—
6 Subject to section 3501 of title 10, United States Code,
7 the Secretary of the Navy may enter into one or more
8 multiyear contracts for the procurement of 10 Virginia
9 class submarines.

10 (b) AUTHORITY FOR ADVANCE PROCUREMENT AND
11 ECONOMIC ORDER QUANTITY.—The Secretary of the
12 Navy may enter into one or more contracts, beginning in
13 fiscal year 2024, for advance procurement associated with
14 the Virginia class submarines for which authorization to
15 enter into a multiyear procurement contract is provided
16 under subsection (a) and for equipment or subsystems as-
17 sociated with the Virginia class submarine program, in-
18 cluding procurement of—

19 (1) long lead time material; or

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

22 (c) CONDITION FOR OUT-YEAR CONTRACT PAY-
23 MENTS.—A contract entered into under subsection (a)
24 shall provide that any obligation of the United States to
25 make a payment under the contract for a fiscal year after

1 fiscal year 2025 is subject to the availability of appropria-
2 tions or funds for that purpose for such later fiscal year.

3 (d) **LIMITATION ON TERMINATION LIABILITY.**—A
4 contract for the construction of Virginia class submarines
5 entered into under subsection (a) shall include a clause
6 that limits the liability of the United States to the con-
7 tractor for any termination of the contract. The maximum
8 liability of the United States under the clause shall be the
9 amount appropriated for the submarines covered by the
10 contract regardless of the amount obligated under the con-
11 tract.

12 **SEC. 124. SENSE OF SENATE ON PROCUREMENT OF OUT-**
13 **STANDING F/A-18 SUPER HORNET PLAT-**
14 **FORMS.**

15 (a) **FINDINGS.**—Congress finds that Congress appro-
16 priated funds for twelve F/A–18 Super Hornet platforms
17 in fiscal year 2022 and eight F/A–18 Super Hornet plat-
18 forms in fiscal year 2023, but the Navy has yet to enter
19 into any contracts for the procurement of such platforms.

20 (b) **SENSE OF SENATE.**—It is the sense of the Senate
21 that—

22 (1) the Secretary of the Navy and the con-
23 tractor team should expeditiously enter into contrac-
24 tual agreements to procure the twenty F/A–18

1 Super Hornet platforms for which funds have been
2 appropriated; and

3 (2) the Senate urges the Secretary of the Navy
4 and the contractor team to comply with congress-
5 sional intent and applicable law with appropriate ex-
6 pediency to bolster the Navy’s fleet of strike fighter
7 aircraft and avoid further disruption to the defense
8 industrial base.

9 **Subtitle D—Air Force Programs**

10 **SEC. 131. LIMITATIONS AND MINIMUM INVENTORY RE-** 11 **QUIREMENT RELATING TO RQ-4 AIRCRAFT.**

12 Section 9062 of title 10, United States Code, is
13 amended by adding at the end the following new sub-
14 section:

15 “(l)(1) During the period beginning on the date of
16 the enactment of the National Defense Authorization Act
17 for Fiscal Year 2024 and ending on September 30, 2028,
18 the Secretary of the Air Force may not—

19 “(A) retire an RQ-4 aircraft;

20 “(B) reduce funding for unit personnel or
21 weapon system sustainment activities for RQ-4 air-
22 craft in a manner that presumes future congress-
23 sional authority to divest such aircraft;

24 “(C) keep an RQ-4 aircraft in a status consid-
25 ered excess to the requirements of the possessing

1 command and awaiting disposition instructions
2 (commonly referred to as ‘XJ’ status); or

3 “(D) decrease the total aircraft inventory of
4 RQ-4 aircraft below 10 aircraft.

5 “(2) The prohibition under paragraph (1) shall not
6 apply to individual RQ-4 aircraft that the Secretary of
7 the Air Force determines, on a case-by-case basis, to be
8 no longer mission capable and uneconomical to repair be-
9 cause of aircraft accidents, mishaps, or excessive material
10 degradation and non-airworthiness status of certain air-
11 craft.”.

12 **SEC. 132. LIMITATION ON DIVESTITURE OF T-1A TRAINING**
13 **AIRCRAFT.**

14 No divestiture of any T-1A training aircraft may
15 occur until the Chief of Staff of the Air Force submits
16 to the congressional defense committees a certification
17 of—

18 (1) the fleet-wide implementation of the Under-
19 graduate Pilot Training 2.5 curriculum and the ef-
20 fect of such implementation on the undergraduate
21 pilot training pipeline; and

22 (2) how the divestiture would affect existing
23 programs of the Air Force that accelerate pilot
24 training.

1 **SEC. 133. MODIFICATION TO MINIMUM INVENTORY RE-**
2 **QUIREMENT FOR A-10 AIRCRAFT.**

3 (a) FISCAL YEAR 2017 NDAA.—Section 134(d) of
4 the National Defense Authorization Act for Fiscal Year
5 2017 (Public Law 114–328; 130 Stat. 2038), as amended
6 by section 141(b)(1) of the James M. Inhofe National De-
7 fense Authorization Act for Fiscal Year 2023 (Public Law
8 117–263), is further amended by striking “153 A–10 air-
9 craft” and inserting “135 A–10 aircraft”.

10 (b) FISCAL YEAR 2016 NDAA.—Section 142(b)(2)
11 of the National Defense Authorization Act for Fiscal Year
12 2016 (Public Law 114–92; 129 Stat. 755), as amended
13 by section 141(b)(2) of the James M. Inhofe National De-
14 fense Authorization Act for Fiscal Year 2023 (Public Law
15 117–263), is further amended by striking “153 A–10 air-
16 craft” and inserting “135 A–10 aircraft”.

17 **SEC. 134. MODIFICATION TO MINIMUM REQUIREMENT FOR**
18 **TOTAL PRIMARY MISSION AIRCRAFT INVEN-**
19 **TORY OF AIR FORCE FIGHTER AIRCRAFT.**

20 Section 9062(i)(1) of title 10, United States Code,
21 is amended by striking “1,145 fighter aircraft” and insert-
22 ing “1,112 fighter aircraft”.

1 **SEC. 135. MODIFICATION OF LIMITATION ON DIVESTMENT**
2 **OF F-15 AIRCRAFT.**

3 Section 150 of the James M. Inhofe National Defense
4 Authorization Act for Fiscal Year 2023 (Public Law 117–
5 263; 136 Stat. 2456) is amended—

6 (1) in subsection (b)(1)—

7 (A) in subparagraph (C)(ii), by striking “;
8 and” and inserting a semicolon;

9 (B) in subparagraph (D), by striking the
10 period at the end and inserting “; and”; and

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

13 “(E) for each covered F-15 aircraft that
14 the Secretary plans to divest, a description of—

15 “(i) the upgrades and modifications
16 done to the aircraft, including the date of
17 each modification and the value amount of
18 each modification in current year dollars;
19 and

20 “(ii) the estimated remaining service
21 life of—

22 “(I) the aircraft; and

23 “(II) the onboard systems of the
24 aircraft.”; and

25 (2) by redesignating subsection (c) as sub-
26 section (d); and

1 (3) by inserting after subsection (b) the fol-
2 lowing new subsection (c):

3 “(c) UPDATES.—Not later than October 1 of each
4 year through October 1, 2028, the Secretary of the Air
5 Force shall—

6 “(1) update the report required under sub-
7 section (b); and

8 “(2) submit such update to the congressional
9 defense committees.”.

10 **SEC. 136. REPORT ON AIR FORCE EXECUTIVE AIRCRAFT.**

11 (a) IN GENERAL.—Not later than January 1, 2025,
12 the Secretary of the Air Force shall submit to the congres-
13 sional defense committees a report that includes the fol-
14 lowing:

15 (1) An overview of the total missions flown by
16 executive aircraft of the Air Force during the five
17 fiscal years preceding the fiscal year in which the re-
18 port is submitted, disaggregated by fiscal year, in-
19 cluding the mission types and Government agencies
20 supported.

21 (2) An identification of each mission flown by
22 executive aircraft of the Air Force during the five
23 fiscal years preceding the fiscal year in which the re-
24 port is submitted, disaggregated by fiscal year, in-
25 cluding the mission type, overall cost, average flight

1 hour cost, and Government agency supported,
2 disaggregated by wing and by type of aircraft.

3 (3) The projected mission capacity for executive
4 aircraft of the Air Force for the five fiscal years fol-
5 lowing the fiscal year in which the report is sub-
6 mitted, disaggregated by fiscal year, factoring in any
7 planned changes to aircraft inventory.

8 (4) A description of any anomalous conditions
9 that may have impacted the availability, with respect
10 to executive aircraft of the Air Force, of a specific
11 aircraft type or wing during the five fiscal years pre-
12 ceding the fiscal year in which the report is sub-
13 mitted, such as unavailability of a specific aircraft
14 type due to block upgrades or fleetwide maintenance
15 issues.

16 (5) A description of the impact of the capacity
17 of executive aircraft of the Air Force on the overall
18 capacity of the Department of Defense to meet de-
19 mand for executive aircraft.

20 (6) The total outlays of the Department of the
21 Air Force for missions flown by executive aircraft of
22 the Air Force, after factoring in reimbursements re-
23 ceived from Government agencies supported, during
24 the five fiscal years preceding the fiscal year in

1 which the report is submitted, disaggregated by fis-
2 cal year and by account.

3 (7) The projected budgets for the executive air-
4 craft of the Air Force through the future years de-
5 fense program.

6 (8) A narrative description of how the Air
7 Force plans and budgets for missions flown by exec-
8 utive aircraft.

9 (9) Any other information the Secretary con-
10 siders to be important.

11 (b) FORM.—The report required by subsection (a)
12 shall be submitted in unclassified form, but may include
13 a classified annex for the purposes of describing classified
14 missions supported by the executive aircraft of the Air
15 Force.

16 **SEC. 137. PROHIBITION ON CERTAIN REDUCTIONS TO IN-**
17 **VENTORY OF E-3 AIRBORNE WARNING AND**
18 **CONTROL SYSTEM AIRCRAFT.**

19 (a) PROHIBITION.—None of the funds authorized to
20 be appropriated by this Act for fiscal year 2024 for the
21 Air Force may be obligated or expended to retire, prepare
22 to retire, or place in storage or in backup aircraft inven-
23 tory any E-3 aircraft if such actions would reduce the
24 total aircraft inventory for such aircraft below 16.

1 (b) EXCEPTION FOR PLAN.—If the Secretary of the
2 Air Force submits to the congressional defense committees
3 a plan for maintaining readiness and ensuring there is no
4 lapse in mission capabilities, the prohibition under sub-
5 section (a) shall not apply to actions taken to reduce the
6 total aircraft inventory for E–3 aircraft to below 16, be-
7 ginning 30 days after the date on which the plan is so
8 submitted.

9 (c) EXCEPTION FOR E–7 PROCUREMENT.—If the
10 Secretary of the Air Force procures enough E–7
11 Wedgetail aircraft to accomplish the required mission
12 load, the prohibition under subsection (a) shall not apply
13 to actions taken to reduce the total aircraft inventory for
14 E–3 aircraft to below 16 after the date on which such E–
15 7 Wedgetail aircraft are delivered.

16 **Subtitle E—Defense-wide, Joint,**
17 **and Multiservice Matters**

18 **SEC. 141. PILOT PROGRAM TO ACCELERATE THE PROCURE-**
19 **MENT AND FIELDING OF INNOVATIVE TECH-**
20 **NOLOGIES.**

21 Section 834(b) of the National Defense Authorization
22 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
23 4061 note) is amended by adding at the end the following
24 new paragraph:

1 “(3) The Secretary of Defense may waive the priority
2 established pursuant to paragraph (1) for up to two solici-
3 tations for proposals per fiscal year.”.

4 **SEC. 142. REQUIREMENT TO DEVELOP AND IMPLEMENT**
5 **POLICIES TO ESTABLISH THE DATALINK**
6 **STRATEGY OF THE DEPARTMENT OF DE-**
7 **FENSE.**

8 (a) POLICIES REQUIRED.—

9 (1) IN GENERAL.—The Secretary of Defense
10 shall develop and implement policies to establish the
11 unified datalink strategy of the Department of De-
12 fense (in this section referred to as the “strategy”).

13 (2) ELEMENTS.—The policies required by para-
14 graph (1) shall include the following:

15 (A) The designation of an organization
16 that will act as the lead coordinator of datalink
17 activities across the entire Department of De-
18 fense.

19 (B) Prioritization and coordination across
20 services of the strategy within the requirements
21 generation process of the Department.

22 (C) The use of a common standardized
23 datalink network or transport protocol that en-
24 sures interoperability between independently de-
25 veloped datalinks, regardless of physical me-

1 dium used, and ensures mesh routing. The Sec-
2 retary of Defense shall consider the use of a
3 subset of Internet Protocol.

4 (D) A programmatic decoupling of the
5 physical method used to transmit data, the net-
6 work or transport protocols used in the trans-
7 mission and reception of data, and the applica-
8 tions used to process and use data.

9 (E) The coordination of weapon systems
10 executing the same mission types across serv-
11 ices of the strategy, including through the use
12 of a common set of datalink waveforms. The
13 Secretary shall evaluate the use of redundant
14 datalinks for line-of-sight and beyond-line-of-
15 sight information exchange for each weapon
16 systems platform.

17 (F) Coordination between the Department
18 and the intelligence community (as defined in
19 section 3 of the National Security Act of 1947
20 (50 U.S.C. 3003)) to leverage any efficiencies
21 and overlap with existing datalink waveforms of
22 the intelligence community.

23 (G) Methods to support the rapid integra-
24 tion of common datalinks across the force.

1 (H) Support for modularity of specific
2 datalink waveforms to enable rapid integration
3 of future datalinks, including the use of soft-
4 ware defined radios compliant with modular
5 open system architecture and sensor open sys-
6 tem architecture.

7 (b) INFORMATION TO CONGRESS.—Not later than
8 June 1, 2024, the Secretary of Defense shall provide to
9 the congressional defense committees the following:

10 (1) A briefing on the proposed policies required
11 by subsection (a)(1), with timelines for implementa-
12 tion.

13 (2) An estimated timeline of implementations of
14 datalinks.

15 (3) A list of any additional resources and au-
16 thorities required to execute the strategy.

17 (4) A determination of whether a common set
18 of datalinks can and should be implemented across
19 all major weapon systems within the Department of
20 Defense.

21 **SEC. 143. REPORT ON CONTRACT FOR CYBERSECURITY CA-**
22 **PABILITIES AND BRIEFING.**

23 (a) REPORT.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act, the

1 Chief Information Officer of the Department of De-
2 fense shall submit to the congressional defense com-
3 mittees a report on the decision to exercise options
4 on an existing contract to use cybersecurity capabili-
5 ties to protect assets and networks across the De-
6 partment of Defense.

7 (2) ELEMENTS.—The report required by para-
8 graph (1) shall include the following:

9 (A) A description of the potential effects
10 on innovation and competition among cyberse-
11 curity vendors of the decision to exercise the cy-
12 bersecurity options on the contract described in
13 paragraph (1).

14 (B) A description of the risks and benefits
15 associated with an integrated enterprise-wide
16 cybersecurity solution from a single vendor.

17 (C) A description of future plans of the
18 Department of Defense to recompile the acqui-
19 sition of integrated and interoperable cybersecu-
20 rity tools and applications that would allow
21 multiple vendors to compete separately and as
22 teams.

23 (D) A copy of the analysis conducted by
24 the Director of Cost Assessment and Program
25 Evaluation of the Department of the costs and

1 effectiveness of the cybersecurity capabilities
2 covered by the contract described in paragraph
3 (1).

4 (E) A copy of the analysis conducted by
5 the Director of Operational Test and Evalua-
6 tion of the Department of the effectiveness of
7 the cybersecurity capabilities covered by the
8 contract described in paragraph (1) compared
9 to other commercially available products and
10 vendors.

11 (b) BRIEFING.—Not later than 60 days after the date
12 of the enactment of this Act, the Chief Information Officer
13 of the Department of Defense shall brief the congressional
14 defense committees on the plans of the Department to en-
15 sure competition and interoperability in the security and
16 identity and access management product market seg-
17 ments.

18 **TITLE II—RESEARCH, DEVELOP-**
19 **MENT, TEST, AND EVALUA-**
20 **TION**

21 **Subtitle A—Authorization of**
22 **Appropriations**

23 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

24 Funds are hereby authorized to be appropriated for
25 fiscal year 2024 for the use of the Department of Defense

1 for research, development, test, and evaluation, as speci-
2 fied in the funding table in section 4201.

3 **Subtitle B—Program Require-**
4 **ments, Restrictions, and Limita-**
5 **tions**

6 **SEC. 211. UPDATED GUIDANCE ON PLANNING FOR**
7 **EXPORTABILITY FEATURES FOR FUTURE**
8 **PROGRAMS.**

9 (a) PROGRAM GUIDANCE ON PLANNING FOR
10 EXPORTABILITY FEATURES.—The Under Secretary of
11 Defense for Acquisition and Sustainment shall ensure that
12 program guidance is updated to integrate planning for
13 exportability features called for by section 4067 of title
14 10, United States Code, for the following activities:

15 (1) Major defense acquisition programs
16 (MDAPs) (as defined in section 4201 of title 10,
17 United States Code), which shall include in the ini-
18 tial cost estimates for the programs a requirement
19 to capture potential exportability needs.

20 (2) Middle tier acquisition (MTA) programs de-
21 scribed in section 804(a) of the National Defense
22 Authorization Act for Fiscal Year 2016 (Public Law
23 114–92; 10 U.S.C. 3201 note prec.), which shall in-
24 clude an assessment of potential exportability needs

1 prior to transition from rapid fielding or proto-
2 typing.

3 (b) REVISION OF GUIDANCE FOR PROGRAM PROTEC-
4 TION PLANS.—The Under Secretary shall revise guidance
5 for program protection plans to integrate a requirement
6 to determine exportability for the programs covered by
7 such plans.

8 **SEC. 212. SUPPORT TO THE DEFENCE INNOVATION ACCEL-**
9 **ERATOR FOR THE NORTH ATLANTIC.**

10 (a) AUTHORITY.—To the extent and in such amounts
11 as provided in appropriations Acts for the purposes set
12 forth in this section, the Secretary of Defense may, acting
13 through the Under Secretary of Defense for Research and
14 Engineering, provide funds of not more than \$15,000,000
15 per year to sustain the participation of the United States
16 in the North Atlantic Treaty Organization (NATO)
17 Defence Innovation Accelerator for the North Atlantic
18 (DIANA) Initiative (in this section the “Initiative”).

19 (b) NOTIFICATION.—

20 (1) IN GENERAL.—Not later than 15 days after
21 the date on which the Secretary makes a decision to
22 provide funds pursuant to subsection (a), the Under
23 Secretary shall submit to the congressional defense
24 committees a written notification of such decision.

1 (2) CONTENTS.—Notification submitted pursu-
2 ant to paragraph (1) shall include the following:

3 (A) A detailed breakout of the funding
4 provided.

5 (B) The intended purposes of such funds.

6 (C) The timeframe covered by such funds.

7 (c) STRATEGY.—

8 (1) IN GENERAL.—Not later than July 1, 2024,
9 the Under Secretary shall submit to the congress-
10 sional defense committees a strategy for participa-
11 tion by the United States in the Initiative.

12 (2) CONTENTS.—The strategy submitted pursu-
13 ant to paragraph (1) shall include the following:

14 (A) A description for how the Initiative fits
15 into the innovation ecosystem for the North At-
16 lantic Treaty Organization, as well as how it is
17 synchronized with and will interact with other
18 science, technology, and innovation activities
19 within the Department of Defense.

20 (B) Anticipated funding profile across the
21 future years defense program (FYDP).

22 (C) Identification of key technology focus
23 areas to be addressed each year across the fu-
24 ture years defense program.

1 (D) Anticipated areas for expansion for
2 key nodes or locations for the Initiative, includ-
3 ing how the Initiative will contribute to fos-
4 tering the spread of innovation throughout the
5 United States.

6 (d) ANNUAL REPORT.—Not later than February 1,
7 2024, and February 1 of each year thereafter through
8 2026, the Secretary shall submit to the congressional de-
9 fense committees an annual report for Department sup-
10 ported activities of the Initiative, including the breakdown
11 of funding provided for the previous fiscal year, and key
12 milestones or achievements during that timeframe.

13 (e) SUNSET.—The authority provided by subsection
14 (a) shall terminate on September 30, 2026.

15 **SEC. 213. MODIFICATION TO PERSONNEL MANAGEMENT**
16 **AUTHORITY TO ATTRACT EXPERTS IN**
17 **SCIENCE AND ENGINEERING.**

18 Section 4092(b) of title 10, United States code is
19 amended—

20 (1) in paragraph (1)(B), by striking “of which
21 not more than 5 such positions may be positions of
22 administration or management of the Agency”; and

23 (2) in paragraph (4), by inserting “, including,
24 upon separation, pay the travel, transportation, and
25 relocation expenses to return to the location of ori-

1 gin, at the time of the initial appointment, within
2 the United States” before the period at the end.

3 **SEC. 214. ADMINISTRATION OF THE ADVANCED SENSORS**
4 **APPLICATION PROGRAM.**

5 Section 218 of the James M. Inhofe National Defense
6 Authorization Act for Fiscal Year 2023 (Public Law 117–
7 263) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1), by striking “The
10 Commander of Naval Air Systems Command
11 and the Director of Air Warfare shall jointly
12 serve” and inserting “The Under Secretary of
13 Defense for Intelligence and Security, acting
14 through the Director of the Air Force Office of
15 Concepts, Development, and Management Of-
16 fice, shall serve”; and

17 (B) in paragraph (2), by striking “The re-
18 source sponsors of the Program shall be respon-
19 sible” and inserting “The resource sponsor, in
20 consultation with the Commander of Naval Air
21 Systems Command, shall be responsible”;

22 (2) in subsection (b), by striking “Only the Sec-
23 retary of the Navy, the Under Secretary of the
24 Navy, and the Commander of Naval Air Systems
25 Command may” and inserting “Only the Under Sec-

1 retary of Defense for Intelligence and Security and
2 the Director of the Air Force Concepts, Develop-
3 ment, and Management Office, in consultation with
4 the Commander of Naval Air Systems Command,
5 may’; and

6 (3) in subsection (d)(3), by striking “exercised
7 by the Commander of Naval Air Systems Command,
8 the Secretary of the Navy, or the Under Secretary
9 of the Navy” and inserting “exercised by the Under
10 Secretary of Defense for Intelligence and Security
11 and the Director of the Air Force Concepts, Develop-
12 ment, and Management Office”.

13 **SEC. 215. DELEGATION OF RESPONSIBILITY FOR CERTAIN**
14 **RESEARCH PROGRAMS.**

15 Section 980(b) of title 10, United States Code, is
16 amended—

17 (1) by inserting “(1)” before “The Secretary”;
18 and

19 (2) by adding to the end the following new
20 paragraph:

21 “(2) The Secretary may delegate the authority pro-
22 vided by paragraph (1) to the Under Secretary of Defense
23 for Research and Engineering.”.

1 **SEC. 216. PROGRAM OF STANDARDS AND REQUIREMENTS**
2 **FOR MICROELECTRONICS.**

3 (a) PROGRAM REQUIRED.—The Secretary of Defense
4 shall establish, not later than 180 days after the date of
5 the enactment of this Act, a program within the National
6 Security Agency to develop and continuously update, as
7 the Secretary determines necessary, standards, commer-
8 cial best practices, and requirements for the design, manu-
9 facture, packaging, test, and distribution of microelec-
10 tronics acquired by the Department of Defense to provide
11 acceptable levels of confidentiality, integrity, and avail-
12 ability for Department commercial-off-the-shelf (COTS)
13 microelectronics, field programmable gate arrays
14 (FPGAs), and custom integrated circuits (CICs).

15 (b) ADVICE AND ASSESSMENT.—The Secretary shall
16 ensure that the program established pursuant to sub-
17 section (a) is advised and assessed by the Government-
18 Industry-Academia Working Group on Microelectronics
19 established under section 220 of the James M. Inhofe Na-
20 tional Defense Authorization Act for Fiscal Year 2023
21 (Public Law 117–263).

22 (c) REQUIREMENTS.—The program established by
23 subsection (a) shall develop—

24 (1) evidence-based assurance processes and
25 techniques that sustain, build on, automate, and
26 scale up the results and accomplishments of the

1 Rapid Assured Microelectronics Prototypes (RAMP),
2 RAMP-Commercial (RAMP-C), and State-of-the-Art
3 Heterogeneous Integrated Packaging (SHIP) pro-
4 grams to enhance the confidentiality, integrity, and
5 availability of microelectronics while minimizing
6 costs and impacts to commercial manufacturing
7 practices;

8 (2) validation methods for such processes and
9 techniques, in coordination with the developmental
10 and operational test and evaluation community, as
11 the Secretary determines necessary;

12 (3) threat models that comprehensively charac-
13 terize the threat to microelectronics confidentiality,
14 integrity, and availability across the entire supply
15 chain, and the design, production, packaging, and
16 deployment cycle to support risk management and
17 risk mitigation, based on the principle of reducing
18 risk to as low a level as reasonably practicable, in-
19 cluding—

20 (A) comparative risk assessments; and

21 (B) balanced and practical investments in
22 assurance based on risks and returns;

23 (4) levels of assurance and associated require-
24 ments for the production and acquisition of commer-
25 cial-off-the-shelf integrated circuits, integrated cir-

1 cuits subject to International Traffic in Arms Regu-
2 lations (ITAR) under subchapter M of chapter I of
3 title 22, Code of Federal Regulations, or successor
4 regulations, and classified integrated circuits using
5 commercial foundry manufacturing process flows;

6 (5) guides for Federal Government program
7 evaluators, program offices, and industry to meet
8 microelectronics assurance requirements; and

9 (6) guidance for the creation of a government
10 organizational structure and plan to support the ac-
11 quisition of fit-for-purpose microelectronics, includ-
12 ing the role of the Defense Microelectronics Activity,
13 the Crane Division of the Naval Surface Warfare
14 Center, and the Joint Federated Assurance Center.

15 (d) MICROELECTRONICS ASSURANCE STANDARD.—

16 The program established pursuant to subsection (a) shall
17 establish a Department microelectronics assurance stand-
18 ard that includes an overarching assurance framework as
19 well as the guides developed under subsection (c)(5), for
20 commercial-off-the-shelf integrated circuits, integrated cir-
21 cuits subject to the International Traffic in Arms Regula-
22 tions under subchapter M of chapter I of title 22, Code
23 of Federal Regulations, or successor regulations, and clas-
24 sified microelectronics developed under subsection (c)(4).

1 (e) MICROELECTRONICS ASSURANCE EXECUTIVE
2 AGENT.—The Secretary shall designate one individual
3 from a military department as the Microelectronics Assur-
4 ance Executive Agent to assist Federal Government pro-
5 gram offices in acquiring fit-for-purpose microelectronics.

6 (f) MANAGEMENT OF RAMP AND SHIP PRO-
7 GRAMS.—Effective on the date of the establishment of the
8 program required by subsection (a), such program shall
9 assume management of the Rapid Assured Microelec-
10 tronics Prototypes, Rapid Assured Microelectronics Proto-
11 types-Commercial (RAMP-C), and State-of-the-Art Het-
12 erogeneous Integrated Packaging programs that were in
13 effect on the day before the date of the enactment of this
14 Act and executed by the Under Secretary of Defense for
15 Research and Engineering.

16 (g) OVERSIGHT.—The Under Secretary of Defense
17 for Research and Engineering shall provide oversight of
18 the planning and execution of the program required by
19 subsection (a).

20 (h) REQUIREMENTS FOR CONTRACTING FOR APPLI-
21 CATION-SPECIFIC INTEGRATED CIRCUITS.—The Secretary
22 shall ensure that, for contracts for application-specific in-
23 tegrated circuits designed by defense industrial base con-
24 tractors—

1 (1) the use of evidence-based assurance proc-
2 esses and techniques are included in the contract
3 data requirements list;

4 (2) commercial best industry practices for con-
5 fidentiality, integrity, and availability are used;

6 (3) a library of certified third-party intellectual
7 property is established for reuse, including reuse of
8 transistor layouts, cells, and macrocells;

9 (4) legal mechanisms are in place for data col-
10 lection and sharing; and

11 (5) automation technology is adopted to achieve
12 efficiency.

13 **SEC. 217. CLARIFYING ROLE OF PARTNERSHIP INTER-**
14 **MEDIARIES TO PROMOTE DEFENSE RE-**
15 **SEARCH AND EDUCATION.**

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

18 (1) by striking “that assists” and inserting the
19 following: “that—

20 “(A) assists”;

21 (2) in subparagraph (A), as designated by para-
22 graph (1), by striking the period at the end and in-
23 serting a semicolon; and

24 (3) by adding at the end the following new sub-
25 paragraphs:

1 “(B) facilitates technology transfer from indus-
2 try or academic institutions to the Center; or

3 “(C) assists and facilitates workforce develop-
4 ment in critical technology areas and technology
5 transition to fulfill unmet needs of a Center.”.

6 **SEC. 218. COMPETITION FOR TECHNOLOGY THAT DETECTS**
7 **AND WATERMARKS THE USE OF GENERATIVE**
8 **ARTIFICIAL INTELLIGENCE.**

9 (a) ESTABLISHMENT.—

10 (1) IN GENERAL.—The Secretary of Defense
11 shall establish and carry out a prize competition
12 under section 4025 of title 10, United States Code,
13 to evaluate technology, including applications, tools,
14 and models, for the detection and watermarking of
15 generative artificial intelligence (AI)—

16 (A) to facilitate the research, development,
17 testing, evaluation, and competition of secure
18 generative artificial intelligence detection and
19 watermark technologies that can support each
20 Secretary of a military department and the
21 commanders of combatant commands to sup-
22 port warfighting requirements; and

23 (B) to transition such technologies, includ-
24 ing technologies developed from pilot programs,
25 prototype projects, or other research and devel-

1 opment programs, from the prototyping phase
2 to production.

3 (2) PARTICIPATION.—The participants in the
4 competition carried out pursuant to paragraph (1)
5 may include Federally-funded research and develop-
6 ment centers (FFRDCs), the private sector, the de-
7 fense industrial base, academia, government agen-
8 cies, and such other participants as the Secretary
9 considers appropriate.

10 (3) COMMENCEMENT.—The competition will
11 begin within 270 days of passage of this Act.

12 (4) DESIGNATION.—The competition estab-
13 lished and carried out pursuant to paragraph (1)
14 shall be known as the “Generative AI Detection and
15 Watermark Competition”.

16 (b) ADMINISTRATION.—The Under Secretary of De-
17 fense for Research and Engineering shall administer the
18 competition required by subsection (a).

19 (c) FRAMEWORK.—Not later than 120 days after the
20 date of the enactment of this Act, the Secretary shall pro-
21 vide the congressional defense committees a briefing on
22 the framework the Secretary will use to carry out the com-
23 petition required by subsection (a).

24 (d) ANNUAL REPORTS.—Not later than October 1 of
25 each year until the termination of the competition estab-

1 lished and carried out under subsection (a), the Secretary
 2 shall submit to the congressional defense committees a re-
 3 port on the results of the competition.

4 (e) DEFINITIONS.—In this section:

5 (1) The term “detection” means a technology
 6 that can positively identify the presence of genera-
 7 tive artificial intelligence in digital content.

8 (2) The term “watermarking” means embed-
 9 ding a piece of data onto detected artificial intel-
 10 ligence generated digital content, conveying attribu-
 11 tion to the source generation.

12 (f) TERMINATION.—The competition established and
 13 carried out pursuant to subsection (a) shall terminate on
 14 December 31, 2025.

15 **Subtitle C—Plans, Reports, and** 16 **Other Matters**

17 **SEC. 221. DEPARTMENT OF DEFENSE PRIZE COMPETITIONS** 18 **FOR BUSINESS SYSTEMS MODERNIZATION.**

19 (a) IN GENERAL.—Not later than September 30,
 20 2028, the Secretary of Defense and the Secretaries of the
 21 military departments shall complete one or more prize
 22 competitions under section 4025 of title 10, United States
 23 Code, in order to support the business systems moderniza-
 24 tion goals of the Department of Defense.

25 (b) SCOPE.—

1 (1) IN GENERAL.—Each prize competition car-
2 ried out under subsection (a) shall be structured to
3 complement, and to the degree practicable, accel-
4 erate delivery or expand functionality of business
5 systems capabilities being pursued by the affected
6 Secretary, either currently in operation, in develop-
7 ment, or for broad classes of systems covered by the
8 business enterprise architecture required by section
9 2222(e) of title 10, United States Code.

10 (2) AREAS FOR CONSIDERATION.—In carrying
11 out subsection (a), the Secretary of Defense and the
12 Secretaries of the military departments shall each
13 consider the following:

14 (A) Integration of artificial intelligence or
15 machine learning capabilities.

16 (B) Data analytics or business intelligence,
17 or related visualization capability.

18 (C) Automated updating of business archi-
19 tectures, business systems integration, or docu-
20 mentation related to existing systems or manu-
21 als.

22 (D) Improvements to interfaces or proc-
23 esses for interacting with other non-Department
24 of Defense business systems.

1 (E) Updates or replacements for legacy
2 business systems to improve operational effec-
3 tiveness and efficiency, such as the Mechaniza-
4 tion of Contract Administration Services
5 (MOCAS).

6 (F) Contract writing systems or expanded
7 capability that could be integrated into existing
8 systems.

9 (G) Pay and personnel systems, or ex-
10 panded capability, that could be integrated into
11 existing systems.

12 (H) Other finance and accounting systems,
13 or expanded capability, that could be integrated
14 into existing systems.

15 (I) Systems supporting industrial base and
16 supply chain visibility, analytics, and manage-
17 ment.

18 **SEC. 222. UPDATE TO PLANS AND STRATEGIES FOR ARTIFI-**
19 **CIAL INTELLIGENCE.**

20 (a) IN GENERAL.—The Secretary of Defense shall,
21 in consultation with the Deputy Secretary of Defense—

22 (1) establish and document procedures, includ-
23 ing timelines, for the periodic review of the 2018
24 Department of Defense Artificial Intelligence Strat-
25 egy, or any successor strategy, and associated an-

1 nexes of the military departments to assess the im-
2 plementation of the strategy and whether any revi-
3 sion is necessary;

4 (2) issue Department of Defense-wide guidance
5 that defines outcomes of near-term and long-term
6 strategies and plans relating to—

7 (A) the adoption of artificial intelligence;

8 (B) adoption and enforcement of policies
9 on the ethical use of artificial intelligence sys-
10 tems; and

11 (C) the identification and mitigation of
12 bias in artificial intelligence algorithms;

13 (3) issue Department-wide guidance regard-
14 ing—

15 (A) methods to monitor accountability for
16 artificial intelligence-related activity, including
17 artificial intelligence performance indicators
18 and metrics;

19 (B) means to enforce and update ethics
20 policy and guidelines across all adopted artifi-
21 cial intelligence systems; and

22 (C) means to identify, monitor, and miti-
23 gate bias in artificial intelligence algorithms;

24 (4) develop a strategic plan for the develop-
25 ment, use, and cybersecurity of generative artificial

1 intelligence, including a policy for use of, and de-
2 fense against adversarial use of, generative artificial
3 intelligence;

4 (5) assess technical workforce needs across the
5 future years defense plan to support the continued
6 development of artificial intelligence capabilities, in-
7 cluding recruitment and retention policies and pro-
8 grams;

9 (6) assess the availability and adequacy of the
10 basic artificial intelligence training and education
11 curricula available to the broader Department civil-
12 ian workforce and military personnel to promote ar-
13 tificial intelligence literacy to the nontechnical work-
14 force and senior leadership with responsibilities adja-
15 cent to artificial intelligence technical development;

16 (7) develop and issue a timeline and guidance
17 for the Chief Digital and Artificial Intelligence Offi-
18 cer of the Department and the Secretaries of the
19 military departments to establish a common termi-
20 nology for artificial intelligence-related activities;

21 (8) develop and implement a plan to protect
22 and secure the integrity, availability, and privacy of
23 artificial intelligence systems and models, including
24 large language models, data libraries, data reposi-

1 tories, and algorithms, in training, development, and
2 production environments;

3 (9) develop and implement a plan—

4 (A) to identify commercially available and
5 relevant large language models; and

6 (B) to make those available, as appro-
7 priate, on classified networks;

8 (10) develop a plan to defend the people, orga-
9 nizations, and systems of the Department against
10 adversarial artificial intelligence, including identifica-
11 tion of organizations within the Department that
12 could provide red teams capabilities for operational
13 and developmental needs;

14 (11) develop and implement a policy for use by
15 contracting officials to protect the intellectual prop-
16 erty of commercial entities that provide their artifi-
17 cial intelligence algorithms to a Department reposi-
18 tory established pursuant to section 232 of the Na-
19 tional Defense Authorization Act for Fiscal Year
20 2022 (Public Law 117–81; 10 U.S.C. 4001 note),
21 including policy for how to address data rights in
22 situations in which government and commercial in-
23 tellectual property may be mixed when such artificial
24 intelligence algorithms are deployed in an oper-
25 ational environment;

1 (12) issue guidance and directives for how the
2 Chief Digital and Artificial Intelligence Officer of
3 the Department will exercise authority to access,
4 control, and maintain, on behalf of the Secretary,
5 data collected, acquired, accessed, or utilized by De-
6 partment components consistent with section 1513
7 of the James M. Inhofe National Defense Authoriza-
8 tion Act for Fiscal Year 2023 (Public Law 117–263;
9 10 U.S.C. 4001 note); and

10 (13) clarify guidance on the instances for and
11 role of human intervention and oversight in the exer-
12 cise of artificial intelligence algorithms for use in the
13 generation of offensive or lethal courses of action for
14 tactical operations.

15 (b) DUE DATE FOR PROCEDURES, GUIDANCE,
16 PLANS, ASSESSMENT, AND TIMELINES.—

17 (1) DUE DATE.—The Secretary shall develop
18 the procedures, guidance, plans, assessment, and
19 timelines required under subsection (a) not later
20 than 120 days after the date of enactment of this
21 Act.

22 (2) BRIEFING.—Not later than 150 days after
23 the date of the enactment of this Act, the Secretary
24 shall provide to the congressional defense commit-
25 tees a briefing on the procedures, guidance, plans,

1 assessment, and timelines established, issued, car-
2 ried out, or developed under subsection (a).

3 **SEC. 223. WESTERN REGIONAL RANGE COMPLEX DEM-**
4 **ONSTRATION.**

5 (a) **DEMONSTRATION REQUIRED.**—The Secretary
6 shall carry out a demonstration of a joint multi-domain
7 nonkinetic testing and training environment across mili-
8 tary departments by interconnecting existing ranges and
9 training sites in the western States to improve joint multi-
10 domain nonkinetic training and further testing, research,
11 and development.

12 (b) **USE OF EXISTING RANGES AND CAPABILITIES.**—
13 The demonstration carried out pursuant to subsection (a)
14 shall use existing ranges and range capability, unless ca-
15 pability gaps are identified in the process of planning spe-
16 cific demonstration activities.

17 (c) **ACTIVITIES.**—The demonstration carried out pur-
18 suant to subsection (a) shall include the following:

- 19 (1) Electromagnetic spectrum operations.
- 20 (2) Electromagnetic warfare.
- 21 (3) Operations in the information environment.
- 22 (4) Joint All Domain Command and Control
23 (JADC2).
- 24 (5) Information warfare, including the fol-
25 lowing:

1 (A) Intelligence, surveillance, and recon-
2 naissance.

3 (B) Offensive and defense cyber oper-
4 ations.

5 (C) Electromagnetic warfare.

6 (D) Space operations.

7 (E) Psychological operations.

8 (F) Public affairs.

9 (G) Weather operations.

10 (d) **TIMELINE FOR COMPLETION OF INITIAL DEM-**
11 **ONSTRATION.**—In carrying out subsection (a), the Sec-
12 retary shall seek to complete an initial demonstration,
13 interconnecting two or more ranges or testing sites of two
14 or more military departments in the western States, sub-
15 ject to availability of appropriations, not later than one
16 year after the date of the enactment of this Act.

17 (e) **BRIEFING.**—Not later than 180 days after the
18 date of the enactment of this Act, the Secretary shall pro-
19 vide the congressional defense committees a briefing on—

20 (1) a phased implementation plan and design to
21 connect ranges and testing sites in the western
22 States, including the initial demonstration required
23 by subsection (d);

24 (2) how the design architecture of the plan is
25 in alignment with recommendations of the 2020 De-

1 partment of Defense Electromagnetic Spectrum Su-
2 periority Strategy; and

3 (3) how the design architecture will support
4 high-periodicity training, testing, research, and de-
5 velopment.

6 (f) DEFINITION.—In this section:

7 (1) INFORMATION ENVIRONMENT.—The term
8 “information environment” means the aggregate of
9 individuals, organizations, and systems that collect,
10 process, and disseminate, or act on information.

11 (2) SECRETARY.—The term “Secretary” means
12 the Secretary of Defense.

13 (g) TERMINATION.—This section shall terminate on
14 September 30, 2028.

15 **SEC. 224. REPORT ON FEASIBILITY AND ADVISABILITY OF**
16 **ESTABLISHING A QUANTUM COMPUTING IN-**
17 **NOVATION CENTER.**

18 (a) IN GENERAL.—Not later than 1 year after the
19 date of the enactment of this Act, the Secretary of Defense
20 shall, in coordination with the Under Secretary of Defense
21 for Research and Engineering and the Chief Digital and
22 Artificial Intelligence Officer, submit to the congressional
23 defense committees a report on the feasibility and advis-
24 ability of establishing a quantum computing innovation
25 center within the Department of Defense—

1 (1) to identify and pursue the development of
2 quantum computing applications to enhance military
3 operations;

4 (2) to harness the talent and skills of physicists
5 and scientists within the Department to develop
6 quantum computing applications; and

7 (3) to coordinate and synchronize quantum
8 computing research across the Department.

9 (b) ELEMENTS.—The report required under sub-
10 section (a) shall include the following:

11 (1) An assessment of the ongoing activities of
12 the Department that are part of the National Quan-
13 tum Initiative.

14 (2) An evaluation of the plans of the Depart-
15 ment to develop quantum computing, sensing, and
16 networking applications.

17 (3) The level of funding and resources invested
18 by the Department to enable quantum military ap-
19 plications.

20 (4) Any established metrics or performance in-
21 dicators to track the progress of quantum technology
22 developments.

23 (5) The extent to which the Department is
24 partnering with commercial entities engaging in
25 quantum research and development.

1 mittee on Armed Services of the House of Representatives
2 a briefing on the impediments to the transition of the Se-
3 mantic Forensics program to operational use.

4 (b) ELEMENTS.—The briefing provided pursuant to
5 subsection (a) shall include the following:

6 (1) Identification of policy and legal challenges
7 associated with the transition described in subsection
8 (a) and implementation of the Semantic Forensics
9 program, including with respect to the use and oper-
10 ational testing of publicly available information.

11 (2) Identification of other Federal agencies with
12 legal authorities that may be able to resolve the
13 challenges identified pursuant to paragraph (1).

14 (3) Recommendations for legislative or adminis-
15 trative action to mitigate the challenges identified
16 pursuant to paragraph (1).

17 **SEC. 226. ANNUAL REPORT ON DEPARTMENT OF DEFENSE**

18 **HYPERSONIC CAPABILITY FUNDING AND IN-**

19 **VESTMENT.**

20 (a) IN GENERAL.—Not later than March 1 of fiscal
21 year 2024 and March 1 of each of fiscal year thereafter
22 through 2030, the Secretary of Defense shall submit to
23 the congressional defense committees an annual report on
24 funding and investments of the Department of Defense
25 relating to hypersonic capabilities, including with respect

1 to procurement, research, development, operations, and
2 maintenance of offensive and defensive hypersonic weap-
3 ons.

4 (b) REQUIREMENTS.—Each report submitted pursu-
5 ant to subsection (a) shall—

6 (1) include cost data on the vehicles, testing,
7 hypersonic sensors, command and control architec-
8 tures, infrastructure, testing infrastructure, soft-
9 ware, workforce, training, ranges, integration costs,
10 and such other items as the Secretary considers ap-
11 propriate;

12 (2) disaggregate information reported by offen-
13 sive and defensive hypersonic capabilities;

14 (3) for research relating to hypersonic capabili-
15 ties, include the program element and the name of
16 the entity that is conducting the research, a descrip-
17 tion of the purpose of the research, and any Uni-
18 form Resource Locators to weapon programs associ-
19 ated with the research; and

20 (4) to the degree applicable, include all associ-
21 ated hypersonic program elements and line items.

22 (c) FORM.—Each report submitted pursuant to sub-
23 section (a) shall be submitted in unclassified form, but
24 may include a classified annex.

1 **SEC. 227. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **TRAVEL FOR OFFICE OF UNDER SECRETARY**
3 **OF DEFENSE FOR PERSONNEL AND READI-**
4 **NESS PENDING A PLAN FOR MODERNIZING**
5 **DEFENSE TRAVEL SYSTEM.**

6 (a) **LIMITATION.**—Of the funds authorized to be ap-
7 propriated by this Act for fiscal year 2024 for travel for
8 the office of the Under Secretary of Defense for Personnel
9 and Readiness, not more than 85 percent may be obligated
10 or expended until the Secretary of Defense submits to the
11 Committee on Armed Services of the Senate and the Com-
12 mittee on Armed Services of the House of Representatives
13 supporting justification material underpinning the deci-
14 sion to cease current modernization efforts for the Defense
15 Travel System (DTS), and a plan going forward for mod-
16 ernizing or replacing such system

17 (b) **CONTENTS.**—The justification material and plan
18 described in subsection (a) shall include the following:

19 (1) The documentation from the Milestone De-
20 cision Authority (MDA) justifying cancellation of the
21 current modernization contract, including—

22 (A) specific metrics used to make that de-
23 termination;

24 (B) a timeline for decisions leading to the
25 final cancellation;

1 (C) notification from the military depart-
2 ments when they were unable to make the de-
3 sired usage rates using the current moderniza-
4 tion prototype;

5 (D) identification of system requirements
6 for audit readiness, as well as interface needs
7 for other enterprise resource planning systems,
8 in the current modernization contract; and

9 (E) alternatives considered prior to can-
10 cellation.

11 (2) An assessment by the Cost Assessment of
12 Program Evaluation office comparing—

13 (A) costs of continuing with the current
14 modernization prototype across the future years
15 defense plan (FYDP); and

16 (B) costs of sustainment of the Defense
17 Travel System across the future years defense
18 plan, factoring potential costs of restarting
19 modernization efforts.

20 (3) A description from the Milestone Decision
21 Authority on what the current plan is for modern-
22 izing the Defense Travel System, including timelines
23 and potential costs.

1 **SEC. 228. ANNUAL REPORT ON UNFUNDED PRIORITIES FOR**
2 **RESEARCH, DEVELOPMENT, TEST, AND EVAL-**
3 **UATION ACTIVITIES.**

4 (a) IN GENERAL.—Chapter 9 of title 10, United
5 States Code, is amended by inserting after section 222d
6 the following new section:

7 **“§ 222e. Unfunded priorities for research, develop-**
8 **ment, test, and evaluation activities**

9 “(a) ANNUAL REPORT.—Not later than 10 days after
10 the date on which the budget of the President for a fiscal
11 year is submitted to Congress pursuant to section 1105
12 of title 31, the Secretary of Defense shall submit to the
13 congressional defense committees a report on the un-
14 funded priorities of the Department of Defense-wide re-
15 search, development, test, and evaluation activities.

16 “(b) CONTENTS.—

17 “(1) IN GENERAL.—Except as provided in sub-
18 section (c), each report submitted under subsection
19 (a) shall specify, for each unfunded priority covered
20 by such report, the following:

21 “(A) A summary description of such pri-
22 ority, including the objectives to be achieved if
23 such priority is funded (whether in whole or in
24 part).

1 “(B) The additional amount of funds rec-
2 ommended in connection with the objectives
3 under subparagraph (A).

4 “(C) Account information with respect to
5 such priority, including the following (as appli-
6 cable):

7 “(i) Line Item Number (LIN) for ap-
8 plicable procurement accounts.

9 “(ii) Program Element (PE) number
10 for applicable research, development, test,
11 and evaluation accounts.

12 “(2) PRIORITIZATION OF PRIORITIES.—The re-
13 port under subsection (a) shall present the unfunded
14 priorities covered by such report in order of urgency
15 of priority.

16 “(c) EXCLUSION OF PRIORITIES COVERED IN OTHER
17 REPORTS.—The report submitted under subsection (a)
18 shall not include unfunded priorities or requirements cov-
19 ered in reports submitted under—

20 “(1) section 222a or 222b; or

21 “(2) section 2806 of the National Defense Au-
22 thorization Act for Fiscal Year 2018 (Public Law
23 115–91; 10 U.S.C. 222a note).

24 “(d) FORM.—Each report submitted pursuant to sub-
25 section (a) shall be submitted in classified format, but the

1 Secretary may also submit an unclassified version as the
 2 Secretary considers appropriate.

3 “(e) UNFUNDED PRIORITY DEFINED.—In this sec-
 4 tion, the term ‘unfunded priority’, in the case of a fiscal
 5 year, means a program, activity, or mission requirement,
 6 that—

7 “(1) is not funded in the budget of the Presi-
 8 dent for the fiscal year as submitted to Congress
 9 pursuant to section 1105 of title 31; and

10 “(2) would have been recommended for funding
 11 through that budget if—

12 “(A) additional resources had been avail-
 13 able for the budget to fund the program, activ-
 14 ity, or mission requirement; or

15 “(B) the program, activity, or mission re-
 16 quirement has emerged since the budget was
 17 formulated.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
 19 at the beginning of chapter 9 of such title is amended by
 20 inserting after the item relating to section 222d the fol-
 21 lowing new item:

“222e. Annual report on unfunded priorities for research, development, test, and
 evaluation activities.”.

1 **SEC. 229. ESTABLISHMENT OF TECHNOLOGY TRANSITION**
2 **PROGRAM FOR STRATEGIC NUCLEAR DETER-**
3 **RENCE.**

4 (a) **IN GENERAL.**—The Commander of Air Force
5 Global Strike Command may, through the use of a part-
6 nership intermediary, establish a program—

7 (1) to carry out technology transition, digital
8 engineering projects, and other innovation activities
9 supporting the Air Force nuclear enterprise; and

10 (2) to discover capabilities that have the poten-
11 tial to generate life-cycle cost savings and provide
12 data-driven approaches to resource allocation.

13 (b) **TERMINATION.**—The program established under
14 subsection (a) shall terminate on September 30, 2029.

15 (c) **PARTNERSHIP INTERMEDIARY DEFINED.**—The
16 term “partnership intermediary” has the meaning given
17 the term in section 23(c) of the Stevenson-Wydler Tech-
18 nology Innovation Act of 1980 (15 U.S.C. 3715(c)).

19 **SEC. 230. REVIEW OF ARTIFICIAL INTELLIGENCE INVEST-**
20 **MENT.**

21 (a) **IN GENERAL.**—Not later than 180 days after the
22 date of the enactment of this Act, the Secretary of Defense
23 shall—

24 (1) review the current investment into applica-
25 tions of artificial intelligence to the platforms, proc-

1 esses, and operations of the Department of Defense;
2 and

3 (2) categorize the types of artificial intelligence
4 investments by categories including but not limited
5 to the following:

6 (A) Automation.

7 (B) Machine learning.

8 (C) Autonomy.

9 (D) Robotics.

10 (E) Deep learning and neural network.

11 (F) Natural language processing.

12 (b) REPORT TO CONGRESS.—Not later than 120 days
13 after the completion of the review and categorization re-
14 quired by subsection (a), the Secretary of Defense shall
15 submit to the congressional defense committees a report
16 on—

17 (1) the findings of the Secretary with respect to
18 the review and any action taken or proposed to be
19 taken by the Secretary to address such findings; and

20 (2) an evaluation of how the findings of the
21 Secretary align with stated strategies of the Depart-
22 ment of Defense with regard to artificial intelligence
23 and performance objectives established in the De-
24 partment of Defense Data, Analytics, and Artificial
25 Intelligence Adoption Strategy.

1 **TITLE III—OPERATION AND**
2 **MAINTENANCE**

3 **Subtitle A—Authorization of**
4 **Appropriations**

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

6 Funds are hereby authorized to be appropriated for
7 fiscal year 2024 for the use of the Armed Forces and other
8 activities and agencies of the Department of Defense for
9 expenses, not otherwise provided for, for operation and
10 maintenance, as specified in the funding table in section
11 4301.

12 **Subtitle B—Energy and**
13 **Environment**

14 **SEC. 311. REQUIREMENT FOR APPROVAL BY UNDER SEC-**
15 **RETARY OF DEFENSE FOR ACQUISITION AND**
16 **SUSTAINMENT OF ANY WAIVER FOR A SYS-**
17 **TEM THAT DOES NOT MEET FUEL EFFI-**
18 **CIENCY KEY PERFORMANCE PARAMETER.**

19 Section 332(b) of the Duncan Hunter National De-
20 fense Authorization Act for Fiscal Year 2009 (Public Law
21 110–417; 10 U.S.C. 2911 note) is amended—

22 (1) by striking “The Secretary of Defense” and
23 inserting the following:

24 “(1) IN GENERAL.—The Secretary of Defense”;

25 and

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

3 “(2) WAIVER OF FUEL EFFICIENCY KEY PER-
4 FORMANCE PARAMETER.—

5 “(A) IN GENERAL.—The fuel efficiency key
6 performance parameter implemented under
7 paragraph (1) may be waived for a system only
8 if such waiver is approved by the Under Sec-
9 retary of Defense for Acquisition and
10 Sustainment.

11 “(B) NONDELEGATION.—The waiver au-
12 thority under subparagraph (A) may not be del-
13 egated.”.

14 **SEC. 312. IMPROVEMENT AND CODIFICATION OF SENTINEL**
15 **LANDSCAPES PARTNERSHIP PROGRAM AU-**
16 **THORITY.**

17 (a) CODIFICATION OF EXISTING STATUTE.—Section
18 317 of the National Defense Authorization Act for Fiscal
19 Year 2018 (Public Law 115–91; 10 U.S.C. 2684a note)
20 is amended—

21 (1) by transferring such section to appear after
22 section 2692 of title 10, United States Code;

23 (2) by redesignating such section as section
24 2693; and

1 (3) by amending the section heading to read as
2 follows:

3 **“§ 2693. Sentinel Landscapes Partnership”.**

4 (b) IMPROVEMENTS TO SENTINEL LANDSCAPES
5 PARTNERSHIP PROGRAM.—Section 2693 of title 10,
6 United States Code, as transferred and redesignated by
7 subsection (a), is further amended—

8 (1) in subsection (a), by striking “and the Sec-
9 retary of the Interior” and inserting “, the Secretary
10 of the Interior, and the heads of other Federal de-
11 partments and agencies that elect to become full
12 partners”;

13 (2) in subsection (b), by striking “and the Sec-
14 retary of the Interior, may, as the Secretaries” and
15 inserting “the Secretary of the Interior, and the
16 heads of other Federal departments and agencies
17 that elect to become full partners may, as they”;

18 (3) by amending subsection (c) to read as fol-
19 lows:

20 “(c) COORDINATION OF ACTIVITIES.—The Secre-
21 taries and the heads of Federal departments and agencies,
22 in carrying out this section, may coordinate actions be-
23 tween their departments and agencies and with other Fed-
24 eral, State, interstate, and local agencies, Indian Tribes,
25 and private entities to more efficiently work together for

1 the mutual benefit of conservation, resilience, working
2 lands, and national defense, and to encourage owners and
3 managers of land to engage in voluntary land manage-
4 ment, resilience, and conservation activities that con-
5 tribute to the sustainment of military installations, State-
6 owned National Guard installations, and associated air-
7 space.”;

8 (4) in subsection (d)—

9 (A) by striking the first sentence and in-
10 sserting “The Secretaries and the heads of Fed-
11 eral departments and agencies, in carrying out
12 this section, may give to any eligible owner or
13 manager of land within a designated sentinel
14 landscape priority consideration for participa-
15 tion in any easement, grant, or assistance pro-
16 grams administered by that Secretary or
17 head.”; and

18 (B) in the second sentence, by striking “el-
19 igible landowner or agricultural producer” and
20 inserting “eligible owner or manager of land”;
21 and

22 (5) by redesignating subsection (f) as sub-
23 section (g);

24 (6) by inserting after subsection (e) the fol-
25 lowing new subsection (f):

1 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion may be construed to require an owner or manager
3 of land, including a private landowner or agricultural pro-
4 ducer, to participate in any land management, resilience,
5 or conservation activity under this section.”;

6 (7) in subsection (g), as redesigned by para-
7 graph (5)—

8 (A) in paragraph (1), by striking “ section
9 670(1) of title 16, United States Code” and in-
10 sserting “ section 100(1) of the Sikes Act (16
11 U.S.C. 670(1))”;

12 (B) in paragraph (2), by striking “section
13 670(3) of title 16, United States Code” and in-
14 sserting “section 100(3) of the Sikes Act (16
15 U.S.C. 670(3))”; and

16 (C) in paragraph (3), by amending sub-
17 paragraph (B) to read as follows:

18 “(B) the publicly and privately owned
19 lands that serve to protect and support the
20 rural economy, the natural environment, out-
21 door recreation, and the national defense mis-
22 sions of a military installation or State-owned
23 National Guard installation.”.

24 (c) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 159 of title 10, United States

1 Code, is amended by inserting after the item relating to
2 section 2692 the following new item:

“2693. Sentinel Landscapes Partnership.”.

3 **SEC. 313. MODIFICATION OF DEFINITION OF SUSTAINABLE**
4 **AVIATION FUEL FOR PURPOSE OF PILOT**
5 **PROGRAM ON USE OF SUCH FUEL.**

6 Section 324(g) of the James M. Inhofe National De-
7 fence Authorization Act for Fiscal Year 2023 (Public Law
8 117–263) is amended—

9 (1) by striking paragraph (2);

10 (2) by redesignating paragraph (1) as para-
11 graph (2);

12 (3) by inserting before paragraph (2), as redes-
13 igned by paragraph (2) of this section, the fol-
14 lowing new paragraph:

15 “(1) The term ‘applicable material’ means—

16 “(A) monoglycerides, diglycerides, and
17 triglycerides;

18 “(B) free fatty acids; or

19 “(C) fatty acid esters.”; and

20 (4) by adding at the end the following new
21 paragraphs:

22 “(3) The term ‘biomass’ has the meaning given
23 that term in section 45K(c)(3) of the Internal Rev-
24 enue Code of 1986.

1 “(4) The term ‘lifecycle greenhouse gas emis-
2 sions reduction percentage’ means, with respect to
3 any sustainable aviation fuel, the percentage reduc-
4 tion in lifecycle greenhouse gas emissions achieved
5 by such fuel as compared with petroleum-based avia-
6 tion fuel, as determined in accordance with—

7 “(A) the most recent Carbon Offsetting
8 and Reduction Scheme for International Avia-
9 tion that has been adopted, as of the date of
10 the enactment of the National Defense Author-
11 ization Act for Fiscal Year 2024, by the Inter-
12 national Civil Aviation Organization with the
13 agreement of the United States; or

14 “(B) the most recent determinations, as of
15 the date of the enactment of the National De-
16 fense Authorization Act for Fiscal Year 2024,
17 under the Greenhouse gases, Regulated Emis-
18 sions, and Energy use in Transportation
19 (GREET) model developed by Argonne Na-
20 tional Laboratory.

21 “(5) The term ‘sustainable aviation fuel’ means
22 liquid fuel, the portion of which is not kerosene,
23 that—

24 “(A) meets the requirements of—

1 “(i) ASTM International Standard
2 D7566; or

3 “(ii) the Fischer Tropsch provisions of
4 ASTM International Standard D1655,
5 Annex A1;

6 “(B) is not derived from coprocessing an
7 applicable material (or materials derived from
8 an applicable material) with a feedstock that is
9 not biomass;

10 “(C) is not derived from palm fatty acid
11 distillates or petroleum; and

12 “(D) has been certified pursuant to a
13 scheme or model under paragraph (4) as having
14 a lifecycle greenhouse gas emissions reduction
15 percentage of not less than 50 percent.”.

16 **SEC. 314. PAYMENT TO ENVIRONMENTAL PROTECTION**
17 **AGENCY OF STIPULATED PENALTIES IN CON-**
18 **NECTION WITH NAVAL AIR STATION**
19 **MOFFETT FIELD, CALIFORNIA.**

20 (a) **AUTHORITY TO TRANSFER FUNDS.—**

21 (1) **TRANSFER AMOUNT.—**

22 (A) **IN GENERAL.—**The Secretary of the
23 Navy may transfer an amount not to exceed
24 \$438,250 to the Hazardous Substance Super-
25 fund established under section 9507 of the In-

1 ternal Revenue Code of 1986, in accordance
2 with section 2703(f) of title 10, United States
3 Code.

4 (B) INAPPLICABILITY OF LIMITATION.—
5 Any transfer under subparagraph (A) shall be
6 made without regard to section 2215 of title 10,
7 United States Code.

8 (2) SOURCE OF FUNDS.—Any transfer under
9 paragraph (1)(A) shall be made using funds author-
10 ized to be appropriated by this Act or otherwise
11 made available for fiscal year 2024 for the Depart-
12 ment of Defense Base Closure Account established
13 under section 2906(a) of the Defense Base Closure
14 and Realignment Act of 1990 (Public Law 101–510;
15 10 U.S.C. 2687 note).

16 (b) PURPOSE OF TRANSFER.—Any transfer under
17 subsection (a)(1)(A) shall be for the purpose of satisfying
18 a stipulated penalty assessed by the Environmental Pro-
19 tection Agency on May 4, 2018, regarding former Naval
20 Air Station, Moffett Field, California, under the Federal
21 Facility Agreement for Naval Air Station, Moffett Field,
22 which was entered into between the Navy and the Environ-
23 mental Protection Agency in 1990 pursuant to section 120
24 of the Comprehensive Environmental Response, Com-
25 pensation, and Liability Act of 1980 (42 U.S.C. 9620).

1 (c) ACCEPTANCE OF PAYMENT.—If the Secretary of
2 the Navy makes a transfer under subsection (a)(1)(A), the
3 Administrator of the Environmental Protection Agency
4 shall accept the amount transferred as payment in full of
5 the penalty described in subsection (b).

6 **SEC. 315. TECHNICAL ASSISTANCE FOR COMMUNITIES AND**
7 **INDIVIDUALS POTENTIALLY AFFECTED BY**
8 **RELEASES AT CURRENT AND FORMER DE-**
9 **PARTMENT OF DEFENSE FACILITIES.**

10 (a) TECHNICAL ASSISTANCE FOR NAVIGATION OF
11 RESPONSE ACTIONS.—

12 (1) IN GENERAL.—Beginning not later than
13 180 days after the date of the enactment of this Act,
14 and subject to such amounts as are provided in ap-
15 propriations Acts, the Secretary of Defense, acting
16 through the Director of the Office of Local Defense
17 Community Cooperation, shall furnish technical as-
18 sistance services described in paragraph (3) through
19 the Technical Assistance for Public Participation
20 (TAPP) Program of the Department of Defense to
21 communities, or individuals who are members there-
22 of, that have been affected by a release of a pollut-
23 ant affirmatively determined to have originated from
24 a facility under the jurisdiction of, or formerly used
25 by or under the jurisdiction of, the Department.

1 (2) IMPLEMENTATION.—The Secretary, acting
2 through the Director of the Office of Local Defense
3 Community Cooperation, may furnish technical as-
4 sistance services pursuant to paragraph (1) through
5 a Federal interagency agreement, a private service
6 provider, or a cooperative agreement entered into
7 with a nonprofit organization.

8 (3) SERVICES PROVIDED.—The technical assist-
9 ance services described in this paragraph are serv-
10 ices to improve public participation in, or assist in
11 the navigation of, environmental response efforts, in-
12 cluding—

13 (A) the provision of advice and guidance to
14 a community or individual specified in para-
15 graph (1) regarding additional technical assist-
16 ance with respect to which such community or
17 individual may be eligible (including pursuant
18 to subsection (b));

19 (B) the interpretation of site-related docu-
20 ments;

21 (C) the interpretation of health-related in-
22 formation;

23 (D) assistance with the preparation of pub-
24 lic comments; and

1 (E) the development of outreach materials
2 to improve public participation.

3 (b) GRANTS FOR TECHNICAL ASSISTANCE.—

4 (1) AUTHORITY.—Beginning not later than 180
5 days after the date of the enactment of this Act, and
6 subject to such amounts as are provided in appro-
7 priations Acts, the Secretary of Defense, acting
8 through the Director of the Office of Local Defense
9 Community Cooperation, shall administer a grant
10 program under which the Director may award a
11 grant to a community, or individuals who are mem-
12 bers thereof, that have been affected by a release of
13 a pollutant affirmatively determined to have origi-
14 nated from a facility under the jurisdiction of, or
15 formerly used by or under the jurisdiction of, the
16 Department of Defense.

17 (2) USE OF AMOUNTS.—Funds provided under
18 a grant awarded pursuant to paragraph (1) in con-
19 nection with a release of a pollutant at a facility
20 may be used by the grant recipient only to obtain
21 technical assistance and services for public participa-
22 tion in various stages of the processes of response,
23 remediation, and removal actions at the facility, in-
24 cluding—

1 (A) interpreting the nature of the release,
2 including monitoring and testing plans and re-
3 ports associated with site assessment and char-
4 acterization at the facility;

5 (B) interpreting documents, plans, pro-
6 posed actions, and final decisions related to—

7 (i) an interim remedial action;

8 (ii) a remedial investigation or feasi-
9 bility study;

10 (iii) a record of decision;

11 (iv) a remedial design;

12 (v) the selection and construction of
13 remedial action;

14 (vi) operation and maintenance; and

15 (vii) a five-year review at the facility.

16 (C) a removal action at such facility; and

17 (D) services specified under subsection

18 (a)(3).

19 (c) PROHIBITION ON USE OF AMOUNTS.—None of
20 the amounts made available under this section may be
21 used for the purpose of conducting—

22 (1) lobbying activities; or

23 (2) legal challenges of final decisions of the De-
24 partment of Defense.

1 **Subtitle C—Treatment of**
2 **Perfluoroalkyl Substances and**
3 **Polyfluoroalkyl Substances**

4 **SEC. 321. TREATMENT OF CERTAIN MATERIALS CONTAMI-**
5 **NATED WITH PERFLUOROALKYL SUB-**
6 **STANCES OR POLYFLUOROALKYL SUB-**
7 **STANCES.**

8 (a) IN GENERAL.—The Secretary of Defense may
9 treat covered materials, including soils that have been con-
10 taminated with PFAS, until the date on which the Sec-
11 retary adopts the final rule required under section 343(b)
12 of the National Defense Authorization Act for Fiscal Year
13 2022 (Public Law 117–81; 10 U.S.C. 2701 note) if the
14 treatment of such materials occurs through the use of re-
15 mediation or disposal technology approved by the relevant
16 Federal regulatory agency.

17 (b) DEFINITIONS.—In this section, the terms “cov-
18 ered material” and “PFAS” have the meanings given
19 those terms in section 343(e) of the National Defense Au-
20 thorization Act for Fiscal Year 2022 (Public Law 117–
21 81; 10 U.S.C. 2701 note).

1 **SEC. 322. INCREASE OF TRANSFER AUTHORITY FOR FUND-**
2 **ING OF STUDY AND ASSESSMENT ON HEALTH**
3 **IMPLICATIONS OF PER- AND**
4 **POLYFLUOROALKYL SUBSTANCES CONTAMI-**
5 **NATION IN DRINKING WATER BY AGENCY**
6 **FOR TOXIC SUBSTANCES AND DISEASE REG-**
7 **ISTRY.**

8 Section 316(a)(2)(B) of the National Defense Au-
9 thorization Act for Fiscal Year 2018 (Public Law 115-
10 91; 131 Stat. 1350), as amended by section 315(a) of the
11 John S. McCain National Defense Authorization Act for
12 Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1713),
13 section 321 of the National Defense Authorization Act for
14 Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1307),
15 section 337 of the William M. (Mac) Thornberry National
16 Defense Authorization Act for Fiscal Year 2021 (Public
17 Law 116-283; 134 Stat. 3533), section 342 of the Na-
18 tional Defense Authorization Act for Fiscal Year 2022
19 (Public Law 117-81; 135 Stat. 1643), and section 342
20 of the James M. Inhofe National Defense Authorization
21 Act for Fiscal Year 2023 (Public Law 117-263), is fur-
22 ther amended by adding at the end the following new
23 clause:

24 “(iv) Without regard to section 2215 of
25 title 10, United States Code, the Secretary of
26 Defense may transfer not more than

1 \$5,000,000 during fiscal year 2024 to the Sec-
2 retary of Health and Human Services to pay
3 for the study and assessment required by this
4 section.”.

5 **SEC. 323. MODIFICATION OF AUTHORITY FOR ENVIRON-**
6 **MENTAL RESTORATION PROJECTS AT NA-**
7 **TIONAL GUARD FACILITIES.**

8 (a) CLARIFICATION OF DEFINITION OF NATIONAL
9 GUARD FACILITIES.—Paragraph (4) of section 2700 of
10 title 10, United States Code, is amended—

11 (1) by striking “State-owned”;

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

14 (3) by striking “even though such land is not
15 under the jurisdiction of the Department of De-
16 fense.” and inserting “without regard to—”

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

18 or

19 “(B) whether the facility is under the ju-
20 risdiction of the Department of Defense or a
21 military department.”.

22 (b) INCLUSION UNDER DEFENSE ENVIRONMENTAL
23 RESTORATION PROGRAM.—Section 2701(a)(1) of such
24 title is amended by striking “State-owned”.

1 (c) RESPONSE ACTIONS AT NATIONAL GUARD FA-
2 CILITIES.—Section 2701(c)(1)(D) of such title is amended
3 by striking “State-owned”.

4 (d) SERVICES OF OTHER ENTITIES.—Section
5 2701(d)(1) of such title is amended, in the second sen-
6 tence, by inserting “or at a National Guard facility” be-
7 fore the period at the end.

8 (e) ENVIRONMENTAL RESTORATION ACCOUNTS.—
9 Section 2703(g)(1) of such title is amended by inserting
10 “, a National Guard facility,” after “Department of De-
11 fense”.

12 (f) TECHNICAL AND CONFORMING AMENDMENTS.—

13 (1) REPEAL.—Section 2707 of such title is
14 amended by striking subsection (e).

15 (2) REFERENCE UPDATE.—Section 345(f)(1) of
16 the National Defense Authorization Act for Fiscal
17 Year 2022 (Public Law 117–81; 10 U.S.C. 2715
18 note) is amended by striking “facility where military
19 activities are conducted by the National Guard of a
20 State pursuant to section 2707(e) of title 10, United
21 States Code” and inserting “National Guard facility,
22 as such term is defined in section 2700 of title 10,
23 United States Code”.

1 **SEC. 324. LIMITATION ON AVAILABILITY OF TRAVEL FUNDS**
2 **UNTIL SUBMITTAL OF PLAN FOR RESTORING**
3 **DATA SHARING ON TESTING OF WATER FOR**
4 **PERFLUOROALKYL OR POLYFLUOROALKYL**
5 **SUBSTANCES.**

6 (a) IN GENERAL.—Of the funds authorized to be ap-
7 propriated by this Act for operation and maintenance, de-
8 fense-wide, for travel for the Office of the Under Secretary
9 of Defense for Acquisition and Sustainment, not more
10 than 85 percent may be obligated or expended until the
11 Under Secretary of Defense for Acquisition and
12 Sustainment submits to the congressional defense commit-
13 tees a plan to restore data sharing pertaining to the test-
14 ing of water for perfluoroalkyl or polyfluoroalkyl sub-
15 stances, as required under section 345 of the National De-
16 fense Authorization Act for Fiscal Year 2022 (Public Law
17 117–81; 10 U.S.C. 2715 note), which shall include the fol-
18 lowing:

19 (1) A plan to restore data sharing with each
20 relevant State agency tasked with regulation of envi-
21 ronmental contamination by perfluoroalkyl or
22 polyfluoroalkyl substances in each State or territory
23 of the United States.

24 (2) A plan to restore data sharing with restora-
25 tion advisory boards established under section
26 2705(d) of title 10, United States Code.

1 (3) Information on the geographic specificity of
2 the data to be provided under paragraphs (1) and
3 (2) and a timeline for the implementation of the
4 plans under such paragraphs.

5 (b) **INABILITY TO MEET TRANSPARENCY REQUIRE-**
6 **MENTS.**—If the Under Secretary of Defense for Acquisi-
7 tion and Sustainment determines that they are unable to
8 meet the requirements under subsection (a), the Under
9 Secretary shall brief the congressional defense committees
10 on the rationale for why the restoration of data sharing
11 required under such subsection is not possible, including
12 a description of any legislative action required to restore
13 such data sharing.

14 **SEC. 325. DASHBOARD OF FUNDING RELATING TO**
15 **PERFLUOROALKYL SUBSTANCES AND**
16 **POLYFLUOROALKYL SUBSTANCES.**

17 The Secretary of Defense shall include with the sub-
18 mission to Congress by the President of the annual budget
19 of the Department of Defense for a fiscal year under sec-
20 tion 1105(a) of title 31, United States Code, a separate
21 budget justification document that consolidates all infor-
22 mation pertaining to activities of the Department of De-
23 fense relating to perfluoroalkyl substances and
24 polyfluoroalkyl substances, including funding for and de-
25 scriptions of—

- 1 (1) research and development efforts;
- 2 (2) testing;
- 3 (3) remediation;
- 4 (4) contaminant disposal; and
- 5 (5) community outreach.

6 **SEC. 326. REPORT ON SCHEDULE AND COST ESTIMATES**
7 **FOR COMPLETION OF TESTING AND REMEDI-**
8 **ATION OF CONTAMINATED SITES AND PUBLI-**
9 **CATION OF CLEANUP INFORMATION.**

10 (a) REPORT.—

11 (1) IN GENERAL.—Not later than 270 days
12 after the date of the enactment of this Act, and once
13 every two years thereafter through December 31,
14 2029, the Secretary of Defense shall submit to the
15 Committees on Armed Services of the Senate and
16 the House of Representatives a report detailing—

17 (A) a proposed schedule for the completion
18 of testing and remediation activities, including
19 remediation of perfluoroalkyl substances and
20 polyfluoroalkyl substances, at military installa-
21 tions, facilities of the National Guard, and for-
22 merly used defense sites in the United States
23 where the Secretary obligated funding for envi-
24 ronmental restoration activities in fiscal year
25 2022;

1 (B) detailed cost estimates to complete
2 such activities, if such estimates are available;
3 and

4 (C) if such estimates are not available, es-
5 timated costs to complete such activities based
6 on historical costs of remediation for—

7 (i) sites remediated under the Defense
8 Environmental Restoration Program under
9 section 2701 of title 10, United States
10 Code;

11 (ii) other Federally-funded sites; or

12 (iii) privately-funded sites.

13 (2) INCLUSION OF REMEDIAL INVESTIGATIONS
14 AND FEASIBILITY STUDIES.—The schedule and cost
15 estimates required under paragraph (1) shall include
16 a schedule and estimated costs for the completion of
17 remedial investigations and feasibility studies at all
18 sites covered under such paragraph for which such
19 investigations and studies are anticipated or
20 planned.

21 (3) MILITARY INSTALLATION DEFINED.—In
22 this subsection, the term “military installation” has
23 the meaning given such term in section 2801(e)(4)
24 of title 10, United States Code.

1 (b) PUBLICATION OF INFORMATION.—Beginning not
2 later than one year after the date of the enactment of this
3 Act, the Secretary of Defense shall publish on the publicly
4 available website established under section 331(b) of the
5 National Defense Authorization Act for Fiscal Year 2020
6 (Public Law 116–92; 10 U.S.C. 2701 note) timely and
7 regularly updated information on the status of cleanup at
8 sites for which the Secretary has obligated amounts for
9 environmental restoration activities.

10 **SEC. 327. MODIFICATION OF TIMING OF REPORT ON AC-**
11 **TIVITIES OF PFAS TASK FORCE.**

12 Section 2714(f) of title 10, United States Code, is
13 amended by striking “and quarterly thereafter,” and in-
14 serting “and annually thereafter through 2029,”.

15 **SEC. 328. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**
16 **ON TESTING AND REMEDIATION OF**
17 **PERFLUOROALKYL SUBSTANCES AND**
18 **POLYFLUOROALKYL SUBSTANCES.**

19 Not later than one year after the date of the enact-
20 ment of this Act, and not later than five years thereafter,
21 the Comptroller General of the United States shall submit
22 to the congressional defense committees a report assessing
23 the state of ongoing testing and remediation by the De-
24 partment of Defense of current or former military installa-

1 tions contaminated with perfluoroalkyl substances or
2 polyfluoroalkyl substances, including—

3 (1) assessments of the thoroughness, pace, and
4 cost-effectiveness of efforts of the Department to
5 conduct testing and remediation relating to those
6 substances;

7 (2) recommendations to improve those efforts;
8 and

9 (3) such other matters as the Comptroller Gen-
10 eral determines appropriate.

11 **Subtitle D—Logistics and** 12 **Sustainment**

13 **SEC. 331. ASSURING CRITICAL INFRASTRUCTURE SUPPORT** 14 **FOR MILITARY CONTINGENCIES PILOT PRO-** 15 **GRAM.**

16 (a) ESTABLISHMENT OF PILOT PROGRAM.—Not
17 later than 60 days after the date of the enactment of this
18 Act, the Secretary of Defense shall establish a pilot pro-
19 gram to be known as the “Assuring Critical Infrastructure
20 Support for Military Contingencies Pilot Program”.

21 (b) SELECTION OF INSTALLATIONS.—

22 (1) IN GENERAL.—Not later than 90 days after
23 the date of the enactment of this Act, the Secretary
24 of Defense, acting through the Assistant Secretary
25 of Defense for Homeland Defense and Hemispheric

1 Affairs, shall select not fewer than four geographi-
2 cally diverse military installations at which to carry
3 out the pilot program under subsection (a).

4 (2) PRIORITIZATION.—

5 (A) IN GENERAL.—In selecting military in-
6 stallations under paragraph (1), the Secretary
7 of Defense shall give priority to any military in-
8 stallation that is a key component of not fewer
9 than two Contingency Plans (CONPLANS) or
10 Operational Plans (OPLANS), with priority
11 given to such plans in the area of responsibility
12 of the United States Indo-Pacific Command or
13 the United States European Command.

14 (B) ADDITIONAL PRIORITY.—If two or
15 more military installations are given equal pri-
16 ority under subparagraph (A), priority for selec-
17 tion under paragraph (1) shall be given to the
18 military installations that are—

19 (i) connected to national-level infra-
20 structure;

21 (ii) located near a commercial port; or

22 (iii) located near a national financial
23 hub.

24 (c) ACTIVITIES.—In carrying out the pilot program
25 under subsection (a), the Secretary of Defense, acting

1 through the Assistant Secretary of Defense for Homeland
2 Defense and Hemispheric Affairs, shall—

3 (1) without duplicating or disrupting existing
4 cyber exercise activities under the National Cyber
5 Exercise Program under section 2220B of the
6 Homeland Security Act of 2002 (6 U.S.C. 665h),
7 conduct cyber resiliency and reconstitution stress
8 test scenarios through tabletop exercises and, if pos-
9 sible, live exercises—

10 (A) to assess how to prioritize restoration
11 of power, water, and telecommunications for a
12 military installation in the event of a significant
13 cyberattack on regional critical infrastructure
14 that has similar impacts on State and local in-
15 frastructure; and

16 (B) to determine the recovery process
17 needed to ensure the military installation can
18 function and support an overseas contingency
19 operation or a homeland defense mission, as ap-
20 propriate;

21 (2) map dependencies of power, water, and tele-
22 communications at the military installation and the
23 connections to distribution and generation outside
24 the military installation;

1 (3) recommend priorities for the order of recovery
2 for the military installation in the event of a significant
3 cyberattack, considering both the requirements
4 needed for operations of the military installation
5 and the potential participation of personnel at
6 the military installation in an overseas contingency
7 operation or a homeland defense mission; and

8 (4) create a lessons-learned database from the
9 exercises conducted under paragraph (1) across all
10 installations participating in the pilot program to
11 share with the appropriate committees of Congress.

12 (d) COORDINATION WITH RELATED PROGRAMS.—

13 The Secretary of Defense, acting through the Assistant
14 Secretary of Defense for Homeland Defense and Hemispheric
15 Affairs, shall ensure that activities under subsection
16 (c) are coordinated with—

17 (1) private entities that operate power, water,
18 and telecommunications for a military installation
19 participating in the pilot program under subsection
20 (a);

21 (2) relevant military and civilian personnel; and

22 (3) any other entity that the Assistant Secretary
23 of Defense for Homeland Defense and Hemispheric
24 Affairs determines is relevant to the execution
25 of activities under subsection (c).

1 (e) REPORT.—Not later than one year after the date
2 of the enactment of this Act, the Secretary of Defense
3 shall submit to the Assistant to the President for Home-
4 land Security, the National Cyber Director, the head of
5 any other relevant Sector Risk Management Agency, the
6 Committees on Armed Services of the Senate and the
7 House of Representatives, and, if appropriate, relevant
8 private sector owners and operators of critical infrastruc-
9 ture a report on the activities carried out under pilot pro-
10 gram under subsection (a), including a description of any
11 operational challenges identified.

12 (f) DEFINITIONS.—In this section:

13 (1) CRITICAL INFRASTRUCTURE.—The term
14 “critical infrastructure” has the meaning given that
15 term in the Critical Infrastructures Protection Act
16 of 2001 (42 U.S.C. 5195c).

17 (2) SECTOR RISK MANAGEMENT AGENCY.—The
18 term “Sector Risk Management Agency” has the
19 meaning given that term in section 2200 of the
20 Homeland Security Act of 2002 (6 U.S.C. 650).

21 **SEC. 332. STRATEGY AND ASSESSMENT ON USE OF AUTO-**
22 **MATION AND ARTIFICIAL INTELLIGENCE FOR**
23 **SHIPYARD OPTIMIZATION.**

24 (a) STRATEGY.—The Secretary of Navy, in coordina-
25 tion with the Shipyard Infrastructure Optimization Pro-

1 gram, shall develop and implement a strategy to leverage
2 commercial best practices used in shipyards to make oper-
3 ations more efficient and demonstrate a digital mainte-
4 nance artificial intelligence platform that analyzes data on
5 the maintenance and health of shipboard assets of the
6 Navy at shipyards, which shall improve readiness of the
7 Armed Forces, predict and diagnose issues before they
8 occur, and lower maintenance costs.

9 (b) ASSESSMENT.—The Secretary of Navy shall as-
10 sess the costs of maintenance delays on shipboard assets
11 of the Navy and assess the potential cost savings of adopt-
12 ing artificial intelligence predictive maintenance tech-
13 nology techniques that help determine the condition of in-
14 service equipment to estimate when maintenance should
15 be performed rather than waiting until failure or end of
16 life, including—

17 (1) an analysis of maintenance delays and costs
18 due to unplanned and unpredicted maintenance
19 issues;

20 (2) an evaluation of opportunities to dem-
21 onstrate commercial best practices at shipyards, in-
22 cluding artificial intelligence technologies to ensure
23 timely predictions for maintainers and planners at
24 shipyards by connecting datasets, executing models,
25 and providing outputs in near real-time;

1 (3) an identification of shipyard assets of the
2 Navy with sufficient data available to enable near-
3 term demonstrations of artificial intelligence pre-
4 dictive maintenance and an estimate of resources
5 needed within the Navy to accelerate the demonstra-
6 tion of predictive artificial intelligence capabilities
7 with respect to those assets; and

8 (4) an identification of any policy or technical
9 challenges to implementing artificial intelligence or
10 machine learning for purposes of carrying out the
11 Shipyard Infrastructure Optimization Program.

12 (c) BRIEFING TO COMMITTEE.—Not later than 180
13 days after the date of the enactment of this Act, the Sec-
14 retary of Navy shall provide to the congressional defense
15 committees a briefing on—

16 (1) the strategy developed by the Secretary
17 under subsection (a);

18 (2) the results of the assessment under sub-
19 section (b); and

20 (3) a plan to execute any measures pursuant to
21 such assessment.

1 **Subtitle E—Briefings and Reports**

2 **SEC. 341. CRITICAL INFRASTRUCTURE CONDITIONS AT** 3 **MILITARY INSTALLATIONS.**

4 (a) PLAN.—Not later than one year after the date
5 of the enactment of this Act, the Secretary of Defense,
6 in coordination with the head of each military department,
7 shall submit to the Committees on Armed Services of the
8 Senate and the House of Representatives a plan to imple-
9 ment a standardized system to measure and report on the
10 condition and performance of, level of investment in, and
11 any applicable risks to critical infrastructure systems
12 owned by the Federal Government that—

13 (1) have not been privatized pursuant to a con-
14 veyance under section 2688 of title 10, United
15 States Code; and

16 (2) are located on a military installation.

17 (b) REPORT.—

18 (1) IN GENERAL.—Beginning on February 1 of
19 the year immediately following the date on which the
20 plan under subsection (a) is submitted, and annually
21 thereafter, the Secretary of Defense, in coordination
22 with the head of each military department, shall
23 submit to the Committees on Armed Services of the
24 Senate and the House of Representatives a consoli-
25 dated report on the condition of critical infrastruc-

1 ture systems owned by the Federal Government at
2 military installations.

3 (2) ELEMENTS.—Each report required by para-
4 graph (1) shall include the following:

5 (A) Installation-level critical infrastructure
6 system data for each critical infrastructure sys-
7 tem owned by the Federal Government located
8 at a military installation that includes the fol-
9 lowing for each such system:

10 (i) All instances of noncompliance
11 with any applicable Federal or State law
12 (including regulations) with which the sys-
13 tem has been required to comply during
14 the preceding five-year period, including
15 information on any prior or current con-
16 sent order or equivalent compliance agree-
17 ment with any regulatory agency.

18 (ii) The year of original installation of
19 major critical infrastructure system compo-
20 nents, including treatment facilities, pump
21 stations, and storage tanks.

22 (iii) The average age of distribution
23 system piping and wiring.

24 (iv) The rate of system recapitaliza-
25 tion, represented as an annual percentage

1 replacement rate of all critical infrastruc-
2 ture system assets.

3 (v) The percentage of key system
4 operational components inspected, and de-
5 termined through actual testing to be fully
6 operational, during the preceding one-year
7 period, including fire hydrants, valves, and
8 backflow preventors.

9 (vi) The absolute number, and a nor-
10 malized measure for comparative purposes,
11 of all unplanned system outages during the
12 preceding one-year period.

13 (vii) The absolute duration, and a
14 normalized measure for comparative pur-
15 poses, of all unplanned system outages
16 during the preceding one-year period.

17 (viii) The absolute number, and a nor-
18 malized measure for comparative purposes,
19 of all critical infrastructure system main
20 breaks and leaks during the preceding one-
21 year period.

22 (B) A standardized risk assessment for
23 each military installation, identifying the cur-
24 rent and projected level of risk related to the
25 following:

1 (i) The ability to maintain compliance
2 with all current and known future regu-
3 latory agency regulations and standards
4 and all applicable regulations and policies
5 of the Department of Defense and the
6 military departments related to critical in-
7 frastructure, and the ability to operate sys-
8 tems in accordance with accepted industry
9 standards.

10 (ii) The ability to maintain a con-
11 sistent and compliant supply of water for
12 current and projected future installation
13 needs based on current and projected
14 source water availability and quality, in-
15 cluding an assessment of source water con-
16 tamination risks.

17 (iii) The ability to withstand severe
18 weather events, including drought, flood-
19 ing, and temperature fluctuations.

20 (iv) The ability for utility industrial
21 controls systems to maintain compliance
22 with current and future cybersecurity
23 standards and regulations.

1 **SEC. 342. REPORT ON ESTABLISHING SUFFICIENT STA-**
2 **BLING, PASTURE, AND TRAINING AREA FOR**
3 **THE OLD GUARD CAISSON PLATOON**
4 **EQUINES.**

5 (a) IN GENERAL.—Not later than March 1, 2024, the
6 Secretary of the Army shall submit to the congressional
7 defense committees a report containing the results of a
8 study to address the feasibility and advisability of estab-
9 lishing sufficient stabling, pasture, and training area for
10 the equines in the Caisson Platoon of the 3rd United
11 States Infantry (commonly known as the “Old Guard”).

12 (b) INCLUSION OF RECOMMENDATIONS.—The report
13 required under subsection (a) shall include—

14 (1) any recommendations determined necessary
15 and appropriate by the Secretary—

16 (A) to implement the plan required under
17 section 391(b) of the James M. Inhofe National
18 Defense Authorization Act for Fiscal Year 2023
19 (Public Law 117–263; 136 Stat. 2549); and

20 (B) to ensure proper animal facility sanita-
21 tion for the equines in the Caisson Platoon of
22 the 3rd United States Infantry; and

23 (2) plans for the housing and care of such
24 equines.

25 (c) LOCATIONS.—

1 (1) REVIEW OF MILITARY CONSTRUCTION AU-
2 THORIZATION.—The report required under sub-
3 section (a) shall include a review of all physical loca-
4 tions under consideration as stabling, pasture, or
5 training area described in such subsection for any
6 withdrawals or projects that would require individual
7 military construction authorization.

8 (2) CONSIDERATION.—In considering locations
9 for stabling, pasture, or training area under sub-
10 section (a), the Secretary of the Army shall consider
11 all viable options within a reasonable distance to Ar-
12 lington National Cemetery.

13 (d) ELEMENTS.—The report required under sub-
14 section (a) shall include, for each location under consider-
15 ation as stabling, pasture, or training area described in
16 such subsection—

17 (1) a brief environmental assessment of the lo-
18 cation;

19 (2) estimated costs for preparing the location
20 for construction;

21 (3) a narrative of how the location will be bene-
22 ficial and conducive the health of the equines in the
23 Caisson Platoon of the 3rd United States Infantry;

24 (4) a narrative of how, if necessary, the location
25 can be expanded; and

1 (5) a narrative of how the location will affect
2 community access to outdoor recreation.

3 **SEC. 343. QUARTERLY BRIEFINGS ON OPERATIONAL STA-**
4 **TUS OF AMPHIBIOUS WARSHIP FLEET OF DE-**
5 **PARTMENT OF THE NAVY.**

6 (a) IN GENERAL.—Not later than October 1, 2023,
7 and quarterly thereafter until September 30, 2024, the
8 Secretary of the Navy shall provide to the Committees on
9 Armed Services of the Senate and the House of Represent-
10 atives a briefing on the operational status of the amphib-
11 ious warship fleet of the Department of the Navy.

12 (b) ELEMENTS.—Each briefing under subsection (a)
13 shall include, with respect to each amphibious warship, the
14 following:

15 (1) Average quarterly Operational Availability
16 (AO).

17 (2) Number of days underway as follows:

18 (A) Training for the purpose of supporting
19 Mission Essential Tasks (in this section re-
20 ferred to as “MET”) of the Marine Corps, in-
21 cluding unit level well-deck or flight-deck oper-
22 ations training and Amphibious Ready Group
23 and Marine Expeditionary Unit integrated
24 training.

1 (B) Deployed, which shall not include
2 scheduled or unscheduled in port maintenance.

3 (3) Expected completion date for in-work and
4 scheduled and unscheduled maintenance.

5 (4) An update on any delays in completion of
6 scheduled and unscheduled maintenance and cas-
7 ualty reports impacting the following:

8 (A) Scheduled unit level well-deck and
9 flight-deck operations training of the Marine
10 Corps.

11 (B) MET certifications of the Marine
12 Corps, including mobility, communications, am-
13 phibious well-deck operations, aviation oper-
14 ations, and warfare training.

15 (C) Composition and deployment dates of
16 scheduled and deployed Amphibious Ready
17 Groups and Marine Expeditionary Units.

18 (c) DEFINITIONS.—In this section:

19 (1) AMPHIBIOUS WARSHIP.—The term “am-
20 phibious warship” means a ship that is classified as
21 an amphibious assault ship (general purpose)
22 (LHA), an amphibious assault ship (multi-purpose)
23 (LHD), an amphibious transport dock (LPD), or a
24 dock landing ship (LSD) that is included in the Bat-
25 tle Force Inventory in accordance with instruction

1 5030.8D of the Secretary of the Navy, or successor
2 instruction.

3 (2) AMPHIBIOUS READY GROUP; MARINE EXPE-
4 DITIONARY UNIT.—The terms “Amphibious Ready
5 Group” and “Marine Expeditionary Unit” means a
6 group or unit, as the case may be, that consists of
7 a minimum of—

8 (A) three amphibious assault ships (gen-
9 eral purpose) (LHA) or amphibious assault
10 ships (multi-purpose) (LHD); and

11 (B) one amphibious transport dock (LPD)
12 Flight I.

13 **SEC. 344. BRIEFING ON PLAN FOR MAINTAINING PRO-**
14 **FICIENCY IN EMERGENCY MOVEMENT OF MU-**
15 **NITIONS IN JOINT REGION MARIANAS, GUAM.**

16 Not later than 90 days after the date of the enact-
17 ment of this Act, the Secretary of the Navy and the Sec-
18 retary of the Air Force shall brief the congressional de-
19 fense committees on a plan for maintaining the proficiency
20 of the Navy and the Air Force, respectively, in executing
21 the emergency movement of munitions stored in weapons
22 storage areas in Joint Region Marianas, Guam, onto air-
23 craft and naval vessels, including plans to regularly exer-
24 cise such capabilities.

1 **Subtitle F—Other Matters**

2 **SEC. 351. CONTINUED DESIGNATION OF SECRETARY OF**
3 **THE NAVY AS EXECUTIVE AGENT FOR NAVAL**
4 **SMALL CRAFT INSTRUCTION AND TECHNICAL**
5 **TRAINING SCHOOL.**

6 The Secretary of the Navy shall continue, through
7 fiscal year 2024—

8 (1) to perform the responsibilities of the De-
9 partment of Defense executive agent for the Naval
10 Small Craft Instruction and Technical Training
11 School pursuant to section 352(b) of title 10, United
12 States Code; and

13 (2) in coordination with the Commander of the
14 United States Special Operations Command, to pro-
15 vide such support, as necessary, for the continued
16 operation of such school.

17 **SEC. 352. RESTRICTION ON RETIREMENT OF U-28 AIR-**
18 **CRAFT.**

19 None of the funds authorized to be appropriated by
20 this Act may be used to retire U-28 aircraft until the Sec-
21 retary of Defense certifies to the congressional defense
22 committees that the future-years defense program sub-
23 mitted to Congress under section 221 of title 10, United
24 States Code, with respect to the United States Special Op-
25 erations Command provides for intelligence, surveillance,

1 and reconnaissance capacity and capability that is equal
2 to or greater than such capacity and capability provided
3 by the current fleet of U-28 aircraft for such Command.

4 **SEC. 353. TRIBAL LIAISONS.**

5 (a) IN GENERAL.—The Secretary of Defense shall
6 ensure that each installation of the Department of De-
7 fense that has an Indian Tribe, Native Hawaiian organiza-
8 tion, or Tribal interests in the area surrounding the instal-
9 lation, including if an Indian Tribe or Native Hawaiian
10 organization is historically or culturally affiliated with the
11 land or water managed or directly impacted by the instal-
12 lation, has a dedicated Tribal liaison located at the instal-
13 lation.

14 (b) DEFINITIONS.—In this section:

15 (1) INDIAN TRIBE.—The term “Indian Tribe”
16 has the meaning given that term in section 4(e) of
17 the Indian Self-Determination and Education Assist-
18 ance Act (25 U.S.C. 5304(e)).

19 (2) NATIVE HAWAIIAN ORGANIZATION.—The
20 term “Native Hawaiian organization” has the mean-
21 ing given that term in section 6207 of the Elemen-
22 tary and Secondary Education Act of 1965 (20
23 U.S.C. 7517).

1 **SEC. 354. LIMITATION ON USE OF FUNDS TO EXPAND**
2 **LEASED FACILITIES FOR THE JOINT MILI-**
3 **TARY INFORMATION SUPPORT OPERATIONS**
4 **WEB OPERATIONS CENTER.**

5 None of the amounts authorized by this Act for oper-
6 ation and maintenance, Defense-wide to expand leased fa-
7 cilities for the Joint Military Information Support Oper-
8 ations Web Operations Center may be obligated or ex-
9 pended until the Secretary of Defense, acting through the
10 Assistant Secretary of Defense for Special Operations and
11 Low-Intensity Conflict and the Commander of the United
12 States Special Operations Command, submits to the con-
13 gressional defense committees a validated manpower study
14 for such center that includes the following:

15 (1) Validated estimates of the number of per-
16 sonnel from the United States Special Operations
17 Command and the other combatant commands that
18 will be housed in leased facilities of such center.

19 (2) An explanation of how such estimates are
20 aligned with and support the priorities established
21 by the national defense strategy under 113(g) of
22 title 10, United States Code.

23 **SEC. 355. MODIFICATIONS TO THE CONTESTED LOGISTICS**
24 **WORKING GROUP OF THE DEPARTMENT OF**
25 **DEFENSE.**

26 (a) EXPANSION OF WORKING GROUP.—

1 (1) IN GENERAL.—Paragraph (3) of section
2 2926(d) of title 10, United States Code, is amended
3 by adding at the end the following new subpara-
4 graph:

5 “(D) A representative appointed by the Sec-
6 retary of Defense from each of the following:

7 “(i) The Defense Logistics Agency.

8 “(ii) The Strategic Capabilities Office.

9 “(iii) The Defense Advanced Research
10 Projects Agency.

11 “(iv) The Office of the Under Secretary of
12 Defense for Research and Engineering.”.

13 (2) TIMING.—Not later than 60 days after the
14 date of the enactment of this Act, the Secretary of
15 Defense shall appoint the additional members of the
16 working group required under paragraph (3)(D) of
17 such section, as added by paragraph (1) of this sub-
18 section.

19 (b) MEETINGS.—Such section is further amended by
20 adding at the end the following new paragraph:

21 “(6) The working group under paragraph (1) shall
22 meet not less frequently than quarterly.”.

23 (c) REPORTS.—Such section is further amended by
24 adding at the end the following new paragraph:

1 “(7) Not later than February 1 of each year, the
2 working group under paragraph (1) shall submit to the
3 congressional defense committees a report that contains
4 a description of any shortfalls in personnel, equipment, in-
5 frastructure, energy and storage, or capabilities required
6 to support the operational plans of the Department of De-
7 fense.”.

8 **SEC. 356. ESTABLISHMENT OF CAISSON PLATOON TO SUP-**
9 **PORT MILITARY AND STATE FUNERAL SERV-**
10 **ICES.**

11 (a) IN GENERAL.—There is established in the De-
12 partment of the Army an equine unit, to be known as the
13 Caisson Platoon, assigned to the 3rd Infantry Regiment
14 of the Army, for the purposes of conducting military and
15 State funerals and for other purposes.

16 (b) PROHIBITION ON ELIMINATION.—The Secretary
17 of the Army may not eliminate the Caisson Platoon of the
18 3rd Infantry Regiment of the Army established under sub-
19 section (a).

20 (c) BRIEFING.—

21 (1) IN GENERAL.—Not later than 60 days after
22 the date of the enactment of this Act, and not less
23 frequently than every 180 days thereafter until
24 March 31, 2027, the Secretary of the Army shall
25 provide to the congressional defense committees a

1 briefing on the health, welfare, and sustainment of
2 military working equids.

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

5 (A) An assessment of the ability of the
6 Caisson Platoon of the 3rd Infantry Regiment
7 of the Army to support military funeral oper-
8 ations within Arlington National Cemetery, in-
9 cluding milestones associated with achieving full
10 operational capability for the Caisson Platoon.

11 (B) An update on the plan of the task
12 force of the Army on military working equids to
13 promote, support, and sustain animal health
14 and welfare.

15 (C) An update on the plan of such task
16 force to ensure that support by the Caisson
17 Platoon of Arlington National Cemetery and
18 State funerals is never suspended again.

19 **SEC. 357. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
20 **ING 30-YEAR SHIPBUILDING PLAN THAT**
21 **MAINTAINS 31 AMPHIBIOUS WARSHIPS FOR**
22 **THE DEPARTMENT OF THE NAVY.**

23 (a) LIMITATION.—Of the funds authorized to be ap-
24 propriated by this Act or otherwise made available for fis-
25 cal year 2024 for Administration and Servicewide Activi-

1 ties, Operation and Maintenance, Navy, not more than 50
 2 percent may be obligated or expended until the date on
 3 which the Secretary of the Navy submits to the congress-
 4 sional defense committees a 30-year shipbuilding plan that
 5 meets the statutory requirement in section 8062(b) of title
 6 10, United States Code, to maintain 31 amphibious war-
 7 ships.

8 (b) AMPHIBIOUS WARSHIP DEFINED.—In this sec-
 9 tion, the term “amphibious warship” means a ship that
 10 is classified as an amphibious assault ship (general pur-
 11 pose) (LHA), an amphibious assault ship (multi-purpose)
 12 (LHD), an amphibious transport dock (LPD), or a dock
 13 landing ship (LSD) that is included in the Battle Force
 14 Inventory in accordance with instruction 5030.8D of the
 15 Secretary of the Navy, or successor instruction.

16 **SEC. 358. MODIFICATION OF RULE OF CONSTRUCTION RE-**
 17 **GARDING PROVISION OF SUPPORT AND**
 18 **SERVICES TO NON-DEPARTMENT OF DE-**
 19 **FENSE ORGANIZATIONS AND ACTIVITIES.**

20 Section 2012(i) of title 10, United States Code, is
 21 amended—

22 (1) by redesignating paragraphs (1) and (2) as
 23 subparagraphs (A) and (B), respectively;

24 (2) in the matter preceding subparagraph (A),
 25 as redesignated by paragraph (1), by striking

1 “Nothing in this section” and inserting “(1) Noth-
2 ing in this section”;

3 (3) in subparagraph (A), as so redesignated, by
4 inserting “, except as provided in paragraph (2),”
5 before “for response”; and

6 (4) by adding at the end the following new
7 paragraph:

8 “(2) Funds available to the Secretary of a military
9 department for operation and maintenance for the Innova-
10 tive Readiness Training program may be expended under
11 this section, upon approval by the Secretary concerned,
12 to assist in demolition, clearing of roads, infrastructure
13 improvements, and construction to restore an area after
14 a natural disaster.”.

15 **SEC. 359. MODIFICATIONS TO MILITARY AVIATION AND IN-**
16 **STALLATION ASSURANCE CLEARINGHOUSE**
17 **FOR REVIEW OF MISSION OBSTRUCTIONS.**

18 (a) PROJECTS PROPOSED WITHIN TWO NAUTICAL
19 MILES OF ANY ACTIVE INTERCONTINENTAL BALLISTIC
20 MISSILE LAUNCH FACILITY OR CONTROL CENTER.—Sec-
21 tion 183a of title 10, United States Code, is amended—

22 (1) in subsection (d)(2)—

23 (A) in subparagraph (B), by inserting “or
24 any active intercontinental ballistic missile

1 launch facility or control center” after “military
2 training routes”; and

3 (B) in subparagraph (E), by striking “or a
4 Deputy Under Secretary of Defense” and in-
5 serting “a Deputy Under Secretary of Defense,
6 or, in the case of a geographic area of concern
7 related to an active intercontinental ballistic
8 missile launch facility or control center, the As-
9 sistant Secretary of Defense for Energy, Instal-
10 lations, and Environment”; and

11 (2) in subsection (e)(1)—

12 (A) in the first sentence—

13 (i) by striking “The Secretary” and
14 inserting “(A) The Secretary”; and

15 (ii) by inserting “or antenna structure
16 project” after “energy project”;

17 (B) in the second sentence, by striking
18 “The Secretary of Defense’s finding of unac-
19 ceptable risk to national security” and inserting
20 the following:

21 “(C) Any finding of unacceptable risk to national se-
22 curity by the Secretary of Defense under this paragraph”;
23 and

1 (C) by inserting after subparagraph (A),
2 as designated by subparagraph (A)(i) of this
3 paragraph, the following new subparagraph:

4 “(B)(i) In the case of any energy project or antenna
5 structure project with proposed structures more than 200
6 feet above ground level located within two nautical miles
7 of an active intercontinental ballistic missile launch facility
8 or control center, the Secretary of Defense shall issue a
9 finding of unacceptable risk to national security for such
10 project if the mitigation actions identified pursuant to this
11 section do not include removal of all such proposed struc-
12 tures from such project after receiving notice of presumed
13 risk from the Clearinghouse under subsection (c)(2).

14 “(ii) Clause (i) does not apply to structures approved
15 before the date of the enactment of the National Defense
16 Authorization Act for Fiscal Year 2024 or to structures
17 that are re-powered with updated technology in the same
18 location as previously approved structures.”.

19 (b) INCLUSION OF ANTENNA STRUCTURE
20 PROJECTS.—

21 (1) IN GENERAL.—Such section is further
22 amended—

23 (A) by inserting “or antenna structure
24 projects” after “energy projects” each place it
25 appears; and

1 (B) by inserting “or antenna structure
2 project” after “energy project” each place it ap-
3 pears (except for subsections (e)(1) and (h)(2)).

4 (2) ANTENNA STRUCTURE PROJECT DE-
5 FINED.—Section 183a(h) of such title is amended—

6 (A) by redesignating paragraphs (2)
7 through (9) as paragraphs (3) through (10), re-
8 spectively; and

9 (B) by inserting after paragraph (1) the
10 following new paragraph:

11 “(2) The term ‘antenna structure project’—

12 “(A) means a project to construct a struc-
13 ture located within two nautical miles of any
14 intercontinental ballistic missile launch facility
15 or control center that is constructed or used to
16 transmit radio energy or that is constructed or
17 used for the primary purpose of supporting an-
18 tennas to transmit or receive radio energy (or
19 both), and any antennas and other appur-
20 tenances mounted on the structure, from the
21 time construction of the supporting structure
22 begins until such time as the supporting struc-
23 ture is dismantled; and

1 “(B) does not include any project in sup-
2 port of or required by an intercontinental bal-
3 listic missile launch facility or control center.”.

4 **TITLE IV—MILITARY**
5 **PERSONNEL AUTHORIZATIONS**
6 **Subtitle A—Active Forces**

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

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

- 10 (1) The Army, 452,000.
11 (2) The Navy, 342,000.
12 (3) The Marine Corps, 172,300.
13 (4) The Air Force, 320,000.
14 (5) The Space Force, 9,400.

15 **SEC. 402. END STRENGTH LEVEL MATTERS.**

16 Section 115 of title 10, United States Code, is
17 amended—

18 (1) in subsection (f)(2), by striking “not more
19 than 2 percent” and inserting “not more than 3 per-
20 cent”; and

21 (2) in subsection (g)(1), by striking subpara-
22 graphs (A) and (B) and inserting the following new
23 subparagraphs:

24 “(A) vary the end strength pursuant to
25 subsection (a)(1)(A) for a fiscal year for the

1 armed force or forces under the jurisdiction of
2 that Secretary by a number not equal to more
3 than 2 percent of such authorized end strength;

4 “(B) vary the end strength pursuant to
5 subsection (a)(1)(B) for a fiscal year for the
6 armed force or forces under the jurisdiction of
7 that Secretary by a number not equal to more
8 than 2 percent of such authorized end strength;
9 and

10 “(C) vary the end strength pursuant to
11 subsection (a)(2) for a fiscal year for the Se-
12 lected Reserve of the reserve component of the
13 armed force or forces under the jurisdiction of
14 that Secretary by a number equal to not more
15 than 2 percent of such authorized end
16 strength.”.

17 **SEC. 403. EXTENSION OF ADDITIONAL AUTHORITY TO VARY**
18 **SPACE FORCE END STRENGTH.**

19 Section 403(b) of the James M. Inhofe National De-
20 fense Authorization Act for Fiscal Year 2023 (Public Law
21 117–263) is amended by striking “December 31, 2023”
22 and inserting “October 1, 2025”.

1 **Subtitle B—Reserve Forces**

2 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

3 (a) IN GENERAL.—The Armed Forces are authorized
4 strengths for Selected Reserve personnel of the reserve
5 components as of September 30, 2024, as follows:

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

8 (2) The Army Reserve, 174,800.

9 (3) The Navy Reserve, 57,200.

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

11 (5) The Air National Guard of the United
12 States, 105,000.

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

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

15 (b) END STRENGTH REDUCTIONS.—The end
16 strengths prescribed by subsection (a) for the Selected Re-
17 serve of any reserve component shall be proportionately
18 reduced by—

19 (1) the total authorized strength of units orga-
20 nized to serve as units of the Selected Reserve of
21 such component which are on active duty (other
22 than for training) at the end of the fiscal year; and

23 (2) the total number of individual members not
24 in units organized to serve as units of the Selected
25 Reserve of such component who are on active duty

1 (other than for training or for unsatisfactory partici-
2 pation in training) without their consent at the end
3 of the fiscal year.

4 (c) **END STRENGTH INCREASES.**—Whenever units or
5 individual members of the Selected Reserve for any reserve
6 component are released from active duty during any fiscal
7 year, the end strength prescribed for such fiscal year for
8 the Selected Reserve of such reserve component shall be
9 increased proportionately by the total authorized strengths
10 of such units and by the total number of such individual
11 members.

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

14 Within the end strengths prescribed in section
15 411(a), the reserve components of the Armed Forces are
16 authorized, as of September 30, 2024, the following num-
17 ber of Reserves to be serving on full-time active duty or
18 full-time duty, in the case of members of the National
19 Guard, for the purpose of organizing, administering, re-
20 cruiting, instructing, or training the reserve components:

- 21 (1) The Army National Guard of the United
22 States, 30,845.
- 23 (2) The Army Reserve, 16,511.
- 24 (3) The Navy Reserve, 10,327.
- 25 (4) The Marine Corps Reserve, 2,355.

1 (5) The Air National Guard of the United
2 States, 25,333.

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

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

6 (a) IN GENERAL.—The minimum number of military
7 technicians (dual status) as of the last day of fiscal year
8 2024 for the reserve components of the Army and the Air
9 Force (notwithstanding section 129 of title 10, United
10 States Code) shall be the following:

11 (1) For the Army National Guard of the United
12 States, 22,294.

13 (2) For the Army Reserve, 7,990.

14 (3) For the Air National Guard of the United
15 States, 10,994.

16 (4) For the Air Force Reserve, 7,111.

17 (b) LIMITATION ON NUMBER OF TEMPORARY MILI-
18 TARY TECHNICIANS (DUAL STATUS).—The number of
19 temporary military technicians (dual status) employed
20 under the authority of subsection (a) may not exceed 25
21 percent of the total authorized number specified in such
22 subsection.

23 (c) LIMITATION.—Under no circumstances may a
24 military technician (dual status) employed under the au-
25 thority of this section be coerced by a State into accepting

1 an offer of realignment or conversion to any other military
2 status, including as a member of the Active, Guard, and
3 Reserve program of a reserve component. If a military
4 technician (dual status) declines to participate in such re-
5 alignment or conversion, no further action will be taken
6 against the individual or the individual's position.

7 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
8 **THORIZED TO BE ON ACTIVE DUTY FOR**
9 **OPERATIONAL SUPPORT.**

10 During fiscal year 2024, the maximum number of
11 members of the reserve components of the Armed Forces
12 who may be serving at any time on full-time operational
13 support duty under section 115(b) of title 10, United
14 States Code, is the following:

15 (1) The Army National Guard of the United
16 States, 17,000.

17 (2) The Army Reserve, 13,000.

18 (3) The Navy Reserve, 6,200.

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

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

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

1 **Subtitle C—Authorization of**
2 **Appropriations**

3 **SEC. 421. MILITARY PERSONNEL.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
5 are hereby authorized to be appropriated for fiscal year
6 2024 for the use of the Armed Forces and other activities
7 and agencies of the Department of Defense for expenses,
8 not otherwise provided for, for military personnel, as spec-
9 ified in the funding table in section 4401.

10 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
11 thorization of appropriations in subsection (a) supersedes
12 any other authorization of appropriations (definite or in-
13 definite) for such purpose for fiscal year 2024.

14 **TITLE V—MILITARY PERSONNEL**
15 **POLICY**

16 **Subtitle A—Officer Personnel**
17 **Policy**

18 **SEC. 501. AUTHORIZED STRENGTH: GENERAL AND FLAG**
19 **OFFICERS ON ACTIVE DUTY.**

20 (a) REPEAL OF OBSOLETE AUTHORITY; REDESIGNA-
21 TION.—Chapter 32 of title 10, United States Code, is
22 amended—

23 (1) by repealing section 526;

24 (2) by redesignating section 526a as section
25 526;

1 (3) in the table of sections for such chapter, by
2 striking the item relating to section 526a; and

3 (4) in the section heading for section 526, as
4 redesignated by paragraph (2), by striking “**after**
5 **December 31, 2022**”.

6 (b) INCREASED AUTHORIZED STRENGTH.—Section
7 526 of title 10, United States Code, as redesignated and
8 amended by subsection (a), is further amended—

9 (1) in subsection (a)—

10 (A) by striking “after December 31,
11 2022,”;

12 (B) in paragraph (1), by striking “218”
13 and inserting “219”;

14 (C) in paragraph (2), by striking “149”
15 and inserting “150”;

16 (D) in paragraph (3), by striking “170”
17 and inserting “171”; and

18 (E) in paragraph (4), by striking “62” and
19 inserting “64”; and

20 (2) by redesignating the second subsection des-
21 ignated as subsection (i) as subsection (j).

22 (c) REPEAL OF EXCLUSION OF OFFICERS SERVING
23 AS LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS
24 ON AUTHORIZED STRENGTHS.—Section 506 of the James

1 M. Inhofe National Defense Authorization Act for Fiscal
2 Year 2023 is hereby repealed.

3 **SEC. 502. PROHIBITION ON APPOINTMENT OR NOMINATION**
4 **OF CERTAIN OFFICERS WHO ARE SUBJECT**
5 **TO SPECIAL SELECTION REVIEW BOARDS.**

6 (a) OFFICERS ON ACTIVE-DUTY LIST.—

7 Section 628a(a)(2)(B) of title 10, United States
8 Code, is amended to read as follows:

9 “(B) shall not be forwarded for appointment or
10 nomination to the Secretary of Defense, the Presi-
11 dent, or the Senate, as applicable.”.

12 (b) OFFICERS ON RESERVE ACTIVE-STATUS LIST.—

13 Section 14502a(a)(2)(B) of title 10, United
14 States Code, is amended to read as follows:

15 “(B) shall not be forwarded for appointment or
16 nomination to the Secretary of Defense, the Presi-
17 dent, or the Senate, as applicable.”.

18 **SEC. 503. EXCLUSION OF OFFICERS WHO ARE LICENSED**
19 **BEHAVIORAL HEALTH PROVIDERS FROM**
20 **LIMITATIONS ON ACTIVE DUTY COMMIS-**
21 **SIONED OFFICER END STRENGTHS.**

22 Section 523(b) of title 10, United States Code, is
23 amended by adding at the end the following new para-
24 graph:

1 “(10) Officers who are licensed behavioral
2 health providers, including clinical psychologists, so-
3 cial workers, and mental health nurse practi-
4 tioners.”.

5 **SEC. 504. UPDATING AUTHORITY TO AUTHORIZE PRO-**
6 **MOTION TRANSFERS BETWEEN COMPONENTS**
7 **OF THE SAME SERVICE OR A DIFFERENT**
8 **SERVICE.**

9 (a) WARRANT OFFICERS TRANSFERRED BETWEEN
10 COMPONENTS WITHIN THE SAME OR A DIFFERENT UNI-
11 FORMED SERVICE.—Section 578 of title 10, United States
12 Code, is amended by adding at the end the following new
13 subsection:

14 “(g) Notwithstanding subsection (d), and subject to
15 regulations prescribed by the Secretary of Defense, in the
16 case of a warrant officer who is selected for promotion
17 by a selection board convened under this chapter, and
18 prior to the placement of the warrant officer’s name on
19 the applicable promotion list is approved for transfer to
20 a new component within the same or a different uniformed
21 service, the Secretary concerned may place the warrant
22 officer’s name on a corresponding promotion list of the
23 new component without regard to the warrant officer’s
24 competitive category. A warrant officer’s promotion under

1 this subsection shall be made pursuant to section 12242
2 of this title.”.

3 (b) OFFICERS TRANSFERRED TO RESERVE ACTIVE
4 STATUS LIST.—

5 (1) IN GENERAL.—Section 624 of such title is
6 amended by adding at the end the following new
7 subsections:

8 “(e) Notwithstanding subsection (a)(2), in the case
9 of an officer who is selected for promotion by a selection
10 board convened under this chapter, and prior to the place-
11 ment of the officer’s name on the applicable promotion
12 list is approved for transfer to the reserve active status
13 list of the same or a different uniformed service, the Sec-
14 retary concerned may place the officer’s name on a cor-
15 responding promotion list on the reserve active-status list
16 without regard to the officer’s competitive category. An
17 officer’s promotion under this subsection shall be made
18 pursuant to section 14308 of this title.

19 “(f) Notwithstanding subsection (a)(3), in the case
20 of an officer who is placed on an all-fully-qualified-officers
21 list, and is subsequently approved for transfer to the re-
22 serve active status list, the Secretary concerned may place
23 the officer’s name on an appropriate all-fully-qualified-of-
24 ficers list on the reserve active status list. An officer’s pro-

1 motion under this subsection shall be made pursuant to
2 section 14308 of this title.”.

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

5 (A) by redesignating paragraph (3) as
6 paragraph (4); and

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

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

13 **SEC. 505. EFFECT OF FAILURE OF SELECTION FOR PRO-**
14 **MOTION.**

15 (a) EFFECT OF FAILURE OF SELECTION FOR PRO-
16 MOTION: CAPTAINS AND MAJORS OF THE ARMY, AIR
17 FORCE, MARINE CORPS, AND SPACE FORCE AND LIEU-
18 TENANTS AND LIEUTENANT COMMANDERS OF THE
19 NAVY.—

20 (1) IN GENERAL.—Section 632 of title 10,
21 United States Code, is amended—

22 (A) in the section heading, by striking
23 “**and Marine Corps**” and inserting “**Ma-**
24 **rine Corps, and Space Force**”;

1 (B) in subsection (a)(1), by striking
 2 “President approves the report of the board
 3 which considered him for the second time” and
 4 inserting “Secretary concerned releases the pro-
 5 motion results of the board which considered
 6 the officer for the second time to the public”.

7 (2) CLERICAL AMENDMENT.—The table of sec-
 8 tions at the beginning of chapter 36 of title 10,
 9 United States Code, is amended by striking the item
 10 relating to section 632 and inserting the following
 11 new item:

“632. Effect of failure of selection for promotion: captains and majors of the
 Army, Air Force, Marine Corps, and Space Force and lieuten-
 ants and lieutenant commanders of the Navy.”.

12 (b) RETIREMENT OF REGULAR OFFICERS OF THE
 13 NAVY FOR LENGTH OF SERVICE OR FAILURE OF SELEC-
 14 TION FOR PROMOTION.—Section 8372(a)(2)(A) of title
 15 10, United States Code, is amended by striking “President
 16 approves the report of the board which considered him for
 17 the second time” and inserting “Secretary concerned re-
 18 leases the promotion results of the board which considered
 19 the officer for the second time to the public”.

20 **SEC. 506. PERMANENT AUTHORITY TO ORDER RETIRED**
 21 **MEMBERS TO ACTIVE DUTY IN HIGH-DE-**
 22 **MAND, LOW-DENSITY APPOINTMENTS.**

23 (a) IN GENERAL.—Section 688a of title 10, United
 24 States Code, is amended—

1 (1) in the section heading, by striking “**Re-**
 2 **tired aviators: temporary authority**” and
 3 inserting “**Authority**”;

4 (2) by striking subsection (f);

5 (3) by redesignating subsections (g) and (h) as
 6 subsections (f) and (g), respectively; and

7 (4) in subsection (f), as redesignated by para-
 8 graph (3), by striking “limitations in subsections (e)
 9 and (f)” and inserting “limitation in subsection (e)”.

10 (b) CLERICAL AMENDMENT.—The table of sections
 11 at the beginning of chapter 39 of title 10, United States
 12 Code, is amended by striking the item relating to section
 13 688a and inserting the following new item:

“688a. Authority to order to active duty in high-demand, low-density assign-
 ments.”.

14 **SEC. 507. WAIVER AUTHORITY EXPANSION FOR THE EXTEN-**
 15 **SION OF SERVICE OBLIGATION FOR MARINE**
 16 **CORPS CYBERSPACE OPERATIONS OFFICERS.**

17 (a) REQUIRED SERVICE.—Section 651(c) of title 10,
 18 United States Code, is amended—

19 (1) in paragraph (1), by inserting “or in the
 20 case of an unrestricted officer designated within a
 21 cyberspace occupational specialty” before the period
 22 at the end; and

23 (2) in paragraph (2)—

1 (A) in subparagraph (A), by striking “;
2 or” and inserting a semicolon;

3 (B) in subparagraph (B), by striking the
4 period and inserting “; or”; and

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

7 “(C) in the case of an unrestricted officer who
8 has been designated with a cyberspace occupational
9 specialty, the period of obligated service specified in
10 such contract or agreement.”.

11 (b) **MINIMUM SERVICE REQUIREMENT FOR CERTAIN**
12 **CYBERSPACE OCCUPATIONAL SPECIALTIES.**—

13 (1) **IN GENERAL.**—Chapter 37 of title 10,
14 United States Code, is amended by inserting after
15 section 653 the new following section:

16 **“§ 654. Minimum service requirement for certain**
17 **cyberspace occupational specialties**

18 “(a) **CYBERSPACE OPERATIONS OFFICER.**—The min-
19 imum service obligation for any member who successfully
20 completes training in the armed forces in direct accession
21 to the cyberspace operations officer occupational specialty
22 of the Marine Corps shall be 8 years.

23 “(b) **SERVICE OBLIGATION DEFINED.**—In this sec-
24 tion, the term ‘service obligation’ means the period of ac-
25 tive duty or, in the case of a member of a reserve compo-

1 nent who completed cyberspace operations training in an
 2 active duty for training status as a member of a reserve
 3 component, the period of service in an active status in the
 4 Selected Reserve, required to be served after completion
 5 of cyberspace operations training.”.

6 (2) TABLE OF SECTIONS AMENDMENT.—The
 7 table of sections at the beginning of such chapter 37
 8 is amended by inserting after the item relating to
 9 section 653 the following new item:

“654. Minimum service requirement for certain cyberspace occupational special-
 ties.”.

10 **SEC. 508. REMOVAL OF ACTIVE DUTY PROHIBITION FOR**
 11 **MEMBERS OF THE AIR FORCE RESERVE POL-**
 12 **ICY COMMITTEE.**

13 Section 10305 of title 10, United States Code, is
 14 amended__

15 (1) in subsection (b), by striking “not on active
 16 duty” both places it appears; and

17 (2) in subsection (c)—

18 (A) by inserting “of the reserve compo-
 19 nents” after “among the members”; and

20 (B) by striking “not on active duty”.

1 **SEC. 509. EXTENSION OF AUTHORITY TO VARY NUMBER OF**
2 **SPACE FORCE OFFICERS CONSIDERED FOR**
3 **PROMOTION TO MAJOR GENERAL.**

4 Subsection (b) of section 503 of the National Defense
5 Authorization Act for Fiscal Year 2022 (Public Law 117–
6 81; 135 Stat. 1680) is amended by striking “shall termi-
7 nate on December 31, 2022” and inserting “shall termi-
8 nate on December 31, 2024”.

9 **SEC. 510. REALIGNMENT OF NAVY SPOT-PROMOTION**
10 **QUOTAS.**

11 Section 605(g)(4)(B) of title 10, United States Code,
12 is amended by striking “325” and inserting “425”.

13 **SEC. 511. MODIFICATION OF LIMITATION ON PROMOTION**
14 **SELECTION BOARD RATES.**

15 Section 616 of title 10, United States Code, is
16 amended—

17 (1) in subsection (d)—

18 (A) by striking “The number” and insert-
19 ing “(1) Except as provided in paragraph (2),
20 the number”; and

21 (B) by adding at the end the following new
22 paragraph:

23 “(2) If a promotion zone established under section
24 623 of this title includes less than 50 officers and is estab-
25 lished with respect to promotions to a grade below the
26 grade of colonel or Navy captain, the Secretary concerned

1 may authorize selection boards convened under section
 2 611(a) of this title to recommend for promotion a number
 3 equal to not more than 100 percent of the number of offi-
 4 cers included in such promotion zone.”; and

5 (2) in subsection (e), by striking “unless he”
 6 and inserting “unless the officer”.

7 **SEC. 512. TIME IN GRADE REQUIREMENTS.**

8 Section 1305 of title 10, United States Code, is
 9 amended—

10 (1) in subsection (a)(3), by inserting “or a Ma-
 11 rine Corps Marine Gunner warrant officer in such
 12 grade,” after “chief warrant officer, W-5,”;

13 (2) in subsection (b), by striking “when he”
 14 and inserting “when the warrant officer”; and

15 (3) in subsection (c)—

16 (A) by striking “as he” and inserting “as
 17 the Secretary concerned”; and

18 (B) by striking “after he” and inserting
 19 “after the warrant officer”.

20 **SEC. 513. FLEXIBILITY IN DETERMINING TERMS OF AP-
 21 POINTMENT FOR CERTAIN SENIOR OFFICER
 22 POSITIONS.**

23 (a) IN GENERAL.—Chapter 35 of title 10, United
 24 States Code, is amended by inserting after section 601 the
 25 following new section:

1 **“§ 602. Flexibility in determining terms of appoint-**
 2 **ment for certain senior officer positions**

3 “The Secretary of Defense may extend or reduce the
 4 duration of an appointment made under section 152, 154,
 5 7033, 8033, 8043, 9033, and 9082 of this title by up to
 6 six months if the Secretary determines that such an exten-
 7 sion or reduction is necessary either in the interests of
 8 national defense, or to ensure an appropriate staggering
 9 of terms of senior military leadership.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
 11 at the beginning of chapter 35 of title 10, United States
 12 Code, is amended by inserting after the item relating to
 13 section 601 the following new item:

“602. Flexibility in determining terms of appointment for certain senior officer
 positions.”.

14 **Subtitle B—Reserve Component**
 15 **Management**

16 **SEC. 521. ALTERNATIVE PROMOTION AUTHORITY FOR RE-**
 17 **SERVE OFFICERS IN DESIGNATED COMPETI-**
 18 **TIVE CATEGORIES.**

19 (a) IN GENERAL.—Part III of subtitle E of title 10,
 20 United States Code, is amended by adding at the end the
 21 following new chapter:

1 **“CHAPTER 1413—ALTERNATIVE PRO-**
 2 **MOTION AUTHORITY FOR OFFICERS**
 3 **IN DESIGNATED COMPETITIVE CAT-**
 4 **EGORIES**

“Sec.

“15101. Officers in designated competitive categories.

“15102. Selection for promotion.

“15103. Eligibility for consideration for promotion.

“15104. Opportunities for consideration for promotion.

“15105. Promotions.

“15106. Failure of selection for promotion.

“15107. Retirement: retirement for years of service; selective early retirement.

“15108. Continuation on the Reserve Active-Status List.

“15109. Other administrative authorities.

“15110. Regulations.

5 **“§ 15101. Officers in designated competitive cat-**
 6 **egories**

7 “(a) **AUTHORITY TO DESIGNATE COMPETITIVE CAT-**
 8 **EGORIES OF OFFICERS.**—Each Secretary of a military de-
 9 partment may designate one or more competitive cat-
 10 egories for promotion of officers under section 14005 of
 11 this title that are under the jurisdiction of such Secretary
 12 as a competitive category of officers whose promotion, re-
 13 tirement, and continuation on the reserve active-status list
 14 shall be subject to the provisions of this chapter.

15 “(b) **LIMITATION ON EXERCISE OF AUTHORITY.**—
 16 The Secretary of a military department may not designate
 17 a competitive category of officers for purposes of this
 18 chapter until 60 days after the date on which the Sec-
 19 retary submits to the Committees on Armed Services of
 20 the Senate and the House of Representatives a report on

1 the designation of the competitive category. The report on
2 the designation of a competitive category shall set forth
3 the following:

4 “(1) A detailed description of officer require-
5 ments for officers within the competitive category.

6 “(2) An explanation of the number of opportu-
7 nities for consideration for promotion to each par-
8 ticular grade, and an estimate of promotion timing,
9 within the competitive category.

10 “(3) An estimate of the size of the promotion
11 zone for each grade within the competitive category.

12 “(4) A description of any other matters the
13 Secretary considered in determining to designate the
14 competitive category for purposes of this chapter.

15 **“§ 15102. Selection for promotion**

16 “(a) IN GENERAL.—Except as provided in this sec-
17 tion, the selection for promotion of officers in any competi-
18 tive category of officers designated for purposes of this
19 chapter shall be governed by the provisions under chapter
20 1403 of this title.

21 “(b) NO RECOMMENDATION FOR PROMOTION OF OF-
22 FICERS BELOW PROMOTION ZONE.—Section 14301(d) of
23 this title shall not apply to the selection for promotion of
24 officers described in subsection (a).

1 “(c) RECOMMENDATION FOR OFFICERS TO BE EX-
2 CLUDED FROM FUTURE CONSIDERATION FOR PRO-
3 MOTION.—In making recommendations pursuant to chap-
4 ter 1403 of this title for purposes of the administration
5 of this chapter, a selection board convened under section
6 14101(a) of this title may recommend that an officer con-
7 sidered by the board be excluded from future consideration
8 for promotion under this chapter.

9 **“§ 15103. Eligibility for consideration for promotion**

10 “(a) IN GENERAL.—Except as provided by this sec-
11 tion, eligibility for promotion of officers in any competitive
12 category of officers designated for purposes of this chapter
13 shall be governed by the provisions of sections 14301,
14 14303, and 14304 of this title.

15 “(b) INAPPLICABILITY OF CERTAIN TIME-IN-GRADE
16 REQUIREMENTS.—Sections 14303 and 14304 of this title
17 shall not apply to the promotion of officers described in
18 subsection (a).

19 “(c) INAPPLICABILITY TO OFFICERS ABOVE AND
20 BELOW PROMOTION ZONE.—The following provisions of
21 this title shall not apply to the promotion of officers de-
22 scribed in subsection (a):

23 “(1) The reference in section 14301(b) to an
24 officer above the promotion zone.

25 “(2) Section 14301(d).

1 “(d) INELIGIBILITY OF CERTAIN OFFICERS.—The
2 following officers are not eligible for promotion under this
3 chapter:

4 “(1) An officer described in section 14301(c) of
5 this title.

6 “(2) An officer not included within the pro-
7 motion zone.

8 “(3) An officer who has failed of promotion to
9 a higher grade the maximum number of times speci-
10 fied for opportunities for promotion for such grade
11 within the competitive category concerned pursuant
12 to section 15104 of this title.

13 “(4) An officer recommended by a selection
14 board to be removed from consideration for pro-
15 motion in accordance with section 15102(e) of this
16 title.

17 **“§ 15104. Opportunities for consideration for pro-**
18 **motion**

19 “(a) SPECIFICATION OF NUMBER OF OPPORTUNI-
20 TIES FOR CONSIDERATION FOR PROMOTION.—In desig-
21 nating a competitive category of officers pursuant to sec-
22 tion 15101 of this title, the Secretary of a military depart-
23 ment shall specify the number of opportunities for consid-
24 eration for promotion to be afforded officers of the armed
25 force concerned within the category for promotion to each

1 grade above the grade of first lieutenant or lieutenant
2 (junior grade), as applicable.

3 “(b) LIMITED AUTHORITY OF SECRETARY OF MILI-
4 TARY DEPARTMENT TO MODIFY NUMBER OF OPPORTUNI-
5 TIES.—The Secretary of a military department may mod-
6 ify the number of opportunities for consideration for pro-
7 motion to be afforded officers of an armed force within
8 a competitive category for promotion to a particular grade,
9 as previously specified by the Secretary pursuant sub-
10 section (a) of this subsection, not more frequently than
11 once every five years.

12 “(c) DISCRETIONARY AUTHORITY OF SECRETARY OF
13 DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.—
14 The Secretary of Defense may modify the number of op-
15 portunities for consideration for promotion to be afforded
16 officers of an armed force within a competitive category
17 for promotion to a particular grade, as previously specified
18 or modified pursuant to any provision of this section, at
19 the discretion of the Secretary.

20 “(d) LIMITATION ON NUMBER OF OPPORTUNITIES
21 SPECIFIED.—The number of opportunities for consider-
22 ation for promotion to be afforded officers of an armed
23 force within a competitive category for promotion to a par-
24 ticular grade, as specified or modified pursuant to any

1 provision of this section, may not exceed five opportuni-
2 ties.

3 “(e) EFFECT OF CERTAIN REDUCTION IN NUMBER
4 OF OPPORTUNITIES SPECIFIED.—If, by reason of a reduc-
5 tion in the number of opportunities for consideration for
6 promotion under this section, an officer would no longer
7 have one or more opportunities for consideration for pro-
8 motion that were available to the officer before the reduc-
9 tion, the officer shall be afforded one additional oppor-
10 tunity for consideration for promotion after the reduction.

11 **“§ 15105. Promotions**

12 “Sections 14307 through 14317 of this title shall
13 apply in promotions of officers in competitive categories
14 of officers designated for purposes of this chapter.

15 **“§ 15106. Failure of selection for promotion**

16 “(a) IN GENERAL.—Except as provided in this sec-
17 tion, sections 14501 through 14513 of this title shall apply
18 to promotions of officers in competitive categories of offi-
19 cers designated for purposes of this chapter.

20 “(b) INAPPLICABILITY OF FAILURE OF SELECTION
21 FOR PROMOTION TO OFFICERS ABOVE PROMOTION
22 ZONE.—The reference in section 14501 of this title to an
23 officer above the promotion zone shall not apply in the
24 promotion of officers described in subsection (a).

1 “(c) SPECIAL SELECTION BOARD MATTERS.—The
2 reference in section 14502(a)(1) of this title to a person
3 above the promotion zone shall not apply in the promotion
4 of officers described in subsection (a).

5 “(d) EFFECT OF FAILURE OF SELECTION.—In the
6 administration of this chapter pursuant to subsection
7 (a)—

8 “(1) an officer described in subsection (a) shall
9 not be deemed to have failed twice of selection for
10 promotion for purposes of section 14502(b) of this
11 title until the officer has failed selection of pro-
12 motion to the next higher grade the maximum num-
13 ber of times specified for opportunities for pro-
14 motion to such grade within the competitive category
15 concerned pursuant to section 15104 of this title;
16 and

17 “(2) any reference in sections 14504 through
18 14506 of this title to an officer who has failed of se-
19 lection for promotion to the next higher grade for
20 the second time shall be deemed to refer instead to
21 an officer described in subsection (a) who has failed
22 of selection for promotion to the next higher grade
23 for the maximum number of times specified for op-
24 portunities for promotion to such grade within the

1 competitive category concerned pursuant to such
2 section 15104.

3 **“§ 15107. Retirement: retirement for years of service;**
4 **selective early retirement**

5 “(a) RETIREMENT FOR YEARS OF SERVICE.—Sec-
6 tions 14507 through 14515 of this title shall apply to the
7 retirement of officers in competitive categories of officers
8 designated for purposes of this chapter.

9 “(b) SELECTIVE EARLY RETIREMENT.—Section
10 14101(b) of this title shall apply to the retirement of offi-
11 cers described in subsection (a).

12 **“§ 15108. Continuation on the Reserve Active-Status**
13 **List**

14 “Sections 14701 through 14703 of this title shall
15 apply in continuation or retention on a reserve active-sta-
16 tus list of officers designated for purposes of this chapter.

17 **“§ 15109. Other administrative authorities**

18 “(a) IN GENERAL.—The following provisions of this
19 title shall apply to officers in competitive categories of offi-
20 cers designated for purposes of this chapter:

21 “(1) Section 14518, relating to continuation of
22 officers to complete disciplinary action.

23 “(2) Section 14519, relating to deferment of re-
24 tirement or separation for medical reasons.

1 (2) by redesignating subsections (c) through (j)
2 as subsections (d) through (k), respectively;

3 (3) by inserting after subsection (b) the fol-
4 lowing new subsection:

5 “(c) SIGNIFICANT CYBER INCIDENTS.—The Sec-
6 retary of Defense and the Secretary of the Department
7 in which the Coast Guard is operating may, without the
8 consent of the member affected, order any unit, and any
9 member not assigned to a unit organized to serve as a
10 unit, of the Selected Reserve or Individual Ready Reserve
11 to active duty for a continuous period of not more than
12 365 days when the Secretary of Defense or, with respect
13 to the Coast Guard, the Secretary of the Department in
14 which the Coast Guard is operating determines it is nec-
15 essary to augment the active forces for the respective re-
16 sponses from the Department of Defense or the Depart-
17 ment of Homeland Security to a covered incident.”;

18 (4) in paragraph (1) of subsection (d), as redesi-
19 gnated by paragraph (2) of this section, by insert-
20 ing “or subsection (c)” after “subsection (b)”;

21 (5) in subsection (h) (as so redesignated)—

22 (A) by redesignating paragraphs (1) and
23 (2) as subparagraphs (A) and (B), respectively;

24 (B) by striking “Whenever any” and in-
25 serting “(1) Whenever any”; and

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

3 “(2) Whenever any unit of the Selected Reserve or
4 any member of the Selected Reserve not assigned to a unit
5 organized to serve as a unit, or any member of the Indi-
6 vidual Ready Reserve, is ordered to active duty under au-
7 thority of subsection (c), the service of all units or mem-
8 bers so ordered to active duty may be terminated by—

9 (A) order of the Secretary of Defense or the
10 Secretary of the Department in which the Coast
11 Guard is operating; or

12 (B) law.”; and

13 (6) in subsection (k) (as so redesignated)—

14 (A) by redesignating paragraph (2) as
15 paragraph (3); and

16 (B) by inserting after paragraph (1) the
17 following new paragraph:

18 “(2) The term ‘covered incident’ means—

19 (A) a cyber incident involving a Depart-
20 ment of Defense information system, or a
21 breach of a Department of Defense system that
22 involves personally identifiable information, that
23 the Secretary of Defense determines is likely to
24 result in demonstrable harm to the national se-
25 curity interests, foreign relations, or the econ-

1 omy of the United States, or to the public con-
2 fidence, civil liberties, or public health and safe-
3 ty of the people of the United States;

4 “(B) a cyber incident involving a Depart-
5 ment of Homeland Security information system
6 or a breach of a Department of Homeland Se-
7 curity system that involves personally identifi-
8 able information that the Secretary of Home-
9 land Security determines is likely to result in
10 demonstrable harm to the national security in-
11 terests, foreign relations, or the economy of the
12 United States or to the public confidence, civil
13 liberties, or public health and safety of the peo-
14 ple of the United States;

15 “(C) a cyber incident or collection of re-
16 lated cyber incidents that the President deter-
17 mines is likely to result in demonstrable harm
18 to the national security interests, foreign rela-
19 tions, or economy of the United States or to the
20 public confidence, civil liberties, or public health
21 and safety of the people of the United States;
22 or

23 “(D) a significant incident declared pursu-
24 ant to section 2233 of the Homeland Security
25 Act of 2002 (6 U.S.C. 677b).”.

1 **SEC. 523. MOBILIZATION OF SELECTED RESERVE FOR**
2 **PREPLANNED MISSIONS IN SUPPORT OF THE**
3 **COMBATANT COMMANDS.**

4 Section 12304b(b)(1) of title 10, United States Code,
5 is amended—

6 (1) by redesignating subparagraphs (A) and
7 (B) as clauses (i) and (ii), respectively;

8 (2) by striking “Units” and inserting “(A) Ex-
9 cept as provided under subparagraph (B), units”;
10 and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(B) In the event the President’s budget is de-
14 livered later than April 1st in the year prior to the
15 year of the mobilization of one or more units under
16 this section, the Secretary concerned may submit to
17 Congress the information required under subpara-
18 graph (A) in a separate notice.”.

19 **SEC. 524. ALTERNATING SELECTION OF OFFICERS OF THE**
20 **NATIONAL GUARD AND THE RESERVES AS**
21 **DEPUTY COMMANDERS OF CERTAIN COM-**
22 **BATANT COMMANDS.**

23 Section 164(e)(4) of title 10, United States Code, is
24 amended—

25 (1) by inserting “(A)” before “At least one dep-
26 uty commander”; and

1 (2) by adding at the end the following new sub-
2 paragraphs:

3 “(B) In carrying out the requirement in subpara-
4 graph (A) pertaining to the selection of an officer of the
5 reserve component, the Secretary of Defense shall alter-
6 nate between selecting an officer of the National Guard
7 and an officer of the Reserves no less frequently than
8 every two terms.

9 “(C) The Secretary of Defense may waive the re-
10 quirement under subparagraph (B) regarding the alter-
11 nating selection of reserve component officers if the Sec-
12 retary of Defense determines that such action is in the
13 national interest.”.

14 **SEC. 525. GRADE OF VICE CHIEF OF THE NATIONAL GUARD**
15 **BUREAU.**

16 Section 10505 of title 10, United States Code, is
17 amended by adding at the end the following new sub-
18 section:

19 “(c) **GRADE AND EXCLUSION FROM GENERAL AND**
20 **FLAG OFFICER AUTHORIZED STRENGTH.**—(1) The Vice
21 Chief of the National Guard Bureau shall be appointed
22 to serve in the grade of general.

23 “(2) The Secretary of Defense shall designate, pursu-
24 ant to subsection (b) of section 526a of this title, the posi-
25 tion of Vice Chief of the National Guard Bureau as one

1 of the general officer and flag officer positions to be ex-
 2 cluded from the limitations in subsection (a) of such sec-
 3 tion.”.

4 **Subtitle C—General Service**
 5 **Authorities and Military Records**

6 **SEC. 531. MODIFICATION OF LIMITATION ON ENLISTMENT**
 7 **AND INDUCTION OF PERSONS WHOSE SCORE**
 8 **ON THE ARMED FORCES QUALIFICATION**
 9 **TEST IS BELOW A PRESCRIBED LEVEL.**

10 Section 520(a) of title 10, United States Code, is
 11 amended—

12 (1) by striking “The number of persons” and
 13 inserting “(1) The number of persons”;

14 (2) by striking “may not exceed 20 percent”
 15 and inserting “may not exceed 4 percent”; and

16 (3) by adding at the end the following new
 17 paragraph:

18 “(2) Upon the request of the Secretary concerned,
 19 the Secretary of Defense may authorize an armed force
 20 to increase the limitation specified in paragraph (1) to not
 21 exceed 20 percent of the total number of persons originally
 22 enlisted or inducted to serve on active duty (other than
 23 active duty for training) in such armed force during such
 24 fiscal year. The Secretary of Defense shall notify the Com-
 25 mittees on Armed Services of the Senate and the House

1 of Representatives not later than 30 days after using such
2 authority.”.

3 **SEC. 532. NON-MEDICAL COUNSELING SERVICES FOR MILI-**
4 **TARY FAMILIES.**

5 Section 1781 of title 10, United States Code, is
6 amended by adding at the end the following new sub-
7 section:

8 “(d) NON-MEDICAL COUNSELING SERVICES.—(1) In
9 carrying out its duties under subsection (b), the Office
10 may coordinate programs and activities to provide non-
11 medical counseling services to military families through
12 the Department of Defense Military and Family Life
13 Counseling Program.

14 “(2) A mental health care professional described in
15 paragraph (3) may provide non-medical counseling serv-
16 ices at any location in a State, the District of Columbia,
17 or a territory or possession of the United States, without
18 regard to where the professional or recipient of such serv-
19 ices is located or delivery of such services is provided (in-
20 cluding face-to-face and telehealth), if the provision of
21 such services is within the scope of the authorized Federal
22 duties of the professional.

23 “(3) A non-medical mental health professional de-
24 scribed in this subsection is a person who is—

1 “(A) a currently licensed mental health care
2 provider who holds a license that is—

3 “(i) issued by a State, the District of Co-
4 lumbia, or a territory or possession of the
5 United States; and

6 “(ii) recognized by the Secretary of De-
7 fense as an appropriate license for the provision
8 of non-medical counseling services;

9 “(B) a member of the armed forces, a civilian
10 employee of the Department of Defense, or a con-
11 tractor designated by the Secretary; and

12 “(C) performing authorized duties for the De-
13 partment of Defense under a program or activity re-
14 ferred to in paragraph (1).

15 “(4) The authority under this subsection shall termi-
16 nate three years after the date of the enactment of this
17 subsection.

18 “(5) In this subsection, the term ‘non-medical coun-
19 seling services’ means mental health care services that are
20 non-clinical, short-term and solution focused, and address
21 topics related to personal growth, development, and posi-
22 tive functioning.”.

1 **SEC. 533. PRIMACY OF NEEDS OF THE SERVICE IN DETER-**
 2 **MINING INDIVIDUAL DUTY ASSIGNMENTS.**

3 (a) IN GENERAL.—Chapter 39 of title 10, United
 4 States Code, is amended by inserting after section 674 the
 5 following new section:

6 **“§ 675. Primacy of needs of the service in deter-**
 7 **mining individual duty assignments**

8 “(a) IN GENERAL.—The Secretaries of the military
 9 departments shall make duty assignments of individual
 10 members based on the needs of the military services.

11 “(b) ASSIGNMENTS BASED ON SERVICE NEEDS.—A
 12 servicemember’s opinion on State laws shall not take prece-
 13 dence over the needs of the military services in deter-
 14 mining individual duty assignments.

15 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
 16 tion shall be construed as prohibiting the Secretaries of
 17 the military departments from considering the general
 18 preferences of members of the armed forces in making de-
 19 terminations about individual duty assignments.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
 21 at the beginning of such chapter is amended by inserting
 22 after the item relating to section 674 the following new
 23 item:

“675. Primacy of needs of the service in determining individual duty assign-
 ments.”.

1 **SEC. 534. REQUIREMENT TO USE QUALIFICATIONS, PER-**
2 **FORMANCE, AND MERIT AS BASIS FOR PRO-**
3 **MOTIONS, ASSIGNMENTS, AND OTHER PER-**
4 **SONNEL ACTIONS.**

5 The Secretary of Defense shall ensure that all pro-
6 motions, assignments, and other personnel actions of the
7 Armed Forces are based primarily on qualifications, per-
8 formance, and merit.

9 **SEC. 535. REQUIREMENT TO BASE TREATMENT IN THE**
10 **MILITARY ON MERIT AND PERFORMANCE.**

11 (a) FINDINGS.—Congress makes the following find-
12 ings:

13 (1) The United States Armed Forces is the
14 greatest civil rights program in the history of the
15 world.

16 (2) Former Chairman of the Joint Chiefs Gen-
17 eral Colin Powell wrote that “the military [has]
18 given African-Americans more equal opportunity
19 than any other institution in American society”.

20 (3) Today’s Armed Forces is the most diverse
21 large public institution in the country, and brings to-
22 gether Americans from every background in the
23 service of defending the country.

24 (4) Military readiness depends on the guarantee
25 of equal opportunity, without the promise of an
26 equal outcome, because warfare is a competitive en-

1 deavor and the nation’s enemies must know that the
2 United States Armed Forces is led by the best,
3 brightest, and bravest Americans.

4 (5) The tenets of critical race theory are anti-
5 thetical to the merit-based, all-volunteer, military
6 that has served the country with great distinction
7 for the last 50 years.

8 (b) DEFINITION OF EQUITY.—For the purposes of
9 any Department of Defense Diversity, Equity, and Inclu-
10 sion directive, program, policy, or instruction, the term
11 “equity” is defined as “the right of all persons to have
12 the opportunity to participate in, and benefit from, pro-
13 grams, and activities for which they are qualified”.

14 (c) PROHIBITIONS.—

15 (1) DIRECTIVES.—The Department of Defense
16 shall not direct or otherwise compel any member of
17 the Armed Forces, military dependent, or civilian
18 employee of the Department of Defense to person-
19 ally affirm, adopt, or adhere to the tenet that any
20 sex, race, ethnicity, religion or national origin is in-
21 herently superior or inferior.

22 (2) TRAINING AND INSTRUCTION.—No organi-
23 zation or institution under the authority of the Sec-
24 retary of Defense may provide courses, training, or
25 any other type of instruction that directs, compels,

1 or otherwise suggests that members of the Armed
2 Forces, military dependents, or civilian employees of
3 the Department of Defense should affirm, adopt, or
4 adhere to the tenet described in paragraph (1).

5 (3) DISTINCTIONS AND CLASSIFICATIONS.—

6 (A) IN GENERAL.—No organization or in-
7 stitution under the authority of the Secretary of
8 Defense shall make a distinction or classifica-
9 tion of members of the Armed Forces, military
10 dependents, or civilian employees of the Depart-
11 ment of Defense based on account of race, eth-
12 nicity, or national origin.

13 (B) RULE OF CONSTRUCTION.—Nothing in
14 this paragraph shall be construed to prohibit
15 the required collection or reporting of demo-
16 graphic information by the Department of De-
17 fense.

18 (d) MERIT REQUIREMENT.—All Department of De-
19 fense personnel actions, including accessions, promotions,
20 assignments and training, shall be based exclusively on in-
21 dividual merit and demonstrated performance.

22 **SEC. 536. TIGER TEAM FOR OUTREACH TO FORMER MEM-**
23 **BERS.**

24 (a) ESTABLISHMENT OF TIGER TEAM.—

1 (1) IN GENERAL.—Not later than 60 days after
2 the date of the enactment of this Act, the Secretary
3 of Defense shall establish a team (commonly known
4 as a “tiger team” and referred to in this section as
5 the “Tiger Team”) responsible for conducting out-
6 reach to build awareness among former members of
7 the Armed Forces of the process established pursu-
8 ant to section 527 of the National Defense Author-
9 ization Act for Fiscal Year 2020 (Public Law 116–
10 92; 10 U.S.C. 1552 note) for the review of discharge
11 characterizations by appropriate discharge boards.
12 The Tiger Team shall consist of appropriate per-
13 sonnel of the Department of Defense assigned to the
14 Tiger Team by the Secretary for purposes of this
15 section.

16 (2) TIGER TEAM LEADER.—One of the persons
17 assigned to the Tiger Team under paragraph (1)
18 shall be a senior-level officer or employee of the De-
19 partment who shall serve as the lead official of the
20 Tiger Team (in this section referred to as the “Tiger
21 Team Leader”) and who shall be accountable for the
22 activities of the Tiger Team under this section.

23 (3) REPORT ON COMPOSITION.—Not later than
24 90 days after the date of the enactment of this Act,
25 the Secretary shall submit to Congress a report set-

1 ting forth the names of the personnel of the Depart-
2 ment assigned to the Tiger Team pursuant to this
3 subsection, including the positions to which assigned.
4 The report shall specify the name of the individual
5 assigned as Tiger Team Leader.

6 (b) DUTIES.—

7 (1) IN GENERAL.—The Tiger Team shall con-
8 duct outreach to build awareness among veterans of
9 the process established pursuant to section 527 of
10 the National Defense Authorization Act for Fiscal
11 Year 2020 for the review of discharge characteriza-
12 tions by appropriate discharge boards.

13 (2) COLLABORATION.—In conducting activities
14 under this subsection, the Tiger Team Leader shall
15 identify appropriate external stakeholders with
16 whom the Tiger Team shall work to carry out such
17 activities. Such stakeholders shall include represent-
18 atives of veterans service organizations and such
19 other stakeholders as the Tiger Team Leader con-
20 siders appropriate.

21 (3) INITIAL REPORT.—Not later than 210 days
22 after the date of the enactment of this Act, the Sec-
23 retary of Defense shall submit to Congress the fol-
24 lowing:

25 (A) A plan setting forth the following:

1 (i) A description of the manner in
2 which the Secretary, working through the
3 Tiger Team and in collaboration with ex-
4 ternal stakeholders described in paragraph
5 (2), shall identify individuals who meet the
6 criteria in section 527(b) of the National
7 Defense Authorization Act for Fiscal Year
8 2020 for review of discharge characteriza-
9 tion.

10 (ii) A description of the manner in
11 which the Secretary, working through the
12 Tiger Team and in collaboration with the
13 external stakeholders, shall improve out-
14 reach to individuals who meet the criteria
15 in section 527(b) of the National Defense
16 Authorization Act for Fiscal Year 2020 for
17 review of discharge characterization, in-
18 cluding through—

19 (I) obtaining contact information
20 on such individuals; and

21 (II) contacting such individuals
22 on the process established pursuant to
23 section 527 of the National Defense
24 Authorization Act for Fiscal Year

1 2020 for the review of discharge char-
2 acterizations.

3 (B) A description of the manner in which
4 the work described in clauses (i) and (ii) of sub-
5 paragraph (A) will be carried out, including an
6 allocation of the work among the Tiger Team
7 and the external stakeholders.

8 (C) A schedule for the implementation,
9 carrying out, and completion of the plan re-
10 quired under subparagraph (A).

11 (D) A description of the additional fund-
12 ing, personnel, or other resources of the De-
13 partment required to carry out the plan re-
14 quired under subparagraph (A), including any
15 modification of applicable statutory or adminis-
16 trative authorities.

17 (4) IMPLEMENTATION OF PLAN.—

18 (A) IN GENERAL.—The Secretary shall im-
19 plement and carry out the plan submitted under
20 subparagraph (A) of paragraph (3) in accord-
21 ance with the schedule submitted under sub-
22 paragraph (C) of that paragraph.

23 (B) UPDATES.—Not less frequently than
24 once every 90 days after the submittal of the
25 report under paragraph (3), the Tiger Team

1 shall submit to Congress an update on the car-
2 rying out of the plan submitted under subpara-
3 graph (A) of that paragraph.

4 (5) FINAL REPORT.—Not later than 3 years
5 after the date of the enactment of this Act, the
6 Tiger Team shall submit to the Committees on
7 Armed Services of the Senate and the House of Rep-
8 resentatives a final report on the activities of the
9 Tiger Team under this subsection. The report shall
10 set forth the following:

11 (A) The number of individuals discharged
12 under Don't Ask, Don't Tell or a similar policy
13 prior to the enactment of Don't Ask, Don't
14 Tell.

15 (B) The number of individuals described in
16 subparagraph (A) who availed themselves of a
17 review of discharge characterization (whether
18 through discharge review or correction of mili-
19 tary records) through a process established
20 prior to the enactment of this Act.

21 (C) The number of individuals contacted
22 through outreach conducted pursuant to this
23 section.

24 (D) The number of individuals described in
25 subparagraph (A) who availed themselves of a

1 review of discharge characterization through the
2 process established pursuant to section 527 of
3 the National Defense Authorization Act for Fis-
4 cal Year 2020.

5 (E) The number of individuals described in
6 subparagraph (D) whose review of discharge
7 characterization resulted in a change of charac-
8 terization to honorable discharge.

9 (F) The total number of individuals de-
10 scribed in subparagraph (A), including individ-
11 uals also covered by subparagraph (E), whose
12 review of discharge characterization since Sep-
13 tember 20, 2011 (the date of repeal of Don't
14 Ask, Don't Tell), resulted in a change of char-
15 acterization to honorable discharge.

16 (6) TERMINATION.—On the date that is 60
17 days after the date on which the final report re-
18 quired by paragraph (5) is submitted, the Secretary
19 shall terminate the Tiger Team.

20 (c) ADDITIONAL REPORTS.—

21 (1) REVIEW.—The Secretary of Defense shall
22 conduct a review of the consistency and uniformity
23 of the reviews conducted pursuant to section 527 of
24 the National Defense Authorization Act for Fiscal
25 Year 2020.

1 (2) Leading working groups and councils to de-
2 veloping diversity, equity, and inclusion goals and
3 objectives to measure performance and outcomes.

4 (3) Creating and implementing diversity, equity,
5 and inclusion education, training courses, and work-
6 shops for military and civilian personnel.

7 (c) **APPLICABILITY TO CURRENT EMPLOYEES.**—Any
8 military or civilian employee appointed to a position with
9 duties described in subsection (b) who is paid annual pay
10 at a rate that exceeds the amount allowed under sub-
11 section (a) shall be reassigned to another position not later
12 than 180 days after the date of the enactment of this Act.

13 **Subtitle D—Military Justice and**
14 **Other Legal Matters**

15 **SEC. 541. ESTABLISHMENT OF STAGGERED TERMS FOR**
16 **MEMBERS OF THE MILITARY JUSTICE RE-**
17 **VIEW PANEL.**

18 (a) **APPOINTMENT TO STAGGERED TERMS.**—Sub-
19 section (b) of section 946 of title 10, United States Code
20 (article 146 of the Uniform Code of Military Justice), is
21 amended by adding at the end the following new para-
22 graph:

23 “(4) **ESTABLISHMENT OF STAGGERED**
24 **TERMS.**—Notwithstanding subsection (e), members
25 of the Panel appointed to serve on the Panel to fill

1 vacancies that exist due to terms of appointment ex-
2 piring during the period beginning on August 1,
3 2030, and ending on August 31, 2030, shall be ap-
4 pointed to terms as follows:

5 “(A) Three members designated by the
6 Secretary of Defense shall serve a term of two
7 years.

8 “(B) Three members designated by the
9 Secretary of Defense shall serve a term of four
10 years.

11 “(C) Three members designated by the
12 Secretary of Defense shall serve a term of six
13 years.

14 “(D) Four members designated by the Sec-
15 retary of Defense shall serve a term of eight
16 years.”.

17 (b) TERM; VACANCIES.—Subsection (e) of such sec-
18 tion is amended to read as follows:

19 “(e) TERM; VACANCIES.—

20 “(1) TERM.—Subject to subsection (b)(4) and
21 paragraphs (2) and (3) of this subsection, each
22 member shall be appointed for a term of eight years,
23 and no member may serve more than one term.

24 “(2) VACANCY.—Any vacancy in the Panel shall
25 be filled in the same manner as the original appoint-

1 ment. A member appointed to fill a vacancy in the
 2 Panel that occurs before the expiration of the term
 3 of appointment of the predecessor of such member
 4 shall be appointed for the remainder of the term of
 5 such predecessor.

6 “(3) AVAILABILITY OF REAPPOINTMENT FOR
 7 CERTAIN MEMBERS.—Notwithstanding paragraph
 8 (1), a member of the Panel may be appointed to a
 9 single additional term if—

10 “(A) the appointment of the member is to
 11 fill a vacancy described in subsection (b)(4); or

12 “(B) the member was initially appointed
 13 to—

14 “(i) a term of four years or less in ac-
 15 cordance with subsection (b)(4); or

16 “(ii) fill a vacancy that occurs before
 17 the expiration of the term of the prede-
 18 cessor of such member and for which the
 19 remainder of the term of such predecessor
 20 is four years or less.”.

21 **SEC. 542. TECHNICAL AND CONFORMING AMENDMENTS TO**
 22 **THE UNIFORM CODE OF MILITARY JUSTICE.**

23 (a) TECHNICAL AMENDMENT RELATING TO GUILTY
 24 PLEAS FOR MURDER.—Section 918 of title 10, United

1 States Code (article 118 of the Uniform Code of Military
2 Justice), is amended—

3 (1) by striking “he” both places it appears and
4 inserting “such person”; and

5 (2) in the matter following paragraph (4), by
6 striking the period and inserting “, unless such per-
7 son is otherwise sentenced in accordance with a plea
8 agreement entered into between the parties under
9 section 853a (article 53a).”.

10 (b) TECHNICAL AMENDMENTS RELATING TO THE
11 MILITARY JUSTICE REFORMS IN THE NATIONAL DE-
12 FENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—

13 (1) ARTICLE 16.—Subsection (c)(2)(A) of sec-
14 tion 816 of title 10, United States Code (article 16
15 of the Uniform Code of Military Justice), is amend-
16 ed by striking “by the convening authority”.

17 (2) ARTICLE 25.—Section 825 of title 10,
18 United States Code (article 25 of the Uniform Code
19 of Military Justice), is amended—

20 (A) in subsection (d)—

21 (i) in paragraph (1), by striking
22 “may, after the findings are announced
23 and before any matter is presented in the
24 sentencing phase, request, orally on the
25 record or in writing, sentencing by the

1 members” and inserting “shall be sen-
2 tenced by the military judge”; and

3 (ii) by amending paragraph (2) to
4 read as follows:

5 “(2) In a capital case, if the accused is con-
6 victed of an offense for which the court-martial may
7 sentence the accused to death, the accused shall be
8 sentenced in accordance with section 853(c) of this
9 title (article 53(c)).”;

10 (B) in subsection (e)—

11 (i) in paragraph (1), by striking
12 “him” and inserting “the member being
13 tried”; and

14 (ii) in paragraph (2)—

15 (I) in the first sentence, by strik-
16 ing “his opinion” and inserting “the
17 opinion of the convening authority”;
18 and

19 (II) in the second sentence, by
20 striking “he” and inserting “the mem-
21 ber”; and

22 (C) in subsection (f)—

23 (i) by striking “his authority” and in-
24 serting “the authority of the convening au-
25 thority”; and

1 (ii) by striking “his staff judge advo-
2 cate or legal officer” and inserting “the
3 staff judge advocate or legal officer of the
4 convening authority”.

5 (c) AUTHORITY OF SPECIAL TRIAL COUNSEL WITH
6 RESPECT TO CERTAIN OFFENSES OCCURRING BEFORE
7 EFFECTIVE DATE OF MILITARY JUSTICE REFORMS EN-
8 ACTED IN THE NATIONAL DEFENSE AUTHORIZATION ACT
9 FOR FISCAL YEAR 2022.—

10 (1) AUTHORITY.—Section 824a of title 10,
11 United States Code, as added by section 531 of the
12 National Defense Authorization Act for Fiscal Year
13 2022 (Public Law 117–81), is amended by adding at
14 the end the following new subsection:

15 “(d) SPECIAL TRIAL COUNSEL AUTHORITY OVER
16 CERTAIN OTHER OFFENSES.—

17 “(1) OFFENSES OCCURRING BEFORE EFFEC-
18 TIVE DATE.—A special trial counsel may, at the sole
19 and exclusive discretion of the special trial counsel,
20 exercise authority over the following offenses:

21 “(A) An offense under section 917a (arti-
22 cle 117a), 918 (article 118), section 919 (article
23 119), section 920 (article 120), section 920b
24 (article 120b), section 920c (article 120c), sec-
25 tion 928b (article 128b), or the standalone of-

1 fense of child pornography punishable under
2 section 934 (article 134) of this title that oc-
3 curred on or before December 27, 2023.

4 “(B) An offense under section 925 (article
5 125), section 930 (article 130), or section 932
6 (article 132) of this title that occurred on or
7 after January 1, 2019, and before December
8 28, 2023.

9 “(C) An offense under section 920a (arti-
10 cle 120a) of this title, an offense under section
11 925 (article 125) of this title alleging an act of
12 nonconsensual sodomy, or the standalone of-
13 fense of kidnapping punishable under section
14 934 (article 134) of this title that occurred be-
15 fore January 1, 2019.

16 “(D) A conspiracy to commit an offense
17 specified in subparagraph (A), (B), or (C) as
18 punishable under section 881 of this title (arti-
19 cle 81).

20 “(E) A solicitation to commit an offense
21 specified in subparagraph (A), (B), or (C) as
22 punishable under section 882 of this title (arti-
23 cle 82).

24 “(F) An attempt to commit an offense
25 specified in subparagraph (A), (B), (C), (D), or

1 (E) as punishable under section 880 of this title
2 (article 80).

3 “(2) EFFECT OF EXERCISE OF AUTHORITY.—

4 “(A) TREATMENT AS COVERED OF-
5 FENSE.—If a special trial counsel exercises au-
6 thority over an offense pursuant to paragraph
7 (1), the offense over which the special trial
8 counsel exercises authority shall be considered a
9 covered offense for purposes of this chapter.

10 “(B) KNOWN OR RELATED OFFENSES.—If
11 a special trial counsel exercises authority over
12 an offense pursuant to paragraph (1), the spe-
13 cial trial counsel may exercise the authority of
14 the special trial counsel under subparagraph
15 (B) of subsection (c)(2) with respect to other
16 offenses described in that subparagraph without
17 regard to the date on which the other offenses
18 occur.”.

19 (2) CONFORMING AMENDMENT TO EFFECTIVE
20 DATE.—Section 539C(a) of the National Defense
21 Authorization Act for Fiscal Year 2022 (10 U.S.C.
22 801 note; Public Law 117–81) is amended by strik-
23 ing “and shall” and inserting “and, except as pro-
24 vided in section 824a(d) of title 10, United States

1 Code (article 24a of the Uniform Code of Military
2 Justice), shall”.

3 (d) CLARIFICATION OF APPLICABILITY OF DOMESTIC
4 VIOLENCE AND STALKING TO DATING PARTNERS.—

5 (1) ARTICLE 128B; DOMESTIC VIOLENCE.—Sec-
6 tion 928b of title 10, United States Code (article
7 128b of the Uniform Code of Military Justice), is
8 amended—

9 (A) in the matter preceding paragraph (1),
10 by striking “Any person” and inserting “(A) IN
11 GENERAL.—Any person”;

12 (B) in subsection (a), as designated by
13 paragraph (1) of this section, by inserting “a
14 dating partner,” after “an intimate partner,”
15 each place it appears; and

16 (C) by adding at the end the following new
17 subsection:

18 “(b) DEFINITIONS.—In this section (article), the
19 terms ‘dating partner’, ‘immediate family’, and ‘intimate
20 partner’ have the meaning given such terms in section 930
21 of this title (article 130 of the Uniform Code of Military
22 Justice).”.

23 (2) ARTICLE 130; STALKING.—Section 930 of
24 such title (article 130 of the Uniform Code of Mili-
25 tary Justice) is amended—

1 (A) in subsection (a), by striking “or to his
 2 or her intimate partner” each place it appears
 3 and inserting “to his or her intimate partner,
 4 or to his or her dating partner”; and

5 (B) in subsection (b)—

6 (i) by redesignating paragraphs (3)
 7 through (5) as paragraphs (4) through (6),
 8 respectively; and

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

11 “(3) The term ‘dating partner’, in the case of
 12 a specific person, means a person who is or has been
 13 in a social relationship of a romantic or intimate na-
 14 ture with such specific person based on a consider-
 15 ation of—

16 “(A) the length of the relationship;

17 “(B) the type of relationship;

18 “(C) the frequency of interaction between
 19 the persons involved in the relationship; and

20 “(D) the extent of physical intimacy or
 21 sexual contact between the persons involved in
 22 the relationship.”.

23 (e) EFFECTIVE DATE.—The amendments made by
 24 subsection (b) and subsection (c)(1) shall take effect im-
 25 mediately after the coming into effect of the amendments

1 made by part 1 of subtitle D of title V of the National
2 Defense Authorization Act for Fiscal Year 2022 (Public
3 Law 117–81) as provided in section 539C of that Act (10
4 U.S.C. 801 note).

5 **SEC. 543. ANNUAL REPORT ON INITIATIVE TO ENHANCE**
6 **THE CAPABILITY OF MILITARY CRIMINAL IN-**
7 **VESTIGATIVE ORGANIZATIONS TO PREVENT**
8 **AND COMBAT CHILD SEXUAL EXPLOITATION.**

9 In order to effectively carry out the initiative under
10 section 550D of the National Defense Authorization Act
11 for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
12 1561 note prec.), the Secretary of Defense shall carry out
13 the following actions:

14 (1) Not later than 90 days after the date of the
15 enactment of this Act, and annually thereafter, sub-
16 mit to the Committee on Armed Services of the Sen-
17 ate and the Committee on Armed Services of the
18 House of Representatives an annual report on the
19 progress of the initiative carried out under such sec-
20 tion, outlining specific actions taken and planned to
21 detect, combat, and stop the use of the Department
22 of Defense network to further online child sexual ex-
23 ploitation (CSE).

24 (2) Develop partnerships and execute collabo-
25 rative agreements with functional experts, including

1 highly qualified national child protection organiza-
 2 tions or law enforcement training centers with dem-
 3 onstrated expertise in the delivery of law enforce-
 4 ment training, to identify, investigate and prosecute
 5 individuals engaged in online CSE.

6 (3) Establish mandatory training for Depart-
 7 ment of Defense criminal investigative organizations
 8 and personnel at military installations to maintain
 9 capacity and address turnover and relocation issues.

10 **Subtitle E—Member Education,**
 11 **Training, Transition**

12 **SEC. 551. FUTURE SERVICEMEMBER PREPARATORY**
 13 **COURSE.**

14 (a) REQUIREMENT.—If the number of nonprior serv-
 15 ice enlisted personnel covered under section 520 of title
 16 10, United States Code, exceeds 10 percent of the total
 17 number of persons originally enlisted in an Armed Force
 18 during a fiscal year, the Secretary concerned shall estab-
 19 lish a future servicemember preparatory course within the
 20 Armed Force concerned.

21 (b) PURPOSE.—The course established under sub-
 22 section (a) shall be designed to improve the physical and
 23 aptitude qualifications of military recruits.

24 (c) CRITERIA.—Each course established under this
 25 section shall comply with the following requirements:

1 (1) ENROLLMENT.—All nonprior service en-
2 listed persons whose score on the Armed Forces
3 Qualification Test is at or above the twentieth per-
4 centile and below the thirty-first percentile must be
5 enrolled in the course prior to attending initial basic
6 training.

7 (2) GRADUATION REQUIREMENT.—Prior to at-
8 tending initial basic training, all enlisted persons at-
9 tending the course established under this section
10 must achieve a score that exceeds the thirty-first
11 percentile of the Armed Forces Qualification Test.

12 (3) EFFECT OF COURSE FAILURE.—Any en-
13 listed person who fails to achieve course graduation
14 requirements within 180 days of enlistment shall be
15 separated under regulations prescribed by the Sec-
16 retary concerned.

17 **SEC. 552. DETERMINATION OF ACTIVE DUTY SERVICE COM-**
18 **MITMENT FOR RECIPIENTS OF FELLOW-**
19 **SHIPS, GRANTS, AND SCHOLARSHIPS.**

20 Section 2603(b) of title 10, United States Code, is
21 amended by striking “at least three times the length of
22 the period of the education or training.” and inserting
23 “determined by the Secretary concerned. Notwithstanding
24 sections 2004(c), 2004a(f), and 2004b(e) of this title, the
25 service obligation required under this subsection may run

1 concurrently with any service obligations incurred under
2 chapter 101 of this title in accordance with regulations
3 established by the Secretary concerned.”.

4 **SEC. 553. MILITARY SERVICE ACADEMY PROFESSIONAL**
5 **SPORTS PATHWAY REPORT AND LEGISLA-**
6 **TIVE PROPOSAL REQUIRED.**

7 (a) LEGISLATIVE PROPOSAL.—Not later than March
8 1, 2024, the Secretary of Defense shall submit to the
9 Committees on Armed Services of the Senate and the
10 House of Representatives a report including the following
11 elements:

12 (1) A legislative proposal that would—

13 (A) update and clarify the legislative
14 framework related to the ability of military
15 service academy graduates to pursue employ-
16 ment as a professional athlete prior to serving
17 at least 5 years on active duty; and

18 (B) retain the existing requirement that all
19 military service academy graduates must serve
20 for 2 years on active duty before affiliating with
21 the reserves to pursue employment as a profes-
22 sional athlete.

23 (2) A description of amendments to current law
24 that would be necessary to implement the legislative
25 proposal described under paragraph (1).

1 (b) REPORT REQUIRED.—Not later than March 1,
2 2024, and annually thereafter, the Secretary of Defense
3 shall provide to the Committees on Armed Services of the
4 Senate and the House of Representatives a report that
5 includes the following information:

6 (1) The name, military service, and sport of
7 each military service graduate released or deferred
8 from active service in order to participate in profes-
9 sional sports.

10 (2) A description of the sports career progress
11 of each participant, such as drafted, signed, re-
12 leased, or returned to military service.

13 (3) A summary by participant of marketing
14 strategy and recruiting related activities conducted.

15 (4) A description by participant of the assess-
16 ments conducted by the military services to deter-
17 mine the recruiting value associated with approved
18 releases from active duty.

19 (5) The current status of each participant, in-
20 cluding, as appropriate, affiliated franchise.

21 **SEC. 554. COMMUNITY COLLEGE ENLISTED TRAINING**
22 **CORPS DEMONSTRATION PROGRAM.**

23 (a) DEMONSTRATION PROGRAM.—

24 (1) IN GENERAL.—Not later than August 1,
25 2025, the Secretary concerned shall establish within

1 each military department an Enlisted Training
2 Corps demonstration program for the purpose of in-
3 troducing students to the military, and preparing se-
4 lected students for enlisted service in the Army,
5 Navy, Air Force, Marine Corps, or Space Force.

6 (2) LOCATION.—Demonstration programs es-
7 tablished under this section shall be located at a
8 community or junior college. No program may be es-
9 tablished at a military college or military junior col-
10 lege as defined for purposes of section 2107a of title
11 10, United States Code.

12 (b) ELIGIBILITY FOR MEMBERSHIP.—To be eligible
13 for membership in a program under this section, a person
14 must be a student at an institution where a unit of the
15 Enlisted Training Corps is located.

16 (c) INSTRUCTORS.—The Secretary concerned may as-
17 sign as an instructor for a unit established under this sec-
18 tion an individual eligible to serve as an instructor under
19 section 2111 or section 2031 of title 10, United States
20 Code. Instructors who are not currently members on active
21 duty shall be paid in a manner consistent with section
22 2031 of title 10, United States Code.

23 (d) FINANCIAL ASSISTANCE.—The Secretary of the
24 military department concerned may provide financial as-
25 sistance to persons enrolled in a unit of the Enlisted

1 Training Corps in exchange for an agreement in writing
2 that the person enlist in the active component of the mili-
3 tary department concerned upon graduation or
4 disenrollment from the community college. Financial as-
5 sistance provided under this subsection may include tui-
6 tion, living expenses, stipend, or other payment.

7 (e) CURRICULUM.—The Secretary concerned shall
8 ensure that any programs created under this section in-
9 clude as part of the curriculum the following:

10 (1) An introduction to the benefits of military
11 service.

12 (2) Military history.

13 (3) Military customs and courtesies.

14 (4) Physical fitness requirements.

15 (5) Instruction on ethical behavior and decision-
16 making.

17 (f) REPORTING REQUIREMENT.—Not later than one
18 year after the date of the enactment of this Act, and annu-
19 ally thereafter until the date specified by subsection (g),
20 the Secretary of Defense shall submit to the Committees
21 on Armed Services of the Senate and the House of Rep-
22 resentatives a report on the status of the demonstration
23 program required by this section.

24 (g) SUNSET.—The requirements of this provision
25 shall sunset on September 30, 2030.

1 **SEC. 555. LANGUAGE TRAINING CENTERS FOR MEMBERS**
2 **OF THE ARMED FORCES AND CIVILIAN EM-**
3 **PLOYEES OF THE DEPARTMENT OF DEFENSE.**

4 Section 529 of the National Defense Authorization
5 Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.
6 2001 note prec.) is amended—

7 (1) in subsection (a), by striking “may carry
8 out a program” and inserting “shall carry out a pro-
9 gram”;

10 (2) by redesignating subsection (e) as sub-
11 section (f);

12 (3) by inserting after subsection (d) the fol-
13 lowing new subsection:

14 “(e) CONTRACT AUTHORITY.—The Secretary of De-
15 fense may enter into one or more contracts, cooperative
16 agreements, or grants with private national organizations
17 having an expertise in foreign languages, area studies, and
18 other international fields, for the awarding of grants to
19 accredited universities, senior military colleges, or other
20 similar institutions of higher education to establish and
21 maintain language training centers authorized by sub-
22 section (a).”; and

23 (4) in subsection (f), as redesignated by para-
24 graph (2)—

25 (A) by striking “one year after the date of
26 the establishment of the program authorized by

1 subsection (a)” and inserting “180 days after
2 the date of the enactment of the National De-
3 fense Authorization Act for Fiscal Year 2024”;

4 (B) by striking “report on the program”
5 and inserting “report on the Language Train-
6 ing Center program”;

7 (C) by redesignating paragraph (4) as
8 paragraph (5);

9 (D) by inserting after paragraph (3) the
10 following new paragraph:

11 “(4) An assessment of the resources required to
12 carry out the Language Training Center program by
13 year through fiscal year 2027.”; and

14 (E) in paragraph (5), as redesignated by
15 subparagraph (C), by striking “A recommenda-
16 tion whether the program should be continued
17 and, if so, recommendations as to any modifica-
18 tions of the program” and inserting “Rec-
19 ommendations as to any modifications to the
20 Language Training Center program”.

21 **SEC. 556. LIMITATION ON AVAILABILITY OF FUNDS FOR RE-**
22 **LOCATION OF ARMY CID SPECIAL AGENT**
23 **TRAINING COURSE.**

24 (a) **LIMITATION.**—None of the funds authorized to
25 be appropriated by this Act for fiscal year 2024 for the

1 Army to relocate an Army CID special agent training
2 course may be obligated or expended until—

3 (1) the Secretary of the Army submits to the
4 Committees on Armed Services of the Senate and
5 the House of Representatives a separate report on
6 any plans of the Secretary to relocate an Army CID
7 special agent training course, including an expla-
8 nation of the business case for any transfer of train-
9 ing personnel proposed as part of such plan; and

10 (2) the Secretary provides to the Committees on
11 Armed Services of the Senate and the House of Rep-
12 resentatives a briefing on the contents of the report
13 specified in paragraph (1).

14 (b) DEFINITIONS.—In this section:

15 (1) The term “relocate”, when used with re-
16 spect to an Army CID special agent training course,
17 means the transfer of such course to a location dif-
18 ferent than the location used for such course as of
19 the date of the enactment of this Act.

20 (2) The term “Army CID special agent training
21 course” means a training course provided to mem-
22 bers of the Army to prepare such members for serv-
23 ice as special agents in the Army Criminal Investiga-
24 tion Division.

1 **SEC. 557. ARMY PHYSICAL FITNESS TEST.**

2 (a) IN GENERAL.—The physical fitness test of record
3 for the United States Army in compliance with Depart-
4 ment of Defense Instruction 1308.03, or any successor
5 regulation, is the Army Physical Fitness Test according
6 to the grading and evaluation scale as it existed on Janu-
7 ary 1, 2020. This test shall be the baseline test of physical
8 fitness for members of the Army and administered at least
9 annually, except when operational requirements or contin-
10 ugency operations would make such test administration im-
11 practicable.

12 (b) UPDATES AND MODIFICATIONS.—Notwith-
13 standing subsection (a), the Army may update, replace,
14 or modify the events and scoring standards in the Army
15 Physical Fitness Test as the needs of the Army require
16 after a robust pilot and testing period of at least 24
17 months. Such modifications shall not take effect until the
18 date that is one year after the Secretary of the Army has
19 provided a briefing on the planned changes to the Commit-
20 tees on Armed Services of the Senate and the House of
21 Representatives.

22 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion prohibits the Army from using the Army Combat Fit-
24 ness Test, or any other physical assessment the Army may
25 develop, as a supplemental tool to assess physical fitness
26 for all or parts of the force. Army Commanders may also

1 require higher standards than the Army-wide grading
2 scale for promotions, awards, schools and similar actions.
3 Such supplemental assessment shall not constitute the
4 baseline physical fitness assessment of record for the
5 Army unless it is incorporated into the Army Physical Fit-
6 ness Test using the procedure described in subsection (b).

7 **SEC. 558. OPT-OUT SHARING OF INFORMATION ON MEM-**
8 **BERS RETIRING OR SEPARATING FROM THE**
9 **ARMED FORCES WITH COMMUNITY-BASED**
10 **ORGANIZATIONS AND RELATED ENTITIES.**

11 Section 570F of the National Defense Authorization
12 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
13 1142 note) is amended—

14 (1) in subsection (c)—

15 (A) by striking “out the form to indicate
16 an email address” and inserting the following:

17 “out the form to indicate—

18 “(1) an email address; and”; and

19 (B) by adding at the end the following new
20 paragraph:

21 “(2) if the individual would like to opt-out of
22 the transmittal of the individual’s information to
23 and through a State veterans agency as described in
24 subsection (a).”; and

1 (2) by amending subsection (d) to read as fol-
2 lows:

3 “(d) OPT-OUT OF INFORMATION SHARING.—Infor-
4 mation on an individual shall be transmitted to and
5 through a State veterans agency as described in subsection
6 (a) unless the individual indicates pursuant to subsection
7 (c)(2) that the individual would like to opt out of such
8 transmittal.”.

9 **SEC. 559. ESTABLISHMENT OF PROGRAM TO PROMOTE**
10 **PARTICIPATION OF FOREIGN STUDENTS IN**
11 **THE SENIOR RESERVE OFFICERS’ TRAINING**
12 **CORPS.**

13 (a) ESTABLISHMENT.—

14 (1) IN GENERAL.—Not later than January 1,
15 2025, the Secretary of Defense shall establish a pro-
16 gram using the authority provided under section
17 2103(b) of title 10, United States Code, to promote
18 the participation of foreign students in the Senior
19 Reserve Officers’ Training Corps (in this section re-
20 ferred to as the “Program”).

21 (2) ORGANIZATION.—The Secretary of Defense,
22 in consultation with the Director of the Defense Se-
23 curity Cooperation Agency, the Secretaries of the
24 military departments, the commanders of the com-
25 batant commands, the participant institutions in the

1 Senior Reserve Officers' Training Corps program,
2 and any other individual the Secretary of Defense
3 considers appropriate, shall be responsible for, and
4 shall oversee, the Program.

5 (b) OBJECTIVE.—The objective of the Program is to
6 promote the readiness and interoperability of the United
7 States Armed Forces and the military forces of partner
8 countries by providing a high-quality, cost effective mili-
9 tary-based educational experience for foreign students in
10 furtherance of the military-to-military program objectives
11 of the Department of Defense and to enhance the edu-
12 cational experience and preparation of future United
13 States military leaders through increased, extended inter-
14 action with highly qualified potential foreign military lead-
15 ers.

16 (c) ACTIVITIES.—

17 (1) IN GENERAL.—Under the Program, the
18 Secretary of Defense shall—

19 (A) identify to the military services' Senior
20 Reserve Officers' Training Corps program the
21 foreign students who, based on criteria estab-
22 lished by the Secretary, the Secretary rec-
23 ommends be considered for admission under the
24 Program;

1 (B) coordinate with partner countries to
2 evaluate interest in and promote awareness of
3 the Program;

4 (C) establish a mechanism for tracking an
5 alumni network of foreign students who partici-
6 pate in the Program; and

7 (D) to the extent practicable, work with
8 the participant institutions in the Senior Re-
9 serve Officers' Training Corps program and
10 partner countries to identify academic institu-
11 tions and programs that—

12 (i) have specialized academic pro-
13 grams in areas of study of interest to par-
14 ticipating countries; or

15 (ii) have high participation from or
16 significant diaspora populations from par-
17 ticipating countries.

18 (d) STRATEGY.—

19 (1) IN GENERAL.—Not later than September
20 30, 2024, the Secretary of Defense shall submit to
21 the Committee on Armed Services of the Senate and
22 the Committee on Armed Services of the House of
23 Representatives a strategy for the implementation of
24 the Program.

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

3 (A) A governance structure for the Pro-
4 gram, including—

5 (i) the officials tasked to oversee the
6 Program;

7 (ii) the format of the governing body
8 of the Program;

9 (iii) the functions and duties of such
10 governing body with respect to establishing
11 and maintaining the Program; and

12 (iv) mechanisms for coordinating with
13 partner countries whose students are se-
14 lected to participate in the Program.

15 (B) A list of additional authorities, appro-
16 priations, or other congressional support nec-
17 essary to ensure the success of the Program.

18 (C) A description of targeted partner coun-
19 tries and participant institutions in the Senior
20 Reserve Officers' Training Corps for the first
21 three fiscal years of the Program, including a
22 rationale for selecting such initial partners.

23 (D) A description of opportunities and po-
24 tential timelines for future Program expansion,
25 as appropriate.

1 (E) A description of the mechanism for
2 tracking the alumni network of participants of
3 the Program.

4 (F) Any other information the Secretary of
5 Defense considers appropriate.

6 (e) REPORT.—

7 (1) IN GENERAL.—Not later than September
8 20, 2025, and annually thereafter, the Secretary of
9 Defense shall submit to the congressional defense
10 committees (as defined in section 101 of title 10,
11 United States Code) a report on the Program.

12 (2) ELEMENTS.—Each report required by para-
13 graph (1) shall include the following elements:

14 (A) A narrative summary of activities con-
15 ducted as part of the Program during the pre-
16 ceding fiscal year.

17 (B) An overview of participant Senior Re-
18 serve Officers' Training Corps programs, indi-
19 viduals, and countries, to include a description
20 of the areas of study entered into by the stu-
21 dents participating in the Program.

22 (C) A description of opportunities and po-
23 tential timelines for future Program expansion,
24 as appropriate.

1 (D) Any other information the Secretary of
2 Defense considers appropriate.

3 (f) LIMITATION ON AUTHORITY.—The Secretary of
4 Defense may not use the authority provided under this
5 section to pay for tuition or room and board for foreign
6 students who participate in the Program.

7 (g) TERMINATION.—The Program shall terminate on
8 December 31, 2029.

9 **SEC. 560. CONSIDERATION OF STANDARDIZED TEST**
10 **SCORES IN MILITARY SERVICE ACADEMY AP-**
11 **PLICATION PROCESS.**

12 The Secretary of Defense shall ensure that the
13 United States Military Academy, the United States Naval
14 Academy, and the United States Air Force Academy re-
15 quire the submission and consideration of standardized
16 test scores as part of the their application processes.

17 **SEC. 560A. EXTENSION OF TROOPS FOR TEACHERS PRO-**
18 **GRAM TO THE JOB CORPS.**

19 Section 1154 of title 10, United States Code, is
20 amended—

21 (1) in subsection (a)—

22 (A) in paragraph (2)—

23 (i) in subparagraph (A)(ii), by strik-
24 ing “; or” and inserting s semicolon;

1 (ii) in subparagraph (B), by striking
2 the period at the end and inserting “; or”;
3 and

4 (iii) by adding at the end the fol-
5 lowing new subparagraph:

6 “(C) a Job Corps center as defined in sec-
7 tion 147 of the Workforce Innovation and Op-
8 portunity Act (29 U.S.C. 3197).”; and

9 (B) in paragraph (3)—

10 (i) in subparagraph (B), by striking “;
11 or” and inserting s semicolon;

12 (ii) in subparagraph (C), by striking
13 the period at the end and inserting “; or”;
14 and

15 (iii) by adding at the end the fol-
16 lowing new subparagraph:

17 “(D) a Job Corps center as defined in sec-
18 tion 147 of the Workforce Innovation and Op-
19 portunity Act (29 U.S.C. 3197).”;

20 (2) in subsection (d)(4)(A)(ii), by inserting “or
21 Job Corps centers” after “secondary schools”; and

22 (3) in subsection (e)(2)(E), by inserting “or
23 Job Corps center” after “secondary school”.

1 **Subtitle F—Military Family Readiness and Dependents’ Education**

2 **SEC. 561. PILOT PROGRAM ON RECRUITMENT AND RETENTION OF EMPLOYEES FOR CHILD DEVELOPMENT PROGRAMS.**

3 (a) IN GENERAL.—The Secretary of Defense may develop and implement a pilot program to assess the effectiveness of increasing compensation for employees of child development programs on military installations in improving the ability of such programs to recruit and retain such employees.

4 (b) COMPENSATION.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall provide for the payment of compensation to employees of child development programs under the pilot program at a fair and competitive wage in keeping with market conditions.

5 (c) SELECTION OF LOCATIONS.—

6 (1) IN GENERAL.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall select not fewer than five military installations for purposes of carrying out the pilot program.

7 (2) CONSIDERATIONS.—In selecting military installations under paragraph (1), the Secretary shall

1 consider military installations with child development
2 programs—

3 (A) with a shortage of qualified employees;

4 or

5 (B) subject to other conditions identified
6 by the Secretary that affect the ability of the
7 programs to operate at full capacity.

8 (d) REGULATIONS.—The Secretary may prescribe
9 such regulations as are necessary to carry out this section.

10 (e) DURATION OF PILOT PROGRAM.—If the Sec-
11 retary implements the pilot program authorized by sub-
12 section (a), the pilot program shall—

13 (1) commence on the date on which the Sec-
14 retary prescribes regulations under subsection (d);
15 and

16 (2) terminate on the date that is 3 years after
17 the date described in paragraph (1).

18 (f) BRIEFINGS REQUIRED.—

19 (1) INITIAL BRIEFING.—If the Secretary imple-
20 ments the pilot program authorized by subsection
21 (a), the Secretary shall, when the pilot program
22 commences in accordance with subsection (e)(1),
23 brief the Committees on Armed Services of the Sen-
24 ate and the House of Representatives on—

1 (A) the military installations selected
2 under subsection (c) for purposes of carrying
3 out the pilot program; and

4 (B) the data that informed those selec-
5 tions.

6 (2) FINAL BRIEFING.—If the Secretary imple-
7 ments the pilot program authorized by subsection
8 (a), the Secretary shall, not later than 180 days be-
9 fore the pilot program terminates in accordance with
10 subsection (e)(2), brief the Committees on Armed
11 Services of the Senate and the House of Representa-
12 tives on the outcomes and findings of the pilot pro-
13 gram, including—

14 (A) data collected and analyses conducted
15 under the pilot program with respect to the re-
16 lationship between increased compensation for
17 employees of child development programs and
18 improved recruitment or retention of those em-
19 ployees; and

20 (B) any recommendations with respect to
21 increases in compensation for employees of
22 child development programs across the Depart-
23 ment of Defense as a result of the pilot pro-
24 gram.

1 (g) CHILD DEVELOPMENT PROGRAM DEFINED.—In
2 this section, the term “child development program” means
3 a program to provide child care services for children, be-
4 tween birth through 12 years of age, of members of the
5 Armed Forces and civilian employees of the Department
6 of Defense.

7 **SEC. 562. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL**
8 **AGENCIES THAT BENEFIT DEPENDENTS OF**
9 **MILITARY AND CIVILIAN PERSONNEL.**

10 (a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL
11 EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS
12 OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT
13 OF DEFENSE CIVILIAN EMPLOYEES.—

14 (1) ASSISTANCE TO SCHOOLS WITH SIGNIFI-
15 CANT NUMBERS OF MILITARY DEPENDENT STU-
16 DENTS.—Of the amount authorized to be appro-
17 priated for fiscal year 2024 by section 301 and
18 available for operation and maintenance for Defense-
19 wide activities as specified in the funding table in
20 section 4301, \$50,000,000 shall be available only for
21 the purpose of providing assistance to local edu-
22 cational agencies under subsection (a) of section 572
23 of the National Defense Authorization Act for Fiscal
24 Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

1 (2) LOCAL EDUCATIONAL AGENCY DEFINED.—

2 In this subsection, the term “local educational agen-
3 cy” has the meaning given that term in section
4 7013(9) of the Elementary and Secondary Edu-
5 cation Act of 1965 (20 U.S.C. 7713(9)).

6 (b) IMPACT AID FOR CHILDREN WITH SEVERE DIS-
7 ABILITIES.—

8 (1) IN GENERAL.—Of the amount authorized to
9 be appropriated for fiscal year 2024 pursuant to sec-
10 tion 301 and available for operation and mainte-
11 nance for Defense-wide activities as specified in the
12 funding table in section 4301, \$10,000,000 shall be
13 available for payments under section 363 of the
14 Floyd D. Spence National Defense Authorization
15 Act for Fiscal Year 2001 (as enacted into law by
16 Public Law 106–398; 114 Stat. 1654A–77; 20
17 U.S.C. 7703a).

18 (2) ADDITIONAL AMOUNT.—Of the amount au-
19 thorized to be appropriated for fiscal year 2024 pur-
20 suant to section 301 and available for operation and
21 maintenance for Defense-wide activities as specified
22 in the funding table in section 4301, \$20,000,000
23 shall be available for use by the Secretary of Defense
24 to make payments to local educational agencies de-

1 terminated by the Secretary to have higher concentra-
2 tions of military children with severe disabilities.

3 (3) REPORT.—Not later than March 31, 2024,
4 the Secretary shall brief the Committees on Armed
5 Services of the Senate and the House of Representa-
6 tives on the Department’s evaluation of each local
7 educational agency with higher concentrations of
8 military children with severe disabilities and subse-
9 quent determination of the amounts of impact aid
10 each such agency shall receive.

11 **SEC. 563. MODIFICATIONS TO ASSISTANCE TO LOCAL EDU-**
12 **CATIONAL AGENCIES THAT BENEFIT DE-**
13 **PENDENTS OF MEMBERS OF THE ARMED**
14 **FORCES WITH ENROLLMENT CHANGES DUE**
15 **TO BASE CLOSURES, FORCE STRUCTURE**
16 **CHANGES, OR FORCE RELOCATIONS.**

17 (a) IN GENERAL.—Section 575 of the James M.
18 Inhofe National Defense Authorization Act for Fiscal Year
19 2023 (20 U.S.C. 7703d) is amended—

20 (1) in subsection (a)—

21 (A) by striking “year, the local educational
22 agency” and all that follows through “(as deter-
23 mined” and inserting “year, the local edu-
24 cational agency had (as determined”;

25 (B) by striking paragraph (2);

1 (C) by redesignating subparagraphs (A)
2 and (B) as paragraphs (1) and (2), respectively,
3 and by moving such paragraphs, as so redesign-
4 ated, two ems to the left; and

5 (D) in paragraph (2), as redesignated by
6 subparagraph (C), by striking “; or” and insert-
7 ing a period;

8 (2) in subsection (f)—

9 (A) by striking “The Secretary of De-
10 fense” and inserting the following:

11 “(1) IN GENERAL.—The Secretary of Defense,
12 acting through the Director of the Office of Local
13 Defense Community Cooperation,”; and

14 (B) by adding at the end the following:

15 “(2) METHOD OF DISBURSEMENT.—The Direc-
16 tor shall make disbursements under paragraph (1)
17 using existing authorities of the Office.”;

18 (3) by striking subsection (h); and

19 (4) by redesignating subsections (i) and (j) as
20 subsections (h) and (i), respectively.

21 (b) BRIEFING REQUIRED.—Not later than March 1,
22 2024, the Director of the Office of Local Defense Commu-
23 nity Cooperation shall brief the Committees of the Armed
24 Services of the Senate and the House of Representatives
25 on—

1 (1) any additional authorities that would be
2 helpful to the Office in its efforts to better support
3 local educational agencies; and

4 (2) any actions taken to implement the rec-
5 ommendations outlined in the March 2008 report
6 entitled “Update to the Report on Assistance to
7 Local Educational Agencies for Defense Dependents
8 Education” and required by section 574(c) of the
9 John Warner National Defense Authorization Act
10 for Fiscal Year 2007 (Public Law 109–364; 120
11 Stat. 2227) (as in effect on the date of the enact-
12 ment of that Act).

13 **SEC. 564. ASSISTANCE FOR MILITARY SPOUSES TO OBTAIN**
14 **DOULA CERTIFICATIONS.**

15 Section 1784a of title 10, United States Code, is
16 amended by adding at the end the following new sub-
17 section:

18 “(f) DOULA CERTIFICATIONS.—In carrying out the
19 programs authorized by subsection (a), the Secretary shall
20 provide assistance to the spouse of a member of the armed
21 forces described in subsection (b) in obtaining a doula cer-
22 tification provided by an organization that receives reim-
23 bursement under the extramedical maternal health pro-
24 viders demonstration project required by section 746 of
25 the William M. (Mac) Thornberry National Defense Au-

1 thorization Act for Fiscal Year 2021 (Public Law 116–
2 283; 10 U.S.C. 1073 note).”.

3 **Subtitle G—Junior Reserve**
4 **Officers’ Training Corps**

5 **SEC. 571. EXPANSION OF JUNIOR RESERVE OFFICERS’**
6 **TRAINING CORPS.**

7 Section 2031 of title 10, United States Code, is
8 amended—

9 (1) in subsection (a)(1)—

10 (A) by striking “The President shall pro-
11 mulgate” and inserting “The Secretary of De-
12 fense shall promulgate”; and

13 (B) by striking “maintained, and shall pro-
14 vide” and all that follows through the period at
15 the end and inserting “maintained.”; and

16 (2) by adding at the end the following new sub-
17 section:

18 “(g)(1) The Secretary of Defense shall establish and
19 support not less than 3,400, and not more than 4,000,
20 units of the Junior Reserve Officers’ Training Corps.

21 “(2) The requirement under paragraph (1) shall not
22 apply—

23 “(A) if the Secretary fails to receive an ade-
24 quate number of requests for Junior Reserve Offi-

1 cer's Training Corps units by public and private sec-
2 ondary educational institutions; and

3 “(B) during a time of national emergency when
4 the Secretaries of the military departments deter-
5 mine that funding must be allocated elsewhere.”.

6 **SEC. 572. JROTC PROGRAM CERTIFICATION.**

7 Section 2031 of title 10, United States Code, is
8 amended by adding at the end the following new sub-
9 section:

10 “(i)(1) The Secretary of Defense may suspend or
11 place on probation a Junior Reserve Officers' Training
12 Corps unit that fails to comply with provisions of the
13 standardized memorandum of understanding required
14 pursuant to subsection (b).

15 “(2) Not later than one year after the date of the
16 enactment of this subsection, and annually thereafter for
17 four years, the Secretary of Defense shall submit to the
18 Committee on Armed Services of the Senate and the Com-
19 mittee on Armed Services of the House of Representatives
20 a report including information on units suspended or
21 placed on probation pursuant to this subsection and a jus-
22 tification for the reinstatement of any such unit.

23 “(3) A unit may be placed on probation for a period
24 of up to three years for failing to comply with the provi-
25 sions of the standardized memorandum of understanding

1 or any other requirement in this section. A unit may be
2 suspended if, after the three-year probationary period,
3 such unit remains out of compliance with the requirements
4 of this section, and the Secretary of the military depart-
5 ment concerned determines that such suspension is nec-
6 essary to mitigate program deficiencies or to protect the
7 safety of program participants.”.

8 **SEC. 573. MEMORANDUM OF UNDERSTANDING REQUIRED.**

9 Section 2031(b) of title 10, United States Code, is
10 amended—

11 (1) by redesignating paragraphs (1) through
12 (5) as subparagraphs (A) through (E);

13 (2) by inserting “(1)” after “(b)”;

14 (3) in subparagraph (A), as redesignated by
15 paragraph (1)—

16 (A) by striking “(A)” and inserting “(i)”;

17 and

18 (B) by striking “(B)” and inserting “(ii)”;

19 (4) by amending subparagraph (E), as so redesi-
20 gnated, to read as follows: “the unit meets such
21 other requirements as the Secretary of the military
22 department concerned proscribes in the memo-
23 randum of understanding required under this sub-
24 section.”; and

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

3 “(2) The Secretary of Defense shall issue regulations
4 establishing a standardized memorandum of under-
5 standing to be signed by the Secretary of the military de-
6 partment concerned and each institution operating a unit
7 under this section. The memorandum shall address the fol-
8 lowing matters:

9 “(A) A requirement for institutions to notify
10 the appropriate armed force of allegations of mis-
11 conduct against an instructor receiving retired or
12 other pay from such armed force, including proce-
13 dures that would require such institutions to report
14 allegations of sexual misconduct, including harass-
15 ment, against an instructor, within 48 hours of
16 learning of such allegations;

17 “(B) Processes by which the military depart-
18 ments certify instructors, including the conduct of
19 appropriate background checks by the military serv-
20 ice and the institution concerned.

21 “(C) Processes by which the military service
22 will conduct oversight of their certified instructors,
23 including the requirement to recertify instructors not
24 less often than once every five years.

1 “(D) Processes by which such institution’s pro-
2 gram will be inspected by the military department
3 concerned prior to establishment of a new unit, or
4 not less often than once every four years in the case
5 of units existing as of January 1, 2024, staggered
6 as the Secretary determines appropriate.

7 “(E) A requirement that each institution cer-
8 tifies it—

9 “(i) has created a process for students to
10 report violations of their rights under title IX
11 of the Education Amendments of 1972 (20
12 U.S.C. 1681 et seq.), as applicable, and title VI
13 of the Civil Rights Act of 1964 (42 U.S.C.
14 2000d et seq.), including the rights of students
15 to not be subject to discrimination or subject to
16 retaliation for reporting a violation of those
17 laws, if such laws apply to the institution;

18 “(ii) has implemented policies ensuring
19 students and instructors are notified of those
20 rights, as well as the process for reporting vio-
21 lations of those rights, including information on
22 available mandatory reporters, if such laws
23 apply to the institution;

1 “(iii) has implemented annual training to
2 inform students of methods to prevent, respond
3 to, and report sexual assault and harassment;

4 “(iv) agrees to report all allegations of vio-
5 lations described under this subparagraph to
6 the military department concerned and, if sub-
7 ject to the jurisdiction of the Department of
8 Education, the Department of Education’s Of-
9 fice of Civil Rights not less often than annually;

10 “(v) has developed processes to ensure that
11 each student enrolled in a unit under this sec-
12 tion has done so voluntarily; and

13 “(vi) agrees to provide the data necessary
14 to compile the report required under subsection
15 (j).”.

16 **SEC. 574. JUNIOR RESERVE OFFICERS’ TRAINING CORPS**
17 **INSTRUCTOR COMPENSATION.**

18 Section 2031 of title 10, United States Code, is
19 amended—

20 (1) by amending subsection (d) to read as fol-
21 lows:

22 “(d)(1) Instead of, or in addition to, detailing officers
23 and noncommissioned officers on active duty under sub-
24 section (c)(1), the Secretary of the military department

1 concerned may authorize qualified institutions to employ,
2 as administrators and instructors in the program—

3 “(A) retired officers and noncommissioned offi-
4 cers whose qualifications are approved by the Sec-
5 retary and the institution concerned and who re-
6 quest such employment;

7 “(B) officers and noncommissioned officers who
8 are separated with an honorable discharge within the
9 past 5 years with at least 8 years of service and are
10 approved by the Secretary and the institution con-
11 cerned and who request such employment; or

12 “(C) officers and noncommissioned officers who
13 are active participating members of the selected re-
14 serve at the time of application, for purposes of sec-
15 tion 101(d) of this title, and have not yet reached
16 retirement eligibility and are approved by the Sec-
17 retary and the institution concerned and who re-
18 quest such employment.

19 “(2) Employment under this subsection shall be sub-
20 ject to the following conditions:

21 “(A) The Secretary concerned shall pay to the
22 institution an amount equal to one-half of the De-
23 partment’s prescribed JROTC Standardized Instruc-
24 tor Pay Scale (JSIPS) amount paid to the member
25 by the institution for any period.

1 “(B) The Secretary concerned may pay to the
2 institution more than one-half of the amount paid to
3 the member by the institution if (as determined by
4 the Secretary)—

5 “(i) the institution is in an educationally
6 and economically deprived area; and

7 “(ii) the Secretary determines that such
8 action is in the national interest.

9 “(C) Payments by the Secretary concerned
10 under this subsection shall be made from funds ap-
11 propriated for that purpose.

12 “(D) The Secretary concerned may require suc-
13 cessful applicants to transfer to the Individual
14 Ready Reserve (IRR).”;

15 (2) by striking subsections (e) and (f); and

16 (3) by redesignating subsections (g) and (h) as
17 subsections (e) and (f), respectively.

18 **SEC. 575. ANNUAL REPORT ON ALLEGATIONS OF SEXUAL**

19 **MISCONDUCT IN JROTC PROGRAMS.**

20 Section 2031 of title 10, United States Code, as
21 amended by section 572 of this Act, is further amended
22 by adding at the end the following new subsection:

23 “(j)(1) Not later than March 31, 2024, and annually
24 thereafter through March 31, 2029, the Secretary of De-
25 fense shall submit to Committees on Armed Services of

1 the Senate and the House of Representatives a report on
2 allegations of sexual misconduct, sexual harassment, and
3 sex discrimination in JROTC programs during the pre-
4 ceding year.

5 “(2) Each report required under paragraph (1) shall
6 set forth the following:

7 “(A) The number of reported allegations of vio-
8 lations under title IX of the Education Amendments
9 of 1972 (20 U.S.C. 1681 et seq.) in school-affiliated
10 JROTC programs, including—

11 “(i) the number of such reported allega-
12 tions that were investigated;

13 “(ii) the outcome of those investigations;
14 and

15 “(iii) the number of such reported allega-
16 tions by State, the District of Columbia, or
17 overseas location where these reports occurred.

18 “(B) The number of reports that the Depart-
19 ment of Defense or military services have received
20 during the reporting period involving allegations of
21 acts of violence, including sexual abuse or harass-
22 ment, by instructors against students in the JROTC
23 program, including—

24 “(i) the offense involved;

25 “(ii) the military service involved;

1 “(iii) the number of instructors and num-
2 ber of allegations they each received;

3 “(iv) the number of reports of sexual mis-
4 conduct and harassment that have been inves-
5 tigated;

6 “(v) the number of reports or investiga-
7 tions that have led to the removal of instructors
8 from JROTC programs; and

9 “(vi) the number of such reported allega-
10 tions by State, the District of Columbia, or
11 overseas location where these reports occurred.

12 “(C) Any steps the Department of Defense has
13 taken to mitigate sexual misconduct and harassment
14 in JROTC programs during the preceding year.

15 “(3) Each report required under paragraph (1) shall
16 be submitted in unclassified form and may not be marked
17 as controlled unclassified information.

18 “(4) The Secretary shall annually report to the Com-
19 mittees on Armed Services of the Senate and the House
20 of Representatives regarding compliance with this sub-
21 section by the JROTC program, including an up-to-date
22 report on the Secretary’s monitoring of such compliance.

23 “(5) The Secretary may seek the advice and counsel
24 of the Attorney General and the Secretary of Health and
25 Human Services concerning the development and dissemi-

1 nation to the JROTC program of best practices informa-
 2 tion about preventing and responding to incidents of do-
 3 mestic violence, dating violence, sexual assault, and stalk-
 4 ing, including elements of institutional policies that have
 5 proven successful based on evidence-based outcome meas-
 6 urements.

7 “(6) No officer, employee, or agent of an institution
 8 participating in any program under this chapter shall re-
 9 taliate, intimidate, threaten, coerce, or otherwise discrimi-
 10 nate against any individual for exercising their rights or
 11 responsibilities under any provision of this subsection.”.

12 **SEC. 576. COMPTROLLER GENERAL REPORT ON EFFORTS**
 13 **TO INCREASE TRANSPARENCY AND REPORT-**
 14 **ING ON SEXUAL VIOLENCE IN THE JUNIOR**
 15 **RESERVE OFFICERS’ TRAINING CORPS PRO-**
 16 **GRAM.**

17 (a) IN GENERAL.—Not later than one year after the
 18 date of the enactment of this Act, the Comptroller General
 19 of the United States shall submit to the appropriate con-
 20 gressional committees a report on efforts to increase
 21 transparency and reporting on sexual violence in the Jun-
 22 ior Reserve Officers’ Training Corps Program.

23 (b) ELEMENTS.—The report required under sub-
 24 section (a) shall include a description of the following:

1 (1) The implementation of section 2031 of title
2 10, United States Code, as amended by sections
3 572, 573, and 575 of this Act.

4 (2) The adequacy of the Department of De-
5 fense’s vetting process for Junior Reserve Officers’
6 Training Corps instructors.

7 (3) The Department of Defense and the De-
8 partment of Education’s oversight of compliance of
9 units with respect to title IX of the Education
10 Amendments of 1972 (20 U.S.C. 1681 et seq.) and
11 title VI of the Civil Rights Act of 1964 (42 U.S.C.
12 2000d et seq.).

13 (4) Any changes in the numbers of sexual har-
14 assment, assault, or stalking incidents reported to
15 institutions or law enforcement agencies.

16 (5) The sufficiency of military department unit
17 inspections.

18 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
19 FINED.—In this section, the term “appropriate congres-
20 sional committees” means the Committee on Armed Serv-
21 ices of the Senate and the House of Representatives.

1 **Subtitle H—Decorations and Other**
2 **Awards, Miscellaneous Reports**
3 **and Other Matters**

4 **SEC. 581. EXTENSION OF DEADLINE FOR REVIEW OF**
5 **WORLD WAR I VALOR MEDALS.**

6 Section 584(f) of the National Defense Authorization
7 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
8 7271 note) is amended by striking “six years after the
9 date of the enactment of this Act” and inserting “Decem-
10 ber 31, 2028”.

11 **SEC. 582. PROHIBITION ON FORMER MEMBERS OF THE**
12 **ARMED FORCES ACCEPTING POST-SERVICE**
13 **EMPLOYMENT WITH CERTAIN FOREIGN GOV-**
14 **ERNMENTS.**

15 (a) IN GENERAL.—Chapter 49 of title 10, United
16 States Code, is amended by adding at the end the fol-
17 lowing new section:

18 **“§ 989. Prohibition on former members of the armed**
19 **forces accepting post-service employment**
20 **with certain foreign governments**

21 “(a) IN GENERAL.—Except as provided by subsection
22 (b), a covered individual may not occupy a covered post-
23 service position.

24 “(b) TEMPORARY WAIVER.—

1 “(1) IN GENERAL.—The Secretary of Defense
2 shall establish a process under which a covered indi-
3 vidual may be granted a temporary waiver of the
4 prohibition under subsection (a) if—

5 “(A) the individual, or a Federal agency on
6 behalf of, and with the consent of, the indi-
7 vidual, submits to the Secretary a written appli-
8 cation for a waiver in such form and manner as
9 the Secretary determines appropriate; and

10 “(B) the Secretary determines that the
11 waiver is necessary to advance the national se-
12 curity interests of the United States.

13 “(2) PERIOD OF WAIVER.—A waiver issued
14 under paragraph (1) shall apply for a period not ex-
15 ceeding 5 years. The Secretary may renew such a
16 waiver.

17 “(3) REVOCATION.—The Secretary may revoke
18 a waiver issued under paragraph (1) to a covered in-
19 dividual with respect to a covered-post service posi-
20 tion if the Secretary determines that the employ-
21 ment of the individual in the covered-post service po-
22 sition poses a threat to national security.

23 “(4) NOTIFICATION.—

24 “(A) IN GENERAL.—Not later than 30
25 days after the date on which the Secretary

1 issues a waiver under paragraph (1) or revokes
2 a waiver under paragraph (3), the Secretary
3 shall submit to the Committees on Armed Serv-
4 ices of the Senate and the House of Represent-
5 atives written notification of the waiver or rev-
6 ocation, as the case may be.

7 “(B) ELEMENTS.—A notification required
8 by subparagraph (A) shall include the following:

9 “(i) With respect to a waiver issued to
10 a covered individual—

11 “(I) the details of the applica-
12 tion, including the position held by the
13 individual in the armed forces;

14 “(II) the nature of the post-serv-
15 ice position of the individual;

16 “(III) a description of the na-
17 tional security interests that will be
18 advanced by reason of issuing such a
19 waiver; and

20 “(IV) the specific reasons why
21 the Secretary determines that issuing
22 the waiver will advance such interests.

23 “(ii) With respect to a revocation of a
24 waiver issued to a covered individual—

1 “(I) the details of the waiver, in-
2 cluding any renewals of the waiver,
3 and the dates of such waiver and re-
4 newals; and

5 “(II) the specific reasons why the
6 Secretary determined that the revoca-
7 tion is warranted.

8 “(c) CERTIFICATION OF PROHIBITION.—In imple-
9 menting the prohibition under subsection (a), the Sec-
10 retary shall establish a process under which each member
11 of the armed forces is, before the member retires or is
12 otherwise separated from the armed forces—

13 “(1) informed in writing of the prohibition, and
14 the penalties for violations of the prohibition; and

15 “(2) is required to certify that the member un-
16 derstands the prohibition and those penalties.

17 “(d) PENALTIES.—In the case of a covered individual
18 who knowingly and willfully fails to comply with the prohi-
19 bition under subsection (a), the Secretary shall, as applica-
20 ble—

21 “(1) withhold any pay, allowances, or benefits
22 that would otherwise be provided to the individual by
23 the Department of Defense; and

24 “(2) revoke any security clearance of the indi-
25 vidual.

1 “(e) ANNUAL REPORTS.—

2 “(1) REQUIREMENT.—Not later than March
3 31, 2024, and annually thereafter, the Secretary
4 shall submit to the congressional defense committees
5 a report on covered post-service employment occur-
6 ring during the year covered by the report.

7 “(2) ELEMENTS.—Each report required by
8 paragraph (1) shall include the following:

9 “(A) The number of former covered indi-
10 viduals who occupy a covered post-service posi-
11 tion, broken down by—

12 “(i) the name of the employer;

13 “(ii) the foreign government, includ-
14 ing by the specific foreign individual, agen-
15 cy, or entity, for whom the covered post-
16 service employment is being performed;
17 and

18 “(iii) the nature of the services pro-
19 vided as part of the covered post-service
20 employment.

21 “(B) An assessment by the Secretary of
22 whether—

23 “(i) the Department of Defense main-
24 tains adequate systems and processes for
25 ensuring that former members of the

1 armed forces are submitting required re-
2 ports relating to their employment by for-
3 eign governments;

4 “(ii) all covered individuals who oc-
5 cupy a covered post-service position are in
6 compliance with this section;

7 “(iii) the services provided by the cov-
8 ered individuals who occupy a covered
9 post-service position pose a current or fu-
10 ture threat to the national security of the
11 United States; and

12 “(iv) there is any credible information
13 or reporting that any covered individual
14 who occupies a covered post-service posi-
15 tion has engaged in activities that violate
16 Federal law.

17 “(3) FORM OF REPORT.—Each report required
18 by paragraph (1) shall be submitted in unclassified
19 form, but may include a classified annex.

20 “(f) NOTIFICATIONS OF DETERMINATIONS OF CER-
21 TAIN THREATS.—

22 “(1) REQUIREMENT.—In addition to the annual
23 reports under subsection (d), if the Secretary deter-
24 mines that the services provided by a covered indi-
25 vidual who occupies a covered post-service position

1 pose a threat described in clause (iii) of paragraph
2 (2)(B) of that subsection, or include activities de-
3 scribed in clause (iv) of such paragraph, the Sec-
4 retary shall notify the congressional defense commit-
5 tees of that determination by not later than 30 days
6 after making the determination.

7 “(2) ELEMENTS.—A notification required by
8 paragraph (1) shall include the following:

9 “(A) The name of the covered individual.

10 “(B) The name of the employer.

11 “(C) The foreign government, including
12 the specific foreign individual, agency, or entity,
13 for whom the covered post-service employment
14 is being performed.

15 “(D) As applicable, a description of the
16 risk to national security and the activities that
17 may violate Federal law.

18 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
19 tion may be construed to indemnify or shield covered indi-
20 viduals from prosecution under any relevant provision of
21 title 18.

22 “(h) DEFINITIONS.—In this section:

23 “(1) COVERED INDIVIDUAL.—The term ‘cov-
24 ered individual’ means an individual who has retired

1 or otherwise separated from an active or reserve
2 component of the Armed Forces.

3 “(2) COVERED POST-SERVICE EMPLOYMENT.—

4 The term ‘covered post-service employment’ means
5 direct or indirect employment by, representation of,
6 or any provision of advice or services relating to na-
7 tional security, intelligence, the military, or internal
8 security to—

9 “(A) the government of—

10 “(i) a country of concern (as defined
11 in section 1(m) of the State Department
12 Basic Authorities Act of 1956 (22 U.S.C.
13 2651a(m))); or

14 “(ii) a country the Secretary of De-
15 fense determines acts as a proxy or pass-
16 through for services for a country of con-
17 cern; or

18 “(B) any company, entity, or other person
19 the activities of which are directly or indirectly
20 supervised, directed, controlled, financed, or
21 subsidized, in whole or in major part, by a gov-
22 ernment described in subparagraph (A).

23 “(3) COVERED POST-SERVICE POSITION.—The
24 term ‘covered post-service position’ means a position
25 of employment described in paragraph (2).”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 49 of such title is amended
3 by adding at the end the following new item:

“989. Prohibition on former members of the armed forces accepting post-service
employment with certain foreign governments.”.

4 (c) CONFORMING AMENDMENT.—Section 908 of title
5 37, United States Code, is amended by adding at the end
6 the following new subsection:

7 “(f) PROHIBITION ON FORMER MEMBERS OF ARMED
8 FORCES ACCEPTING EMPLOYMENT WITH CERTAIN FOR-
9 EIGN GOVERNMENTS.—For a provision of law prohibiting
10 former members of the armed forces from accepting post-
11 service employment with certain foreign governments, see
12 section 989 of title 10.”.

13 **SEC. 583. PROHIBITION ON REQUIRING LISTING OF GEN-**
14 **DER OR PRONOUNS IN OFFICIAL COR-**
15 **RESPONDENCE.**

16 The Department of Defense is prohibited from re-
17 quiring members of the Armed Forces or civilian employ-
18 ees of the Department of Defense to list their gender or
19 pronouns in official correspondence, whether such cor-
20 respondence is written or electronic.

1 **Subtitle I—Enhanced Recruiting**
2 **Efforts**

3 **SEC. 591. SHORT TITLE.**

4 This subtitle may be cited as the “Military Service
5 Promotion Act of 2023”.

6 **SEC. 592. INCREASED ACCESS TO POTENTIAL RECRUITS AT**
7 **SECONDARY SCHOOLS.**

8 Section 503(c) of title 10, United States Code, is
9 amended—

10 (1) in paragraph (1)—

11 (A) in subparagraph (A)—

12 (i) in clause (i), by striking “; and”
13 and inserting a semicolon;

14 (ii) by redesignating clause (ii) as
15 clause (iii);

16 (iii) by inserting after clause (i) the
17 following new clause:

18 “(ii) shall provide to military recruiters access
19 to career fairs or similar events upon a request made
20 by military recruiters for military recruiting pur-
21 poses; and”; and

22 (iv) in clause (iii), as redesignated by
23 subparagraph (B), by inserting “, not later
24 than 60 days after receiving such request,”
25 after “provide”; and

1 (B) in subparagraph (B), by striking “sub-
2 paragraph (A)(ii)” and inserting “subparagraph
3 (A)(iii)”;

4 (2) by redesignating paragraph (6) as para-
5 graph (7); and

6 (3) by inserting after paragraph (5) the fol-
7 lowing new paragraph:

8 “(6) The Secretary of Defense shall submit an annual
9 report to Congress not later than February 1 each cal-
10 endar year, detailing each notification of denial of recruit-
11 ing access issued under paragraph (3).”.

12 **SEC. 593. INCREASED ACCESS TO POTENTIAL RECRUITS AT**
13 **INSTITUTIONS OF HIGHER EDUCATION.**

14 Section 983(b) of title 10, United States Code, is
15 amended—

16 (1) in paragraph (1), by striking “; or” and in-
17 serting a semicolon;

18 (2) in paragraph (2)—

19 (A) by striking “to the following informa-
20 tion pertaining” and inserting “, with respect”;

21 (B) by striking “institution):” and insert-
22 ing “institution)—”;

23 (C) in subparagraph (A)—

24 (i) by striking “Names” and inserting
25 “names”; and

1 (ii) by striking “telephone listings.”
 2 and inserting “telephone listings, which in-
 3 formation shall be made available not later
 4 than the 60th day following the date of a
 5 request; and”;

6 (D) in subparagraph (B), by striking
 7 “Date” and inserting “date”.

8 **TITLE VI—COMPENSATION AND**
 9 **OTHER PERSONNEL BENEFITS**
 10 **Subtitle A—Pay and Allowances**

11 **SEC. 601. PAY OF MEMBERS OF RESERVE COMPONENTS**
 12 **FOR INACTIVE-DUTY TRAINING TO OBTAIN**
 13 **OR MAINTAIN AN AERONAUTICAL RATING OR**
 14 **DESIGNATION.**

15 (a) IN GENERAL.—Chapter 3 of title 37, United
 16 States Code, is amended by inserting after section 206 the
 17 following new section:

18 **“§ 206a. Pay of members of reserve components for**
 19 **inactive-duty training to obtain or main-**
 20 **tain an aeronautical rating or designa-**
 21 **tion**

22 “Under regulations prescribed by the Secretary con-
 23 cerned, a member of the National Guard or a member of
 24 a reserve component of a uniformed service who is receiv-
 25 ing aviation incentive pay under section 334(a) of this title

1 and is entitled to compensation under section 206 of this
 2 title is entitled to such compensation for a number of peri-
 3 ods of inactive-duty training each month sufficient for the
 4 member to obtain or maintain an aeronautical rating or
 5 designation.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
 7 at the beginning of chapter 3 of such title is amended by
 8 inserting after the item relating to section 206 the fol-
 9 lowing new item:

“206a. Pay of members of reserve components for inactive-duty training to ob-
 tain or maintain an aeronautical rating or designation.”.

10 **SEC. 602. MODIFICATION OF CALCULATION METHOD FOR**
 11 **BASIC ALLOWANCE FOR HOUSING TO MORE**
 12 **ACCURATELY ASSESS HOUSING COSTS OF**
 13 **JUNIOR MEMBERS OF UNIFORMED SERVICES.**

14 Section 403(b)(5) of title 37, United States Code, is
 15 amended, in the second sentence, by striking “and shall
 16 be based on the following:” and all that follows through
 17 “determined in subparagraph (A)”.

18 **SEC. 603. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS**
 19 **ASSIGNED TO VESSELS UNDERGOING MAIN-**
 20 **TENANCE.**

21 Section 403(f)(2) of title 37, United States Code, is
 22 amended—

1 (1) in subparagraph (A), by striking “subpara-
2 graphs (B) and (C)” and inserting “subparagraphs
3 (B), (C), and (D)”; and

4 (2) by adding at the end the following new sub-
5 paragraph:

6 “(D)(i) Under regulations prescribed by the Sec-
7 retary concerned, the Secretary may authorize the pay-
8 ment of a basic allowance for housing to a member of a
9 uniformed service without dependents who is serving in
10 a pay grade below E-6 and has orders to a naval vessel
11 during a shipyard availability or maintenance period.

12 “(ii) In prescribing regulations under clause (i), the
13 Secretary concerned shall consider the availability of quar-
14 ters for members serving in pay grades below E-6 before
15 authorizing the payment of a basic allowance for housing
16 for such members.”.

17 **SEC. 604. DUAL BASIC ALLOWANCE FOR HOUSING FOR**
18 **TRAINING FOR CERTAIN MEMBERS OF RE-**
19 **SERVE COMPONENTS.**

20 Section 403(g)(3) of title 37, United States Code, is
21 amended—

22 (1) by striking “Paragraphs” and inserting
23 “(A) Except as provided by subparagraph (B), para-
24 graphs”; and

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

3 “(B) Paragraphs (1) and (2) shall apply with respect
4 to a member of a reserve component without dependents
5 who is called or ordered to active duty to attend training
6 for a period of 140 days or more but fewer than 365 days
7 and for whom transportation of household goods is author-
8 ized under section 453(c) of this title as part of the call
9 or order to active duty.”.

10 **SEC. 605. MODIFICATION OF CALCULATION OF GROSS**
11 **HOUSEHOLD INCOME FOR BASIC NEEDS AL-**
12 **LOWANCE TO ADDRESS AREAS OF DEM-**
13 **ONSTRATED NEED.**

14 (a) IN GENERAL.—Section 402b(k)(1)(B) of title 37,
15 United States Code, is amended by inserting “or that oth-
16 erwise has a demonstrated need” after “high cost of liv-
17 ing”.

18 (b) IMPLEMENTATION GUIDANCE.—The Secretary of
19 Defense shall revise the guidance issued with respect to
20 implementation of the basic needs allowance under section
21 402b of title 37, United States Code, to reflect the amend-
22 ment made by subsection (a).

1 **SEC. 606. EXPANSION OF ELIGIBILITY FOR REIMBURSE-**
2 **MENT OF QUALIFIED LICENSURE, CERTIFI-**
3 **CATION, AND BUSINESS RELOCATION COSTS**
4 **INCURRED BY MILITARY SPOUSES.**

5 Section 453(g)(1) of title 37, United States Code, is
6 amended—

7 (1) in subparagraph (A)—

8 (A) by striking “member is reassigned”

9 and inserting the following: “member is—

10 “(i) reassigned”;

11 (B) by striking “; and” and inserting “;

12 or”; and

13 (C) by adding at the end the following new

14 clause:

15 “(ii) transferred from a regular component

16 of a uniformed service into the Selected Reserve

17 of the Ready Reserve of a uniformed service, if

18 the member is authorized a final move from the

19 last duty station to the new jurisdiction or geo-

20 graphic area; and”;

21 (2) in subparagraph (B), by inserting “or

22 transfer” after “reassignment”.

23 **SEC. 607. COST-OF-LIVING ALLOWANCE IN THE CONTI-**
24 **NENTAL UNITED STATES: HIGH COST AREAS.**

25 Section 403b(e) of title 37, United States Code, is
26 amended—

1 (1) in the second sentence, by striking “8 per-
2 cent” and inserting “5 percent”; and

3 (2) in the third sentence, by striking “shall pre-
4 scribe” and inserting “may prescribe”.

5 **SEC. 608. OCONUS COST-OF-LIVING ALLOWANCE: ADJUST-**
6 **MENTS.**

7 Section 617 of the James M. Inhofe National Defense
8 Authorization Act for Fiscal Year 2023 (Public Law 117–
9 263) is amended—

10 (1) in the section heading, by striking “; **NO-**
11 **TICE TO CERTAIN CONGRESSIONAL COMMIT-**
12 **TEES**”; and

13 (2) by striking subsections (a), (b), and (c) and
14 inserting the following:

15 “(a) **IN GENERAL.**—Subject to subsections (b) and
16 (c), the Secretary of Defense may announce reductions in
17 the cost-of-living allowance for a member of the uniformed
18 services assigned to a duty station located outside the con-
19 tinental United States—

20 “(1) not more than two times per year; or

21 “(2) in connection with a permanent change of
22 station for such member.

23 “(b) **LIMITATION ON SIZE OF REDUCTIONS.**—The
24 Secretary may not make a reduction under subsection (a)
25 in the allowance described in that subsection by an

1 amount that exceeds 10 percent of the amount of the al-
2 lowance before the reduction.

3 “(c) TREATMENT OF REDUCTIONS RELATING TO
4 FOREIGN CURRENCY EXCHANGE RATES.—The limita-
5 tions under subsections (a) and (b) shall not apply to re-
6 ductions in the allowance described in subsection (a) relat-
7 ing to changes in foreign currency exchange rates.

8 “(d) IMPLEMENTATION OF REDUCTIONS.—The Sec-
9 retary may phase in the reductions described in subsection
10 (a).

11 “(e) INCREASES.—The Secretary may increase the
12 allowance described in subsection (a) for a member of the
13 uniformed services at any time.”.

14 **SEC. 609. EXTENSION OF ONE-TIME UNIFORM ALLOWANCE**
15 **FOR OFFICERS WHO TRANSFER TO THE**
16 **SPACE FORCE.**

17 Section 606(d)(1) of the William M. (Mac) Thorn-
18 berry National Defense Authorization Act for Fiscal Year
19 2021 (Public Law 116–283; 37 U.S.C. 416 note) is
20 amended by striking “September 30, 2023” and inserting
21 “September 30, 2025”.

22 **SEC. 610. REVIEW OF RATES OF MILITARY BASIC PAY.**

23 (a) IN GENERAL.—The Secretary of Defense shall
24 conduct a review of the rates of monthly basic pay author-
25 ized for members of the uniformed services to determine

1 if the current basic pay table adequately compensates jun-
2 ior enlisted personnel in pay grades E-1 through E-4.

3 (b) FACTORS FOR REVIEW.—In conducting the re-
4 view required by subsection (a), the Secretary shall con-
5 duct the following:

6 (1) An assessment of the adequacy of the rates
7 of monthly basic pay for members of the uniformed
8 services in light of current and predicted recruiting
9 difficulties.

10 (2) An analysis of how such basic pay, when
11 combined with other elements of regular compensa-
12 tion for members of the uniformed services, com-
13 pares with private sector wages for potential recruits
14 to the uniformed services.

15 (3) An assessment of how sustained periods of
16 cost inflation affect pay for the uniformed services
17 and comparable private sector wages.

18 (4) An historical analysis of how percentage dif-
19 ferences between junior enlisted basic pay, senior en-
20 listed basic pay, junior officer basic pay, and senior
21 officer basic pay, have changed since the rates of
22 basic pay for members of the uniformed services
23 were authorized by section 601 of the John Warner
24 National Defense Authorization Act for Fiscal Year
25 2007 (Public Law 109-364; 37 U.S.C. 1009 note).

1 (c) REPORT AND LEGISLATIVE PROPOSAL RE-
 2 QUIRED.—Not later than March 1, 2024, the Secretary
 3 of Defense shall submit to the Committees on Armed Serv-
 4 ices of the Senate and the House of Representatives—

5 (1) a report on the results of the review re-
 6 quired by subsection (a); and

7 (2) a comprehensive legislative proposal for the
 8 rates of basic pay for members of the uniformed
 9 services.

10 **SEC. 611. GOVERNMENT ACCOUNTABILITY OFFICE STUDY**
 11 **ON PROCESS FOR DETERMINING COST-OF-**
 12 **LIVING ALLOWANCES FOR MEMBERS OF THE**
 13 **UNIFORMED SERVICES ASSIGNED TO THE**
 14 **CONTINENTAL UNITED STATES, HAWAII,**
 15 **ALASKA, AND OVERSEAS LOCATIONS.**

16 (a) IN GENERAL.—The Comptroller General of the
 17 United States shall conduct a study on the process for
 18 determining cost-of-living allowances for members of the
 19 uniformed services stationed in the continental United
 20 States, Hawaii, Alaska, and at overseas locations.

21 (b) ELEMENTS.—In conducting the study required by
 22 subsection (a), the Comptroller General shall assess—

23 (1) the fairness and equity of the process for
 24 determining cost-of-living allowances described in

1 subsection (a) and methods for improving that proc-
2 ess;

3 (2) the advantages and disadvantages of aver-
4 aging the results of continental United States Living
5 Pattern Surveys and Retail Price Schedules without
6 regard to the geographic concentration of members
7 of the uniformed services within the continental
8 United States when determining the baseline cost of
9 living for the continental United States;

10 (3) if additional out-of-pocket expenses, includ-
11 ing the costs for a member of the uniformed services
12 to travel to and from the home of record of the
13 member from the assigned duty station of the mem-
14 ber, should be included in the calculations of the De-
15 partment of Defense for determining overseas cost-
16 of-living allowances to better equalize the true costs
17 of living for members stationed outside the conti-
18 nental United States with such costs for members
19 stationed inside the continental United States; and

20 (4) the process by which the Department of De-
21 fense conducts Living Pattern Surveys and develops
22 Retail Price Schedules.

23 (c) REPORT REQUIRED.—Not later than one year
24 after the date of the enactment of this Act, the Comp-
25 troller General shall submit to the Committees on Armed

1 Services of the Senate and the House of Representatives
2 a report—

3 (1) setting forth the results of the study re-
4 quired by subsection (a); and

5 (2) making any recommendations the Comp-
6 troller General considers appropriate based on those
7 results, including any recommendations for changes
8 to section 403b or 405 of title 37, United States
9 Code.

10 **Subtitle B—Bonus and Incentive** 11 **Pays**

12 **SEC. 621. MODIFICATION OF SPECIAL AND INCENTIVE PAY** 13 **AUTHORITIES FOR MEMBERS OF RESERVE** 14 **COMPONENTS.**

15 (a) IN GENERAL.—Section 357 of title 37, United
16 States Code, is amended—

17 (1) by striking “incentive pay” and inserting
18 “special or incentive pay”; and

19 (2) by striking the period at the end and insert-
20 ing the following: “if the Secretary concerned is pay-
21 ing the member of the reserve component the special
22 or incentive pay for the purpose of—

23 “(1) maintaining a skill certification or pro-
24 ficiency identical to a skill certification or proficiency
25 required of the member in the regular component; or

1 “(2) compensating the member of the reserve
2 component for exposure to hazards or risks identical
3 to hazards or risks to which the member in the reg-
4 ular component was exposed.”.

5 (b) CONFORMING AND CLERICAL AMENDMENTS.—

6 (1) CONFORMING AMENDMENT.—The section
7 heading for section 357 of title 37, United States
8 Code, is amended by striking “**Incentive**” and in-
9 serting “**Special and incentive**”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions for chapter 5 of such title is amended by strik-
12 ing the item relating to section 357 and inserting
13 the following new item:

“357. Special and incentive pay authorities for members of the reserve compo-
nents of the armed forces.”.

14 (c) MODIFICATION OF IMPLEMENTATION DETER-
15 MINATION.—Section 602(d) of the National Defense Au-
16 thorization Act for Fiscal Year 2022 (Public Law 117–
17 81; 37 U.S.C. 357 note) is amended—

18 (1) by redesignating paragraphs (1) and (2) as
19 subparagraphs (A) and (B), respectively, and by
20 moving such subparagraphs, as so redesignated, two
21 ems to the right;

22 (2) by striking “The Secretary may” and in-
23 serting the following:

24 “(1) IN GENERAL.—The Secretary shall”;

1 (3) in subparagraph (A), as redesignated by
2 paragraph (1), by striking “subsection (b)” and in-
3 sserting “subsection (c)”; and

4 (4) by adding at the end the following new
5 paragraph:

6 “(2) EVALUATION OF TYPES OF SPECIAL AND
7 INCENTIVE PAY.—In making the determination and
8 certification described in paragraph (1)(B), the Sec-
9 retary shall evaluate each type or category of special
10 and incentive pay separately and may make the de-
11 termination and certification based on the effect on
12 an Armed Force concerned of a particular type or
13 category of special or incentive pay.”.

14 **SEC. 622. EXPANSION OF CONTINUATION PAY ELIGIBILITY.**

15 (a) CONTINUATION PAY: FULL TSP MEMBERS WITH
16 8 TO 12 YEARS OF SERVICE.—Section 356 of title 37,
17 United States Code, is amended—

18 (1) in the section heading, by striking “**8**” and
19 inserting “**7**”; and

20 (2) in subsections (a)(1) and (d), by striking
21 “8” and inserting “7”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of chapter 5 of such title is amended by
24 striking the item relating to section 356 and inserting the
25 following new item:

“356. Continuation pay: full TSP members with 7 to 12 years of service.”.

1 **SEC. 623. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
2 **BONUS AND SPECIAL PAY AUTHORITIES.**

3 (a) AUTHORITIES RELATING TO RESERVE
4 FORCES.—Section 910(g) of title 37, United States Code,
5 relating to income replacement payments for reserve com-
6 ponent members experiencing extended and frequent mo-
7 bilization for active duty service, is amended by striking
8 “December 31, 2023” and inserting “December 31,
9 2024”.

10 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
11 CARE PROFESSIONALS.—The following sections of title
12 10, United States Code, are amended by striking “Decem-
13 ber 31, 2023” and inserting “December 31, 2024”:

14 (1) Section 2130a(a)(1), relating to nurse offi-
15 cer candidate accession program.

16 (2) Section 16302(d), relating to repayment of
17 education loans for certain health professionals who
18 serve in the Selected Reserve.

19 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-
20 CERS.—Section 333(i) of title 37, United States Code, is
21 amended by striking “December 31, 2023” and inserting
22 “December 31, 2024”.

23 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
24 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
25 THORITIES.—The following sections of title 37, United

1 States Code, are amended by striking “December 31,
2 2023” and inserting “December 31, 2024”:

3 (1) Section 331(h), relating to general bonus
4 authority for enlisted members.

5 (2) Section 332(g), relating to general bonus
6 authority for officers.

7 (3) Section 334(i), relating to special aviation
8 incentive pay and bonus authorities for officers.

9 (4) Section 335(k), relating to special bonus
10 and incentive pay authorities for officers in health
11 professions.

12 (5) Section 336(g), relating to contracting
13 bonus for cadets and midshipmen enrolled in the
14 Senior Reserve Officers’ Training Corps.

15 (6) Section 351(h), relating to hazardous duty
16 pay.

17 (7) Section 352(g), relating to assignment pay
18 or special duty pay.

19 (8) Section 353(i), relating to skill incentive
20 pay or proficiency bonus.

21 (9) Section 355(h), relating to retention incen-
22 tives for members qualified in critical military skills
23 or assigned to high priority units.

24 (e) AUTHORITIES TO PROVIDE TEMPORARY IN-
25 CREASE IN RATES OF BASIC ALLOWANCE FOR HOUS-

1 ING.—Section 403(b) of title 37, United States Code, is
2 amended—

3 (1) in paragraph (7)(E), relating to temporary
4 increases in rates of basic allowance for areas cov-
5 ered by a major disaster declaration or containing
6 an installation experiencing a sudden influx of mili-
7 tary personnel, by striking “December 31, 2023”
8 and inserting “December 31, 2024”; and

9 (2) in paragraph (8)(C), relating to temporary
10 adjustments in rates of basic allowance for housing
11 for localities where actual housing costs differ from
12 current rates of basic allowance for housing by more
13 than 20 percent, by striking “September 30, 2023”
14 and inserting “December 31, 2024”.

15 **SEC. 624. REQUIREMENT TO ESTABLISH REMOTE AND AUS-**
16 **TERE CONDITION ASSIGNMENT INCENTIVE**
17 **PAY PROGRAM FOR AIR FORCE.**

18 The Secretary of the Air Force shall—

19 (1) evaluate the Remote and Austere Condition
20 Assignment Incentive Pay program of the Army; and

21 (2) not later than October 1, 2025, establish a
22 similar program for the Air Force, unless the Sec-
23 retary can certify to Congress that there are no
24 critically manned units at any Air Force installation
25 in Alaska.

1 **SEC. 625. EXTENSION OF TRAVEL ALLOWANCE FOR MEM-**
 2 **BERS OF THE ARMED FORCES ASSIGNED TO**
 3 **ALASKA.**

4 Section 603(b)(5)(B) of the James M. Inhofe Na-
 5 tional Defense Authorization Act for Fiscal Year 2023
 6 (Public Law 117–263; 136 Stat. 2621) is amended by
 7 striking “December 31, 2023” and inserting “June 30,
 8 2024”.

9 **Subtitle C—Other Matters**

10 **SEC. 631. MODIFICATION OF REQUIREMENTS FOR AP-**
 11 **PROVAL OF FOREIGN EMPLOYMENT BY RE-**
 12 **TIRED AND RESERVE MEMBERS OF UNI-**
 13 **FORMED SERVICES.**

14 Section 908 of title 37, United States Code, is
 15 amended—

16 (1) in subsection (b)—

17 (A) by striking “A person” and inserting
 18 “(1) A person”;

19 (B) by inserting “after determining that
 20 such approval is not contrary to the national in-
 21 terests of the United States” after “approve the
 22 employment”; and

23 (C) by adding at the end the following new
 24 paragraph:

25 “(2) The Secretary of a military department may del-
 26 egate the determination of the Secretary required by para-

1 graph (1) only to an official of the military department
2 at or above the level of an Assistant Secretary or, in the
3 event of a vacancy in the position of such an official, a
4 civilian official performing the duties of that position.”;
5 and

6 (2) in subsection (d)—

7 (A) in paragraph (2)—

8 (i) in the matter preceding subpara-
9 graph (A), by striking “an officer” and in-
10 sserting “a person”; and

11 (ii) by striking subparagraphs (B) and
12 (C) and inserting the following new sub-
13 paragraphs:

14 “(B) A description of the duties, if any, the
15 person is to perform and the compensation the per-
16 son is to receive for such duties, as reflected in the
17 person’s application for approval of the employment
18 or compensation or payment or award.

19 “(C) The position the person held or holds in
20 the armed forces, including the rank of the person
21 and the armed force in which the person served.

22 “(D) Any other information the Secretaries of
23 the military departments consider relevant, except
24 that such information may not include the person’s
25 date of birth, Social Security number, home address,

1 phone number, or any other personal identifier other
2 than the name and rank of the person and the
3 armed force in which the person served.”; and

4 (B) by adding at the end the following new
5 paragraph:

6 “(3) Not later than 60 days after the date on which
7 a report required by paragraph (1) is submitted, the Sec-
8 retaries of the military departments shall make the report,
9 and all contents of the report, available on a publicly ac-
10 cessible internet website.”.

11 **SEC. 632. RESTRICTIONS ON RETIRED AND RESERVE MEM-**
12 **BERS OF THE ARMED FORCES RECEIVING**
13 **EMPLOYMENT AND COMPENSATION INDI-**
14 **RECTLY FROM FOREIGN GOVERNMENTS**
15 **THROUGH PRIVATE ENTITIES.**

16 Section 908(a) of title 37, United States Code, is
17 amended—

18 (1) by redesignating paragraphs (1), (2), and
19 (3) as subparagraphs (A), (B), and (C), respectively,
20 and by moving such subparagraphs, as so redesign-
21 nated, 2 ems to the right;

22 (2) by striking “Subject to” and inserting the
23 following:

24 “(1) IN GENERAL.—Subject to”;

1 (3) in subparagraph (C), as redesignated, by
2 striking “Commissioned Reserve Corps” and insert-
3 ing “Ready Reserve Corps”; and

4 (4) by adding at the end the following new
5 paragraph:

6 “(2) APPLICATION TO PRIVATE ENTITIES.—

7 “(A) IN GENERAL.—The acceptance by a
8 person described in subparagraph (B) of em-
9 ployment (and compensation related to that em-
10 ployment) or payments or awards for work per-
11 formed for a foreign government through a pri-
12 vate entity shall be subject to the provisions of
13 this section to the same extent and in the same
14 manner as such provisions apply to employment
15 (and compensation related to that employment)
16 and payments and awards described in para-
17 graph (1).

18 “(B) PERSONS DESCRIBED.—A person de-
19 scribed in this subparagraph is—

20 “(i) a retired member of the Army,
21 Navy, Air Force, Marine Corps, or Space
22 Force; or

23 “(ii) a member of a reserve compo-
24 nent of an armed force specified in clause
25 (i), except a member serving on active duty

1 under a call or order to active duty for a
2 period in excess of 30 days.”.

3 **TITLE VII—HEALTH CARE**
4 **PROVISIONS**

5 **Subtitle A—TRICARE and Other**
6 **Health Care Benefits**

7 **SEC. 701. EXTENSION OF PERIOD OF ELIGIBILITY FOR**
8 **HEALTH BENEFITS UNDER TRICARE RE-**
9 **SERVE SELECT FOR SURVIVORS OF A MEM-**
10 **BER OF THE SELECTED RESERVE.**

11 (a) **IN GENERAL.**— Section 1076d(e) of title 10,
12 United States Code, is amended by striking “six months”
13 and inserting “three years”.

14 (b) **EFFECTIVE DATE.**—The amendment made by
15 subsection (a) shall take effect on October 1, 2025.

16 **SEC. 702. AUTHORITY TO PROVIDE DENTAL CARE FOR DE-**
17 **PENDENTS LOCATED AT CERTAIN REMOTE**
18 **OR ISOLATED LOCATIONS.**

19 Section 1077(c) of title 10, United States Code, is
20 amended—

21 (1) in paragraph (1), by striking “paragraph
22 (2)” and inserting “paragraphs (2) and (3)”; and

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

1 “(3)(A) Dependents who reside within a specified ge-
2 ographic area and are covered by a dental plan established
3 under section 1076a may receive dental care in a dental
4 treatment facility of the uniformed services on a space
5 available basis if the Secretary of Defense determines
6 that—

7 “(i) civilian dental care within the specified geo-
8 graphic area is inadequate or is not sufficiently
9 available; and

10 “(ii) adequate resources exist to provide space
11 available dental care to the dependents at the facil-
12 ity.

13 “(B) Care under subparagraph (A) shall be provided
14 on a reimbursable basis.”.

15 **SEC. 703. INCLUSION OF ASSISTED REPRODUCTIVE TECH-**
16 **NOLOGY AND ARTIFICIAL INSEMINATION AS**
17 **REQUIRED PRIMARY AND PREVENTIVE**
18 **HEALTH CARE SERVICES FOR MEMBERS OF**
19 **THE UNIFORMED SERVICES AND DEPEND-**
20 **ENTS.**

21 (a) MEMBERS OF THE UNIFORMED SERVICES.—Sec-
22 tion 1074d of title 10, United States Code, is amended—

23 (1) in subsection (a)(2)—

24 (A) by striking “entitled to preventive”
25 and inserting “entitled to—

1 “(A) preventive”;

2 (B) in subparagraph (A), as designated by
3 subparagraph (A) of this paragraph, by striking
4 the period at the end and inserting “; and”;
5 and

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

8 “(B) for male members of the uniformed serv-
9 ices (excluding former members of the uniformed
10 services), services relating to infertility described in
11 subsection (b)(4).”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “(c) INFERTILITY SERVICES INCLUDED FOR MEM-
15 BERS OF THE UNIFORMED SERVICES.—Services relating
16 to infertility required to be provided under subsections
17 (a)(2)(B) and (b)(4) for members of the uniformed serv-
18 ices (excluding former members of the uniformed services)
19 shall include the following:

20 “(1) Treatments or procedures using assisted
21 reproductive technology (as defined in section 8 of
22 the Fertility Clinic Success Rate and Certification
23 Act of 1992 (42 U.S.C. 263a–7(1)), excluding in
24 vitro fertilization).

1 “(2) The provision of artificial insemination, in-
2 cluding intrauterine insemination, without regard to
3 coital conception.”.

4 (b) DEPENDENTS.—Section 1077(a) of such title is
5 amended by adding at the end the following new para-
6 graph:

7 “(19) Services relating to infertility, including
8 the services specified in section 1074d(c) of this
9 title, except that the services specified in such sec-
10 tion may be provided only to a dependent of a mem-
11 ber of the uniformed services (excluding any depend-
12 ent of a former member of the uniformed services).”.

13 (c) EXCLUSION FROM CONTRACTS FOR FORMER
14 MEMBERS AND THEIR DEPENDENTS.—Section 1086 of
15 such title is amended—

16 (1) in subsection (c), in the matter preceding
17 paragraph (1), by striking “subsection (d)” and in-
18 serting “subsections (d) and (j)”; and

19 (2) by adding at the end the following new sub-
20 section:

21 “(j) A plan contracted for under subsection (a) may
22 not include coverage for services under section
23 1077(a)(19) of this title for former members of the uni-
24 formed services or dependents of former members of the
25 uniformed services.”.

1 (d) APPLICATION.—The amendments made by this
 2 section shall apply to services provided on or after January
 3 1, 2025.

4 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
 5 tion or the amendments made by this section shall be con-
 6 strued provide new benefits to or alter existing benefits
 7 for former members of the uniformed services or the de-
 8 pendants of former members of the uniformed services.

9 **SEC. 704. PROGRAM ON TREATMENT OF MEMBERS OF THE**
 10 **ARMED FORCES FOR POST-TRAUMATIC**
 11 **STRESS DISORDER, TRAUMATIC BRAIN INJU-**
 12 **RIES, AND CO-OCCURRING DISORDERS RE-**
 13 **LATED TO MILITARY SEXUAL TRAUMA.**

14 (a) ESTABLISHMENT OF PROGRAM.—

15 (1) IN GENERAL.—Chapter 55 of title 10,
 16 United States Code, is amended by inserting after
 17 section 1074o the following new section:

18 **“§ 1074p. Program on treatment of members of the**
 19 **armed forces for post-traumatic stress**
 20 **disorder, traumatic brain injuries, and**
 21 **co-occurring disorders related to military**
 22 **sexual trauma**

23 “(a) IN GENERAL.—The Secretary of Defense shall
 24 carry out a program to provide intensive outpatient pro-
 25 grams to treat members of the Armed Forces suffering

1 from post-traumatic stress disorder, traumatic brain inju-
2 ries, and co-occurring disorders related to military sexual
3 trauma, including treatment for substance abuse, depres-
4 sion, and other issues related to such conditions.

5 “(b) DISCHARGE THROUGH PARTNERSHIPS.—The
6 Secretary shall carry out the program under subsection
7 (a) through partnerships with public, private, and non-
8 profit health care organizations, universities, and institu-
9 tions that—

10 “(1) provide health care to members of the
11 armed forces;

12 “(2) provide evidence-based treatment for psy-
13 chological and neurological conditions that are com-
14 mon among members of the armed forces, including
15 post-traumatic stress disorder, traumatic brain in-
16 jury, substance abuse, and depression;

17 “(3) provide health care, support, and other
18 benefits to family members of members of the armed
19 forces; and

20 “(4) provide health care under the TRICARE
21 program.

22 “(c) PROGRAM ACTIVITIES.—Each organization, uni-
23 versity, or institution that participates in a partnership
24 under the program under subsection (a) shall—

1 “(1) carry out intensive outpatient programs of
2 short duration to treat members of the armed forces
3 suffering from post-traumatic stress disorder, trau-
4 matic brain injuries, and co-occurring disorders re-
5 lated to military sexual trauma, including treatment
6 for substance abuse, depression, and other issues re-
7 lated to such conditions;

8 “(2) use evidence-based and evidence-informed
9 treatment strategies in carrying out such programs;

10 “(3) share clinical and outreach best practices
11 with other organizations, universities, and institu-
12 tions participating in the program under subsection
13 (a); and

14 “(4) annually assess outcomes for members of
15 the armed forces individually and among the organi-
16 zations, universities, and institutions participating in
17 the program under subsection (a) with respect to the
18 treatment of conditions described in paragraph
19 (1).”.

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions at the beginning of such chapter is amended
22 by inserting after the item relating to section 1074o
23 the following new item:

“1074p. Program on treatment of members of the armed forces for post-trau-
matic stress disorder, traumatic brain injuries, and co-occur-
ring disorders related to military sexual trauma.”.

24 (b) REPORTS.—

1 (1) INITIAL REPORT.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall submit to the Committees on
4 Armed Services of the Senate and the House of Rep-
5 resentatives a report on the program under section
6 1074p of title 10, United States Code, as added by
7 subsection (a), which shall include a description of
8 the program and such other matters on the program
9 as the Secretary considers appropriate.

10 (2) ADDITIONAL REPORT.—Not later than two
11 years after commencement of implementation of the
12 program under section 1074p of title 10, United
13 States Code, as added by subsection (a), the Sec-
14 retary shall submit to the Committees on Armed
15 Services of the Senate and the House of Representa-
16 tives a report on the program, which shall include
17 the following:

18 (A) A description of the program, includ-
19 ing the partnerships under the program as de-
20 scribed in subsection (b) of such section, as so
21 added.

22 (B) An assessment of the effectiveness of
23 the program and the activities under the pro-
24 gram.

1 (C) Such recommendations for legislative
2 or administrative action as the Secretary con-
3 siders appropriate in light of the program.

4 (c) CONFORMING REPEAL.—

5 (1) IN GENERAL.—Section 702 of the John S.
6 McCain National Defense Authorization Act for Fis-
7 cal Year 2019 (Public Law 115–232; 10 U.S.C.
8 1092 note) is repealed.

9 (2) CLERICAL AMENDMENT.—The table of con-
10 tents at the beginning of the John S. McCain Na-
11 tional Defense Authorization Act for Fiscal Year
12 2019 (Public Law 115–232) is amended by striking
13 the item relating to section 702.

14 **SEC. 705. WAIVER OF COST-SHARING FOR THREE MENTAL**
15 **HEALTH OUTPATIENT VISITS FOR CERTAIN**
16 **BENEFICIARIES UNDER THE TRICARE PRO-**
17 **GRAM.**

18 (a) TRICARE SELECT.—Section 1075(c) of title 10,
19 United States Code, is amended by adding at the end the
20 following new paragraph:

21 “(4)(A) Consistent with other provisions of this
22 chapter and subject to requirements to be prescribed
23 by the Secretary, the Secretary may waive cost-shar-
24 ing requirements for the first three outpatient men-

1 tal health visits each year of any of the following
2 beneficiaries:

3 “(i) Beneficiaries in the active-duty family
4 member category.

5 “(ii) Beneficiaries covered by section
6 1110b of this title.

7 “(B) This paragraph shall terminate on the
8 date that is five years after the date of the enact-
9 ment of the National Defense Authorization Act for
10 Fiscal Year 2024.”.

11 (b) TRICARE PRIME.—Section 1075a(a) of such
12 title is amended by adding at the end the following new
13 paragraph:

14 “(4)(A) Consistent with other provisions of this
15 chapter and subject to requirements to be prescribed
16 by the Secretary, the Secretary may waive cost-shar-
17 ing requirements for the first three outpatient men-
18 tal health visits each year of a beneficiary in the ac-
19 tive-duty family member category (as described in
20 section 1075(b)(1)(A) of this title).

21 “(B) This paragraph shall terminate on the
22 date that is five years after the date of the enact-
23 ment of the National Defense Authorization Act for
24 Fiscal Year 2024.”.

1 **SEC. 706. EXPANSION OF DOULA CARE FURNISHED BY DE-**
2 **PARTMENT OF DEFENSE.**

3 (a) EXPANSION OF EXTRAMEDICAL MATERNAL
4 HEALTH PROVIDERS DEMONSTRATION PROJECT.—Sec-
5 tion 746 of the William M. (Mac) Thornberry National
6 Defense Authorization Act for Fiscal Year 2021 (Public
7 Law 116–283; 10 U.S.C. 1073 note) is amended—

8 (1) by redesignating subsections (e) through (h)
9 as subsections (f) through (i), respectively; and

10 (2) by inserting after subsection (d) the fol-
11 lowing new subsection (e):

12 “(e) COVERAGE OF DOULA CARE.—Not later than 90
13 days after the date of the enactment of the National De-
14 fense Authorization Act for Fiscal Year 2024, the Sec-
15 retary shall ensure that the demonstration project includes
16 coverage of labor doula care, or reimbursement for such
17 care, for all beneficiaries under the TRICARE program,
18 including access—

19 “(1) by members of the Armed Forces on active
20 duty;

21 “(2) by beneficiaries outside the continental
22 United States; and

23 “(3) at military medical treatment facilities.”.

24 (b) HIRING OF DOULAS.—The hiring authority for
25 each military medical treatment facility may hire a team

1 of doulas to work in coordination with lactation support
 2 personnel or labor and delivery units at such facility.

3 **SEC. 707. SENSE OF CONGRESS ON ACCESS TO MENTAL**
 4 **HEALTH SERVICES THROUGH TRICARE.**

5 It is the sense of Congress that the Secretary of De-
 6 fense should take all necessary steps to ensure members
 7 of the National Guard and the members of their families
 8 who are enrolled in TRICARE have timely access to men-
 9 tal and behavioral health care services through the
 10 TRICARE program.

11 **Subtitle B—Health Care**
 12 **Administration**

13 **SEC. 711. INCREASE IN STIPEND FOR PARTICIPANTS IN**
 14 **HEALTH PROFESSIONS SCHOLARSHIP AND**
 15 **FINANCIAL ASSISTANCE PROGRAMS.**

16 Section 2121(d) of title 10, United States Code, is
 17 amended, in the matter preceding paragraph (1), by strik-
 18 ing “\$30,000” and inserting “\$50,000”.

19 **SEC. 712. FINANCIAL RELIEF FOR CIVILIANS TREATED IN**
 20 **MILITARY MEDICAL TREATMENT FACILITIES.**

21 (a) INTERIM FINAL RULE REQUIRED.—The Sec-
 22 retary of Defense shall issue an interim final rule to imple-
 23 ment as soon as possible after the date of the enactment
 24 of this Act section 1079b of title 10, United States Code.

25 (b) TREATMENT OF CLAIMS.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the Secretary shall hold in abeyance any
3 claims under section 1079b of title 10, United
4 States Code, until the interim final rule required
5 under subsection (a) is in effect.

6 (2) EXCEPTION.—Paragraph (1) does not apply
7 to—

8 (A) claims to third-party payers; or

9 (B) administrative support provided to the
10 Secretary by another Federal agency to assist
11 the Secretary in the administration of section
12 1079b of title 10, United States Code.

13 **SEC. 713. DEPARTMENT OF DEFENSE OVERDOSE DATA ACT**
14 **OF 2023.**

15 (a) SHORT TITLE.—This section may be cited as the
16 “Department of Defense Overdose Data Act of 2023”.

17 (b) ANNUAL REPORT ON MILITARY OVERDOSES.—

18 (1) IN GENERAL.—Not later than 1 year after
19 the date of the enactment of this Act, and annually
20 thereafter, the Secretary of Defense shall submit to
21 the appropriate congressional committees a report
22 on the number of annual overdoses among
23 servicemembers.

24 (2) CONTENTS.—The report required by para-
25 graph (1) shall include the following:

1 (A) The total number of servicemembers
2 who suffered a fatal or nonfatal overdose during
3 the previous calendar year, including—

4 (i) demographic information, including
5 gender, race, age, military department,
6 military rank, pay grade, and station;

7 (ii) the location of the fatal overdose,
8 including whether the overdose was on a
9 military base; and

10 (iii) a list of the substances involved
11 in the fatal overdose.

12 (B) Of the servicemembers identified in
13 subparagraph (A)—

14 (i) the number of servicemembers who
15 received mental health or substance use
16 disorder services prior to a fatal or
17 nonfatal overdose, including a description
18 of whether such services were received
19 from a private sector provider;

20 (ii) the number of servicemembers
21 with comorbid mental health diagnoses;

22 (iii) the number of servicemembers
23 who had been prescribed opioids,
24 benzodiazepines, or stimulants;

1 (iv) the number of servicemembers
2 who had been categorized as high-risk and
3 prescribed or provided naloxone prior to a
4 fatal or nonfatal overdose;

5 (v) the number of servicemembers who
6 had a positive drug test prior to the fatal
7 overdose, including any substance identi-
8 fied in such test;

9 (vi) the number of servicemembers re-
10 ferred to, including by self-referral, or en-
11 gaged in medical treatment, including
12 medication treatment for opioid use dis-
13 order;

14 (vii) with respect to each servicemem-
15 ber identified in clause (vi), whether the
16 servicemember was referred after a positive
17 drug test and the source of such referral;
18 and

19 (viii) the number of fatal overdoses
20 and intentional overdoses.

21 (C) An analysis of discernable patterns in
22 fatal and nonfatal overdoses of servicemembers.

23 (D) A description of existing or anticipated
24 response efforts to fatal and nonfatal overdoses
25 at military bases that have rates of fatal

1 overdoses that exceed the average rate of fatal
2 overdoses in the United States.

3 (E) An assessment of the availability of
4 substance use disorder treatment for
5 servicemembers.

6 (F) The number of medical facilities of, or
7 affiliated with, the Department of Defense that
8 have opioid treatment programs.

9 (G) A description of punitive measures
10 taken by the Secretary of Defense in response
11 to substance misuse, substance use disorder, or
12 overdose by servicemembers.

13 (3) PRIVACY.—

14 (A) IN GENERAL.—Nothing in this sub-
15 section shall be construed to authorize the dis-
16 closure by the Secretary of Defense of person-
17 ally identifiable information of servicemembers
18 or military family members, including
19 anonymized personal information that could be
20 used to re-identify servicemembers or military
21 family members.

22 (B) APPLICATION OF HIPAA.—In carrying
23 out this subsection, the Secretary of Defense
24 shall take steps to protect the privacy of
25 servicemembers and military family members

1 pursuant to regulations promulgated under sec-
2 tion 264(c) of the Health Insurance Portability
3 and Accountability Act of 1996 (42 U.S.C.
4 1320d–2 note; Public Law 104–191).

5 (c) STANDARDS FOR THE USE OF MATERIALS TO
6 PREVENT OVERDOSE AND SUBSTANCE USE DISORDER.—
7 Not later than 1 year after the date of the enactment of
8 this Act, the Secretary of Defense shall establish stand-
9 ards for the distribution of, and training for the use of,
10 naloxone or other medication for overdose reversal, opioid
11 disposal materials, fentanyl test strips, and other mate-
12 rials to prevent or reverse overdoses, substance use dis-
13 order, or impacts related to substance misuse.

14 (d) SUNSET.—This section shall terminate on the
15 date that is 5 years after the date of the enactment of
16 this Act.

17 (e) DEFINITIONS.—In this section:

18 (1) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Armed Services of
22 the Senate; and

23 (B) the Committee on Armed Services of
24 the House of Representatives.

1 (2) **MILITARY FAMILY MEMBER.**—The term
2 “military family member” means a family member
3 of a servicemember, including the spouse, parent, de-
4 pendent, or child of a servicemember, or anyone who
5 has legal responsibility for the child of a service-
6 member.

7 (3) **SERVICEMEMBER.**—The term “servicemem-
8 ber” means—

9 (A) a member of the Armed Forces; or

10 (B) a member of the National Guard.

11 **SEC. 714. MODIFICATION OF ADMINISTRATION OF MEDICAL**
12 **MALPRACTICE CLAIMS BY MEMBERS OF THE**
13 **UNIFORMED SERVICES.**

14 (a) **IN GENERAL.**—Section 2733a of title 10, United
15 States Code, is amended—

16 (1) in subsection (a), by striking “subsection
17 (f)” and inserting “subsection (j)”;

18 (2) in subsection (b)(6), by striking “subsection
19 (f)” and inserting “subsection (j)”;

20 (3) in subsection (d)(1), by striking “subsection
21 (f)” and inserting “subsection (j)”;

22 (4) by redesignating subsections (f) through (i)
23 as subsections (j) through (m), respectively; and

24 (5) by inserting after subsection (e) the fol-
25 lowing new subsections:

1 “(f) EXPERT MEDICAL OPINIONS.—(1) The Sec-
2 retary of Defense may not use an expert medical opinion
3 from an individual in determining whether to allow, settle,
4 and pay a claim under this section unless the individual
5 is a board-certified physician.

6 “(2) No claim under this section may be denied on
7 medical grounds until the Secretary obtains an expert
8 medical opinion on the medical malpractice alleged under
9 such claim from an individual who—

10 “(A) is not a member of the uniformed services
11 or a civilian employee of the Department of Defense;
12 and

13 “(B) does not have a business, medical, or per-
14 sonal relationship with the claimant.

15 “(3) If a claim under this section is denied, the Sec-
16 retary shall provide to the claimant information regarding
17 the identity and qualifications of any individual who pro-
18 vided an expert medical opinion upon which such denial
19 is based.

20 “(g) JUSTIFICATION OF DENIAL.—If a claim under
21 this section is denied, the Secretary of Defense shall pro-
22 vide the claimant with detailed reasoning justifying the de-
23 nial of the claim, including—

24 “(1) copies of any written reports prepared by
25 any expert upon which the denial is based; and

1 “(2) all records and documents relied upon in
2 preparing such written reports.

3 “(h) APPEALS.—(1) Any appeal from the denial of
4 a claim under this section shall be considered by a third-
5 party review board jointly established by the Chief Judge
6 of the United States Court of Appeals for the Armed
7 Forces and the Secretary of Defense.

8 “(2) The third-party review board established under
9 paragraph (1) shall consist of not more than five members,
10 all of whom who possess sufficient legal or medical back-
11 ground, or both.

12 “(3) A claimant under this section that seeks an ap-
13 peal under paragraph (1) may submit the appeal directly
14 to the third-party review board established under such
15 paragraph.

16 “(4) In considering an appeal from the denial of a
17 claim under this section, the third-party review board es-
18 tablished under paragraph (1) shall, at the request of the
19 claimant, allow for a hearing on the merits of the appeal
20 in an adversarial nature.

21 “(5) The Secretary of Defense shall provide to a
22 claimant seeking an appeal under paragraph (1) a copy
23 of any response to the appeal that is submitted on behalf
24 of the Department of Defense.

1 “(6) The third-party review board established under
2 paragraph (1) shall not consist of any member of the uni-
3 formed services or civilian employee of the Department of
4 Defense.

5 “(i) TREATMENT OF NON-ECONOMIC DAMAGES.—(1)
6 Any non-economic damages provided to a member of the
7 uniformed services under this section may not be offset
8 by compensation provided or expected to be provided by
9 the Department of Defense or the Department of Veterans
10 Affairs.

11 “(2)(A) The Secretary of Defense shall establish a
12 cap on non-economic damages to be provided with respect
13 to a claim under this section.

14 “(B)(i) The cap established under subparagraph (A)
15 shall be determined by calculating the average of non-eco-
16 nomic damage caps for medical malpractice claims appli-
17 cable in California, Texas, North Carolina, and Virginia.

18 “(ii) If a State specified in clause (i) provides a dif-
19 ferent cap for cases involving death and cases not involv-
20 ing death, the cap for cases not involving death shall be
21 used.

22 “(C) The cap established under paragraph (1) shall
23 be recalculated not less frequently than once every three
24 years.”.

1 (b) APPOINTMENT OF MEMBERS.—Not later than
2 180 days after the date of the enactment of this Act, the
3 Chief Judge of the United States Court of Appeals for
4 the Armed Forces and the Secretary of Defense shall
5 jointly appoint members to the board established under
6 subsection (h)(1) of section 2733a of title 10, United
7 States Code, as added by subsection (a)(5).

8 (c) REPORT.—Not later than 180 days after the es-
9 tablishment of the board required under subsection (h)(1)
10 of section 2733a of title 10, United States Code, as added
11 by subsection (a)(5), the Secretary of Defense shall submit
12 to the Committees on Armed Services of the Senate and
13 the House of Representatives a report indicating—

14 (1) the membership of the board;

15 (2) the qualifying background of each member
16 of the board; and

17 (3) a statement indicating the independence of
18 each member of the board from the Department of
19 Defense.

1 **Subtitle C—Reports and Other**
2 **Matters**

3 **SEC. 721. MODIFICATION OF PARTNERSHIP PROGRAM BE-**
4 **TWEEN UNITED STATES AND UKRAINE FOR**
5 **MILITARY TRAUMA CARE AND RESEARCH.**

6 Section 736 of the James M. Inhofe National Defense
7 Authorization Act for Fiscal Year 2023 (Public Law 117–
8 263) is amended—

9 (1) by redesignating paragraphs (7) through
10 (9) as paragraphs (8) through (10), respectively;
11 and

12 (2) by inserting after paragraph (6) the fol-
13 lowing new paragraph (7):

14 “(7) The provision of training and support to
15 Ukraine for the treatment of individuals with ex-
16 tremity trauma, amputations, post-traumatic stress
17 disorder, traumatic brain injuries, and any other
18 mental health conditions associated with post-trau-
19 matic stress disorder or traumatic brain injuries, in-
20 cluding—

21 “(A) the exchange of subject matter exper-
22 tise;

23 “(B) training and support relating to ad-
24 vanced clinical skills development; and

1 “(C) training and support relating to clin-
2 ical case management support.”.

3 **SEC. 722. REQUIREMENT THAT DEPARTMENT OF DEFENSE**
4 **DISCLOSE EXPERT REPORTS WITH RESPECT**
5 **TO MEDICAL MALPRACTICE CLAIMS BY MEM-**
6 **BERS OF THE UNIFORMED SERVICES.**

7 Section 2733a of title 10, United States Code, as
8 amended by section 714, is further amended—

9 (1) by redesignating subsections (l) and (m) as
10 subsections (m) and (n), respectively; and

11 (2) by inserting after subsection (k) the fol-
12 lowing new subsection (l):

13 “(l) DISCLOSURE BY DEPARTMENT OF DEFENSE.—

14 (1) The Secretary of Defense shall disclose to a claimant
15 under this section a copy of all written reports, other than
16 medical quality assurance records (as defined in section
17 1102(j) of this title), prepared by a medical expert of the
18 Department of Defense or any medical expert consulted
19 by the Department with respect to the claim.

20 “(2) Any disclosure under paragraph (1) with respect
21 to an expert described in such paragraph shall include the
22 following:

23 “(A) The records and documents considered by
24 the expert.

1 “(B) A description of the bases and reasons for
2 the opinion of the expert.

3 “(C) The opinion or opinions of the expert re-
4 garding standard of care.

5 “(D) The opinion or opinions of the expert re-
6 garding causation.

7 “(E) A description of any disagreement by the
8 expert with any opinion or opinions of the expert of
9 the claimant.

10 “(3) Any disclosure under paragraph (1) with respect
11 to an expert described in such paragraph shall not include
12 an identification of the expert.

13 “(4) If an expert described in paragraph (1) does not
14 prepare a written report, the Secretary shall disclose the
15 information required under this section to the claimant in
16 writing.”.

17 **SEC. 723. COMPTROLLER GENERAL STUDY ON IMPACT OF**
18 **PERINATAL MENTAL HEALTH CONDITIONS**
19 **OF MEMBERS OF THE ARMED FORCES AND**
20 **THEIR DEPENDENTS ON MILITARY READI-**
21 **NESS AND RETENTION.**

22 (a) STUDY.—

23 (1) IN GENERAL.—The Comptroller General of
24 the United States shall conduct a study on perinatal
25 mental health conditions among members of the

1 Armed Forces and dependents of such members dur-
2 ing the five-year period preceding the date of the en-
3 actment of this Act.

4 (2) ELEMENTS.—The study required under
5 paragraph (1) shall include the following:

6 (A) An assessment of beneficiaries under
7 the TRICARE program, including members of
8 the Armed Forces and dependents of such
9 members, who attempted suicide or died by sui-
10 cide or substance use overdose during the
11 perinatal period.

12 (B) An assessment of members of the
13 Armed Forces discharged from active duty due
14 to a mental health condition within two years
15 after the perinatal period.

16 (C) An assessment of beneficiaries under
17 the TRICARE program, including members of
18 the Armed Forces and dependents of such
19 members, diagnosed with a perinatal mental
20 health condition who were relocated during the
21 perinatal period.

22 (D) An assessment of the effects of reten-
23 tion and promotion policies of the Department
24 of Defense relating to perinatal mental health
25 conditions on members of the Armed Forces

1 seeking and accessing screening, referral, and
2 treatment.

3 (E) The number of members of the Armed
4 Forces who were separated from the Armed
5 Forces or did not receive a promotion due to a
6 diagnosed perinatal mental health condition.

7 (F) An assessment of whether policies of
8 the Department can be modified to provide
9 clear standards for retention and pathways for
10 promotion of members of the Armed Forces di-
11 agnosed with a perinatal mental health condi-
12 tion.

13 (G) An assessment of resources needed to
14 integrate behavioral health specialists into all
15 obstetric care practices, pediatric practices, and
16 women's clinics.

17 (H) A disaggregated demographic assess-
18 ment of the population included in the study
19 with respect to race, ethnicity, sex, age, family
20 status (including dual service and single parent
21 families), military occupation, military service,
22 and rank, as applicable.

23 (b) REPORT.—Not later than one year after the date
24 of the enactment of this Act, the Comptroller General shall
25 submit to the Committees on Armed Services of the Sen-

1 ate and the House of Representatives a report on the find-
2 ings of the study conducted under subsection (a), includ-
3 ing—

4 (1) recommendations for actions to be taken by
5 the Secretary of Defense to improve mental health
6 among members of the Armed Forces and depend-
7 ents of such members during the perinatal period;

8 (2) recommendations for legislative or adminis-
9 trative action to mitigate the effects of retention and
10 promotion policies of the Department of Defense on
11 members of the Armed Forces seeking and accessing
12 mental health care during the perinatal period; and

13 (3) such other recommendations as the Comp-
14 troller General determines appropriate.

15 (c) DEFINITIONS.—In this section:

16 (1) DEPENDENT; TRICARE PROGRAM.—The
17 terms “dependent” and “TRICARE program” have
18 the meanings given those terms in section 1072 of
19 title 10, United States Code.

20 (2) PERINATAL MENTAL HEALTH CONDITION.—
21 The term “perinatal mental health condition” means
22 a mental health disorder that onsets during the
23 perinatal period.

24 (3) PERINATAL PERIOD.—The term “perinatal
25 period” means the period during pregnancy and the

1 one-year period following childbirth, still birth, or
2 miscarriage.

3 **SEC. 724. REPORT ON MENTAL AND BEHAVIORAL HEALTH**
4 **SERVICES PROVIDED BY DEPARTMENT OF**
5 **DEFENSE.**

6 Not later than 90 days after the date of the enact-
7 ment of this Act, the Director of the Defense Health
8 Agency shall submit to the Committees on Armed Services
9 of the Senate and the House of Representatives a report
10 that contains the following:

11 (1) The current wait times for members of the
12 Armed Forces, including members of the Selected
13 Reserve of the Ready Reserve of a reserve compo-
14 nent of the Armed Forces who are enrolled in
15 TRICARE Reserve Select under section 1076d of
16 title 10, United States Code, to receive mental and
17 behavioral health services, disaggregated by State.

18 (2) An assessment of the number of additional
19 mental and behavioral health care providers needed
20 for the Department of Defense to meet established
21 metrics associated with access to mental and behav-
22 ioral health services.

23 (3) An explanation of the credentialing stand-
24 ards for mental and behavioral health care providers
25 of the Department, including a comparison of those

1 standards to the standards for other Federal and
2 private sector health care providers.

3 **SEC. 725. REPORT ON ACTIVITIES OF DEPARTMENT OF DE-**
4 **FENSE TO PREVENT, INTERVENE, AND TREAT**
5 **PERINATAL MENTAL HEALTH CONDITIONS**
6 **OF MEMBERS OF THE ARMED FORCES AND**
7 **THEIR DEPENDENTS.**

8 (a) IN GENERAL.—Not later than 90 days after the
9 date of the enactment of this Act, the Secretary of Defense
10 shall submit to the Committees on Armed Services of the
11 Senate and the House of Representatives a report on the
12 activities of the Department of Defense to address the
13 mental health of pregnant and postpartum members of the
14 Armed Forces and dependents of such members.

15 (b) ELEMENTS.—The report required by subsection
16 (a) shall include the following

17 (1) An identification of the military medical
18 treatment facilities at which the Secretary offers
19 members of the Armed Forces and their dependents
20 evidence-based programs during the perinatal period
21 that are proven to prevent perinatal mental health
22 conditions.

23 (2) An assessment of such programs offered at
24 such facilities, including an assessment of—

25 (A) the types of programs;

1 (B) the number and location of programs;

2 (C) the number of members of the Armed
3 Forces and their dependents who have partici-
4 pated in such programs, disaggregated by
5 Armed Force, military occupation, sex, age,
6 race, and ethnicity, when applicable; and

7 (D) whether such programs are delivered
8 in-person or virtually and the frequency of the
9 availability of such programs;

10 (3) The number of behavioral health specialists
11 for pregnant and postpartum members of the Armed
12 Forces and dependents integrated into obstetric care
13 practices, pediatrics, and women’s clinics at military
14 medical treatment facilities.

15 (4) An assessment of the implementation of, or
16 plans to implement, a pilot program to provide a re-
17 productive behavioral health consultation service by
18 the Secretary as outlined in the White House Blue-
19 print for Addressing the Maternal Health Crisis,
20 dated June 2022, including—

21 (A) the number of providers the pilot pro-
22 gram has served or plans to serve,
23 disaggregated by provider type, specialty, and
24 location;

1 (B) the number and type of trainings pro-
2 viders received or will receive through the con-
3 sultation line on evidence-based practices to
4 prevent, screen, refer, and treat perinatal men-
5 tal health conditions;

6 (C) the locations that have had or will have
7 access to the pilot program;

8 (D) the types of expertise services that the
9 consultation line provides or will provide; and

10 (E) methods currently used or that will be
11 used to promote the availability of the consulta-
12 tion line to providers.

13 (5) Any recommendations for legislative or ad-
14 ministrative action to improve prevention, interven-
15 tion, and treatment of perinatal mental health condi-
16 tions for members of the Armed Forces and their
17 dependents.

18 (c) DEFINITIONS.—In this section:

19 (1) DEPENDENT.—The term “dependent” has
20 the meaning given that term in section 1072(2) of
21 title 10, United States Code.

22 (2) PERINATAL MENTAL HEALTH CONDITION.—
23 The term “perinatal mental health condition” means
24 a mental health disorder that occurs during preg-

1 nancy or within one year following childbirth, still-
2 birth, or miscarriage.

3 **SEC. 726. STUDY ON FAMILY PLANNING AND**
4 **CRYOPRESERVATION OF GAMETES TO IM-**
5 **PROVE RETENTION OF MEMBERS OF THE**
6 **ARMED FORCES.**

7 (a) IN GENERAL.—The Secretary of Defense shall
8 conduct a study on—

9 (1) the number of members of the Armed
10 Forces who elect to leave the Armed Forces for fam-
11 ily planning reasons, disaggregated by gender, age,
12 and military occupational specialty;

13 (2) whether the option of cryopreservation of
14 gametes would lead to greater retention of members
15 of the Armed Forces;

16 (3) methods for the Department of Defense to
17 offer cryopreservation of gametes for the purposes of
18 retention of members of the Armed Forces;

19 (4) the cost to the Department of offering
20 cryopreservation of gametes to active duty members
21 of the Armed Forces; and

22 (5) such other matters relating to family plan-
23 ning and cryopreservation of gametes for members
24 of the Armed Forces as the Secretary considers rel-
25 evant.

1 (b) BRIEFING.—Not later than April 1, 2024, the
2 Secretary shall brief the Committees on Armed Services
3 of the Senate and the House of Representatives on the
4 results of the study conducted under subsection (a).

5 **TITLE VIII—ACQUISITION POL-**
6 **ICY, ACQUISITION MANAGE-**
7 **MENT, AND RELATED MAT-**
8 **TERS**

9 **Subtitle A—Acquisition Policy and**
10 **Management**

11 **SEC. 801. AMENDMENTS TO MULTIYEAR PROCUREMENT**

12 **AUTHORITY.**

13 Section 3501 of title 10, United States Code, is
14 amended—

15 (1) in subsection (a)(1)—

16 (A) by striking “will result in significant
17 savings” and inserting the following: “will re-
18 sult in—

19 “(A) significant savings”; and

20 (B) by striking “annual contracts.” and in-
21 serting the following: “annual contracts; or

22 “(B) necessary industrial base stability not
23 otherwise achievable through annual con-
24 tracts.”; and

1 (2) by striking “\$500,000,000” each place it
2 appears and inserting “\$1,000,000,000”.

3 **SEC. 802. MODERNIZING THE DEPARTMENT OF DEFENSE**
4 **REQUIREMENTS PROCESS.**

5 (a) MODERNIZING THE DEPARTMENT OF DEFENSE
6 REQUIREMENTS PROCESS.—Not later than October 1,
7 2025, the Secretary of Defense, acting through the Vice
8 Chairman of the Joint Chiefs of Staff, in cooperation with
9 the Secretaries of the military departments and the com-
10 manders of the combatant commands, and in coordination
11 with the Under Secretary of Defense for Acquisition and
12 Sustainment, shall develop and implement a streamlined
13 Department of Defense requirements process, to include
14 modernizing the Joint Capabilities Integration and Devel-
15 opment System, in order to improve alignment between
16 modern warfare concepts, technologies, and system devel-
17 opment and reduce the time to delivery of needed capabili-
18 ties to Department users.

19 (b) REFORM ELEMENTS.—The modernization activi-
20 ties conducted under subsection (a) shall include the fol-
21 lowing elements:

22 (1) Streamlining requirements documents, re-
23 views, and approval processes, especially for pro-
24 grams below the major defense acquisition program

1 threshold described in section 4201 of title 10,
2 United States Code.

3 (2) Revisiting requirements management prac-
4 tices from a first principles perspective based on
5 mission outcomes and assessed threats, enabling a
6 more iterative and collaborative approach with the
7 services to shape requirements and technology driven
8 opportunities.

9 (3) Developing a capability needs and require-
10 ments framework and pathways that are aligned to
11 the Department's Adaptive Acquisition Framework
12 pathways, and better aligned and integrated with the
13 Department's science and technology processes.

14 (4) Enabling the military departments to de-
15 velop an enduring set of requirements according to
16 a set of capability portfolios to provide a structure
17 across acquisition programs and research, which
18 shall be articulated in a concise model and document
19 with a set of mission impact measures that capa-
20 bility deliveries will seek to continuously improve.

21 (5) Establishing a process to rapidly validate
22 the military utility of commercial solutions to meet
23 capability needs or opportunities in lieu of the tradi-
24 tional program-centric requirements definition.

1 (6) Retiring and replacing the Department of
2 Defense Architecture Framework with a new struc-
3 ture focused on enabling interoperability through ap-
4 plication program interfaces, enterprise architectures
5 and platforms, and government and commercial
6 standards.

7 (7) Ensuring that requirements processes for
8 software, artificial intelligence, data, and related ca-
9 pability areas enable a rapid, dynamic, and iterative
10 approach than traditional hardware systems.

11 (c) ELEMENTS.—The implementation of streamlined
12 requirements shall include the following elements:

13 (1) Collaboration with industry, traditional and
14 non-traditional defense companies, and the science
15 and technology community to capture their inputs
16 and feedback on shaping the Department’s require-
17 ments processes to ensure it effectively harnesses the
18 innovation ecosystem.

19 (2) Development of a formal career path, train-
20 ing, and structure for requirements management
21 professionals and chief architects.

22 (3) Publication of new policies, guidance, and
23 templates for the operational, requirements, and ac-
24 quisition workforce in online digital formats instead
25 of large policy documents.

1 (d) INTERIM REPORT.—Not later than October 1,
2 2024, the Secretary of Defense shall submit to the con-
3 gressional defense committees an interim report on the
4 modernization conducted by the Secretary under sub-
5 section (a), including—

6 (1) a description of the modernization efforts;

7 (2) the Department of Defense’s plans to imple-
8 ment, communicate, and continuously improve the
9 modernization of the Department’s requirements
10 processes and structure; and

11 (3) any additional recommendations for legisla-
12 tion that the Secretary determines appropriate.

13 (e) FINAL REPORT.—Not later than October 1, 2025,
14 the Secretary of Defense shall submit to the Secretary of
15 Defense and the congressional defense committees a final
16 report describing activities carried out pursuant to sub-
17 sections (b) and (c).

18 **SEC. 803. HEAD OF CONTRACTING AUTHORITY FOR STRA-**
19 **TEGIC CAPABILITIES OFFICE.**

20 (a) AUTHORITY.—The Director of the Strategic Ca-
21 pabilities Office shall have the authority to conduct acqui-
22 sition activities within the Strategic Capabilities Office.

23 (b) ACQUISITION EXECUTIVE.—

24 (1) IN GENERAL.—The staff of the Director
25 shall include an acquisition executive, who shall be

1 responsible for the overall supervision of acquisition
2 matters for the Strategic Capabilities Office. The ac-
3 quisition executive shall have the authority—

4 (A) to negotiate memoranda of agreement
5 with the military departments and Department
6 of Defense components to carry out the acquisi-
7 tion of equipment, capabilities, and services on
8 behalf of the Office;

9 (B) to supervise the acquisition of equip-
10 ment, capabilities, and services on behalf of the
11 Office;

12 (C) to represent the Office in discussions
13 with the military departments regarding acqui-
14 sition programs for which the Office is a cus-
15 tomer; and

16 (D) to work with the military departments
17 to ensure that the Office is appropriately rep-
18 resented in any joint working group or inte-
19 grated product team regarding acquisition pro-
20 grams for which the Office is a customer.

21 (2) DELIVERY OF ACQUISITION SOLUTIONS.—

22 The acquisition executive of the Strategic Capabili-
23 ties Office shall be—

1 (A) responsible to the Director for rapidly
2 delivering acquisition solutions to meet vali-
3 dated cyber operations-peculiar requirements;

4 (B) subordinate to the defense acquisition
5 executive in matters of acquisition;

6 (C) subject to the same oversight as the
7 service acquisition executives; and

8 (D) included on the distribution list for ac-
9 quisition directives and instructions of the De-
10 partment of Defense.

11 (c) IMPLEMENTATION PLAN REQUIRED.—The au-
12 thority granted in subsection (a) shall become effective 30
13 days after the date on which the Secretary of Defense pro-
14 vides to the congressional defense committees a plan for
15 implementation of those authorities under subsection (a).
16 The plan shall include the following:

17 (1) Summaries of the components to be nego-
18 tiated in the memoranda of agreement with the mili-
19 tary departments and other Department of Defense
20 components to carry out the development, acquisi-
21 tion, and sustainment of equipment, capabilities, and
22 services described in subsection (b)(1).

23 (2) Negotiation and approval timelines for
24 memorandum of agreement.

1 (3) A plan for oversight of the acquisition execu-
2 tive established under subsection (b).

3 (4) An assessment of the acquisition workforce
4 needs of the Strategic Capabilities Office to support
5 the authority provided under subsection (a) until
6 2028.

7 (5) Other matters as appropriate.

8 (d) ANNUAL END-OF-YEAR ASSESSMENT.—Each
9 year, the Under Secretary of Defense for Acquisition and
10 Sustainment shall review and assess the acquisition activi-
11 ties of the Strategic Capabilities Office, including con-
12 tracting and acquisition documentation, for the previous
13 fiscal year and provide any recommendations or feedback
14 to the acquisition executive of the Strategic Capabilities
15 Office.

16 (e) SUNSET.—

17 (1) IN GENERAL.—The authority provided
18 under this section shall terminate on September 30,
19 2028.

20 (2) LIMITATION ON DURATION OF ACQUI-
21 TIONS.—The authority under this section does not
22 include major defense acquisition programs, major
23 automated information system programs, or acquisi-
24 tions of foundational infrastructure or software ar-

1 chitectures the duration of which is expected to last
2 more than five years.

3 **SEC. 804. PILOT PROGRAM FOR THE USE OF INNOVATIVE**
4 **INTELLECTUAL PROPERTY STRATEGIES.**

5 (a) IN GENERAL.—As soon as practicable, the Sec-
6 retary of each military department shall designate one ac-
7 quisition program within their service and the Under Sec-
8 retary of Defense for Acquisition and Sustainment shall
9 designate one acquisition program within the Department
10 of Defense Agencies and Field Activities for the use of
11 innovative intellectual property strategies in order to ac-
12 quire the necessary technical data rights required for the
13 operations and maintenance of that system.

14 (b) BRIEFING REQUIREMENT.—Not later than 180
15 days after the date of the enactment of this Act, the Under
16 Secretary of Defense for Acquisition and Sustainment, in
17 coordination with the Secretaries of the military depart-
18 ments, shall provide a briefing to the Committees on
19 Armed Services of the Senate and the House of Represent-
20 atives with a detailed plan to implement the requirements
21 of this section.

22 (c) ANNUAL REPORT.—Upon selection of the pro-
23 grams to be covered by this section and until the termi-
24 nation of this authority, the Under Secretary of Defense
25 for Acquisition and Sustainment, in coordination with the

1 Secretaries of the military departments, shall provide an
2 annual report to the Committees on Armed Services of the
3 Senate and the House of Representatives on the effective-
4 ness of the pilot program in acquiring the data necessary
5 to support timely, cost-effective maintenance and
6 sustainment of the system and any recommendations for
7 the applicability of lessons learned from this pilot program
8 to future acquisition programs.

9 (d) DEFINITIONS.—In this section:

10 (1) DEPARTMENT OF DEFENSE AGENCIES AND
11 FIELD ACTIVITIES.—The terms “Department of De-
12 fense Agency” and “Department of Defense Field
13 Activity” have the meanings given those terms in
14 section 101 of title 10, United States Code.

15 (2) INNOVATIVE INTELLECTUAL PROPERTY
16 STRATEGIES.—The term “innovative intellectual
17 property strategies” includes the following:

18 (A) The use of an escrow account to verify
19 and hold intellectual property data.

20 (B) The use of royalties or licenses.

21 (C) Other innovative strategies to acquire
22 the necessary level of intellectual property and
23 data rights to support the operations, mainte-
24 nance, installation, and training (OMIT) of the
25 selected program.

1 (e) SUNSET.—The authority to initiate a program
2 under this section shall terminate on December 31, 2028.

3 **SEC. 805. FOCUSED COMMERCIAL SOLUTIONS OPENINGS**
4 **OPPORTUNITIES.**

5 (a) REQUIREMENT.—The Secretary of Defense, in
6 coordination with the service acquisition executives of each
7 military department, shall create not less than three new
8 commercial solutions opening (CSO) opportunities pursu-
9 ant to section 3458 of title 10, United States Code, each
10 fiscal year. Each such CSO opportunities shall be dedi-
11 cated to addressing the mission needs and integrated pri-
12 ority lists of a single geographic combatant command.

13 (b) EXECUTION.—In creating the CSO opportunities
14 required under subsection (a), the Secretary of Defense
15 shall—

16 (1) assign the responsibility for issuing a CSO
17 to a single military department, with a program ex-
18 ecutive officer from that military department as-
19 signed as lead; and

20 (2) ensure that any program executive office
21 (PEO) assignment should be made to align the
22 needs of the CSO with a PEO that has similar exist-
23 ing requirements and funding for transitioning tech-
24 nologies within the focus area.

1 (c) SUNSET.—The requirement in subsection (a)
2 shall expire on September 30, 2027.

3 **SEC. 806. STUDY ON REDUCING BARRIERS TO ACQUISITION**
4 **OF COMMERCIAL PRODUCTS AND SERVICES.**

5 (a) IN GENERAL.—The Secretary of Defense, acting
6 through the Under Secretary of Defense for Acquisition
7 and Sustainment, shall conduct a study on the feasibility
8 and advisability of—

9 (1) establishing a default determination that
10 products and services acquired by the Department of
11 Defense are commercial and do not require commer-
12 cial determination as provided under section 3456 of
13 title 10, United States Code;

14 (2) establishing a requirement for non-commer-
15 cial determinations to be made for acquisitions to
16 use procedures other than part 12 of the Federal
17 Acquisition Regulation; and

18 (3) mandating use of commercial procedures
19 under part 12 of the Federal Acquisition Regulation
20 unless a justification of non-commerciality is deter-
21 mined.

22 (b) REPORT.—Not later than 180 days after the date
23 of the enactment of this Act, the Secretary of Defense
24 shall submit to the congressional defense committees a re-
25 port on the findings of the study conducted under sub-

1 section (a). The report shall include specific findings with
2 relevant data and proposed recommendations, including
3 for any necessary and desirable modifications to applicable
4 statute for any changes the Department seeks to make
5 regarding paragraphs (1) through (3) of subsection (a).

6 **SEC. 807. SENSE OF THE SENATE ON INDEPENDENT COST**
7 **ASSESSMENT.**

8 It is the sense of the Senate that—

9 (1) to implement the National Defense Strat-
10 egy, the Department of Defense requires thoughtful
11 and thorough analysis to ensure efficient and effec-
12 tive use of each taxpayer dollar to inform tradeoff
13 analysis that delivers the optimum portfolio of mili-
14 tary capabilities;

15 (2) the Secretary of Defense requires timely, in-
16 sightful, and unbiased analysis on cost estimation
17 for major defense acquisition programs; and

18 (3) the Office of the Director of Cost Assess-
19 ment and Program Evaluation supports implementa-
20 tion of the National Defense Strategy by—

21 (A) providing insight into the costs of
22 major defense acquisition programs and other
23 technology development initiatives that enables
24 responsible budgeting and proactive manage-

1 ment decisions so that the Department can con-
2 trol cost, drive efficiency, and achieve savings;

3 (B) ensuring that the cost estimation
4 workforce of the Department of Defense is
5 using the most modern and realistic cost esti-
6 mation methodologies, tools, and tradecraft, in-
7 cluding the collection and distribution of data
8 through the Cost Assessment Data Enterprise;
9 and

10 (C) providing timely review and oversight
11 of cost estimates performed by the defense
12 agencies and military departments.

13 **SEC. 808. EMERGENCY ACQUISITION AUTHORITY FOR PUR-**
14 **POSES OF REPLENISHING UNITED STATES**
15 **STOCKPILES.**

16 Section 3601(a)(1) of title 10, United States Code,
17 is amended—

18 (1) in subparagraph (A)(iv), by striking “; or”
19 and inserting a semicolon;

20 (2) in subparagraph (B), by striking the period
21 at the end and inserting “; or”; and

22 (3) by adding at the end the following new sub-
23 paragraph:

24 “(C) for purposes of—

1 “(i) replenishing United States stock-
2 piles with like defense articles when those
3 stockpiles are diminished as a result of the
4 United States providing defense articles in
5 response to an armed attack by a country
6 of concern (as that term is defined in sec-
7 tion 1(m) of the State Department Basic
8 Authorities Act of 1956 (22 U.S.C.
9 2651a(m)) against—

10 “(I) a United States ally (as that
11 term is defined in section 201(d) of
12 the Act of December 2, 1942, entitled,
13 ‘To provide benefits for the injury,
14 disability, death, or enemy detention
15 of employees of contractors with the
16 United States, and for other purposes’
17 (56 Stat. 1028, chapter 668; 42
18 U.S.C. 1711(d)); or

19 “(II) a United States partner; or

20 “(ii) contracting for the movement or
21 delivery of defense articles transferred to
22 such ally or partner through the Presi-
23 dent’s drawdown authorities in connection
24 with such response,

1 provided that the United States is not a party
2 to the hostilities.”.

3 **Subtitle B—Amendments to Gen-**
4 **eral Contracting Authorities,**
5 **Procedures, and Limitations**

6 **SEC. 811. COMMANDER INITIATED RAPID CONTRACTING**
7 **ACTIONS.**

8 (a) IN GENERAL.—The commander of a combatant
9 command, upon providing a written determination to a
10 supporting head (or heads) of contracting activity (HCA),
11 may request emergency, rapid contracting response using
12 special authorities described in subsection (b)—

13 (1) in support of a contingency operation (as
14 defined in section 101(a) of title 10, United States
15 Code);

16 (2) to facilitate the defense against or recovery
17 from cyber, nuclear, biological, chemical, or radio-
18 logical attack against the United States;

19 (3) in support of a humanitarian or peace-
20 keeping operation (as the term is defined in section
21 3015(2) of title 10, United States Code); and

22 (4) for purposes of protecting the national secu-
23 rity interests of the United States during directed
24 operations that fall below the level of armed conflict.

1 (b) APPLICABILITY.—In carrying out subsection (a),
2 the HCA may utilize the following authorities to rapidly
3 respond to time-sensitive or unplanned emergency situa-
4 tions:

5 (1) For actions taken under subsection (a) in
6 the case of a contract to be awarded and performed,
7 or purchase to be made, in the United States, sim-
8 plified procedures for a single contracting action
9 may be used up to \$15,000.

10 (2) For actions taken under subsection (a) in
11 the case of a contract to be awarded and performed,
12 or purchase to be made, outside the United States,
13 simplified procedures for a single contracting action
14 may be used up to \$25,000.

15 (3) For purposes of section 3205(a)(2) of title
16 10, United States Code, the applicable threshold is
17 deemed to be \$10,000,000.

18 (4) The property or service being procured may
19 be treated as a commercial product or a commercial
20 service for the purpose of carrying out the procure-
21 ment.

22 (c) DETERMINATION.—A written determination re-
23 quired under subsection (a) may be used to cover more
24 than one requested action, and may be directed to more
25 than one HCA, and shall include:

1 (1) The rationale for initiating the request in
2 accordance with paragraphs (1) through (4) of such
3 subsection.

4 (2) A description of the actions being requested
5 of the HCA.

6 (3) A declaration that funds are available for
7 such requested contracting support.

8 (d) SUNSET.—The authority under subsection (a)
9 shall terminate on September 30, 2028.

10 (e) ANNUAL REPORT.—Not later than January 15,
11 2025, and annually thereafter for four years, the Chair-
12 man of the Joint Chiefs of Staff, in coordination with the
13 Under Secretary of Defense for Acquisition and
14 Sustainment, shall provide a report to the congressional
15 defense committees on the use of the authority under this
16 section for the previous fiscal year. The report shall in-
17 clude a summary of each instance of the authority being
18 used, including—

19 (1) the combatant command initiating the ac-
20 tion or actions;

21 (2) the supporting HCA or HCAs; and

22 (3) the specific actions requested, including the
23 contract performer and value of contracting action.

1 **SEC. 812. EXTENSION AND REVISIONS TO NEVER CON-**
2 **TRACT WITH THE ENEMY.**

3 (a) IN GENERAL.—Section 841 of the Carl Levin and
4 Howard P. “Buck” McKeon National Defense Authoriza-
5 tion Act for Fiscal Year 2015 (Public Law 113–291; 10
6 U.S.C. 4871 note prec.) is amended—

7 (1) by striking the section heading and insert-
8 ing “**THREAT MITIGATION IN COMMERCIAL**
9 **SUPPORT TO OPERATIONS**”;

10 (2) in subsection (a)—

11 (A) by striking the subsection heading and
12 inserting “PROGRAM ESTABLISHED”;

13 (B) by striking “and in consultation with
14 the Secretary of State” and all that follows
15 through the period at the end and inserting
16 “and the Secretary of State, establish a pro-
17 gram to enable combatant commanders to iden-
18 tify and manage risks introduced by covered
19 persons and entities providing commercial sup-
20 port to military operations. The Secretary of
21 Defense shall publish policy establishing this
22 program with responsibilities for program exe-
23 cution and oversight and procedures for use of
24 available intelligence, security, and law enforce-
25 ment information to identify threats and em-
26 ployment of a range of strategies, including the

1 covered procurement actions described in this
2 section, to manage risks posed by covered per-
3 sons and entities that are engaged in covered
4 activities.”;

5 (3) by amending subsection (b) to read as fol-
6 lows:

7 “(b) AUTHORITY.—

8 “(1) IDENTIFICATION.—The combatant com-
9 mander shall identify covered persons or entities en-
10 gaged in covered activities through the program es-
11 tablished under subsection (a). Upon identification
12 of a covered person or entity, combatant com-
13 manders, or their designated deputies, shall notify
14 and provide rationale for such an identification to
15 the Under Secretary of Defense for Acquisition and
16 Sustainment, the Under Secretary of Defense for In-
17 telligence and Security, and the Under Secretary of
18 Defense for Policy.

19 “(2) COVERED PROCUREMENT ACTIONS.—

20 “(A) IN GENERAL.—The head of a con-
21 tracting activity may exercise a covered pro-
22 curement action on a covered persons or entity.

23 “(B) LIMITATION ON COVERED PROCURE-
24 MENT ACTIONS.—The head of a contracting ac-
25 tivity may exercise a covered procurement ac-

1 tion only after receiving a notification and rec-
2 ommendation from the Under Secretary of De-
3 fense for Acquisition and Sustainment, based
4 on a risk assessment by the identifying combat-
5 ant commander, that states that—

6 “(i) the person or entity identified by
7 the combatant commander meets the cri-
8 teria for a covered person or entity and
9 was or is actively engaged in one or more
10 covered activities; and

11 “(ii) less intrusive measures are not
12 reasonably available to manage the risk.”;

13 (4) by amending subsection (c) to read as fol-
14 lows:

15 “(c) NOTIFICATION TO COVERED PERSON OR ENTI-
16 TY.—

17 “(1) ADVANCE NOTICE.—Contracting activities
18 shall notify covered persons and entities through
19 covered solicitations and contracts, grants, or coop-
20 erative agreements of the following matters:

21 “(A) The program established under sub-
22 section (a).

23 “(B) The authorities established under
24 subsection (b).

1 “(C) The responsibilities of covered per-
2 sons or entities to exercise due diligence to miti-
3 gate their engagement in covered activities.

4 “(2) NOTICE OF COVERED PROCUREMENT AC-
5 TIONS.—

6 “(A) IN GENERAL.—Upon exercising a
7 covered procurement action, the head of a con-
8 tracting activity shall notify the covered person
9 or entity of the action. The covered person or
10 entity shall be permitted the opportunity to
11 challenge the covered procurement action by re-
12 questing an administrative review of the action
13 under the procedures of the Department of De-
14 fense not later than 30 days after receipt of no-
15 tice of the action.

16 “(B) LIMITATION ON DISCLOSURE OF IN-
17 FORMATION.—Full disclosure of information to
18 a covered person or entity justifying an identi-
19 fication made under subsection (b)(1) or a cov-
20 ered procurement action need not be provided
21 when such a disclosure would compromise na-
22 tional security or would pose an unacceptable
23 threat to personnel of the United States or
24 partners and allies.

1 “(C) PROTECTION OF CLASSIFIED INFOR-
2 MATION.—Classified information relied upon to
3 exercise a covered procurement action may not
4 be disclosed to a covered person or entity, or to
5 their representatives, unless a protective order
6 issued by a court of competent jurisdiction es-
7 tablished under article I or article III of the
8 Constitution of the United States specifically
9 addresses the conditions under which such clas-
10 sified information may be disclosed.”;

11 (5) by amending subsection (d) to read as fol-
12 lows:

13 “(d) COVERED PROCUREMENT ACTION REPORT-
14 ING.—All covered procurement actions shall be reported
15 to the Under Secretary of Defense for Acquisition and
16 Sustainment and reported in the Federal Awardee Per-
17 formance and Integrity Information System (FAPIIS) or
18 other formal systems or record. Exclusions shall also be
19 reported in the System for Award Management (SAM).”;

20 (6) by amending subsection (e) to read as fol-
21 lows:

22 “(e) ANNUAL REVIEW.—The Secretary of Defense,
23 in coordination with the Director of National Intelligence
24 and the Secretary of State, shall, on an annual basis, re-
25 view the lists of persons and entities having been subject

1 to a covered procurement action under subsection (b)(2)
2 to determine whether or not such persons and entities con-
3 tinue to warrant use of the covered procurement action.”;

4 (7) by amending subsection (f) to read as fol-
5 lows:

6 “(f) WAIVER.—The Secretary of Defense, in conjunc-
7 tion with the Secretary of State, may grant a waiver for
8 actions taken under subsection (b) if it is in the best inter-
9 est of national security.”;

10 (8) by amending subsection (g) to read as fol-
11 lows:

12 “(g) DELEGATION OF AUTHORITY.—The authority
13 provided by subsection (b) to make a determination to use
14 a covered procurement action, in whole or in part, may
15 not be delegated below the level of head of contracting ac-
16 tivity, or equivalent official for purposes of grants or coop-
17 erative agreements.”;

18 (9) by amending subsection (h) to read as fol-
19 lows:

20 “(h) UPDATING REGULATIONS.—The Federal Acqui-
21 sition Regulation and the Defense Federal Acquisition
22 Regulation Supplement shall be revised to implement the
23 provisions of this subtitle.”;

24 (10) in subsection (i)—

25 (A) in paragraph (1)—

1 (i) by striking “Director of the Office
2 of Management and Budget” and inserting
3 “Secretary of Defense”;

4 (ii) by striking “appropriate commit-
5 tees of Congress” and inserting “congres-
6 sional defense committees”;

7 (iii) in subparagraph (A)—

8 (I) by striking “an executive
9 agency exercised the authority to ter-
10 minate, void, or restrict a contract,
11 grant, and cooperative agreement pur-
12 suant to subsection (c), based on a
13 notification under subsection (b)” and
14 inserting “a head of contracting activ-
15 ity exercised a covered procurement
16 action”;

17 (II) in clause (i) by striking “ex-
18 ecutive agency” and inserting “head
19 of contracting activity”;

20 (III) in clause (ii), by striking
21 “the action taken” and inserting “ex-
22 ercising the covered procurement ac-
23 tion”;

24 (IV) in clause (iii), by striking
25 “voided or terminated” and inserting

1 “subject to the covered procurement
2 action”; and

3 (V) in clause (iv)—

4 (aa) by striking “executive
5 agency in force” and inserting
6 “Department of Defense has”
7 and

8 (bb) by striking “concerned
9 at the time the contract, grant,
10 or cooperative agreement was ter-
11 minated or voided” and replacing
12 with “at the time of exercise of
13 the covered procurement action”;
14 and

15 (iv) in subparagraph (B)—

16 (I) by striking “an executive
17 agency did not exercise the authority
18 to terminate, void, or restrict a con-
19 tract, grant, and cooperative agree-
20 ment pursuant to subsection (c),
21 based on a notification under sub-
22 section (b)” and inserting “a head of
23 contracting activity did not exercise a
24 covered procurement action following

1 an identification from a combatant
2 commander”;

3 (II) in clause (i), by striking “ex-
4 ecutive agency” and inserting “head
5 of contracting activity”; and

6 (III) in clause (ii), by inserting
7 “covered procurement” before “ac-
8 tion”; and

9 (B) in paragraph (2), by striking “Direc-
10 tor” and inserting “Secretary of Defense”;

11 (11) by striking subsection (j) and (m) and re-
12 designating subsections (k), (l), and (n) as sub-
13 sections (j), (k), and (l), respectively;

14 (12) in subsection (k), as redesignated by para-
15 graph (11), by striking “Except as provided in sub-
16 section (l), the” and inserting “The”; and

17 (13) in subsection (l), as so redesignated, by
18 striking “December 31, 2025” and inserting “De-
19 cember 31, 2033”.

20 (b) ACCESS TO RECORDS.—Section 842 of the Carl
21 Levin and Howard P. “Buck” McKeon National Defense
22 Authorization Act for Fiscal Year 2015 is amended by
23 striking subsections (a) through (c) and inserting the fol-
24 lowing:

1 “(a) **ADDITIONAL ACCESS TO RECORDS.**—The Sec-
2 retary of Defense may examine any records of persons or
3 entities that have existing contracts with, or are active re-
4 cipients of a grant or cooperative agreement from, the De-
5 partment of Defense, including any subcontractors or sub-
6 grantees, to the extent necessary to support the program
7 established under section 841 of this Act.

8 “(b) **LIMITATION.**—The examination authorized
9 under subsection (a) may only take place after a written
10 determination is made by the contracting officer, informed
11 by a finding from the combatant commander, stating that
12 this examination will support the program established
13 under such section 841, and less intrusive measures are
14 not reasonably available to manage the risk.”.

15 (c) **DEFINITIONS.**—Section 843 of the Carl Levin
16 and Howard P. “Buck” McKeon National Defense Au-
17 thorization Act for Fiscal Year 2015 is amended—

18 (1) by striking paragraphs (1), (2), (3), (4),
19 (7), and (9) and redesignating paragraphs (5), (6),
20 and (8) as paragraphs (2), (3), and (6);

21 (2) by inserting before paragraph (2), as redес-
22 ignated by paragraph (1) of this section, the fol-
23 lowing new paragraph:

1 “(1) COVERED ACTIVITIES.—The term ‘covered
2 activities’ means activities where a covered person or
3 entity is—

4 “(A) engaging in acts of violence against
5 personnel of the United States or partners and
6 allies;

7 “(B) providing financing, logistics, train-
8 ing, or intelligence to a person described in sub-
9 paragraph (A);

10 “(C) engaging in foreign intelligence activi-
11 ties against the United States or partners and
12 allies;

13 “(D) engaging in transnational organized
14 crime or criminal activities; or

15 “(E) engaging in other activities that
16 present a direct or indirect risk to United
17 States or partner and allied missions and
18 forces.”;

19 (3) in paragraph (2), as so redesignated, by
20 striking “with an estimated value in excess of
21 \$50,000 that is performed outside the United
22 States, including its territories and possessions, in
23 support” and all that follows through the period at
24 the end and inserting “that is performed outside the

1 United States, including its territories and posses-
2 sions.”;

3 (4) by amending paragraph (3), as so redesign-
4 nated, to read as follows:

5 “(3) COVERED PERSON OR ENTITY.—The term
6 ‘covered person or entity’ means any person, cor-
7 poration, company, limited liability company, limited
8 partnership, business trust, business association, or
9 other similar entity outside of the United States or
10 any foreign reporting company in accordance with
11 section 5336(a)(11)(A)(ii) of title 31, United States
12 Code, that is responding to a covered solicitation or
13 performing work on a covered contract, grant, or co-
14 operative agreement.”; and

15 (5) by inserting after paragraph (3), as so re-
16 designated, the following new paragraphs:

17 “(4) COVERED PROCUREMENT ACTION.—The
18 term ‘covered procurement action’ means an action
19 taken by a head of contracting activity to—

20 “(A) exclude a person or commercial entity
21 from award with or without an existing con-
22 tract, grant, or cooperative agreement;

23 “(B) terminate an existing contract, grant,
24 or cooperative agreement for default; or

1 “(C) void in whole or in part an existing
2 contract, grant, or cooperative agreement.

3 “(5) COVERED SOLICITATION.—The term ‘cov-
4 ered solicitation’ means any Department of Defense
5 solicitation for work for which the place of perform-
6 ance is outside of the United States.”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect not later than 180 days after
9 the enactment of this Act, and shall apply to covered so-
10 licitations issued and covered contracts, grants, or cooper-
11 ative agreements (as that term is defined in section 843
12 of the Carl Levin and Howard P. “Buck” McKeon Na-
13 tional Defense Authorization Act for Fiscal Year 2015,
14 as amended by subsection (e)) awarded on or after such
15 date, and to task and delivery orders that have been issued
16 on or after such date pursuant to covered contracts,
17 grants, or cooperative agreements that are awarded be-
18 fore, on, or after such date.

19 **SEC. 813. ENHANCEMENT OF DEPARTMENT OF DEFENSE**
20 **CAPABILITIES TO PREVENT CONTRACTOR**
21 **FRAUD.**

22 (a) WITHHOLDING OF CONTRACTUAL PAYMENTS.—
23 Subsection (a) of section 4651 of title 10, United States
24 Code, is amended—

1 (1) in paragraph (1), by striking “; and” and
2 inserting a semicolon;

3 (2) in paragraph (2)—

4 (A) by striking “clause (1)” and inserting
5 “paragraph (1)”; and

6 (B) by striking “at least three, but not
7 more than 10, as determined by the Secretary
8 or his designee, times the cost incurred by the
9 contractor in giving gratuities to the officer, of-
10 ficial, or employee concerned.” and inserting
11 “of up to 10 percent of the total contract award
12 amount;”;

13 (3) by inserting after paragraph (2) the fol-
14 lowing new paragraphs:

15 “(3) with respect to a contract that could have
16 been terminated under paragraph (1) but for the
17 completion of performance of the contract, the
18 United States is entitled to exemplary damages as
19 set forth in paragraph (2); and

20 “(4) the Secretary of Defense or the Secretary
21 of a military department may, after providing notice
22 to the contractor and pending the determination
23 concerning exemplary damages referred to in para-
24 graph (2), withhold from payments otherwise due to
25 the contractor under any contract between the con-

1 tractor and the United States an amount not to ex-
2 ceed 10 percent of the total contract award
3 amount.”; and

4 (4) in the matter following paragraph (4), as
5 added by paragraph (3) of this subsection, by strik-
6 ing “clause (1)” and inserting “paragraph (1)”.

7 (b) BURDEN OF PROOF.—Paragraph (1) of section
8 4651(a) of title 10, United States Code, as amended by
9 subsection (a) of this section, is further amended by in-
10 serting “and by a preponderance of the evidence” after
11 “after notice and hearing”.

12 **SEC. 814. MODIFICATION OF APPROVAL AUTHORITY FOR**
13 **HIGH DOLLAR OTHER TRANSACTION AGREE-**
14 **MENTS FOR PROTOTYPES.**

15 (a) AMENDMENTS RELATING TO AUTHORITY.—Sec-
16 tion 4022(a)(2)(C)(i)(I) of title 10, United States Code,
17 is amended by inserting after “subsection (d)” the fol-
18 lowing: “were met for the prior transaction for the proto-
19 type project that provided for the award of the follow-on
20 production contract or transaction, and the requirements
21 of subsection (f)”.

22 (b) AMENDMENT RELATING TO APPROPRIATE USE
23 OF AUTHORITY.—Section 4022(d) of such title is amended
24 by adding at the end the following new paragraph:

1 “(3) The requirements of this subsection do not apply
2 to follow-on production contracts or transactions under
3 subsection (f).”.

4 **SEC. 815. MODIFICATIONS TO EARNED VALUE MANAGE-**
5 **MENT SYSTEM REQUIREMENTS.**

6 (a) **IN GENERAL.**—Not later than 180 days after the
7 date of the enactment of this Act, the Under Secretary
8 for Acquisition and Sustainment shall update appropriate
9 policies related to Earned Value Management (EVM) as
10 follows:

11 (1) Update subpart 234.2 of the Defense Fed-
12 eral Acquisition Regulation Supplement (DFARS) to
13 exempt all software contracts and subcontracts from
14 EVM requirements.

15 (2) Update sections 234.201, 234.203,
16 252.234–7001, and 252.242–7002 of the DFARS—

17 (A) to increase contract value thresholds
18 associated with requiring EVM on cost or in-
19 centive contracts from \$20,000,000 to
20 \$50,000,000; and

21 (B) to increase the contract value thresh-
22 old for the contractor to use an EVM System
23 from \$50,000,000 to \$100,000,000.

24 (b) **IMPLEMENTATION.**—If the Under Secretary of
25 Defense for Acquisition and Sustainment is unable to up-

1 date the regulations specified in subsection (a) before the
2 deadline specified in such subsection, the Under Secretary
3 of Defense for Acquisition and Sustainment shall pro-
4 viding to the Committee on Armed Services of the Senate
5 and the Committee on Armed Services of the House of
6 Representatives a briefing explaining the timeline for im-
7 plementation.

8 **SEC. 816. INVENTORY OF INFLATION AND ESCALATION IN-**
9 **DICES.**

10 (a) INVENTORY REQUIRED.—

11 (1) IN GENERAL.—Not later than September
12 30, 2024, the Under Secretary of Defense for Acqui-
13 sition and Sustainment, in coordination with the
14 Service Acquisition Executives, shall conduct an in-
15 ventory of inflation and escalation indices currently
16 used for contracting and pricing purposes across the
17 Department and make the inventory available as a
18 resource for all government and industry contracting
19 and pricing professionals.

20 (2) ELEMENTS.—The inventory required under
21 paragraph (1)—

22 (A) shall include indices used for products
23 and indices used for services, including accessi-
24 bility instructions;

1 (B) may include relevant indices derived
2 from or leveraged by commercial, academic, or
3 nongovernmental sources; and

4 (C) shall separately identify indices for
5 which the Department of Defense purchases ac-
6 cess.

7 (b) ASSESSMENT.—As part of the inventory required
8 under subsection (a), the Under Secretary of Defense for
9 Acquisition and Sustainment shall also conduct an assess-
10 ment of the available inflation and escalation indices in
11 order to determine—

12 (1) gaps in any available indices where identi-
13 fication or development of new indices may be nec-
14 essary; and

15 (2) in instances where there are multiple indices
16 being used—

17 (A) whether consolidation on a single index
18 or smaller subset of indices is possible or advis-
19 able; and

20 (B) whether commercial, academic, or non-
21 governmental indices have any comparative ben-
22 efit or advantage over governmental sources.

23 (c) PERIODIC UPDATES.—The Under Secretary of
24 Defense for Acquisition and Sustainment shall periodi-

1 cally, and not less than once every 5 years, review and
2 update the inventory required under subsection (a).

3 (d) GUIDANCE.—Not later than March 30, 2025, the
4 Under Secretary of Defense for Acquisition and
5 Sustainment, in coordination with the Service Acquisition
6 Executives, shall issue guidance providing for the con-
7 sistent application and maintenance of data included in
8 the inventory required under subsection (a) for use by gov-
9 ernment contracting and pricing personnel.

10 **SEC. 817. PILOT PROGRAM TO INCENTIVIZE PROGRESS**
11 **PAYMENTS.**

12 (a) PILOT PROGRAM.—The Under Secretary of De-
13 fense for Acquisition and Sustainment shall establish and
14 implement a pilot program to incentivize large business
15 concerns awarded Department of Defense contracts to
16 qualify for progress payments up to 10 percentage points
17 higher than the standard progress payment rate.

18 (b) INCENTIVES.—The Under Secretary for Acquisi-
19 tion and Sustainment shall establish clear and measurable
20 criteria to provide for the payment to contractors of higher
21 progress payments as described in subsection (a), includ-
22 ing meeting one or more of the following criteria:

23 (1) Adherence to delivery dates for contract end
24 items and contract data requirement lists or compli-

1 ance with the performance milestone schedule during
2 the preceding fiscal year.

3 (2) The lack of any open level III or IV correc-
4 tive action requests.

5 (3) Acceptability of the contractor's business
6 systems without significant deficiencies.

7 (4) Meeting small business subcontracting goals
8 during the preceding fiscal year.

9 (c) REPORT.—The Under Secretary for Acquisition
10 and Sustainment shall submit to the Committees on
11 Armed Services of the Senate and House of Representa-
12 tives an annual report on the implementation of the pilot
13 program established under subsection (a), including a
14 comprehensive list of contractors and the contracts that
15 received the increased progress payments.

16 (d) DEFINITIONS.—In this section:

17 (1) STANDARD PROGRESS PAYMENT RATE.—
18 The term “standard progress payment rate” refers
19 to the rate of progress payments provided for under
20 section 3804 of title 10, United States Code, and
21 payable in accordance with the applicable provisions
22 of the Federal Acquisition Regulation and the De-
23 fense Federal Acquisition Regulation Supplement.

24 (2) LARGE BUSINESS CONCERNS.—The term
25 “large business concerns” means a business concern

1 that exceeds the small business size code standards
2 established by the Small Business Administration as
3 set forth in part 121 of title 13, Code of Federal
4 Regulations.

5 (e) SUNSET.—The authority to carry out the pilot
6 program established under subsection (a) shall terminate
7 on January 1, 2026.

8 **SEC. 818. EXTENSION OF PILOT PROGRAM TO ACCELERATE**
9 **CONTRACTING AND PRICING PROCESSES.**

10 Section 890 of the John S. McCain National Defense
11 Authorization Act for Fiscal Year 2019 (Public Law 115–
12 232), as most recently amended by section 818 of the
13 James M. Inhofe National Defense Authorization Act for
14 Fiscal Year 2023, is further amended in subsection (c)
15 by striking “January 2, 2024” and inserting “January 2,
16 2028”.

17 **SEC. 819. PREVENTING CONFLICTS OF INTEREST FOR DE-**
18 **PARTMENT OF DEFENSE CONSULTANTS.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of enactment of this Act, the Secretary of Defense
21 shall amend the Defense Federal Acquisition Regulation—

22 (1) to require any entity that provides the serv-
23 ices described in North American Industry Classi-
24 fication System (NAICS) code 5416, prior to enter-

1 ing into the Department of Defense contract, to cer-
2 tify that—

3 (A) neither the entity nor any of its sub-
4 sidiaries or affiliates hold a contract with one or
5 more covered foreign entities; or

6 (B) the entity maintains a Conflict of In-
7 terest Mitigation Surveillance Plan described
8 under subsection (b) that is auditable by con-
9 tract oversight entities; and

10 (2) to restrict Department of Defense contracts
11 from being awarded to an entity that provides the
12 services described under the NAICS code 5416, if
13 the entity or any of its subsidiaries or affiliates are
14 determined, based on the self-certification required
15 under paragraph (1) or other information, to be a
16 contractor of, or otherwise providing services to, a
17 covered foreign entity unless such contractor main-
18 tains an enforceable Conflict of Interest Mitigation
19 Surveillance Plan.

20 (b) CONFLICT OF INTEREST MITIGATION SURVEIL-
21 LANCE PLAN.—Contractors that are unable to certify
22 under subsection (a)(1)(A) that neither they nor any of
23 their subsidiaries or affiliates hold a contract with one or
24 more covered foreign entities shall maintain a Conflict of
25 Interest Mitigation Surveillance Plan that is updated an-

1 nually and shall be provided to applicable contract over-
2 sight entities upon request. The plan shall include—

3 (1) identification of the contracts with the cov-
4 ered foreign entity (or entities) including the specific
5 entity, the dollar value of the contract, and the spe-
6 cific personnel working on the contract;

7 (2) mitigation measures being taken to prevent
8 conflicts of interest (corporately as well as for indi-
9 viduals working on the contract) that might arise by
10 also supporting Department of Defense contracts;
11 and

12 (3) notification procedures to the contract over-
13 sight entities within 15 days of determining an un-
14 mitigated conflict of interest has arisen.

15 (c) WAIVER.—The Secretary of Defense, or designee,
16 shall have the authority to waive conflicts of interest re-
17 strictions under subsection (a) on a case-by-case basis as
18 may be necessary to continue contracting for certain na-
19 tional security requirements. The Secretary of Defense
20 may not delegate such authority to an official below the
21 level of a Presidentially appointed, Senate-confirmed offi-
22 cial.

23 (d) WAIVER NOTIFICATION.—Not later than 30 days
24 after issuing a waiver under subsection (c) of this section,
25 the Secretary of Defense shall provide a written notifica-

1 tion to the Committee on Armed Services of the Senate
2 and the Committee on Armed Services of the House of
3 Representatives regarding the use of such waiver author-
4 ity. The notification shall include—

5 (1) the specific justification for providing the
6 waiver;

7 (2) the covered foreign entity with which the
8 waiver recipient is working which gives rise to the
9 conflict of interest;

10 (3) the number of bidders on a contract on
11 which the waiver was required;

12 (4) the number of bidders on a contract for
13 which a waiver would not have been required to have
14 been issued; and

15 (5) the total dollar value of the contract.

16 (e) DEFINITIONS.—In this section:

17 (1) COVERED FOREIGN ENTITY.—The term
18 “covered foreign entity” means any of the following:

19 (A) The Government of the People’s Re-
20 public of China, any Chinese state-owned entity,
21 or other entity under the ownership, or control,
22 directly or indirectly, of the Government of the
23 People’s Republic of China or the Chinese Com-
24 munist Party that is engaged in one or more
25 national security industries.

1 (B) The Government of the Russian Fed-
2 eration, any Russian state-owned entity, or any
3 entity sanctioned by the Secretary of the Treas-
4 ury under Executive Order 13662 titled “Block-
5 ing Property of Additional Persons Contrib-
6 uting to the Situation in Ukraine”(79 Fed.
7 Reg. 16169).

8 (C) The government or any state-owned
9 entity of any country if the Secretary of State
10 determines that such government has repeat-
11 edly provided support for acts of international
12 terrorism pursuant to—

13 (i) section 1754(c)(1)(A) of the Ex-
14 port Control Reform Act of 2018 (50
15 U.S.C. 4318(c)(1)(A));

16 (ii) section 620A of the Foreign As-
17 sistance Act of 1961 (22 U.S.C. 2371);

18 (iii) section 40 of the Arms Export
19 Control Act (22 U.S.C. 2780); or

20 (iv) any other provision of law.

21 (D) Any entity included on any of the fol-
22 lowing lists maintained by the Department of
23 Commerce:

1 (i) The Entity List set forth in Sup-
2 plement No. 4 to part 744 of the Export
3 Administration Regulations.

4 (ii) The Denied Persons List as de-
5 scribed in section 764.3(a)(2) of the Ex-
6 port Administration Regulations.

7 (iii) The Unverified List set forth in
8 Supplement No. 6 to part 744 of the Ex-
9 port Administration Regulations.

10 (iv) The Military End User List set
11 forth in Supplement No. 7 to part 744 of
12 the Export Administration Regulations.

13 (2) CONTRACT OVERSIGHT ENTITIES.—The
14 term “contract oversight entities” means any of the
15 following:

16 (A) The contracting officer.

17 (B) The contracting officer representative.

18 (C) The Defense Contract Management
19 Agency.

20 (D) The Defense Contract Audit Agency.

21 (E) The Office of Inspector General (OIG)
22 of the Department of Defense or any subcompo-
23 nent of OIG.

24 (F) The Government Accountability Office.

1 **SEC. 820. PROHIBITION ON REQUIRING DEFENSE CON-**
2 **TRACTORS TO PROVIDE INFORMATION RE-**
3 **LATING TO GREENHOUSE GAS EMISSIONS.**

4 (a) **DEFINITIONS.**—In this section:

5 (1) **GREENHOUSE GAS.**—The term “greenhouse
6 gas” means—

7 (A) carbon dioxide;

8 (B) methane;

9 (C) nitrous oxide;

10 (D) nitrogen trifluoride;

11 (E) hydrofluorocarbons;

12 (F) perfluorocarbons; or

13 (G) sulfur hexafluoride.

14 (2) **GREENHOUSE GAS INVENTORY.**—The term
15 “greenhouse gas inventory” means a quantified list
16 of an entity’s annual greenhouse gas emissions.

17 (3) **NONTRADITIONAL DEFENSE CON-**
18 **TRACTOR.**—The term “nontraditional defense con-
19 tractor” has the meaning given the term in section
20 3014 of title 10, United States Code.

21 (b) **PROHIBITION ON DISCLOSURE REQUIRE-**
22 **MENTS.**—

23 (1) **NONTRADITIONAL DEFENSE CONTRAC-**
24 **TORS.**—The Secretary of Defense may not require
25 any nontraditional defense contractor recipient of a
26 defense contract to provide a greenhouse gas inven-

1 tory or to provide any other report on greenhouse
2 gas emissions.

3 (2) OTHER THAN NONTRADITIONAL DEFENSE
4 CONTRACTORS.—During the two-year period begin-
5 ning on the date of the enactment of this Act, the
6 Secretary of Defense may not require any other than
7 nontraditional defense contractor recipient of a de-
8 fense contract to provide a greenhouse gas inventory
9 or to provide any other report on greenhouse gas
10 emissions.

11 **SEC. 821. PROHIBITION ON CONTRACTS FOR THE PROVI-**
12 **SION OF ONLINE TUTORING SERVICES BY EN-**
13 **TITIES OWNED BY THE PEOPLE’S REPUBLIC**
14 **OF CHINA.**

15 (a) IN GENERAL.—The Secretary of Defense may
16 not, on or after the date of the enactment of this Act,
17 enter into or renew a contract for the provision of online
18 tutoring services by an entity owned or controlled by the
19 Government of the People’s Republic of China.

20 (b) WAIVER.—

21 (1) IN GENERAL.—The Secretary may waive
22 the prohibition under subsection (a).

23 (2) NONDELEGATION.—The Secretary may not
24 delegate the authority to issue a waiver under para-
25 graph (1).

1 **SEC. 822. MODIFICATION OF TRUTHFUL COST OR PRICING**
 2 **DATA SUBMISSIONS AND REPORT.**

3 Section 3705(b)(2)(B) of title 10, United States
 4 Code, is amended by striking “should-cost analysis.” and
 5 all that follows through “past performance.” and inserting
 6 “should-cost analysis and shall identify such offerors that
 7 incur a delay greater than 200 days in submitting such
 8 cost or pricing data. The Secretary of Defense shall in-
 9 clude a public notation on such offerors.”.

10 **SEC. 823. REPEAL OF BONAFIDE OFFICE RULE FOR 8(A)**
 11 **CONTRACTS WITH THE DEPARTMENT OF DE-**
 12 **FENSE.**

13 Section 8(a)(11) of the Small Business Act (15
 14 U.S.C. 637(a)(11)) is amended—

15 (1) by inserting “(A)” before “To the max-
 16 imum”; and

17 (2) by adding at the end the following:

18 “(B) Subparagraph (A) shall not apply with re-
 19 spect to a contract entered into under this sub-
 20 section with the Department of Defense.”.

21 **Subtitle C—Industrial Base**
 22 **Matters**

23 **SEC. 831. DEFENSE INDUSTRIAL BASE ADVANCED CAPA-**
 24 **BILITIES PILOT PROGRAM.**

25 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—The Under Secretary of De-
2 fense for Acquisition and Sustainment shall carry
3 out a pilot program through a public-private part-
4 nership to accelerate the scaling, production, and ac-
5 quisition of advanced defense capabilities determined
6 by the Under Secretary to be critical to the national
7 security by creating incentives for investment in do-
8 mestic small businesses or nontraditional businesses
9 to create a robust and resilient defense industrial
10 base.

11 (2) GOALS.—The goals of the public-private
12 partnership pilot program are as follows:

13 (A) To bolster the defense industrial base
14 through acquisition and deployment of ad-
15 vanced capabilities necessary to field Depart-
16 ment of Defense modernization programs and
17 priorities.

18 (B) To strengthen domestic defense supply
19 chain resilience and capacity by investing in in-
20 novative defense companies.

21 (C) To leverage private equity capital to
22 accelerate domestic defense scaling, production,
23 and manufacturing.

24 (b) PUBLIC-PRIVATE PARTNERSHIPS.—

1 (1) IN GENERAL.—In carrying out subsection
2 (a), the Under Secretary shall enter into one or
3 more public-private partnerships, consistent with the
4 phased implementation provided for in subsection
5 (e), with for-profit persons using the criteria set
6 forth in paragraph (2).

7 (2) CRITERIA.—The Under Secretary shall es-
8 tablish criteria for entering into one or more public-
9 private partnerships and shall submit to the congres-
10 sional defense committees such criteria, which shall
11 not take effect for the purposes of entering into any
12 agreement until 30 days after submission.

13 (3) OPERATING AGREEMENT.—The Under Sec-
14 retary and a person or persons with whom the
15 Under Secretary enters a partnership under para-
16 graph (1) shall enter into an operating agreement
17 that sets forth the roles, responsibilities, authorities,
18 reporting requirements, term, and governance frame-
19 work for the partnership and its operations. Such
20 operating agreements may not take effect until 30
21 days after they have been submitted to the congres-
22 sional defense committees.

23 (c) INVESTMENT OF EQUITY.—

24 (1) IN GENERAL.—Pursuant to public-private
25 partnerships entered into under subsection (b), a

1 person or persons with whom the Under Secretary
2 has entered into a partnership may invest equity in
3 domestic small businesses or nontraditional busi-
4 nesses consistent with subsection (a), with invest-
5 ments selected based on technical merit, economic
6 value, and the Department's modernization prior-
7 ities. The partnership shall require investment in not
8 less than 10 businesses, with no business rep-
9 resenting greater than 20 percent of total invest-
10 ment and no capability area exceeding 40 percent of
11 total investment

12 (2) AUTHORITIES.—A person or persons de-
13 scribed in paragraph (1) shall have sole authority to
14 operate, manage, and invest.

15 (d) LOAN GUARANTEE.—

16 (1) IN GENERAL.—Pursuant to the authority
17 established under [section ____] the Under Sec-
18 retary shall provide an up to 80 percent loan guar-
19 antee, pursuant to the public-private partnerships
20 entered into under subsection (b), with investment of
21 equity that qualifies under subsection (c) and con-
22 sistent with the goals set forth under subsection
23 (a)(2).

24 (2) PILOT PROGRAM AUTHORITY.—The tem-
25 porary loan guarantee authority described under

1 paragraph (1) is exclusively for the public-private
2 partnerships authorized under this section and may
3 not be utilized for other programs or purposes.

4 (3) SUBJECT TO OPERATING AGREEMENT.—
5 The loan guarantee under paragraph (1) shall be
6 subject to the operating agreement entered into
7 under subsection (b)(3).

8 (4) USE OF FUNDS.—Obligations incurred by
9 the Under Secretary under this paragraph shall be
10 subject to the availability of funds provided in ad-
11 vance specifically for the purpose of such loan guar-
12 antees.

13 (e) PHASED IMPLEMENTATION SCHEDULE AND RE-
14 QUIRED REPORTS AND BRIEFINGS.—The program estab-
15 lished under subsection (a) shall be carried out in two
16 phases as follows:

17 (1) PHASE 1.—

18 (A) IN GENERAL.—Phase 1 shall consist of
19 an initial pilot program with one public-private
20 partnership, consistent with subsection (b), to
21 assess the feasibility and advisability of expand-
22 ing the scope of the program. The Under Sec-
23 retary shall begin implementation of phase 1
24 not later than 180 days after the date of the
25 enactment of this Act.

1 (B) IMPLEMENTATION SCHEDULE AND
2 FRAMEWORK.—Not later than 90 days after the
3 date of the enactment of this Act, the Secretary
4 shall submit an implementation plan to the con-
5 gressional defense committees on the design of
6 phase 1. The plan shall include—

7 (i) an overview of, and the activities
8 undertaken, to execute the public-private
9 partnership;

10 (ii) a description of the advanced ca-
11 pabilities and defense industrial base areas
12 under consideration for investment;

13 (iii) an overview of the operating
14 agreement described in subsection (b)(3);
15 and

16 (iv) implementation milestones and
17 metrics.

18 (C) REPORT AND BRIEFING REQUIRED.—
19 Not later than 27 months after the date of the
20 enactment of this Act, the Secretary shall pro-
21 vide to the congressional defense committees a
22 report and briefing on the implementation of
23 this section and the feasibility and advisability
24 of expanding the scope of the pilot program.

1 The report and briefing shall include, at min-
2 imum—

3 (i) an overview of program perform-
4 ance, and implementation and execution
5 milestones and outcomes;

6 (ii) an overview of progress in—

7 (I) achieving new products in
8 production aligned with Department
9 of Defense needs;

10 (II) scaling businesses aligned to
11 targeted industrial base and capability
12 areas;

13 (III) generating defense indus-
14 trial base job growth;

15 (IV) increasing supply chain re-
16 silience and capacity; and

17 (V) enhancing competition on ad-
18 vanced capability programs;

19 (iii) an accounting of activities under-
20 taken and outline of the opportunities and
21 benefits of expanding the scope of the pilot
22 program; and

23 (iv) a recommendation by the Sec-
24 retary regarding the feasibility and desir-
25 ability of expanding the pilot program.

1 (2) PHASE 2.—

2 (A) IN GENERAL.—Not later than 30
3 months after the date of the enactment of this
4 Act, the Secretary may expand the scope of the
5 phase 1 pilot program with the ability to in-
6 crease to not more than three public-private
7 partnerships, consistent with subsection (b).

8 (B) REPORT AND BRIEFING REQUIRED.—
9 Not later than five years after the date of the
10 enactment of this Act, the Secretary shall pro-
11 vide to the congressional defense committees a
12 report and briefing on the outcomes of the pilot
13 program under subsection (a), including the ele-
14 ments described in paragraph (1)(C), and the
15 feasibility and advisability of making the pro-
16 gram permanent.

17 (f) TERMINATION.—The authority to enter into an
18 agreement to carry out the pilot program under subsection
19 (a) shall terminate on the date that is five years after the
20 date of the enactment of this Act.

21 (g) DEFINITIONS.—In this section:

22 (1) DOMESTIC BUSINESS.—The term “domestic
23 business” has the meaning given the term “U.S.
24 business” in section 800.252 of title 31, Code of
25 Federal Regulations, or successor regulation.

1 (2) DOMESTIC SMALL BUSINESSES OR NON-
2 TRADITIONAL BUSINESSES.—The term “domestic
3 small businesses or nontraditional businesses”
4 means—

5 (A) a small business that is a domestic
6 business; or

7 (B) a nontraditional business that is a do-
8 mestic business.

9 (3) NONTRADITIONAL BUSINESS.—The term
10 “nontraditional business” has the meaning given the
11 term “nontraditional defense contractor” in section
12 3014 of title 10, United States Code.

13 (4) SMALL BUSINESS.—The term “small busi-
14 ness” has the meaning given the term “small busi-
15 ness concern” in section 3 of the Small Business Act
16 (15 U.S.C. 632).

17 **SEC. 832. DEPARTMENT OF DEFENSE NOTIFICATION OF**
18 **CERTAIN TRANSACTIONS.**

19 (a) IN GENERAL.—The parties to a covered trans-
20 action required to file the notification and provide supple-
21 mentary information to the Department of Justice or the
22 Federal Trade Commission under section 7A of the Clay-
23 ton Act (15 U.S.C. 18a) shall concurrently provide such
24 information to the Department of Defense during the

1 waiting period under section 7A of the Clayton Act (15
2 U.S.C. 18a).

3 (b) DEFINITIONS.—In this section:

4 (1) COVERED TRANSACTION.—The term “cov-
5 ered transaction” means an actual or proposed
6 merger, acquisition, joint venture, strategic alliance,
7 or investment—

8 (A) for which the parties are required to
9 file a notification under section 7A of the Clay-
10 ton Act (15 U.S.C. 18a); and

11 (B) any party to which is, owns, or con-
12 trols a major defense supplier.

13 (2) MAJOR DEFENSE SUPPLIER.—The term
14 “major defense supplier” means—

15 (A) a current prime contractor of a major
16 defense acquisition program as defined in chap-
17 ter 201 of title 10, United States Code;

18 (B) a current prime contractor of a middle
19 tier acquisition as defined pursuant to section
20 804 of the National Defense Authorization Act
21 for Fiscal Year 2016 (Public Law 114–92; 129
22 Stat. 882);

23 (C) a current prime contractor of a soft-
24 ware acquisition program described under sec-
25 tion 800 of the National Defense Authorization

1 Act for Fiscal Year 2020 (Public Law 116–92;
2 133 Stat. 1478);

3 (D) a current prime contractor of a de-
4 fense business system as defined in section
5 2222 of title 10, United States Code; or

6 (E) a current prime contractor of a service
7 contract with the Department of Defense, as
8 defined in part 237 of the Defense Federal Ac-
9 quisition Regulation Supplement, above the
10 simplified acquisition threshold.

11 **SEC. 833. ANALYSES OF CERTAIN ACTIVITIES FOR ACTION**
12 **TO ADDRESS SOURCING AND INDUSTRIAL CA-**
13 **PACITY.**

14 (a) ANALYSIS REQUIRED.—

15 (1) IN GENERAL.—The Secretary of Defense,
16 acting through the Under Secretary of Defense for
17 Acquisition and Sustainment and other appropriate
18 officials, shall review the items under subsection (c)
19 to determine and develop appropriate actions, con-
20 sistent with the policies, programs, and activities re-
21 quired under subpart I of part V of subtitle A of
22 title 10, United States Code, chapter 83 of title 41,
23 United States Code, and the Defense Production Act
24 of 1950 (50 U.S.C. 4501 et seq.), including—

- 1 (A) restricting procurement, with appro-
2 priate waivers for cost, emergency require-
3 ments, and non-availability of suppliers, includ-
4 ing restricting procurement to—
- 5 (i) suppliers in the United States;
 - 6 (ii) suppliers in the national tech-
7 nology and industrial base (as defined in
8 section 4801 of title 10, United States
9 Code);
 - 10 (iii) suppliers in other allied nations;
- 11 or
- 12 (iv) other suppliers;
- 13 (B) increasing investment through use of
14 research and development or procurement ac-
15 tivities and acquisition authorities to—
- 16 (i) expand production capacity;
 - 17 (ii) diversify sources of supply; or
 - 18 (iii) promote alternative approaches
19 for addressing military requirements;
- 20 (C) prohibiting procurement from selected
21 sources or nations;
- 22 (D) taking a combination of actions de-
23 scribed under subparagraphs (A), (B), and (C);
- 24 or
- 25 (E) taking no action.

1 (2) CONSIDERATIONS.—The analyses conducted
2 pursuant to paragraph (1) shall consider national se-
3 curity, economic, and treaty implications, as well as
4 impacts on current and potential suppliers of goods
5 and services.

6 (b) REPORTING ON ANALYSES, RECOMMENDATIONS,
7 AND ACTIONS.—

8 (1) BRIEFING REQUIRED.—Not later than Jan-
9 uary 15, 2025, the Secretary of Defense shall sub-
10 mit to the congressional defense committees, in writ-
11 ing—

12 (A) a summary of the findings of the anal-
13 yses undertaken for each item pursuant to sub-
14 section (a);

15 (B) relevant recommendations resulting
16 from the analyses; and

17 (C) descriptions of specific activities under-
18 taken as a result of the analyses, including
19 schedule and resources allocated for any
20 planned actions.

21 (2) REPORTING.—The Secretary of Defense
22 shall include the analyses conducted under sub-
23 section (a), and any relevant recommendations and
24 descriptions of activities resulting from such anal-

1 yses, as appropriate, in each of the following during
2 the 2025 calendar year:

3 (A) The annual report or quarterly brief-
4 ings to Congress required under section 4814 of
5 title 10, United States Code.

6 (B) The annual report on unfunded prior-
7 ities of the national technology and industrial
8 base required under section 4815 of such title.

9 (C) Department of Defense technology and
10 industrial base policy guidance prescribed under
11 section 4811(e) of such title.

12 (D) Activities to modernize acquisition
13 processes to ensure the integrity of the indus-
14 trial base pursuant to section 4819 of such
15 title.

16 (E) Defense memoranda of understanding
17 and related agreements considered in accord-
18 ance with section 4851 of such title.

19 (F) Industrial base or acquisition policy
20 changes.

21 (G) Legislative proposals for changes to
22 relevant statutes which the Department shall
23 consider, develop, and submit to the Commit-
24 tees on Armed Services of the Senate and the

1 House of Representatives not less frequently
2 than once per fiscal year.

3 (H) Other actions as the Secretary of De-
4 fense determines appropriate.

5 (c) LIST OF GOODS AND SERVICES FOR ANALYSES,
6 RECOMMENDATIONS, AND ACTIONS.—The items described
7 in this subsection are the following:

8 (1) Traveling Wave Tubes and Traveling Wave
9 Tube Amplifiers.

10 **SEC. 834. PILOT PROGRAM ON CAPITAL ASSISTANCE TO**
11 **SUPPORT DEFENSE INVESTMENT IN THE IN-**
12 **DUSTRIAL BASE.**

13 (a) IN GENERAL.—The Secretary of Defense may
14 carry out a pilot program under this section to use capital
15 assistance to support the duties and elements of sections
16 901 and 907.

17 (b) ELIGIBILITY AND APPLICATION PROCESS.—

18 (1) IN GENERAL.—An eligible entity seeking
19 capital assistance for an eligible investment under
20 this section shall submit to the Secretary of Defense
21 an application at such time, in such manner, and
22 containing such information as the Secretary may
23 require.

24 (2) SELECTION OF INVESTMENTS.—The Sec-
25 retary shall establish criteria for selecting among eli-

1 gible investments for which applications are sub-
2 mitted under subsection (c)(2). The criteria shall in-
3 clude—

4 (A) the extent to which an investment sup-
5 ports the national security of the United States;

6 (B) the likelihood that capital assistance
7 provided for an investment would enable the in-
8 vestment to proceed sooner than the investment
9 would otherwise be able to proceed; and

10 (C) the creditworthiness of an investment.

11 (c) CAPITAL ASSISTANCE.—

12 (1) LOANS AND LOAN GUARANTEES.—

13 (A) IN GENERAL.—The Secretary may
14 provide loans or loan guarantees to finance or
15 refinance the costs of an eligible investment se-
16 lected pursuant to subsection (b)(2).

17 (B) ADMINISTRATION OF LOANS.—

18 (i) INTEREST RATE.—

19 (I) IN GENERAL.—Except as pro-
20 vided under subclause (II), the inter-
21 est rate on a loan provided under sub-
22 paragraph (A) shall be not less than
23 the yield on marketable United States
24 Treasury securities of a similar matu-
25 rity to the maturity of the loan on the

1 date of execution of the loan agree-
2 ment.

3 (II) EXCEPTION.—The Secretary
4 may waive the requirement under sub-
5 clause (I) with respect to an invest-
6 ment if the investment is determined
7 by the Secretary of Defense to be vital
8 to the national security of the United
9 States.

10 (III) CRITERIA.—The Secretary
11 shall establish separate and distinct
12 criteria for interest rates for loan
13 guarantees with private sector lending
14 institutions.

15 (ii) FINAL MATURITY DATE.—The
16 final maturity date of a loan provided
17 under subparagraph (A) shall be not later
18 than 50 years after the date of substantial
19 completion of the investment for which the
20 loan was provided.

21 (iii) PREPAYMENT.—A loan provided
22 under subparagraph (A) may be paid ear-
23 lier than is provided for under the loan
24 agreement without a penalty.

25 (iv) NONSUBORDINATION.—

1 (I) IN GENERAL.—A loan pro-
2 vided under subparagraph (A) shall
3 not be subordinated to the claims of
4 any holder of investment obligations
5 in the event of bankruptcy, insolvency,
6 or liquidation of the obligor.

7 (II) EXCEPTION.—The Secretary
8 may waive the requirement under sub-
9 clause (I) with respect to the invest-
10 ment in order to mitigate risks to loan
11 repayment.

12 (v) SALE OF LOANS.—The Secretary
13 may sell to another entity or reoffer into
14 the capital markets a loan provided under
15 subparagraph (A) if the Secretary deter-
16 mines that the sale or reoffering can be
17 made on favorable terms.

18 (vi) LOAN GUARANTEES.—Any loan
19 guarantee provided under subparagraph
20 (A) shall specify the percentage of the
21 principal amount guaranteed. If the Sec-
22 retary determines that the holder of a loan
23 guaranteed by the Department of Defense
24 defaults on the loan, the Secretary shall

1 pay the holder as specified in the loan
2 guarantee agreement.

3 (vii) INVESTMENT-GRADE RATING.—

4 The Secretary shall establish a credit rat-
5 ing system to ensure a reasonable reassur-
6 ance of repayment. The system may in-
7 clude use of existing credit rating agencies
8 where appropriate.

9 (viii) TERMS AND CONDITIONS.—

10 Loans and loan guarantees provided under
11 subparagraph (A) shall be subject to such
12 other terms and conditions and contain
13 such other covenants, representations, war-
14 ranties, and requirements (including re-
15 quirements for audits) as the Secretary de-
16 termines appropriate.

17 (ix) APPLICABILITY OF FEDERAL

18 CREDIT REFORM ACT OF 1990.—Loans and
19 loan guarantees provided under subpara-
20 graph (A) shall be subject to the require-
21 ments of the Federal Credit Reform Act of
22 1990 (2 U.S.C. 661 et seq.).

23 (2) EQUITY INVESTMENTS.—

24 (A) IN GENERAL.—The Secretary may, as
25 a minority investor, support an eligible invest-

1 ment selected pursuant to subsection (b)(2)
2 with funds or use other mechanisms for the
3 purpose of purchasing, and may make and fund
4 commitments to purchase, invest in, make
5 pledges in respect of, or otherwise acquire, eq-
6 uity or quasi-equity securities (such as war-
7 rants), or shares or financial interests of the el-
8 igible entity receiving support for the eligible in-
9 vestment, including as a limited partner or
10 other investor in investment funds, upon such
11 terms and conditions as the Secretary may de-
12 termine.

13 (B) SALES AND LIQUIDATION OF POSI-
14 TION.—The Secretary shall seek to sell and liq-
15 uidate any support for an investment provided
16 under subparagraph (A) as soon as commer-
17 cially feasible, commensurate with other similar
18 investors in the investment and taking into con-
19 sideration the national security interests of the
20 United States.

21 (3) TECHNICAL ASSISTANCE.—Subjection to
22 Appropriations acts, the Secretary may provide tech-
23 nical assistance with respect to developing and fi-
24 nancing investments to eligible entities seeking cap-
25 ital assistance for eligible investments and eligible

1 entities receiving capital assistance under this sec-
2 tion.

3 (4) TERMS AND CONDITIONS.—

4 (A) AMOUNT OF CAPITAL ASSISTANCE.—

5 The Secretary shall provide to an eligible in-
6 vestment selected pursuant to subsection (b)(2)
7 the amount of assistance necessary to carry out
8 the investment.

9 (B) USE OF UNITED STATES DOLLARS.—

10 All financial transactions conducted under this
11 section shall be conducted in United States dol-
12 lars.

13 (d) ESTABLISHMENT OF ACCOUNTS.—

14 (1) CREDIT PROGRAM ACCOUNT.—

15 (A) ESTABLISHMENT.—There is estab-
16 lished in the Treasury of the United States a
17 Department of Defense Credit Program Ac-
18 count to execute loans and loan guarantees in
19 accordance with section 502 of the Federal
20 Credit Reform Act of 1990 (2 U.S.C. 661a).

21 (B) FUNDING.—The Credit Program Ac-
22 count shall consist of amounts appropriated
23 pursuant to the authorization of appropriations
24 and fees collected pursuant to subparagraph
25 (C).

1 (C) FEE AUTHORITY.—The Secretary may
2 charge and collect fees for providing capital as-
3 sistance in amounts to be determined by the
4 Secretary. The Secretary shall establish the
5 amount of such fees in regulations at an
6 amount sufficient to cover but not exceed the
7 administrative costs to the Office of providing
8 capital assistance.

9 (2) EQUITY ACCOUNT.—

10 (A) ESTABLISHMENT.—There is estab-
11 lished in the Treasury of the United States a
12 Department of Defense Strategic Capital Eq-
13 uity Account.

14 (B) FUNDING.—The Strategic Capital Eq-
15 uity Account shall consist of all amounts appro-
16 priated pursuant to the authorization of appro-
17 priations.

18 (3) USE OF FUNDS.—Subject to appropriations
19 Acts, the Secretary is authorized to pay, from the
20 Department of Defense Credit Program Account or
21 the Department of Defense Strategic Capital Equity
22 Account—

23 (A) the cost, as defined in section 502 of
24 the Federal Credit Reform Act of 1990 (2

1 U.S.C. 661a), of loans and loan guarantees and
2 other capital assistance;

3 (B) administrative expenses associated
4 with activities under this section;

5 (C) project-specific transaction costs;

6 (D) the cost of providing support author-
7 ized by this section; and

8 (E) the costs of equity investments.

9 (e) REGULATIONS.—The Secretary of Defense shall
10 prescribe such regulations as are necessary to carry out
11 this section. The Secretary may not exercise the authori-
12 ties available under this section until such time as these
13 regulations have been issued and adopted by the Depart-
14 ment.

15 (f) ANNUAL REPORT.—Not later than the first Mon-
16 day in February of a fiscal year, the Secretary of Defense
17 shall submit to the congressional defense committees an
18 annual report describing activities carried out pursuant to
19 this section in the preceding fiscal year and the goals of
20 the Department of Defense in accordance with this section
21 for the next fiscal year.

22 (g) NOTIFICATION REQUIREMENT.—The Secretary
23 of Defense shall notify the congressional defense commit-
24 tees not later than 30 days after a use of loans, loan guar-

1 antees, equity investments, insurance, or reinsurance
2 under this section.

3 (h) SUNSET.—The authorities provided under this
4 section shall expire on October 1, 2028.

5 (i) DEFINITIONS.—In this section:

6 (1) CAPITAL ASSISTANCE.—The term “capital
7 assistance” means loans, loan guarantees, equity in-
8 vestments, insurance and reinsurance, or technical
9 assistance provided under subsection (c).

10 (2) ELIGIBLE ENTITY.—The term “eligible enti-
11 ty” means—

12 (A) an individual;

13 (B) a corporation, including a limited li-
14 ability corporation;

15 (C) a partnership, including a public-pri-
16 vate, limited, or general partnership;

17 (D) a joint venture, including a strategic
18 alliance;

19 (E) a trust;

20 (F) a State of the United States, including
21 a political subdivision or any other instrumen-
22 tality of a State;

23 (G) a Tribal government or consortium of
24 Tribal governments;

1 (H) any other governmental entity or pub-
2 lic agency in the United States, including a spe-
3 cial purpose district or public authority, includ-
4 ing a port authority; or

5 (I) a multi-State or multi-jurisdictional
6 group of public entities within the United
7 States.

8 (3) ELIGIBLE INVESTMENT.—The term “eligi-
9 ble investment” means an investment that facilitates
10 the efforts of the Office—

11 (A) to identify, accelerate, and sustain the
12 establishment, research, development, construc-
13 tion, procurement, leasing, consolidation, alter-
14 ation, improvement, or repair of tangible and
15 intangible assets vital to national security; or

16 (B) to protect vital tangible and intangible
17 assets from theft, acquisition, and transfer by
18 adversaries of the United States.

19 (4) OBLIGOR.—The term “obligor” means a
20 party that is primarily liable for payment of the
21 principal of or interest on a loan.

1 **SEC. 835. REQUIREMENT TO BUY CERTAIN SATELLITE COM-**
2 **PONENTS FROM NATIONAL TECHNOLOGY**
3 **AND INDUSTRIAL BASE.**

4 (a) **IN GENERAL.**—Section 4864(a) of title 10,
5 United States Code, is amended by adding at the end the
6 following new paragraph:

7 “(6) **TRAVELING-WAVE TUBE AND TRAVELING**
8 **WAVE TUBE AMPLIFIERS.**—A traveling-wave tube
9 and traveling wave tube amplifier, that meets estab-
10 lished technical and reliability requirements, used in
11 a satellite weighing more than 400 pounds whose
12 principle purpose is to support the national security,
13 defense, or intelligence needs of the United States
14 Government.”.

15 (b) **EXCEPTION.**—Paragraph (6) of section 4864(a)
16 of title 10, United States Code, as added by subsection
17 (a), shall not apply with respect to programs that received
18 Milestone A approval (as defined in section 2431a of such
19 title) before October 1, 2022.

20 (c) **CLARIFICATION OF DELEGATION AUTHORITY.**—
21 Subject to subsection (i) of section 4864 of title 10, United
22 States Code, the Secretary of Defense may delegate to a
23 service acquisition executive the authority to make a waiv-
24 er under subsection (d) of such section with respect to the
25 limitation under subsection (a)(6) of such section, as
26 added by subsection (a) of this section.

1 **SEC. 836. SENSE OF CONGRESS RELATING TO RUBBER SUP-**
2 **PLY.**

3 It is the sense of Congress that—

4 (1) the Department of Defense should take all
5 appropriate action to lessen the dependence of the
6 Armed Forces on adversarial nations for the pro-
7 curement of strategic and critical materials, and
8 that one such material in short supply according to
9 the most recent report from Defense Logistics Agen-
10 cy Strategic Material is natural rubber, undermining
11 our national security and jeopardizing the military's
12 ability to rely on a stable source of natural rubber
13 for tire manufacturing and production of other
14 goods; and

15 (2) the Secretary of Defense should take all ap-
16 propriate action, pursuant with the authority pro-
17 vided by the Strategic and Critical Materials Stock
18 Piling Act (50 U.S.C. 98a et seq.) to engage in ac-
19 tivities that may include stockpiling, but shall also
20 include research and development aspects for in-
21 creasing the domestic supply of natural rubber.

22 **Subtitle D—Small Business Matters**

23 **SEC. 841. AMENDMENTS TO DEFENSE RESEARCH AND DE-**
24 **VELOPMENT RAPID INNOVATION PROGRAM.**

25 Section 4061 of title 10, United States Code, is
26 amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1)—

3 (i) by inserting “to enable and assist
4 small businesses” after “merit-based pro-
5 gram”;

6 (ii) by striking “fielding of tech-
7 nologies” and inserting “commercialization
8 of various technologies, including critical
9 technologies”; and

10 (iii) by inserting “capabilities devel-
11 oped through competitively awarded proto-
12 type agreements” after “defense labora-
13 tories,”; and

14 (B) in paragraph (2), by inserting “sup-
15 port full-scale integration,” after “evaluation
16 outcomes,”;

17 (2) in subsection (b)—

18 (A) in paragraph (1), by inserting “pri-
19 marily major defense acquisition programs, but
20 also other” after “candidate proposals in sup-
21 port of”; and

22 (B) in paragraph (2), by striking “by each
23 military department” and inserting “by each
24 component small business office of each military
25 department”; and

1 ment of Defense contracts, the past performance evalua-
2 tion and source selection processes shall consider, if rel-
3 evant, the past performance information of affiliate com-
4 panies of the small business concerns.

5 **SEC. 844. TIMELY PAYMENTS FOR DEPARTMENT OF DE-**
6 **ENSE SMALL BUSINESS SUBCONTRACTORS.**

7 (a) REDUCTION IN TIME FOR CONTRACTOR EXPLA-
8 NATION AND PAST PERFORMANCE CONSIDERATION OF
9 UNJUSTIFIED WITHHOLDING OF PAYMENTS TO DEPART-
10 MENT OF DEFENSE SMALL BUSINESS SUBCONTRAC-
11 TORS.—Section 8(d)(13)(B)(i) of the Small Business Act
12 (15 U.S.C. 637(d)(13)(B)(i)) is amended by inserting “,
13 or, for a covered contract awarded by the Department of
14 Defense, more than 30 days past due,” after “90 days
15 past due”.

16 (b) CLARIFICATION THAT CONTRACTING OFFICERS
17 OF THE DEPARTMENT OF DEFENSE ARE AUTHORIZED TO
18 ENTER OR MODIFY PAST PERFORMANCE INFORMATION
19 RELATED TO UNJUSTIFIED NON-PAYMENT OR REDUCED
20 PAYMENT BEFORE OR AFTER CONTRACT CLOSE-OUT.—
21 Section 8(d)(13)(C) of the Small Business Act (15 U.S.C.
22 637(d)(13)(C)) is amended—

23 (1) by striking “A contracting officer” and in-
24 serting the following:

1 “(i) IN GENERAL.—A contracting offi-
2 cer”;

3 (2) by adding at the end the following:

4 “(ii) PAST PERFORMANCE INFORMA-
5 TION FOR DOD CONTRACTS.—The con-
6 tracting officer for a covered contract
7 awarded by the Department of Defense
8 may enter or modify past performance in-
9 formation of the prime contractor in con-
10 nection with the unjustified failure to make
11 a full or timely payment to a subcontractor
12 before or after close-out of the covered con-
13 tract.”.

14 (c) DUTY OF COOPERATION TO CORRECT AND MITI-
15 GATE UNJUSTIFIED FAILURE BY DEPARTMENT OF DE-
16 FENSE PRIME CONTRACTORS TO MAKE FULL OR TIMELY
17 PAYMENTS TO SUBCONTRACTORS.—Section 8(d)(13) of
18 the Small Business Act (15 U.S.C. 637(d)(13)) is amend-
19 ed—

20 (1) by redesignating subparagraph (E) as sub-
21 paragraph (F);

22 (2) by inserting after subparagraph (D) the fol-
23 lowing:

24 “(E) COOPERATION ON DOD CON-
25 TRACTS.—

1 “(i) IN GENERAL.—If a contracting
2 officer of the Department of Defense de-
3 termines, with respect to a prime contrac-
4 tor’s past performance, that there was an
5 unjustified failure by the prime contractor
6 on a covered contract awarded by the De-
7 partment of Defense to make a full or
8 timely payment to a subcontractor covered
9 by subparagraph (B) or (C), such prime
10 contractor is required to cooperate with the
11 contracting officer, who shall consult with
12 the Director of Small Business Programs
13 or Director of Small and Disadvantaged
14 Business Utilization acting pursuant to
15 section 15(k)(6) and other representatives
16 of the Department of Defense, with re-
17 gards to correcting and mitigating such
18 unjustified failure to make a full or timely
19 payment to the subcontractor.

20 “(ii) PERIOD.—The duty of coopera-
21 tion under this subparagraph continues
22 until the subcontractor is made whole or
23 the contracting officer’s determination is
24 no longer effective, and regardless of per-

1 formance or close-out status of the covered
2 contract.”; and

3 (3) in subparagraph (D), by striking “subpara-
4 graph (E)” and inserting “subparagraph (F)”.

5 (d) APPLICABILITY.—The amendments made by this
6 section shall apply to any covered contract (as defined in
7 section 8(d)(13)(A) of the Small Business Act (15 U.S.C.
8 637(d)(13)(A)) that is entered into or modified by the De-
9 partment of Defense on or after the date of enactment
10 of this Act.

11 **SEC. 845. EXTENSION OF PILOT PROGRAM FOR STREAM-**
12 **LINED TECHNOLOGY TRANSITION FROM THE**
13 **SBIR AND STTR PROGRAMS OF THE DEPART-**
14 **MENT OF DEFENSE.**

15 Section 1710(e) of the National Defense Authoriza-
16 tion Act for Fiscal Year 2018 (Public Law 115–91) is
17 amended by striking “September 30, 2023” and inserting
18 “September 30, 2028”.

19 **SEC. 846. ANNUAL REPORTS REGARDING THE SBIR PRO-**
20 **GRAM OF THE DEPARTMENT OF DEFENSE.**

21 Section 279(a) of the William M. (Mac) Thornberry
22 National Defense Authorization Act for Fiscal Year 2021
23 (Public Law 116–283; 134 Stat. 3507) is amended by
24 striking “each fiscal years 2021, 2022, and 2023” and
25 replacing with “each fiscal year through fiscal year 2028”.

1 **SEC. 847. MODIFICATIONS TO THE PROCUREMENT TECH-**
2 **NICAL ASSISTANCE PROGRAM.**

3 (a) DEFINITIONS.—Section 4951 of title 10, United
4 States Code, is amended—

5 (1) in paragraph (1)(C), by striking “private,
6 nonprofit organization” and inserting “nonprofit or-
7 ganization”; and

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

10 “(5) The term ‘business entity’ means a cor-
11 poration, association, partnership, limited liability
12 company, limited liability partnership, consortia,
13 not-for-profit, or other legal entity.”.

14 (b) COOPERATIVE AGREEMENTS.—Section 4954 of
15 title 10, United States Code, is amended—

16 (1) in subsection (b)—

17 (A) by redesignating paragraphs (1) and
18 (2) as subparagraphs (A) and (B);

19 (B) by inserting “(1)” before “Under”;
20 and

21 (C) by adding at the end the following new
22 paragraph:

23 “(2) The Secretary shall have the ability to waive or
24 modify the percentages specified in paragraph (1), on a
25 case-by-case basis, if the Secretary determines that it
26 would be in the best interest of the program.”;

1 (2) by striking subsection (c) and redesignating
2 subsections (d), (e), and (f) as subsections (e), (f),
3 and (h); and

4 (3) by inserting after subsection (f), as redesign-
5 ated by paragraph (2), the following new sub-
6 section:

7 “(g) WAIVER OF GOVERNMENT COST SHARE RE-
8 STRICTION.—If the Secretary of Defense determines it to
9 be in the best interests of the Federal Government, the
10 Secretary may waive the restrictions on the percentage of
11 eligible costs covered by the program under section (b).
12 The Secretary shall submit to the congressional defense
13 committees a written justification for such determina-
14 tion.”.

15 (c) AUTHORITY TO PROVIDE CERTAIN TYPES OF
16 TECHNICAL ASSISTANCE.—Section 4958(c) of title 10,
17 United States Code, is amended—

18 (1) in paragraph (1), by striking “; and” and
19 inserting a semicolon;

20 (2) in paragraph (2), by striking the period at
21 the end and inserting “; and”; and

22 (3) by adding at the end the following new
23 paragraphs:

24 “(3) under clause 252.204–7012 of the Defense
25 Acquisition Regulation Supplement, or any successor

1 regulation, and on compliance with those require-
2 ments (and any successor requirements); and

3 “(4) under section 847 of the National Defense
4 Authorization Act for Fiscal Year 2020 (Public Law
5 116–92; 133 Stat. 1505), and on compliance with
6 those requirements (and any such successor require-
7 ments).”.

8 **SEC. 848. EXTENSION OF PILOT PROGRAM TO INCENTIVIZE**
9 **CONTRACTING WITH EMPLOYEE-OWNED**
10 **BUSINESSES.**

11 Section 874 of the National Defense Authorization
12 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
13 3204 note) is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (1), by inserting “and
16 prescribe regulations” after “establish a pilot
17 program”; and

18 (B) in paragraph (3), by striking “A quali-
19 fied” and inserting “Each contract held by a
20 qualified”;

21 (2) in subsection (c)(2), by striking “expended
22 on subcontracts, subject to such necessary and rea-
23 sonable waivers” and inserting the following: “ex-
24 pended on subcontracts, except—

1 “(A) to the extent subcontracted amounts
2 exceeding 50 percent are subcontracted to other
3 qualified businesses wholly-owned through an
4 Employee Stock Ownership Plan;

5 “(B) in the case of contracts for products,
6 to the extent subcontracted amounts exceeding
7 50 percent are for materials not available from
8 another qualified business wholly-owned
9 through an Employee Stock Ownership Plan; or

10 “(C) pursuant to such necessary and rea-
11 sonable waivers”; and

12 (3) in subsection (e), by striking “five years
13 after” and inserting “eight years after”.

14 **SEC. 849. ELIMINATING SELF-CERTIFICATION FOR SERV-**
15 **ICE-DISABLED VETERAN-OWNED SMALL BUSI-**
16 **NESSES.**

17 (a) DEFINITIONS.—In this section:

18 (1) ADMINISTRATOR.—The term “Adminis-
19 trator” means the Administrator of the Small Busi-
20 ness Administration.

21 (2) SMALL BUSINESS CONCERN; SMALL BUSI-
22 NESS CONCERNS OWNED AND CONTROLLED BY
23 SERVICE-DISABLED VETERANS.—The terms “small
24 business concern” and “small business concerns
25 owned and controlled by service-disabled veterans”

1 have the meanings given those terms in section 3 of
2 the Small Business Act (15 U.S.C. 632).

3 (b) ELIMINATING SELF-CERTIFICATION IN PRIME
4 CONTRACTING AND SUBCONTRACTING FOR SDVOSBs.—

5 (1) IN GENERAL.—Each prime contract award
6 and subcontract award that is counted for the pur-
7 pose of meeting the goals for participation by small
8 business concerns owned and controlled by service-
9 disabled veterans in procurement contracts for Fed-
10 eral agencies, as established in section 15(g)(2) of
11 the Small Business Act (15 U.S.C. 644(g)(2)), shall
12 be entered into with small business concerns cer-
13 tified by the Administrator as small business con-
14 cerns owned and controlled by service-disabled vet-
15 erans under section 36 of such Act (15 U.S.C.
16 657f).

17 (2) EFFECTIVE DATE.—Paragraph (1) shall
18 take effect on October 1 of the fiscal year beginning
19 after the Administrator promulgates the regulations
20 required under subsection (d).

21 (c) PHASED APPROACH TO ELIMINATING SELF-CER-
22 TIFICATION FOR SDVOSBs.—Notwithstanding any other
23 provision of law, any small business concern that self-cer-
24 tified as a small business concern owned and controlled
25 by service-disabled veterans may—

1 (1) if the small business concern files a certifi-
2 cation application with the Administrator before the
3 end of the 1-year period beginning on the date of en-
4 actment of this Act, maintain such self-certification
5 until the Administrator makes a determination with
6 respect to such certification; and

7 (2) if the small business concern does not file
8 a certification application before the end of the 1-
9 year period beginning on the date of enactment of
10 this Act, lose, at the end of such 1-year period, any
11 self-certification of the small business concern as a
12 small business concern owned and controlled by serv-
13 ice-disabled veterans.

14 (d) RULEMAKING.—Not later than 180 days after the
15 date of enactment of this Act, the Administrator shall pro-
16 mulgate regulations to carry out this section.

17 **SEC. 850. PAYMENT OF SUBCONTRACTORS.**

18 Section 8(d)(13) of the Small Business Act (15
19 U.S.C. 637(d)(13)) is amended—

20 (1) in subparagraph (B)(i), by striking “90
21 days” and inserting “30 days”;

22 (2) in subparagraph (C)—

23 (A) by striking “contractor shall” and in-
24 serting “contractor—

25 “(i) shall”;

1 (B) in clause (i), as so designated, by
2 striking the period at the end and inserting “;
3 and”; and

4 (C) by adding at the end the following:

5 “(i) may enter or modify past per-
6 formance information of the prime con-
7 tractor in connection with the unjustified
8 failure to make a full or timely payment to
9 a subcontractor subject to this paragraph
10 before or after close-out of the covered con-
11 tract.”.

12 (3) in subparagraph (D), by striking “subpara-
13 graph (E)” and inserting “subparagraph (F)”;

14 (4) by redesignating subparagraph (E) as sub-
15 paragraph (F); and

16 (5) by inserting after subparagraph (D) the fol-
17 lowing”:

18 “(E) COOPERATION.—

19 “(i) IN GENERAL.—Once a con-
20 tracting officer determines, with respect to
21 the past performance of a prime con-
22 tractor, that there was an unjustified fail-
23 ure by the prime contractor on a covered
24 contract to make a full or timely payment
25 to a subcontractor covered by subpara-

1 graph (B) or (C), the prime contractor is
2 required to cooperate with the contracting
3 officer, who shall consult with the Director
4 of Small Business Programs or the Direc-
5 tor of Small and Disadvantaged Business
6 Utilization acting pursuant to section
7 15(k)(6) and other representatives of the
8 Government, regarding correcting and
9 mitigating the unjustified failure to make a
10 full or timely payment to a subcontractor.

11 “(ii) DURATION.—The duty of co-
12 operation under this subparagraph for a
13 prime contractor described in clause (i)
14 continues until the subcontractor is made
15 whole or the determination of the con-
16 tracting officer determination is no longer
17 effective, and regardless of performance or
18 close-out status of the covered contract.”.

1 **SEC. 851. INCREASE IN GOVERNMENTWIDE GOAL FOR PAR-**
2 **TICIPATION IN FEDERAL CONTRACTS BY**
3 **SMALL BUSINESS CONCERNS OWNED AND**
4 **CONTROLLED BY SERVICE-DISABLED VET-**
5 **ERANS.**

6 Section 15(g)(1)(A)(ii) of the Small Business Act (15
7 U.S.C. 644(g)(1)(A)(ii)) is amended by striking “3 per-
8 cent” and inserting “5 percent”.

9 **SEC. 852. AMENDMENTS TO CONTRACTING AUTHORITY FOR**
10 **CERTAIN SMALL BUSINESS CONCERNS.**

11 (a) **SOCIALLY AND ECONOMICALLY DISADVANTAGED**
12 **SMALL BUSINESS CONCERNS.**—Section 8(a)(1)(D)(i)(II)
13 of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)(II))
14 is amended—

15 (1) by inserting “(or \$10,000,000, in the case
16 of a Department of Defense contract, as adjusted
17 for inflation by the Federal Acquisition Regulatory
18 Council under section 1.109 of the Federal Acquisi-
19 tion Regulation)” after “\$7,000,000”; and

20 (2) by inserting “(or \$8,000,000, in the case of
21 a Department of Defense contract, as adjusted for
22 inflation by the Federal Acquisition Regulatory
23 Council under section 1.109 of the Federal Acquisi-
24 tion Regulation)” after “\$3,000,000”.

1 (b) CERTAIN SMALL BUSINESS CONCERNS OWNED
2 AND CONTROLLED BY WOMEN.—Section 8(m) of the
3 Small Business Act (15 U.S.C.637(m)) is amended—

4 (1) in paragraph (7)(B)—

5 (A) in clause (i), by inserting “(or
6 \$10,000,000, in the case of a Department of
7 Defense contract, as adjusted for inflation by
8 the Federal Acquisition Regulatory Council
9 under section 1.109 of the Federal Acquisition
10 Regulation)” after “\$7,000,000”; and

11 (B) in clause (ii), by inserting “(or
12 \$8,000,000, in the case of a Department of De-
13 fense contract, as adjusted for inflation by the
14 Federal Acquisition Regulatory Council under
15 section 1.109 of the Federal Acquisition Regu-
16 lation)” after “\$4,000,000”; and

17 (2) in paragraph (8)(B)—

18 (A) in clause (i), by inserting “(or
19 \$10,000,000, in the case of a Department of
20 Defense contract, as adjusted for inflation by
21 the Federal Acquisition Regulatory Council
22 under section 1.109 of the Federal Acquisition
23 Regulation)” after “\$7,000,000”; and

24 (B) in clause (ii), by inserting “(or
25 \$8,000,000, in the case of a Department of De-

1 fense contract, as adjusted for inflation by the
2 Federal Acquisition Regulatory Council under
3 section 1.109 of the Federal Acquisition Regu-
4 lation)” after “\$4,000,000”.

5 (c) QUALIFIED HUBZONE SMALL BUSINESS CON-
6 CERNS.—Section 31(c)(2)(A)(ii) of the Small Business
7 Act (15 U.S.C. 657a(c)(2)(A)(ii)) is amended—

8 (1) in subclause (I), by inserting “(or
9 \$10,000,000, in the case of a Department of De-
10 fense contract, as adjusted for inflation by the Fed-
11 eral Acquisition Regulatory Council under section
12 1.109 of the Federal Acquisition Regulation)” after
13 “\$7,000,000”; and

14 (2) in subclause (II), by inserting “(or
15 \$8,000,000, in the case of a Department of Defense
16 contract, as adjusted for inflation by the Federal Ac-
17 quisition Regulatory Council under section 1.109 of
18 the Federal Acquisition Regulation)” after
19 “\$3,000,000”.

20 (d) SMALL BUSINESS CONCERNS OWNED AND CON-
21 TROLLED BY SERVICE-DISABLED VETERANS.—Section
22 36(c)(2) of the Small Business Act (15 U.S.C. 657f(c)(2))
23 is amended—

24 (1) in subparagraph (A), by inserting “(or
25 \$10,000,000, in the case of a Department of De-

1 fense contract, as adjusted for inflation by the Fed-
 2 eral Acquisition Regulatory Council under section
 3 1.109 of the Federal Acquisition Regulation)” after
 4 “\$7,000,000”; and

5 (2) in subparagraph (B), by inserting “(or
 6 \$8,000,000, in the case of a Department of Defense
 7 contract, as adjusted for inflation by the Federal Ac-
 8 quisition Regulatory Council under section 1.109 of
 9 the Federal Acquisition Regulation)” after
 10 “\$3,000,000”.

11 (e) CERTAIN VETERAN-OWNED CONCERNS.—Section
 12 8127(c) of title 38, United States Code, is amended by
 13 striking “\$5,000,000” and inserting “the dollar thresholds
 14 under section 36(c)(2) of the Small Business Act (15
 15 U.S.C. 657f(c)(2))”.

16 **Subtitle E—Other Matters**

17 **SEC. 861. LIMITATION ON THE AVAILABILITY OF FUNDS** 18 **PENDING A PLAN FOR IMPLEMENTING THE** 19 **REPLACEMENT FOR THE SELECTED ACQUISI-** 20 **TION REPORTING SYSTEM.**

21 Of the funds authorized to be appropriated by this
 22 Act for Operation and Maintenance, Defense-Wide, for
 23 travel for the Office of the Under Secretary of Defense
 24 for Acquisition and Sustainment, not more than 85 per-
 25 cent may be obligated or expended until the Secretary of

1 Defense submits to the congressional defense committees
2 a plan for implementing the replacement for the Selected
3 Acquisition Reporting system as required by section 809
4 of the James M. Inhofe National Defense Authorization
5 Act for Fiscal Year 2023 (Public Law 117–263), includ-
6 ing—

7 (1) a timeline and process for implementing the
8 requirements of such section 809;

9 (2) a timeline and process for implementing
10 quarterly reporting versus annually for the replace-
11 ment system, including identification of policy, pro-
12 cedural, or technical challenges to implementing that
13 reporting periodicity;

14 (3) a timeline and process for providing access
15 to the replacement reporting system to congressional
16 staff; and

17 (4) a timeline and process for providing access
18 to the replacement reporting system to the Govern-
19 ment Accountability Office, the public, and other rel-
20 evant stakeholders.

1 **SEC. 862. EXTENSION OF PILOT PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR WEAPONS**
2 **SYSTEMS CONTRACTORS.**
3

4 Section 883 of the National Defense Authorization
5 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.
6 4292 note prec.) is amended—

7 (1) in subsection (a), by striking “seven-year
8 pilot program” and inserting “eight-year pilot pro-
9 gram”; and

10 (2) in subsection (g), by striking “seven years”
11 and inserting “eight years”.

12 **SEC. 863. MODIFICATION OF EFFECTIVE DATE FOR EXPAN-**
13 **SION ON THE PROHIBITION ON ACQUIRING**
14 **CERTAIN METAL PRODUCTS.**

15 Section 844(b) of the William M. (Mac) Thornberry
16 National Defense Authorization Act for Fiscal Year 2021
17 (Public Law 116–283; 134 Stat. 3766) is amended by
18 striking “5 years” and inserting “6 years”.

19 **SEC. 864. FOREIGN SOURCES OF SPECIALTY METALS.**

20 Section 4863(d) of title 10, United States Code, is
21 amended—

22 (1) in paragraph (1), by redesignating subpara-
23 graphs (A) and (B) as clauses (i) and (ii), respec-
24 tively;

25 (2) by redesignating paragraphs (1) and (2) as
26 subparagraphs (A) and (B), respectively;

1 (3) by inserting “(1)” before “Subsection
2 (a)(1)”; and

3 (4) by adding at the end the following new
4 paragraph:

5 “(2) Any specialty metal procured as mill product or
6 incorporated into a component other than an end item
7 pursuant to this subsection shall be melted or produced—

8 “(A) in the United States;

9 “(B) in the country from which the mill product
10 or component is procured; or

11 “(C) in another country covered under para-
12 graph (1)(A)(ii).”.

13 **SEC. 865. UNIVERSITY AFFILIATED RESEARCH CENTER**
14 **FOR CRITICAL MINERALS.**

15 (a) **PLAN TO ESTABLISH A UNIVERSITY AFFILIATED**
16 **RESEARCH CENTER FOR CRITICAL MINERALS.—**

17 (1) **IN GENERAL.—**The Secretary of Defense, in
18 consultation with the Under Secretary of Defense
19 for Research and Engineering, shall develop a plan
20 to establish a new University Affiliated Research
21 Center (UARC), or to expand a current relevant
22 UARC or consortia of universities, for the purposes
23 of contributing to the capacity of the Department to
24 conduct research, development, engineering or work-
25 force expansion related to critical minerals for na-

1 tional security needs. The plan should focus on insti-
2 tutional capacity at a mining school or schools with
3 expertise in engineering, applied research, commer-
4 cial and workforce development activities related to
5 critical minerals.

6 (2) ELEMENTS.—The plan required by para-
7 graph (1) shall include the following:

8 (A) An assessment of the engineering, ap-
9 plied research, commercialization, and work-
10 force development capabilities relating to crit-
11 ical minerals of mining schools, including an as-
12 sessment of the workforce and physical research
13 infrastructure of such schools.

14 (B) An assessment of the ability of mining
15 schools—

16 (i) to participate in defense-related
17 engineering, applied research, commer-
18 cialization, and workforce development ac-
19 tivities relating to critical minerals;

20 (ii) to effectively compete for defense-
21 related engineering, applied research, com-
22 mercialization, and workforce development
23 contracts and grants; and

24 (iii) to support the mission of the
25 Under Secretary to extend the capabilities

1 of current war fighting systems, develop
2 breakthrough capabilities, hedge against an
3 uncertain future through a set of scientific
4 and engineering options, and counter stra-
5 tegic surprise.

6 (C) An assessment of the activities and in-
7 vestments necessary—

8 (i) to augment facilities or educational
9 programming at mining schools or a con-
10 sortium of mining schools—

11 (I) to support the mission of the
12 Under Secretary;

13 (II) to access, secure, and con-
14 duct research relating to sensitive or
15 classified information; and

16 (III) to respond quickly to
17 emerging engineering, applied re-
18 search, commercialization, and work-
19 force needs relating to critical min-
20 erals.

21 (ii) to increase the participation of
22 mining schools in defense-related engineer-
23 ing, applied research, commercialization,
24 and workforce development activities; and

1 (iii) to increase the ability of mining
2 schools to effectively compete for defense-
3 related engineering, applied research, com-
4 mercialization, and workforce development
5 contracts and grants.

6 (D) Recommendations identifying actions
7 that may be taken by the Secretary, the Under
8 Secretary, Congress, mining schools, and other
9 organizations to increase the participation of
10 mining schools in defense-related engineering,
11 applied research, commercialization, and work-
12 force development activities, contracts, and
13 grants.

14 (E) The specific goals, incentives, and
15 metrics developed by the Secretary under sub-
16 paragraph (D) to increase and measure the ca-
17 pacity of mining schools to address the engi-
18 neering, applied research, commercialization,
19 and workforce development needs of the De-
20 partment of Defense.

21 (3) CONSULTATIONS.—In developing the plan
22 required by paragraph (1), the Secretary and the
23 Under Secretary shall consult with such other public
24 and private sector organizations as the Secretary
25 and the Under Secretary determine appropriate.

1 (4) REPORT REQUIRED.—Not later than one
2 year after the date of the enactment of this Act, the
3 Secretary shall—

4 (A) submit to the congressional defense
5 committees a report that includes the plan de-
6 veloped under paragraph (1); and

7 (B) make the plan available on a publicly
8 accessible website of the Department of De-
9 fense.

10 (b) ACTIVITIES TO SUPPORT THE ENGINEERING, AP-
11 PLIED RESEARCH, COMMERCIALIZATION, AND WORK-
12 FORCE DEVELOPMENT CAPACITY OF MINING SCHOOLS.—

13 (1) IN GENERAL.—Subject to the availability of
14 appropriations, the Under Secretary may establish a
15 program to award contracts, grants, or other agree-
16 ments on a competitive basis, and to perform other
17 appropriate activities, for the purposes described in
18 paragraph (2).

19 (2) PURPOSES.—The purposes described in this
20 paragraph are the following:

21 (A) Developing the capability, including
22 workforce and research infrastructure, for min-
23 ing schools to more effectively compete for Fed-
24 eral engineering, applied research, commer-

1 cialization, and workforce development funding
2 opportunities.

3 (B) Improving the capability of mining
4 schools to recruit and retain research faculty,
5 and to participate in appropriate personnel ex-
6 change programs and educational and career
7 development activities.

8 (C) Any other purposes the Under Sec-
9 retary determines appropriate for enhancing the
10 defense-related engineering, applied research,
11 commercialization, and development capabilities
12 of mining schools.

13 (c) INCREASING PARTNERSHIPS FOR MINING
14 SCHOOLS WITH NATIONAL SECURITY RESEARCH AND
15 ENGINEERING ORGANIZATIONS.—

16 (1) IN GENERAL.—Chapter 305 of title 10,
17 United States Code, is amended by adding at the
18 end the following new section:

19 **“§ 4145. Research and educational programs and ac-**
20 **tivities: critical minerals**

21 “(a) PROGRAM ESTABLISHED.—

22 “(1) IN GENERAL.—The Secretary of Defense,
23 acting through the Under Secretary of Defense for
24 Research and Engineering and the Secretary of each
25 military department, shall carry out a program to

1 provide assistance to covered educational institutions
2 to assist the Department of Defense in defense-re-
3 lated critical minerals engineering, applied research,
4 commercialization, and workforce development ac-
5 tivities.

6 “(2) LIMITATION ON DELEGATION.—The Sec-
7 retary of Defense may not delegate or transfer to an
8 individual outside the Office of the Secretary of De-
9 fense the authority regarding the programming or
10 budgeting of the program established by this section
11 that is carried out by the Under Secretary of De-
12 fense for Research and Engineering.

13 “(b) PROGRAM OBJECTIVE.—The objective of the
14 program established by subsection (a)(1) is to enhance de-
15 fense-related critical minerals research and education at
16 covered educational institutions. Such objective shall be
17 accomplished through initiatives designed to—

18 “(1) enhance the critical minerals research and
19 educational capabilities of such institutions in areas
20 of importance to national defense, as determined by
21 the Secretary;

22 “(2) encourage the participation of such institu-
23 tions in the research, development, testing, and eval-
24 uation programs and activities of the Department of
25 Defense relating to critical minerals;

1 “(3) increase the number of graduates from
2 such institutions engaged in critical minerals-related
3 disciplines important to the national security func-
4 tions of the Department of Defense, as determined
5 by the Secretary; and

6 “(4) encourage research and educational col-
7 laborations between such institutions and other in-
8 stitutions of higher education, Government defense
9 organizations, and the defense industry relating to
10 critical minerals.

11 “(c) ASSISTANCE PROVIDED.—Under the program
12 established under subsection (a)(1), the Secretary of De-
13 fense may provide covered educational institutions with
14 funding or technical assistance, including any of the fol-
15 lowing:

16 “(1) Support for research, development, testing,
17 evaluation, or educational enhancements in areas im-
18 portant to national defense through the competitive
19 awarding of grants, cooperative agreements, con-
20 tracts, scholarships, fellowships, or the acquisition of
21 research equipment or instrumentation.

22 “(2) Support to assist in the attraction and re-
23 tention of faculty in scientific disciplines important
24 to the national security functions of the Department
25 of Defense.

1 “(3) Establishing partnerships between such in-
2 stitutions and defense laboratories, Government de-
3 fense organizations, the defense industry, and other
4 institutions of higher education in research, develop-
5 ment, testing, and evaluation in areas important to
6 the national security functions of the Department of
7 Defense.

8 “(4) Other such non-monetary assistance as the
9 Secretary finds appropriate to enhance defense-re-
10 lated research, development, testing, and evaluation
11 activities at such institutions.

12 “(d) INCENTIVES.—

13 “(1) IN GENERAL.—The Secretary of Defense
14 may develop incentives to encourage critical min-
15 erals-related research and educational collaborations
16 between covered educational institutions and other
17 institutions of higher education.

18 “(2) GOALS.—The Secretary of Defense shall
19 establish goals and incentives to encourage Federally
20 funded research and development centers, science
21 and technology reinvention laboratories, and Univer-
22 sity Affiliated Research Centers funded by the De-
23 partment of Defense—

24 “(A) to assess the capacity of covered edu-
25 cational institutions to address the critical min-

1 erals research and development needs of the
2 Department through partnerships and collabo-
3 rations; and

4 “(B) if appropriate, to enter into partner-
5 ships and collaborations with such institutions.

6 “(e) CRITERIA FOR FUNDING.—The Secretary of De-
7 fense may establish procedures under which the Secretary
8 may limit funding under this section to institutions that
9 have not otherwise received a significant amount of fund-
10 ing from the Department of Defense for research, develop-
11 ment, testing, and evaluation programs supporting the na-
12 tional security functions of the Department.

13 “(f) DEFINITION OF COVERED EDUCATIONAL INSTI-
14 TUTION.—

15 “(1) IN GENERAL.—In this section, the term
16 ‘covered educational institution’ means—

17 “(A) a mining, metallurgical, geological, or
18 mineral engineering program—

19 “(i) accredited by the Accreditation
20 Board for Engineering and Technology,
21 Inc.; and

22 “(ii) located at an institution of high-
23 er education; or

24 “(B) an institution of higher learning or
25 community college with a geology or engineer-

1 ing program or department that has experience
 2 in mining research or work with the mining in-
 3 dustry.

4 “(2) INSTITUTION OF HIGHER EDUCATION.—
 5 For purposes of paragraph (1), the term ‘institution
 6 of higher education’ has the meaning given that
 7 term in section 101 of the Higher Education Act of
 8 1965 (20 U.S.C. 1001).”.

9 (2) CLERICAL AMENDMENT.—The table of sec-
 10 tions at the beginning of chapter 305 of such title
 11 is amended by adding at the end the following new
 12 item:

“4145. Research and educational programs and activities: critical minerals.”.

13 (d) MINING SCHOOL DEFINED.—

14 (1) IN GENERAL.—In this section, the term
 15 “mining school” means—

16 (A) a mining, metallurgical, geological, or
 17 mineral engineering program—

18 (i) accredited by the Accreditation
 19 Board for Engineering and Technology,
 20 Inc.; and

21 (ii) located at an institution of higher
 22 education; or

23 (B) an institution of higher learning or
 24 community college with a geology or engineer-
 25 ing program or department that has experience

1 in mining research or work with the mining in-
2 dustry.

3 (2) INSTITUTION OF HIGHER EDUCATION.—For
4 purposes of paragraph (1), the term “institution of
5 higher education” has the meaning given that term
6 in section 101 of the Higher Education Act of 1965
7 (20 U.S.C. 1001).

8 **SEC. 866. ENHANCED DOMESTIC CONTENT REQUIREMENT**
9 **FOR NAVY SHIPBUILDING PROGRAMS.**

10 (a) ENHANCED DOMESTIC CONTENT REQUIRE-
11 MENT.—

12 (1) CONTRACTING REQUIREMENTS.—Except as
13 provided in paragraph (2), for purposes of chapter
14 83 of title 41, United States Code, manufactured ar-
15 ticles, materials, or supplies procured as part of a
16 Navy shipbuilding program are manufactured sub-
17 stantially all from articles, materials, or supplies
18 mined, produced, or manufactured in the United
19 States if the cost of such component articles, mate-
20 rials, or supplies—

21 (A) supplied during the period beginning
22 January 1, 2026, and ending December 31,
23 2027, exceeds 65 percent of the cost of the
24 manufactured articles, materials, or supplies;

1 (B) supplied during the period beginning
2 January 1, 2028, and ending December 31,
3 2032, exceeds 75 percent of the cost of the
4 manufactured articles, materials, or supplies;
5 and

6 (C) supplied on or after January 1, 2033,
7 equals 100 percent of the cost of the manufac-
8 tured articles, materials, or supplies.

9 (2) **APPLICABILITY TO RESEARCH, DEVELOP-**
10 **MENT, TEST, AND EVALUATION ACTIVITIES.**—Con-
11 tracts related to shipbuilding programs entered into
12 under paragraph (1) to carry out research, develop-
13 ment, test, and evaluation activities shall require
14 that these activities and the components specified
15 during these activities must meet the domestic con-
16 tent requirements delineated under paragraph (1).

17 (3) **EXCLUSION FOR CERTAIN MANUFACTURED**
18 **ARTICLES.**—Paragraph (1) shall not apply to manu-
19 factured articles that consist wholly or predomi-
20 nantly of iron, steel, or a combination of iron and
21 steel.

22 (4) **WAIVER.**—The Secretary of Defense may
23 request a waiver from the requirements under para-
24 graph (1) in order to expand sourcing to members
25 of the national technical industrial base (as that

1 term is defined in section 4801 of title 10, United
2 States Code). Any such waiver shall be subject to
3 the approval of the Director of the Made in America
4 Office and may only be requested if it is determined
5 that any of the following apply:

6 (A) Application of the limitation would in-
7 crease the cost of the overall acquisition by
8 more than 25 percent or cause unreasonable
9 delays to be incurred.

10 (B) Satisfactory quality items manufac-
11 tured by a domestic entity are not available or
12 domestic production of such items cannot be
13 initiated without significantly delaying the
14 project for which the item is to be acquired.

15 (C) It is inconsistent with the public inter-
16 est.

17 (5) RULEMAKING.—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense, in concurrence with the Director
20 of the Made in America Office, shall issue rules to
21 determine the treatment of the lowest price offered
22 for a foreign end product for which 55 percent or
23 more of the component articles, materials, or sup-
24 plies of such foreign end product are manufactured
25 substantially all from articles, materials, or supplies

1 mined, produced, or manufactured in the United
2 States if—

3 (A) the application of paragraph (1) re-
4 sults in an unreasonable cost; or

5 (B) no offers are submitted to supply man-
6 ufactured articles, materials, or supplies manu-
7 factured substantially all from articles, mate-
8 rials, or supplies mined, produced, or manufac-
9 tured in the United States.

10 (6) APPLICABILITY.—The requirements of this
11 subsection shall apply to contracts entered into on or
12 after January 1, 2026.

13 (b) REPORTING ON COUNTRY OF ORIGIN MANUFAC-
14 TURING.—Not later than one year after the date of the
15 enactment of this Act, and annually thereafter, the Sec-
16 retary of Defense shall submit to Congress a report on
17 country of origin tracking and reporting as it relates to
18 manufactured content procured as part of Navy ship-
19 building programs, including through primary contracts
20 and subcontracts at the second and third tiers. The report
21 shall describe measures taken to ensure that the country
22 of origin information pertaining to such content is re-
23 ported accurately in terms of the location of manufacture
24 and not determined by the location of sale.

1 **SEC. 867. ADDITION OF ADMINISTRATOR OF THE SMALL**
2 **BUSINESS ADMINISTRATION TO THE FED-**
3 **ERAL ACQUISITION REGULATORY COUNCIL.**

4 Section 1302(b)(1) of title 41, United States Code,
5 is amended—

6 (1) in subparagraph (C), by striking “; and”
7 and inserting a semicolon;

8 (2) in subparagraph (D), by striking the period
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(E) the Administrator of the Small Busi-
13 ness Administration.”.

14 **SEC. 868. MODIFICATIONS TO RIGHTS IN TECHNICAL DATA.**

15 Section 3771(b) of title 10, United States Code, is
16 amended—

17 (1) in paragraph (3)(C), by inserting “for
18 which the United States shall have government pur-
19 pose rights, unless the Government and the con-
20 tractor negotiate different license rights” after
21 “component”); and

22 (2) in paragraph (4)(A)—

23 (A) in clause (ii), by striking “; or” and in-
24 serting a semicolon;

25 (B) by redesignating clause (iii) as clause
26 (iv); and

1 (C) by inserting after clause (ii) the fol-
2 lowing new clause (iii):

3 “(iii) is a release, disclosure, or use of
4 detailed manufacturing or process data—

5 “(I) that is necessary for oper-
6 ation, maintenance, installation, or
7 training and shall be used only for op-
8 eration, maintenance, installation, or
9 training purposes supporting wartime
10 operations or contingency operations;
11 and

12 “(II) for which the head of an
13 agency determines that the original
14 supplier of such data will be unable to
15 satisfy military readiness or oper-
16 ational requirements for such oper-
17 ations; or”.

1 **TITLE IX—DEPARTMENT OF DE-**
2 **FENSE ORGANIZATION AND**
3 **MANAGEMENT**

4 **Subtitle A—Office of the Secretary**
5 **of Defense and Related Matters**

6 **SEC. 901. ESTABLISHMENT OF OFFICE OF STRATEGIC CAP-**
7 **ITAL.**

8 (a) IN GENERAL.—Chapter 4 of title 10, United
9 States Code, is amended by adding at the end the fol-
10 lowing new section:

11 **“§ 148. Office of Strategic Capital**

12 “(a) ESTABLISHMENT.—There is in the Office of the
13 Secretary of Defense an office to be known as the Office
14 of Strategic Capital (in this section referred to as the ‘Of-
15 fice’).

16 “(b) DIRECTOR.—The Office shall be headed by a Di-
17 rector (in this section referred to as the ‘Director’), who
18 shall be appointed by the Secretary from among employees
19 of the Department of Defense in Senior Executive Service
20 positions (as defined in section 3132 of title 5).

21 “(c) DUTIES.—The Office shall—

22 “(1) develop, integrate, and implement proven
23 capital strategies of partners of the Department of
24 Defense to shape and scale investment in critical
25 technologies and assets;

1 “(2) identify and prioritize promising critical
2 technologies and assets for the Department in need
3 of capital assistance; and

4 “(3) fund investments in such technologies and
5 assets, including supply chain technologies not al-
6 ways supported through direct investment.

7 “(d) APPLICATIONS.—An eligible entity seeking cap-
8 ital assistance for an eligible investment shall submit to
9 the Director an application at such time, in such manner,
10 and containing such information as the Director may re-
11 quire.

12 “(e) SELECTION OF INVESTMENTS.—

13 “(1) IN GENERAL.—The Director shall establish
14 criteria for selecting among eligible investments for
15 which applications are submitted under subsection
16 (d). Such criteria shall include—

17 “(A) the extent to which an investment is
18 significant to the national security of the
19 United States;

20 “(B) the likelihood that capital assistance
21 provided for an investment would enable the in-
22 vestment to proceed sooner than the investment
23 would otherwise be able to proceed; and

24 “(C) the creditworthiness of an investment.

1 “(2) NOTICE AND WAIT REQUIREMENT.—The
2 criteria established under paragraph (1) shall not
3 apply until—

4 “(A) the Secretary of Defense submits the
5 criteria to the congressional defense commit-
6 tees; and

7 “(B) a period of 30 days has elapsed after
8 such submission.

9 “(f) NOTIFICATION.—Not less than 30 days before
10 exercising the authority provided by section 834 of the Na-
11 tional Defense Authorization Act for Fiscal Year 2024,
12 the Director, in coordination with the Under Secretary of
13 Defense for Acquisition and Sustainment and the Under
14 Secretary of Defense for Research and Engineering, shall
15 notify the congressional defense committees of the purpose
16 and terms of any capital assistance proposed to be pro-
17 vided under that section. Such notification may be made
18 in classified form, if necessary.

19 “(g) STRATEGIC CAPITAL ADVISORY BOARD.—The
20 Secretary of Defense shall establish a Strategic Capital
21 Advisory Board to advise the Director with respect to ac-
22 tivities carried out under this section.

23 “(h) REGULATIONS.—The Secretary shall prescribe
24 such regulations as are necessary to carry out this section,
25 including regulations to ensure internal and external co-

1 ordination to avoid duplication of effort, reduce ineffi-
2 ciency, and ensure policy coherence across the Depart-
3 ment.

4 “(i) EFFECTIVE DATE.—The authorities made avail-
5 able under this section may not be exercised until the date
6 that is 30 days after the regulations required by sub-
7 section (i) have been—

8 “(1) prescribed and adopted by the Depart-
9 ment; and

10 “(2) submitted to the congressional defense
11 committees.

12 “(j) ANNUAL REPORT.—Not later than December 31
13 of each ye ar, the Director shall submit to the congres-
14 sional defense committees a report that—

15 “(1) describes the activities of the Office during
16 the most recent fiscal year ending before submission
17 of the report, including—

18 “(A) an identification of entities that re-
19 ceived capital assistance from the Office during
20 that fiscal year;

21 “(B) a description of the status of the fi-
22 nancial obligations of those entities as a result
23 of receiving such assistance; and

24 “(C) any success stories as a result of such
25 assistance;

1 “(2) assesses the status of the finances of the
2 Office as of the end of that fiscal year; and

3 “(3) describes the goals of the Office for the
4 fiscal year that begins after submission of the re-
5 port.

6 “(k) DEFINITIONS.—In this section:

7 “(1) CAPITAL ASSISTANCE.—The term ‘capital
8 assistance’ means loans, loan guarantees, equity in-
9 vestments, or technical assistance provided under
10 section 834.

11 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
12 tity’ means—

13 “(A) an individual;

14 “(B) a corporation;

15 “(C) a partnership, including a public-pri-
16 vate partnership;

17 “(D) a joint venture;

18 “(E) a trust;

19 “(F) a State, including a political subdivi-
20 sion or any other instrumentality of a State;

21 “(G) a Tribal government or consortium of
22 Tribal governments;

23 “(H) any other governmental entity or
24 public agency in the United States, including a

1 special purpose district or public authority, in-
 2 cluding a port authority; or

3 “(I) a multi-State or multi-jurisdictional
 4 group of public entities.

5 “(3) ELIGIBLE INVESTMENT.—The term ‘eligi-
 6 ble investment’ means an investment that facilitates
 7 the efforts of the Office—

8 “(A) to identify, accelerate, and sustain
 9 the establishment, research, development, con-
 10 struction, procurement, leasing, consolidation,
 11 alteration, improvement, or repair of tangible
 12 and intangible assets vital to United States na-
 13 tional security; or

14 “(B) to protect tangible and intangible as-
 15 sets vital to United States national security
 16 from theft, acquisition, and transfer by coun-
 17 tries that are adversaries of the United
 18 States.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
 20 at the beginning of chapter 4 of such title is amended by
 21 adding at the end the following new item:

“148. Office of Strategic Capital.”.

22 **SEC. 902. REINSTATEMENT OF POSITION OF CHIEF MAN-**
 23 **AGEMENT OFFICER OF DEPARTMENT OF DE-**
 24 **FENSE.**

25 (a) REINSTATEMENT OF POSITION.—

1 (1) IN GENERAL.—Chapter 4 of title 10, United
2 States Code, is amended by inserting after the item
3 relating to section 132 the following new item:

4 **“§ 132a. Chief Management Officer**

5 “(a) APPOINTMENT AND QUALIFICATIONS.—(1)
6 There is a Chief Management Officer of the Department
7 of Defense, appointed from civilian life by the President,
8 by and with the advice and consent of the Senate.

9 “(2) The Chief Management Officer shall be ap-
10 pointed from among persons who have an extensive man-
11 agement or business background and experience with man-
12 aging large or complex organizations. A person may not
13 be appointed as Chief Management Officer within seven
14 years after relief from active duty as a commissioned offi-
15 cer of a regular component of an armed force.

16 “(b) RESPONSIBILITIES.—Subject to the authority,
17 direction, and control of the Secretary of Defense and the
18 Deputy Secretary of Defense, the Chief Management Offi-
19 cer shall perform such duties and exercise such powers as
20 the Secretary or the Deputy Secretary may prescribe, in-
21 cluding the following:

22 “(1) Serving as the chief management officer of
23 the Department of Defense with the mission of man-
24 aging enterprise business operations and shared
25 services of the Department of Defense.

1 “(2) Serving as the principal advisor to the Sec-
2 retary and the Deputy Secretary on establishing
3 policies for, and directing, all enterprise business op-
4 erations of the Department, including planning and
5 processes, business transformation, and performance
6 measurement and management activities and pro-
7 grams, including the allocation of resources for en-
8 terprise business operations and unifying business
9 management efforts across the Department.

10 “(3) Exercising authority, direction, and control
11 over the Defense Agencies and Department of De-
12 fense Field Activities providing shared business serv-
13 ices for the Department.

14 “(4) Authority to direct the Secretaries of the
15 military departments and the heads of all other ele-
16 ments of the Department with regard to matters for
17 which the Chief Management Officer has responsi-
18 bility under this section.

19 “(5) Serving as the official with principal re-
20 sponsibility in the Department for minimizing the
21 duplication of efforts, maximizing efficiency and ef-
22 fectiveness, and establishing metrics for performance
23 among and for all organizations and elements of the
24 Department.

1 “(c) BUDGET AUTHORITY.—(1)(A) Beginning in fis-
2 cal year 2025, the Secretary of Defense, acting through
3 the Under Secretary of Defense (Comptroller), shall re-
4 quire the head of each Defense Agency and Department
5 of Defense Field Activity (other than such agencies and
6 activities that are under the direction of the Director of
7 National Intelligence or are elements of the intelligence
8 community) to transmit the proposed budget of such
9 Agency or Activity for enterprise business operations for
10 a fiscal year, and for the period covered by the future-
11 years defense program submitted to Congress under sec-
12 tion 221 of this title for that fiscal year, to the Chief Man-
13 agement Officer for review under subparagraph (B) at the
14 same time the proposed budget is submitted to the Under
15 Secretary of Defense (Comptroller).

16 “(B) The Chief Management Officer shall review
17 each proposed budget transmitted under subparagraph
18 (A) and, not later than January 31 of the year preceding
19 the fiscal year for which the budget is proposed, shall sub-
20 mit to the Secretary a report containing the comments of
21 the Chief Management Officer with respect to all such pro-
22 posed budgets, together with the certification of the Chief
23 Management Officer regarding whether each such pro-
24 posed budget achieves the required level of efficiency and
25 effectiveness for enterprise business operations, consistent

1 with guidance for budget review established by the Chief
2 Management Officer.

3 “(C) Not later than March 31 each year, the Sec-
4 retary shall submit to Congress a report that includes the
5 following:

6 “(i) Each proposed budget for the enterprise
7 business operations of a Defense Agency or Depart-
8 ment of Defense Field Activity that was transmitted
9 to the Chief Management Officer under subpara-
10 graph (A).

11 “(ii) Identification of each proposed budget con-
12 tained in the most recent report submitted under
13 subparagraph (B) that the Chief Management Offi-
14 cer did not certify as achieving the required level of
15 efficiency and effectiveness for enterprise business
16 operations.

17 “(iii) A discussion of the actions that the Sec-
18 retary proposes to take, together with any rec-
19 ommended legislation that the Secretary considers
20 appropriate, to address inadequate levels of effi-
21 ciency and effectiveness for enterprise business oper-
22 ations achieved by the proposed budgets identified in
23 the report.

24 “(iv) Any additional comments that the Sec-
25 retary considers appropriate regarding inadequate

1 levels of efficiency and effectiveness for enterprise
2 business operations achieved by the proposed budg-
3 ets.

4 “(2) Nothing in this subsection shall be construed to
5 modify or interfere with the budget-related responsibilities
6 of the Director of National Intelligence.

7 “(d) PRECEDENCE.—The Chief Management Officer
8 takes precedence in the Department of Defense after the
9 Secretary of Defense and the Deputy Secretary of De-
10 fense.

11 “(e) ENTERPRISE BUSINESS OPERATION DE-
12 FINED.—In this section, the term ‘enterprise business op-
13 erations’ means those activities that constitute the cross-
14 cutting business operations used by multiple components
15 of the Department of Defense, but not those activities that
16 are directly tied to a single military department or Depart-
17 ment of Defense component. The term includes business-
18 support functions designated by the Secretary of Defense
19 or the Deputy Secretary of Defense for purposes of this
20 section, such as aspects of financial management,
21 healthcare, acquisition and procurement, supply chain and
22 logistics, certain information technology, real property,
23 and human resources operations.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 4 of such title is

1 amended by inserting after the item relating to sec-
2 tion 132 the following new item:

“132a. Chief Management Officer.”.

3 (b) MANAGEMENT AND OVERSIGHT OF DEFENSE
4 BUSINESS SYSTEMS.—Section 2222 of such title is
5 amended—

6 (1) in subsection (c)(2), by striking “the Chief
7 Information Officer of the Department of Defense”
8 and inserting “the Chief Management Officer of the
9 Department of Defense”;

10 (2) in subsection (e)—

11 (A) in paragraph (1), by striking “the
12 Chief Information Officer” and inserting “the
13 Chief Management Officer”; and

14 (B) in paragraph (6)—

15 (i) in subparagraph (A), in the matter
16 preceding clause (i)—

17 (I) in the first sentence, by strik-
18 ing “The Chief Information Officer of
19 the Department of Defense, in coordi-
20 nation with the Chief Data and Artifi-
21 cial Intelligence Officer,” and insert-
22 ing “The Chief Management Officer
23 of the Department of Defense”; and

24 (II) in the second sentence, by
25 striking “the Chief Information Offi-

1 cer shall” and inserting “the Chief
2 Management Officer shall”;

3 (ii) in subparagraph (B), in the mat-
4 ter preceding clause (i), by striking “The
5 Chief Information Officer” and inserting
6 “The Chief Management Officer”;

7 (3) in subsection (f)(1), in the second sentence,
8 by inserting “the Chief Management Officer and”
9 after “chaired by”;

10 (4) in subsection (g)(2), by striking “the Chief
11 Information Officer of the Department of Defense”
12 each place it appears and inserting “the Chief Man-
13 agement Officer of the Department of Defense”; and

14 (5) in subsection (i)(5)(B), by striking “the
15 Chief Information Officer” and inserting “the Chief
16 Management Officer”.

17 (c) CONFORMING AMENDMENT.—Section 131(b) of
18 title 10, United States Code, is amended by inserting after
19 paragraph (1) the following new paragraph (2):

20 “(2) The Chief Management Officer of the De-
21 partment of Defense.”.

22 (d) GUIDANCE REQUIRED.—Not later than 30 days
23 after the date of the enactment of this Act, the Secretary
24 of Defense shall—

1 (1) issue guidance to clearly delineate the au-
2 thorities and responsibilities of the Chief Manage-
3 ment Officer of the Department of Defense; and

4 (2) provide a charter for the position of the
5 Chief Management Officer to fully vest the authority
6 of the Chief Management Officer within the Depart-
7 ment of Defense.

8 (e) REPORT ON EFFECT OF LAPSE IN MANAGEMENT
9 OVERSIGHT ON DEFENSE BUSINESS SYSTEMS.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the Dep-
12 uty Secretary of Defense shall submit to the con-
13 gressional defense committees a report on the effect
14 on defense business systems of the abolishment of
15 the position of Chief Management Officer and the
16 failure to reassign the responsibilities of the Chief
17 Management Officer with respect to defense business
18 systems for two years.

19 (2) DEFENSE BUSINESS SYSTEM DEFINED.—In
20 this subsection, the term “defense business system”
21 has the meaning given that term in section 2222(i)
22 of title 10, United States Code.

1 **SEC. 903. MODIFICATION OF RESPONSIBILITIES OF DIREC-**
2 **TOR OF COST ASSESSMENT AND PROGRAM**
3 **EVALUATION.**

4 (a) **IN GENERAL.**—Subsection (d) of section 139a of
5 title 10, United States Code, is amended—

6 (1) in paragraph (5)—

7 (A) by striking “, ensuring” and inserting
8 “and ensuring”; and

9 (B) by striking “, and assessing” and all
10 that follows through “economy”; and

11 (2) in paragraph (8), by inserting after “de-
12 fense resources” the following: “, including the
13 standardization of analytical methodologies and the
14 establishment and maintenance of a centralized
15 knowledge repository of physical attributes or other
16 data for modeling and simulation purposes”.

17 (b) **ANNUAL REPORTS.**—Such section is amended by
18 adding at the end the following new subsection:

19 “(e) **ANNUAL REPORTS.**—

20 “(1) **IN GENERAL.**—Not later than February 1,
21 2024, and annually thereafter, the Director shall
22 submit to the congressional defense committees a re-
23 port on activities to conduct strategic and oper-
24 ational analysis under paragraphs (2), (3), (6), (7),
25 and (8) of subsection (d) that includes—

1 “(A) a review of strategic portfolio reviews
2 completed in the fiscal year preceding submis-
3 sion of the report and a description of such re-
4 views planned for the fiscal year that begins
5 after submission of the report;

6 “(B) a review of analyses of alternatives
7 completed in the fiscal year preceding submis-
8 sion of the report and a description of such
9 analyses planned for the fiscal year that begins
10 after submission of the report; and

11 “(C) a review of defense program projec-
12 tions completed in the fiscal year preceding sub-
13 mission of the report and a description of such
14 projections planned for the fiscal year that be-
15 gins after submission of the report.

16 “(2) FORM.—Each report required by para-
17 graph (1) shall be submitted in classified form, but
18 shall include an unclassified summary.

19 “(3) BRIEFINGS.—Not later than 15 days after
20 submission of each report required by paragraph (1),
21 the Director shall brief the congressional defense
22 committees on the contents of the report.”.

23 (c) PROGRAM EVALUATION COMPETITIVE ANALYSIS
24 CELL.—Such section is further amended by adding after

1 subsection (e), as added by subsection (b), the following
2 new subsection:

3 “(f) PROGRAM EVALUATION COMPETITIVE ANALYSIS
4 CELL.—

5 “(1) IN GENERAL.—Not later than June 1,
6 2024, the Secretary of Defense shall—

7 “(A) establish a team, to be known as the
8 ‘Program Evaluation Competitive Analysis
9 Cell’, to critically assess the analytical meth-
10 odologies, assumptions, and data used in key
11 strategic and operational analyses conducted by
12 the Director; and

13 “(B) ensure that the team has a sufficient
14 number of personnel to carry out the duties of
15 the team.

16 “(2) INDEPENDENCE.—The Program Evalua-
17 tion Competitive Analysis Cell shall be independent
18 of the Director and shall report only to the Sec-
19 retary of Defense.”.

20 (d) PILOT PROGRAM ON ALTERNATIVE ANALYSIS.—

21 (1) IN GENERAL.—The Director of Cost Assess-
22 ment and Program Evaluation shall establish a pilot
23 program on alternative analysis.

24 (2) STRUCTURE.—The Director shall establish,
25 under the pilot program established under para-

1 graph (1), three analytical groups, focused on pro-
2 grammatic analysis in the following:

3 (A) Year 1 of the future-years defense pro-
4 gram under section 221 of title 10, United
5 States Code.

6 (B) Years 2 through 5 of the future-years
7 defense program.

8 (C) Years outside the future-years defense
9 program.

10 (3) REQUIREMENTS.—The pilot program estab-
11 lished under paragraph (1) shall run at least one
12 strategic portfolio review or equivalent analytical ef-
13 fort per year.

14 (e) ESTABLISHMENT OF ANALYSIS WORKING
15 GROUP.—

16 (1) IN GENERAL.—Not later than May 1, 2024,
17 the Secretary of Defense shall—

18 (A) establish the Analysis Working Group
19 in the Department of Defense; and

20 (B) ensure that the Analysis Working
21 Group possesses sufficient full-time equivalent
22 support personnel to carry out the duties of the
23 Group.

1 (2) MEMBERSHIP.—The Analysis Working
2 Group shall be composed of representatives of the
3 following components of the Department of Defense:

4 (A) The Office of the Director of Cost As-
5 sessment and Program Evaluation.

6 (B) The Directorate for Joint Force Devel-
7 opment (J7) of the Joint Staff.

8 (C) The Directorate for Force Structure,
9 Resources, and Assessment (J8) of the Joint
10 Staff.

11 (D) The Office of the Secretary of Defense
12 for Policy.

13 (E) The Chief Data and Artificial Intel-
14 ligence Office.

15 (F) The Office of the Chief Information
16 Officer.

17 (G) The United States Indo-Pacific Com-
18 mand.

19 (H) The United States European Com-
20 mand.

21 (3) DUTIES.—The Analysis Working Group
22 shall—

23 (A) establish clear priorities and standards
24 to focus analysts on decision support;

1 (B) improve transparency of methodolo-
2 gies, tools, and tradecraft across the analytic
3 community, including testing and validation for
4 new or emerging methodologies, tools, and
5 tradecraft;

6 (C) improve quality of and expand access
7 to data, including evaluation of new data sets,
8 or application of existing data sets in new or
9 novel ways;

10 (D) evolve the methodologies, tools, and
11 tradecraft methods and tools used in strategic
12 analysis;

13 (E) resolve classified access and infrastruc-
14 ture challenges;

15 (F) foster a workforce and organizations
16 that are innovative, creative, and provide high-
17 quality strategic decision support; and

18 (G) conduct such other tasks as the Sec-
19 retary of Defense considers appropriate.

20 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion shall be construed to interfere with the requirements
22 of the Chiefs of Staff of the Armed Forces to establish
23 military requirements, performance requirements, and
24 joint performance requirements, or the requirement of the
25 Joint Requirements Oversight Council to validate such re-

1 requirements under section 181 of title 10, United States
2 Code.

3 **SEC. 904. ROLES AND RESPONSIBILITIES FOR COMPO-**
4 **NENTS OF OFFICE OF SECRETARY OF DE-**
5 **FENSE FOR JOINT ALL-DOMAIN COMMAND**
6 **AND CONTROL IN SUPPORT OF INTEGRATED**
7 **JOINT WARFIGHTING.**

8 (a) IN GENERAL.—The Secretary of Defense shall es-
9 tablish the roles and responsibilities of components of the
10 Office of the Secretary of Defense for development and
11 delivery to combatant commands of capabilities that are
12 essential to integrated joint warfighting capabilities, as
13 follows:

14 (1) The Deputy Chief Technology Officer for
15 Mission Capabilities of the Office of the Under Sec-
16 retary of Defense for Research and Engineering
17 shall be responsible for—

18 (A) identifying new technology and oper-
19 ational concepts for experimentation and proto-
20 typing for delivery to the Joint Force to ad-
21 dress key operational challenges;

22 (B) providing technical support for the
23 Joint Force in exploring and analyzing new ca-
24 pabilities, operational concepts, and systems-of-

1 systems composition, including through ad-
2 vanced modeling and simulation; and

3 (C) executing associated experimentation,
4 through the Rapid Defense Experimentation
5 Reserve (RDER) or another mechanism.

6 (2) The Executive Director for Acquisition, In-
7 tegration, and Interoperability of the Office of the
8 Under Secretary of Defense for Acquisition and
9 Sustainment shall be responsible for—

10 (A) enabling the acquisition of cross-do-
11 main, joint, and cross-system kill chains and
12 mission capabilities, including resourcing of
13 modifications necessary for integration and
14 interoperability among kill chain and mission
15 components; and

16 (B) ensuring the effectiveness of cross-do-
17 main, joint, and cross-system kill chains and
18 mission capabilities through analysis and test-
19 ing.

20 (3) The Chief Digital and Artificial Intelligence
21 Officer shall be responsible for creating and oper-
22 ating a factory-based approach for software develop-
23 ment that allows for iterative, secure, and contin-
24 uous deployment of developmental, prototype, and
25 operational tools and capabilities from multiple ven-

1 dors to test networks and operational networks for
2 combatant commanders to—

3 (A) gain operational awareness, make deci-
4 sions, and take actions;

5 (B) integrate relevant data sources to sup-
6 port target selection, target prioritization, and
7 weapon-target pairing; and

8 (C) prosecute targets through military
9 service and combat support agency networks,
10 tools, and systems.

11 (b) COORDINATION.—The officials referred to in
12 paragraphs (1), (2), and (3) of subsection (a) shall coordi-
13 nate and align their plans and activities to implement sub-
14 section (a) among themselves and with the combatant
15 commanders.

16 (c) INITIAL PRIORITIZATION.—In developing an ini-
17 tial set of capabilities described in subsection (a), the offi-
18 cials referred to in paragraphs (1), (2), and (3) of that
19 subsection shall prioritize the requirements of the United
20 States Indo-Pacific Command.

21 (d) BRIEFINGS REQUIRED.—Not later than 90 days
22 after the date of the enactment of this Act, and every 180
23 days thereafter through December 31, 2026, the officials
24 referred to in paragraphs (1), (2), and (3) of subsection
25 (a) shall provide briefings to the congressional defense

1 committees on their plans and activities to implement sub-
2 section (a).

3 (e) REPORT REQUIRED.—Not later than March 1,
4 2024, the Chief Data and Artificial Intelligence Officer,
5 in consultation with the Deputy Chief Technology Officer
6 for Mission Capabilities of the Office of the Under Sec-
7 retary of Defense for Research and Engineering and the
8 Executive Director for Acquisition, Integration, and Inter-
9 operability of the Office of the Under Secretary of Defense
10 for Acquisition and Sustainment, shall submit to the con-
11 gressional defense committees a report that includes—

12 (1) a plan and associated timelines for deploy-
13 ing and demonstrating a joint data integration layer
14 prototype in the United States Indo-Pacific Com-
15 mand area of operations;

16 (2) a plan and associated timelines for
17 transitioning such a prototype, upon its successful
18 demonstration, to fielding as soon as practicable
19 given the urgent need for a joint all-domain com-
20 mand and control (commonly referred to as
21 “JADC2”) capability;

22 (3) a plan and associated timelines for reaching
23 initial operational capability for a joint data integra-
24 tion layer within the United States Indo-Pacific
25 Command area of operations;

1 (4) a plan and associated timelines for scaling
2 that capability to future areas of operation across
3 the combatant commands;

4 (5) an assessment of the required type and
5 number of personnel at the United States Indo-Pa-
6 cific Command to enable sustained growth in
7 JADC2 capabilities; and

8 (6) a plan and associated timelines for—

9 (A) identifying specific critical effects
10 chains necessary to overcome anti-access and
11 area denial capabilities and offensive military
12 operations of foreign adversaries; and

13 (B) creating, demonstrating, deploying,
14 and sustaining such chains.

15 **SEC. 905. PRINCIPAL DEPUTY ASSISTANT SECRETARIES TO**
16 **SUPPORT ASSISTANT SECRETARY OF DE-**
17 **FENSE FOR SPECIAL OPERATIONS AND LOW**
18 **INTENSITY CONFLICT.**

19 The Secretary of Defense may appoint two Principal
20 Deputy Assistant Secretaries to report to the Assistant
21 Secretary of Defense for Special Operations and Low In-
22 tensity Conflict—

23 (1) one of whom may be assigned to support
24 the Assistant Secretary in the discharge of respon-

1 sibilities specified in clause (i) of section
2 138(b)(2)(A) of title 10, United States Code; and

3 (2) one of whom may be assigned to support
4 the Assistant Secretary in the discharge of respon-
5 sibilities specified in clause (ii) of that section.

6 **SEC. 906. MODIFICATION OF CROSS-FUNCTIONAL TEAM TO**
7 **ADDRESS EMERGING THREAT RELATING TO**
8 **DIRECTED ENERGY CAPABILITIES.**

9 Section 910 of the National Defense Authorization
10 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
11 111 note) is amended—

12 (1) in the section heading, by striking “**ANOM-**
13 **ALOUS HEALTH INCIDENTS**” and inserting “**DI-**
14 **RECTED ENERGY CAPABILITIES**”;

15 (2) in subsection (a), by striking “anomalous
16 health incidents (as defined by the Secretary)” and
17 inserting “emerging directed energy capabilities, in-
18 cluding such capabilities that could plausibly result
19 in anomalous health incidents (as defined by the
20 Secretary),”;

21 (3) in subsection (b)—

22 (A) in the matter preceding paragraph (1),
23 by inserting “to assist the Secretary of De-
24 fense” after “shall be”;

1 (B) by amending paragraph (1) to read as
2 follows:

3 “(1) to address the threat posed by emerging
4 directed energy capabilities, such as anti-personnel
5 weapons, including the detection and mitigation of,
6 and development of countermeasures for, such capa-
7 bilities;”;

8 (C) by redesignating paragraphs (2) and
9 (3) as paragraphs (3) and (4), respectively;

10 (D) by inserting after paragraph (1) the
11 following new paragraph (2):

12 “(2) to conduct necessary investigation and ac-
13 tivities to understand the causation, attribution,
14 mitigation, identification, and treatment for anoma-
15 lous health incidents;” and

16 (E) in paragraph (4), as redesignated by
17 subparagraph (C), by striking “any other ef-
18 forts regarding such incidents” and inserting
19 “with any other efforts regarding emerging di-
20 rected energy capabilities, hazards of electro-
21 magnetic radiation to personnel, and anomalous
22 health incidents”;

23 (4) in subsection (d), by striking “in consulta-
24 tion with the Director of National Intelligence and”;
25 and

1 (5) in subsection (e)(2)—

2 (A) by striking “March 1, 2026” and in-
3 serting “March 1, 2028”; and

4 (B) by striking “anomalous health inci-
5 dents” and inserting “emerging directed energy
6 capabilities, including such capabilities that
7 could plausibly result in anomalous health inci-
8 dents”.

9 **SEC. 907. PILOT PROGRAM ON PROTECTING ACCESS TO**
10 **CRITICAL ASSETS.**

11 (a) IN GENERAL.—The Secretary of Defense shall es-
12 tablish a pilot program within the Office of the Under Sec-
13 retary of Defense for Acquisition and Sustainment under
14 which the Under Secretary will conduct and coordinate as-
15 sessments, support industrial base decision-making, and
16 provide mitigation measures to counter adversarial capital
17 flows into industries or businesses of interest to the De-
18 partment of Defense intended to undermine or deny—

19 (1) the access of the United States to key capa-
20 bilities; or

21 (2) the ability of the United States to place
22 such capabilities in physical locations necessary for
23 national security functions.

24 (b) ELEMENTS.—

1 (1) IN GENERAL.—Under the pilot program re-
2 quired by subsection (a), the Under Secretary may
3 perform the following tasks:

4 (A) Conduct coordinated and integrated
5 analysis of adversarial capital flows into indus-
6 tries or businesses of interest to the Depart-
7 ment of Defense.

8 (B) Support coordination and outreach
9 with technology scouting and acquisition ele-
10 ments of the Department to support the invest-
11 ment decision-making of those elements and
12 consideration of how to counteract entities em-
13 ploying adversarial capital flows against indus-
14 tries or businesses described in subparagraph
15 (A), including the employment of relevant au-
16 thorities vested in other components of the De-
17 partment and the Federal Government.

18 (C) Identify, accelerate, and sustain the es-
19 tablishment, research, development, construc-
20 tion, procurement, leasing, consolidation, alter-
21 ation, improvement, modernization, and repair
22 of tangible and intangible assets vital to the na-
23 tional security of the United States.

24 (D) Protect tangible and intangible assets
25 vital to the national security of the United

1 States from theft, acquisition, and transfer by
2 adversaries or strategic competitors of the
3 United States.

4 (E) Provide capital assistance to entities
5 engaged in investments that facilitate the ef-
6 forts of the Under Secretary under subpara-
7 graphs (C) and (D) utilizing existing authorities
8 available to the Department, such as the au-
9 thority provided under section 834.

10 (F) Experiment, prototype, test, or vali-
11 date Government-developed or commercially de-
12 veloped analytical tools, processes, and
13 tradecraft to improve the due diligence and in-
14 vestment analysis processes for the Depart-
15 ment.

16 (2) USE OF CERTAIN FINANCIAL INSTRU-
17 MENTS.—The Under Secretary may perform the
18 tasks described in paragraph (1) using the authori-
19 ties provided by section 834.

20 (c) COORDINATION.—In establishing the pilot pro-
21 gram required by subsection (a), the Secretary shall co-
22 ordinate the activities being carried out under the pilot
23 program with the following entities:

24 (1) The Air Force Office of Concepts, Develop-
25 ment, and Management.

1 (2) The Air Force Office of Commercial and
2 Economic Analysis.

3 (3) The Special Operations Command.

4 (4) The Defense Innovation Unit.

5 (5) The Office of Strategic Capital established
6 under section 148 of title 10, United States Code,
7 as added by section 901.

8 (6) Such other entities as the Secretary con-
9 siders appropriate.

10 (d) REGULATIONS.—The Secretary of Defense shall
11 prescribe such regulations as are necessary to carry out
12 this section.

13 (e) EFFECTIVE DATE.—The Secretary may not carry
14 out activities or exercise authorities under this section
15 until the date that is 30 days after the date on which the
16 Secretary submits to the congressional defense committees
17 the regulations required by subsection (d).

18 (f) BRIEFING REQUIRED.—Not later than 90 days
19 after the date of the enactment of this Act, the Under
20 Secretary shall provide a briefing to the congressional de-
21 fense committees that details implementation of the pilot
22 program required by subsection (a).

23 (g) TERMINATION.—The pilot program required by
24 subsection (a) shall terminate on September 30, 2028.

25 (h) DEFINITIONS.—In this section:

1 (1) ADVERSARIAL CAPITAL FLOW.—The term
2 “adversarial capital flow” means an investment by—

3 (A) the government of a country that is an
4 adversary of the United States; or

5 (B) an entity organized under the laws of,
6 or otherwise subject to the jurisdiction of, such
7 a country.

8 (2) CAPITAL ASSISTANCE.—The term “capital
9 assistance” has the meaning given that term in sec-
10 tion 834.

11 **SEC. 908. EXTENSION OF MISSION MANAGEMENT PILOT**
12 **PROGRAM.**

13 Section 871 of the National Defense Authorization
14 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
15 191 note) is amended—

16 (1) in subsection (b)—

17 (A) in paragraph (1)—

18 (i) by striking “IN GENERAL.—Ex-
19 cept” and inserting the following: “IN
20 GENERAL.—

21 “(A) SELECTION.—Except”; and

22 (ii) by adding at the end the following
23 new subparagraph:

24 “(B) DELEGATION OF OVERSIGHT AND
25 MANAGEMENT.—The Deputy Secretary of De-

1 fense may delegate one or more mission man-
2 agers to oversee the selected missions and pro-
3 vide management around mission outcomes.”;
4 and

5 (B) by adding at the end the following new
6 paragraph:

7 “(4) IDENTIFICATION OF FUNDING.—For each
8 mission selected under paragraph (1), the Deputy
9 Secretary of Defense shall identify funding sources
10 in detail in defense budget materials for budgets
11 submitted to Congress pursuant to section 1105 of
12 title 31, United States Code, with selected missions
13 and solution detailed in materials for each budgetary
14 item associated with a selected mission.”;

15 (2) in subsection (c)(2)—

16 (A) in subparagraph (E), by striking “;
17 and” and inserting a semicolon;

18 (B) by redesignating subparagraph (F) as
19 subparagraph (G); and

20 (C) by inserting after subparagraph (E)
21 the following new subparagraph:

22 “(F) assist the Deputy Secretary of De-
23 fense in the identification of funding that could
24 contribute to the mission, including through ex-

1 isting authorized methods to realign, repro-
2 gram, or transfer funds; and”;

3 (3) in subsection (f)(1)(A), by striking “every
4 six months thereafter until the date that is five
5 years after the date of the enactment of this Act”
6 and inserting “annually thereafter until September
7 30, 2031”; and

8 (4) in subsection (h), by striking “terminate on
9 the date that is five years after the date of the en-
10 actment of this Act” and inserting “terminate on
11 September 30, 2031”.

12 **SEC. 909. CONFORMING AMENDMENTS TO CARRY OUT**
13 **ELIMINATION OF POSITION OF CHIEF MAN-**
14 **AGEMENT OFFICER.**

15 (a) REMOVAL OF REFERENCES TO CHIEF MANAGE-
16 MENT OFFICER IN PROVISIONS OF LAW RELATING TO
17 PRECEDENCE.—Chapter 4 of title 10, United States Code,
18 is amended—

19 (1) in section 133a(c)—

20 (A) in paragraph (1), by striking “, the
21 Deputy Secretary of Defense, and the Chief
22 Management Officer of the Department of De-
23 fense” and inserting “and the Deputy Secretary
24 of Defense”; and

1 (B) in paragraph (2), by striking “the
2 Chief Management Officer,”;

3 (2) in section 133b(c)—

4 (A) in paragraph (1), by striking “the
5 Chief Management Officer of the Department
6 of Defense,”; and

7 (B) in paragraph (2), by striking “the
8 Chief Management Officer,”;

9 (3) in section 137a(d), by striking “the Chief
10 Management Officer of the Department of De-
11 fense,”; and

12 (4) in section 138(d), by striking “the Chief
13 Management Officer of the Department of De-
14 fense,”.

15 (b) ASSIGNMENT OF PERIODIC REVIEW OF DEFENSE
16 AGENCIES AND DEPARTMENT OF DEFENSE FIELD AC-
17 TIVITIES TO SECRETARY OF DEFENSE.—Section 192(c)
18 of such title is amended—

19 (1) in paragraph (1)—

20 (A) in subparagraph (A), in the first sen-
21 tence, by striking “the Chief Management Offi-
22 cer of the Department of Defense” and insert-
23 ing “the Secretary of Defense”; and

1 (B) in subparagraphs (B) and (C), by
2 striking “the Chief Management Officer” and
3 inserting “the Secretary”; and

4 (2) in paragraph (2), by striking “the Chief
5 Management Officer” each place it appears and in-
6 serting “the Secretary”.

7 (c) ASSIGNMENT OF RESPONSIBILITY FOR FINAN-
8 CIAL IMPROVEMENT AND AUDIT REMEDIATION TO
9 UNDER SECRETARY OF DEFENSE (COMPTROLLER).—
10 Section 240b of such title is amended—

11 (1) in subsection (a)(1), by striking “The Chief
12 Management Officer of the Department of Defense
13 shall, in consultation with the Under Secretary of
14 Defense (Comptroller),” and inserting “The Under
15 Secretary of Defense (Comptroller) shall, in con-
16 sultation with the Performance Improvement Officer
17 of the Department of Defense,”; and

18 (2) in subsection (b)(1)(C)(ii), by striking “the
19 Chief Management Officer” and inserting “the Per-
20 formance Improvement Officer”.

21 (d) REMOVAL OF CHIEF MANAGEMENT OFFICER AS
22 RECIPIENT OF REPORTS OF AUDITS BY EXTERNAL AUDI-
23 TORS.—Section 240d(d)(1)(A) of such title is amended by
24 striking “and the Chief Management Officer of the De-
25 partment of Defense”.

1 (e) CONFORMING AMENDMENTS TO PROVISIONS OF
2 LAW RELATED TO FREEDOM OF INFORMATION ACT EX-
3 EMPTIONS.—Such title is further amended—

4 (1) in section 130e—

5 (A) by striking subsection (d);

6 (B) by redesignating subsections (e) and
7 (f) as subsections (d) and (e), respectively; and

8 (C) in subsection (d), as so redesignated—

9 (i) in the first sentence, by striking “,
10 or the Secretary’s designee,”; and

11 (ii) in the second sentence, by striking
12 “, through the Office of the Director of
13 Administration and Management”; and

14 (2) in section 2254a—

15 (A) by striking subsection (e);

16 (B) by redesignating subsection (d) as sub-
17 section (e); and

18 (C) in subsection (e), as so redesignated—

19 (i) in the first sentence, by striking “,
20 or the Secretary’s designee,”; and

21 (ii) in the second sentence, by striking
22 “, through the Office of the Director of
23 Administration and Management”.

24 (f) REMOVAL OF CHIEF MANAGEMENT OFFICER AS
25 REQUIRED COORDINATOR ON DEFENSE RESALE MAT-

1 TERS.—Section 631(a) of the National Defense Authoriza-
2 tion Act for Fiscal Year 2020 (Public Law 116–92; 10
3 U.S.C. 2481 note) is amended by striking “, in coordina-
4 tion with the Chief Management Officer of the Depart-
5 ment of Defense,”.

6 **Subtitle B—Other Department of**
7 **Defense Organization and Man-**
8 **agement Matters**

9 **SEC. 921. JOINT ENERGETICS TRANSITION OFFICE.**

10 (a) IN GENERAL.—The Secretary of Defense shall re-
11 align roles, responsibilities, and resources as necessary to
12 establish a Joint Energetics Transition Office (in this sec-
13 tion referred to as the “Office”).

14 (b) RESPONSIBILITIES.—The Office shall—

15 (1) develop and periodically update an energetic
16 materials strategic plan and investment strategy to
17 guide current and future investments in new and
18 legacy energetic materials and technologies, includ-
19 ing by—

20 (A) developing or supporting the develop-
21 ment of strategies and roadmaps, under the fu-
22 ture-years defense program under section 221
23 of title 10, United States Code, and the pro-
24 gram objective memorandum process, for ener-
25 getic materials and technologies; and

1 (B) initiating special studies or analyses to
2 inform the program objective memorandum
3 process;

4 (2) coordinate and synchronize existing re-
5 search, development, test, and evaluation efforts in
6 energetic materials across the Department of De-
7 fense to identify promising new energetic materials
8 and technologies—

9 (A) to mature, integrate, prototype, and
10 demonstrate novel energetic materials and tech-
11 nologies, including classification and character-
12 ization testing of new materials and manufac-
13 turing technologies;

14 (B) to expedite testing, evaluation, and ac-
15 quisition of energetic materials and technologies
16 to meet the emergent needs of the Department,
17 including the rapid integration of promising
18 new materials and other promising energetic
19 compounds into existing and planned weapons
20 platforms; and

21 (C) to identify existing or establish new
22 prototyping demonstration venues to integrate
23 advanced technologies that speed the matura-
24 tion and deployment of future energetic mate-
25 rials;

1 fense Technology Security Administration under the au-
2 thority, direction, and control of the Assistant Secretary
3 of Defense for Industrial Base Policy.

4 (b) SUBMISSION OF PLAN.—Not later than 7 days
5 after the date on which the Secretary completes develop-
6 ment of the plan required by subsection (a), the Secretary
7 shall submit the plan to the congressional defense commit-
8 tees.

9 (c) IMPLEMENTATION OF PLAN.—Not later than 180
10 days after the date on which the Secretary completes de-
11 velopment of the plan required by subsection (a), the Sec-
12 retary shall realign the Defense Technology Security Ad-
13 ministration under the authority, direction, and control of
14 the Assistant Secretary of Defense for Industrial Base
15 Policy.

16 **SEC. 923. INTEGRATED AND AUTHENTICATED ACCESS TO**
17 **DEPARTMENT OF DEFENSE SYSTEMS FOR**
18 **CERTAIN CONGRESSIONAL STAFF FOR OVER-**
19 **SIGHT PURPOSES.**

20 Section 1046(a) of the James M. Inhofe National De-
21 fense Authorization Act for Fiscal Year 2023 (Public Law
22 117–263) is amended—

23 (1) in paragraph (1)(B), by striking “; and”
24 and inserting a semicolon;

1 (2) in paragraph (2), by striking the period at
2 the end and inserting “; and”; and

3 (3) by adding at the end the following new
4 paragraph:

5 “(3) to the extent feasible, be integrated with
6 software used by the Department of Defense Park-
7 ing Management Office to validate parking re-
8 quests.”.

9 **SEC. 924. INTEGRATION OF PRODUCTIVITY SOFTWARE**
10 **SUITES FOR SCHEDULING DATA.**

11 The Secretary of Defense shall ensure that the De-
12 partment of Defense is capable of scheduling congressional
13 engagements in a digitally interoperable manner by not
14 later than February 25, 2024, either through—

15 (1) integrating the productivity software suite
16 of the Department of Defense with the productivity
17 software suite of the congressional defense commit-
18 tees; or

19 (2) enabling the automated transmission of
20 scheduling data through another software solution.

21 **SEC. 925. OPERATIONALIZING AUDIT READINESS.**

22 (a) METRICS REQUIRED.—

23 (1) IN GENERAL.—The Secretary of Defense, in
24 coordination with the Secretaries of the military de-
25 partments, shall develop a set of command audit

1 metrics that link existing audit readiness goals and
2 metrics for the financial management community
3 with unit leadership goals and metrics to provide
4 operationally relevant performance measures for use
5 by unit commanders.

6 (2) LEVERAGING SUPPORT.—In developing the
7 metrics required by paragraph (1), the Secretary
8 may leverage support from an existing federally
9 funded research and development center or univer-
10 sity-affiliated research center.

11 (3) DEADLINE.—An initial set of metrics shall
12 be developed and implemented under paragraph (1)
13 not later than April 30, 2025.

14 (b) TRAINING.—

15 (1) IN GENERAL.—The President of the De-
16 fense Acquisition University shall develop training
17 curricula to support the workforce of the Depart-
18 ment of Defense in understanding, implementing,
19 and utilizing the metrics developed under subsection
20 (a) in the day-to-day performance of their command
21 and leadership duties.

22 (2) DEADLINE.—An initial training curriculum
23 shall be developed and implemented under para-
24 graph (1) not later than April 30, 2025.

25 (c) LEADER PERFORMANCE ASSESSMENTS.—

1 (1) IN GENERAL.—The Secretary of Defense, in
2 coordination with the Secretaries of the military de-
3 partments, shall evaluate means by which the
4 metrics developed under subsection (a) can be used
5 in the performance evaluation of unit commanders.

6 (2) BRIEFING REQUIRED.—Not later than Sep-
7 tember 30, 2024, the Secretary shall provide a brief-
8 ing to the Committees on Armed Services of the
9 Senate and the House of Representatives on the
10 evaluation conducted under paragraph (1). The
11 briefing shall include the following elements:

12 (A) Identification of the appropriate com-
13 mand echelon at which to assess unit leader
14 performance using the metrics developed under
15 subsection (a).

16 (B) Evaluations of available measures to
17 reward superior or above average performance
18 with respect to such metrics.

19 (C) Assessment of the potential value, and
20 challenges, to integrating such measures into
21 the annual performance evaluations for des-
22 ignated unit leaders.

23 (D) Any other issues the Secretary con-
24 siders appropriate.

1 **SEC. 926. NEXT GENERATION BUSINESS HEALTH METRICS.**

2 (a) METRICS REQUIRED.—The Secretary of Defense,
3 acting through the Director of Administration and Man-
4 agement and in coordination with the Secretaries of the
5 military departments, shall develop an updated set of busi-
6 ness health metrics to inform decision-making by senior
7 leaders of the Department of Defense.

8 (b) ELEMENTS.—In developing the metrics required
9 by subsection (a), the Director shall—

10 (1) using the current literature on performance
11 measurement, determine what additional new
12 metrics should be implemented, or current metrics
13 should be adapted, to reduce output-based measures
14 and emphasize objective, measurable indicators
15 aligned to enduring strategic goals of the Depart-
16 ment of Defense;

17 (2) assess the current business processes of the
18 Department and provide recommendations to align
19 the metrics with available data sources to determine
20 what gaps might exist in such processes;

21 (3) ensure that data can be collected automati-
22 cally and, on a long-term basis, in a manner that
23 provides for longitudinal analysis;

24 (4) link the metrics with the Strategic Manage-
25 ment Plan and other performance documents guid-
26 ing the Department;

1 (5) identify any shortfalls in resources, data,
2 training, policy, or law that could be an impediment
3 to implementing the metrics;

4 (6) revise leading and lagging indicators associ-
5 ated with each such metric to provide a benchmark
6 against which to assess progress;

7 (7) improve visualization of and comprehension
8 for the use of the metrics in data-driven decision-
9 making, including adoption of new policies and
10 training as needed;

11 (8) incorporate the ability to aggregate and
12 disaggregate data to provide the ability to focus on
13 functional, component-level metrics; and

14 (9) increase standardization of the use and col-
15 lection of business health metrics across the Depart-
16 ment.

17 (c) **ADDITIONAL SUPPORT.**—In developing the
18 metrics required by subsection (a), the Director may lever-
19 age support from an existing federally funded research
20 and development center or university-affiliated research
21 center.

22 (d) **BRIEFING REQUIRED.**—Not later than January
23 30, 2025, the Director shall brief the Committees on
24 Armed Services of the Senate and the House of Represent-

1 atives on the development of the metrics required by sub-
2 section (a).

3 **SEC. 927. INDEPENDENT ASSESSMENT OF DEFENSE BUSI-**
4 **NESS ENTERPRISE ARCHITECTURE.**

5 (a) IN GENERAL.—The Secretary of Defense shall se-
6 lect a federally funded research and development center
7 or a university affiliated research center to conduct an
8 independent assessment of the defense business enterprise
9 architecture developed under section 2222(e) of title 10,
10 United States Code.

11 (b) ELEMENTS.—The assessment required by sub-
12 section (a) shall include the following elements:

13 (1) An assessment of the effectiveness of the
14 defense business enterprise architecture as of the
15 date of the enactment of this Act in providing an
16 adequate and useful framework for planning, man-
17 aging, and integrating the business systems of the
18 Department of Defense.

19 (2) A comparison of the defense business enter-
20 prise architecture with similar models in use by
21 other government agencies in the United States, for-
22 eign governments, and major commercial entities, in-
23 cluding an assessment of any lessons from such
24 models that might be applied to the defense business
25 enterprise architecture.

1 (3) An assessment of the adequacy of the de-
2 fense business enterprise architecture in informing
3 business process reengineering and being sufficiently
4 responsive to changes in business processes over
5 time.

6 (4) An identification of any shortfalls or imple-
7 mentation challenges in the utility of the defense
8 business enterprise architecture.

9 (5) Recommendations for replacement of the
10 existing defense business enterprise architecture or
11 for modifications to the existing architecture to
12 make that architecture and the process for updating
13 that architecture more effective and responsive to
14 the business process needs of the Department.

15 (c) INTERIM BRIEFING.—Not later than April 1,
16 2024, the Secretary shall brief the Committees on Armed
17 Services of the Senate and the House of Representatives
18 on the status of the assessment required by subsection (a).

19 (d) FINAL REPORT.—Not later than January 30,
20 2025, the Secretary shall submit to the Committees on
21 Armed Services of the Senate and the House of Represent-
22 atives a report on the results of the assessment required
23 by subsection (a).

1 **SEC. 928. LIMITATION ON ESTABLISHMENT OF NEW DIVER-**
2 **SITY, EQUITY, AND INCLUSION POSITIONS;**
3 **HIRING FREEZE.**

4 (a) **IN GENERAL.**—During the period described in
5 subsection (b), the Secretary of Defense may not—

6 (1) establish any new positions within the De-
7 partment of Defense with responsibility for matters
8 relating to diversity, equity, and inclusion; or

9 (2) fill any vacancies in positions in the Depart-
10 ment with responsibility for such matters.

11 (b) **PERIOD DESCRIBED.**—The period described in
12 this subsection is the period—

13 (1) beginning on the date of the enactment of
14 this Act; and

15 (2) ending on the date on which the Comp-
16 troller General of the United States submits to Con-
17 gress the review of the Department of Defense diver-
18 sity, equity, and inclusion workforce required by the
19 report of the Committee on Armed Services of the
20 Senate accompanying the National Defense Author-
21 ization Act for Fiscal Year 2024.

22 **TITLE X—GENERAL PROVISIONS**
23 **Subtitle A—Financial Matters**

24 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

25 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

1 (1) **AUTHORITY.**—Upon determination by the
2 Secretary of Defense that such action is necessary in
3 the national interest, the Secretary may transfer
4 amounts of authorizations made available to the De-
5 partment of Defense in this division for fiscal year
6 2024 between any such authorizations for that fiscal
7 year (or any subdivisions thereof). Amounts of au-
8 thorizations so transferred shall be merged with and
9 be available for the same purposes as the authoriza-
10 tion to which transferred.

11 (2) **LIMITATION.**—Except as provided in para-
12 graph (3), the total amount of authorizations that
13 the Secretary may transfer under the authority of
14 this section may not exceed \$6,000,000,000.

15 (3) **EXCEPTION FOR TRANSFERS BETWEEN**
16 **MILITARY PERSONNEL AUTHORIZATIONS.**—A trans-
17 fer of funds between military personnel authoriza-
18 tions under title IV shall not be counted toward the
19 dollar limitation in paragraph (2).

20 (b) **LIMITATIONS.**—The authority provided by sub-
21 section (a) to transfer authorizations—

22 (1) may only be used to provide authority for
23 items that have a higher priority than the items
24 from which authority is transferred; and

1 (2) may not be used to provide authority for an
2 item that has been denied authorization by Con-
3 gress.

4 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
5 transfer made from one account to another under the au-
6 thority of this section shall be deemed to increase the
7 amount authorized for the account to which the amount
8 is transferred by an amount equal to the amount trans-
9 ferred.

10 (d) NOTICE TO CONGRESS.—The Secretary shall
11 promptly notify Congress of each transfer made under
12 subsection (a).

13 **SEC. 1002. ANNUAL REPORT ON BUDGET PRIORITIZATION**
14 **BY SECRETARY OF DEFENSE AND MILITARY**
15 **DEPARTMENTS.**

16 (a) IN GENERAL.—Chapter 9 of title 10, United
17 States Code, is amended by inserting after section 222d
18 the following new section:

19 **“§ 222e. Programs, projects, and activities that were**
20 **internally reduced or eliminated in the**
21 **submission of the President’s budget: an-**
22 **nual report**

23 “(a) IN GENERAL.—The Secretary of Defense, acting
24 through the Secretaries of the military departments and
25 the officers of Department of Defense agencies and offices

1 not under the control of a Secretary of a military depart-
2 ment, shall submit to the congressional defense commit-
3 tees each year, not later than 15 days after the submission
4 of the budget of the President for the fiscal year beginning
5 in such year under section 1105(a) of title 31, a report
6 that includes organized tabulations of programs, projects,
7 and activities the total obligational authority for which
8 was reduced or eliminated in the current budget year pro-
9 posal compared to the prior-year projection for the current
10 year.

11 “(b) ELEMENTS.—The tabulations required under
12 subsection (a) shall include, for each program, project, or
13 activity that was internally reduced or eliminated, the fol-
14 lowing elements:

15 “(1) Whether the program, project, or activity
16 was eliminated or reduced and which fiscal year it
17 was eliminated or reduced in.

18 “(2) Appropriations sub-account.

19 “(3) The appropriate program element, line
20 item number, or sub-activity group.

21 “(4) Program, project, or activity name.

22 “(5) Prior year enacted appropriation.

23 “(6) Prior year projected current year budget.

24 “(7) Current year budget request.

1 “(8) If applicable, the amount reduced or saved
2 by the current year elimination or reduction over the
3 future years defense plan.

4 “(9) The rationale for reduction or elimination.

5 “(c) FORM.—The report required under subsection
6 (a) shall be submitted in machine readable, electronic
7 form.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of chapter 9 of such title is amended by
10 inserting after the item relating to section 222d the fol-
11 lowing new item:

“222e. Programs, projects, and activities that were internally reduced or elimi-
nated in the submission of the President’s budget: annual re-
port.”.

12 **SEC. 1003. ADDITIONAL REPORTING REQUIREMENTS RE-**
13 **LATED TO UNFUNDED PRIORITIES.**

14 Section 222a(e)(1) of title 10, United States Code,
15 is amended by adding at the end the following new sub-
16 paragraph:

17 “(E) For each priority—

18 “(i) the requirement that will be ad-
19 dressed which is not in the base budget re-
20 quest;

21 “(ii) the reason why the priority was
22 not included in the base budget request;

23 “(iii) a description of previous funding
24 to address the requirement;

1 “(iv) an assessment of the impact of
2 the priority on the future years defense
3 plan.”.

4 **SEC. 1004. SENSE OF THE SENATE ON NEED FOR EMER-**
5 **GENCY SUPPLEMENTAL APPROPRIATIONS.**

6 It is the sense of the Senate that—

7 (1) section 101 of the Fiscal Responsibility Act
8 of 2023 (Public Law 118–5) imposes limits on dis-
9 cretionary spending in the defense and nondefense
10 categories;

11 (2) if those spending limits for either category
12 are breached, then across-the-board sequestration
13 cuts are triggered on that category to eliminate the
14 breach;

15 (3) the enactment of authorization and appro-
16 priations legislation for the Department of Defense
17 will provide inherent cost savings that continuing
18 resolutions do not provide;

19 (4) there are growing national security concerns
20 that require additional funds beyond the revised se-
21 curity spending limit, to include continued support
22 to the Ukrainian armed forces, additional munitions
23 production, additional large surface combatants,
24 shipbuilding industrial base modernization invest-
25 ments, submarine industrial base and supply chain

1 management, additional production of wheeled and
2 tracked combat vehicles, and emergent capabilities
3 and exercises in the United States Indo-Pacific Com-
4 mand;

5 (5) as the Senate Majority Leader Chuck Schu-
6 mer stated on June 1, 2023, “This debt ceiling deal
7 does nothing to limit the Senate’s ability to appro-
8 priate emergency/supplemental funds to ensure our
9 military capabilities are sufficient to deter China,
10 Russia, and our other adversaries and respond to
11 ongoing and growing national security threats, in-
12 cluding Russia’s ongoing war of aggression against
13 Ukraine, our ongoing competition with China and its
14 growing threat to Taiwan, Iranian threats to Amer-
15 ican interests and those of our partners in the Mid-
16 dle East, or any other emerging security crisis; nor
17 does this debt ceiling deal limit the Senate’s ability
18 to appropriate emergency/supplemental funds to re-
19 spond to various national issues, such as disaster re-
20 lief, or combating the fentanyl crisis, or other issues
21 of national importance.”; and

22 (6) the President should expeditiously send
23 emergency funding requests to the Senate for con-
24 sideration so that those needs can receive sufficient
25 and additional funds.

1 **Subtitle B—Counterdrug Activities**

2 **SEC. 1011. DISRUPTION OF FENTANYL TRAFFICKING.**

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

5 (1) fentanyl trafficking across the borders of
6 the United States, and the consequences of that
7 trafficking, constitute an unprecedented, nontradi-
8 tional, and long-term threat to the national security
9 of the United States;

10 (2) transnational criminal organizations have
11 established effective control over significant areas
12 within Mexico, which has enabled the development of
13 fentanyl production and trafficking infrastructure;

14 (3) combating fentanyl trafficking demands—

15 (A) improved interagency command, con-
16 trol, communications, and intelligence sharing
17 to enhance the effectiveness of the interdiction
18 of fentanyl at the borders of the United States;
19 and

20 (B) whole-of-government solutions com-
21 prised of an integrated and synchronized inter-
22 agency organizational construct committed to
23 dismantling the process of trafficking fentanyl
24 from chemical precursor to production to deliv-

1 ery in the United States and enabling partner
2 nations to do the same;

3 (4) it is within the national security interest of
4 the United States for Federal, State, and local law
5 enforcement agencies, the Department of Defense,
6 the Department of State, other counter-drug agen-
7 cies, and stakeholders to effectively communicate
8 and that the failure of effective communication af-
9 fects the prevention, interdiction, and prosecution of
10 fentanyl trafficking and distribution into and within
11 the United States; and

12 (5) the United States must partner with Mexico
13 and Canada to combat fentanyl trafficking through
14 institution building, the dismantling of cartels, and
15 seizures of fentanyl in Mexico, Canada, and intra-
16 state transit zones.

17 (b) DEVELOPMENT OF STRATEGY TO COUNTER
18 FENTANYL TRAFFICKING AND REPORT.—

19 (1) STRATEGY.—

20 (A) IN GENERAL.—Not later than 120
21 days after the date of the enactment of this
22 Act, the Secretary of Defense, in coordination
23 with other Federal agencies as the Secretary
24 considers appropriate, shall develop and submit
25 to the appropriate congressional committees a

1 strategy to use existing authorities, including
2 the authorities under section 124 of title 10,
3 United States Code, as appropriate, to target,
4 disrupt, or degrade threats to the national secu-
5 rity of the United States caused or exacerbated
6 by fentanyl trafficking.

7 (B) CONTENTS.—The strategy required by
8 subparagraph (A) shall outline how the Sec-
9 retary of Defense will—

10 (i) leverage existing authorities re-
11 garding counterdrug and counter-
12 transnational organized crime activities
13 with a counter-fentanyl nexus to detect
14 and monitor activities related to fentanyl
15 trafficking;

16 (ii) support operations to counter
17 fentanyl trafficking carried out by other
18 Federal agencies, State, Tribal, and local
19 law enforcement agencies, or foreign secu-
20 rity forces;

21 (iii) coordinate efforts of the Depart-
22 ment of Defense for the detection and
23 monitoring of aerial, maritime, and surface
24 traffic suspected of carrying fentanyl
25 bound for the United States, including ef-

1 forts to unify the use of technology, sur-
2 veillance, and related resources across air,
3 land, and maritime domains to counter
4 fentanyl trafficking, including with respect
5 to data collection, data processing, and in-
6 tegrating sensors across such domains;

7 (iv) provide military-unique capabili-
8 ties to support activities by the United
9 States Government and foreign security
10 forces to detect and monitor the trafficking
11 of fentanyl and precursor chemicals used
12 in fentanyl production, consistent with sec-
13 tion 284(b)(10) of title 10, United States
14 Code;

15 (v) leverage existing counterdrug and
16 counter-transnational organized crime pro-
17 grams of the Department to counter
18 fentanyl trafficking;

19 (vi) assess existing training programs
20 of the Department and provide training for
21 Federal, State, Tribal, and local law en-
22 forcement agencies conducted by special
23 operations forces to counter fentanyl traf-
24 ficking, consistent with section 284(b) of
25 title 10, United States Code;

1 (vii) engage with foreign security
2 forces to ensure the counterdrug and
3 counter-transnational organized crime pro-
4 grams of the Department—

5 (I) support efforts to counter
6 fentanyl trafficking; and

7 (II) build capacity to interdict
8 fentanyl in foreign countries, includ-
9 ing programs to train security forces
10 in partner countries to counter
11 fentanyl trafficking, including coun-
12 tering illicit flows of fentanyl precur-
13 sors, consistent with sections 284(c)
14 and 333 of title 10, United States
15 Code;

16 (viii) use the North American Defense
17 Ministerial and the bilateral defense work-
18 ing groups and bilateral military coopera-
19 tion round tables with Canada and Mexico
20 to increase domain awareness to detect and
21 monitor fentanyl trafficking; and

22 (ix) evaluate existing policies, proce-
23 dures, processes, and resources that affect
24 the ability of the Department to counter
25 fentanyl trafficking consistent with existing

1 counterdrug and counter-transnational or-
2 ganized crime authorities.

3 (C) FORM.—The strategy required by sub-
4 paragraph (A) shall be submitted in unclassi-
5 fied form, but may include a classified annex.

6 (D) BRIEFING.—Not later than 45 days
7 after the submission of the strategy required by
8 subparagraph (A), the Secretary shall provide
9 to the appropriate congressional committees a
10 briefing on the strategy and plans for its imple-
11 mentation.

12 (2) REPORT ON LAW ENFORCEMENT REIM-
13 BURSEMENT.—The Secretary of Defense shall sub-
14 mit to the appropriate congressional committees a
15 report on—

16 (A) any goods or services provided under
17 section 1535 of title 31, United States Code
18 (commonly known as the “Economy Act”), dur-
19 ing the period beginning on January 1, 2010,
20 and ending on the date on which the report is
21 submitted, by the Department of Defense to
22 Federal civilian law enforcement agencies for
23 counterdrug and counter-transnational orga-
24 nized crime operations on the southern border
25 of the United States; and

1 (B) any payments made for such goods or
2 services under such section during such period.

3 (c) COOPERATION WITH MEXICO.—

4 (1) IN GENERAL.—The Secretary of Defense
5 shall seek to enhance cooperation with defense offi-
6 cials of the Government of Mexico to target, disrupt,
7 and degrade transnational criminal organizations
8 within Mexico that traffic fentanyl.

9 (2) REPORT ON ENHANCED SECURITY CO-
10 OPERATION.—

11 (A) IN GENERAL.—Not later than 180
12 days after the date of the enactment of this
13 Act, the Secretary of Defense shall submit to
14 the appropriate congressional committees a re-
15 port on efforts to enhance cooperation with de-
16 fense officials of the Government of Mexico
17 specified in paragraph (1).

18 (B) CONTENTS.—The report required by
19 subparagraph (A) shall include—

20 (i) an assessment of the impact of the
21 efforts to enhance cooperation described in
22 paragraph (1) on targeting, disrupting,
23 and degrading fentanyl trafficking;

1 (ii) a description of limitations on
2 such efforts, including limitations imposed
3 by the Government of Mexico;

4 (iii) recommendations by the Sec-
5 retary on actions to further improve co-
6 operation with defense officials of the Gov-
7 ernment of Mexico;

8 (iv) recommendations by the Secretary
9 on actions of the Department of Defense
10 to further improve the capabilities of the
11 Government of Mexico to target, disrupt,
12 and degrade fentanyl trafficking; and

13 (v) any other matter the Secretary
14 considers relevant.

15 (C) FORM.—The report required by sub-
16 paragraph (A) may be submitted in unclassified
17 form but shall include a classified annex.

18 (d) DEFINITIONS.—In this section:

19 (1) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES.—The term “appropriate congressional com-
21 mittees” means—

22 (A) the Committee on Armed Services of
23 the Senate; and

24 (B) the Committee on Armed Services of
25 the House of Representatives.

1 (2) FENTANYL.—The term “fentanyl” means
2 fentanyl and any fentanyl-related substance.

3 (3) FENTANYL-RELATED SUBSTANCE.—The
4 term “fentanyl-related substance”—

5 (A) means any substance that is struc-
6 turally related to fentanyl by 1 or more modi-
7 fications of—

8 (i) replacement of the phenyl portion
9 of the phenethyl group by any monocycle,
10 whether or not further substituted in or on
11 the monocycle;

12 (ii) substitution in or on the phenethyl
13 group with alkyl, alkenyl, alkoxy, hydroxyl,
14 halo, haloalkyl, amino, or nitro
15 groups;

16 (iii) substitution in or on the piper-
17 idine ring with alkyl, alkenyl, alkoxy,
18 ester, ether, hydroxyl, halo, haloalkyl,
19 amino, or nitro groups;

20 (iv) replacement of the aniline ring
21 with any aromatic monocycle whether or
22 not further substituted in or on the aro-
23 matic monocycle; and

24 (v) replacement of the N-propionyl
25 group with another acyl group; and

1 (B) does not include a substance described
2 in subparagraph (A) that is—

3 (i) controlled by action of the Attor-
4 ney General pursuant to section 201 of the
5 Controlled Substances Act (21 U.S.C.
6 811);

7 (ii) expressly listed in Schedule I of
8 section 202(c) of that Act (21 U.S.C. 812)
9 or another schedule by a statutory provi-
10 sion; or

11 (iii) removed from Schedule I, or re-
12 scheduled to another schedule, pursuant to
13 section 201(k) of that Act (21 U.S.C.
14 811(k)).

15 (4) **ILLEGAL MEANS.**—The term “illegal
16 means” includes the trafficking of money, human
17 trafficking, illicit financial flows, illegal trade in nat-
18 ural resources and wildlife, trade in illegal drugs and
19 weapons, and other forms of illegal means deter-
20 mined by the Secretary of Defense.

21 (5) **SECURITY COOPERATION PROGRAM.**—The
22 term “security cooperation program” has the mean-
23 ing given that term in section 301 of title 10, United
24 States Code.

1 (6) TRANSNATIONAL CRIMINAL ORGANIZA-
2 TION.—

3 (A) IN GENERAL.—The term
4 “transnational criminal organization” means a
5 group, network, and associated individuals who
6 operate transnationally for the purpose of ob-
7 taining power, influence, or monetary or com-
8 mercial gain, wholly or in part by illegal means,
9 while advancing their activities through a pat-
10 tern of crime, corruption, or violence and pro-
11 tecting their illegal activities through a
12 transnational organizational structure and the
13 exploitation of public corruption or
14 transnational logistics, financial, or communica-
15 tion mechanisms.

16 (B) ADDITIONAL ORGANIZATIONS.—The
17 term “transnational criminal organization” in-
18 cludes any transnational criminal organization
19 identified in the most recent Drug Threat As-
20 sessment of the Drug Enforcement Agency.

21 **SEC. 1012. ENHANCED SUPPORT FOR COUNTERDRUG AC-**
22 **TIVITIES AND ACTIVITIES TO COUNTER**
23 **TRANSNATIONAL ORGANIZED CRIME.**

24 Section 284(b)(9) of title 10, United States Code, is
25 amended by striking “linguist and intelligence analysis”

1 and inserting “linguist, intelligence analysis, and plan-
2 ning”.

3 **SEC. 1013. MODIFICATION OF SUPPORT FOR**
4 **COUNTERDRUG ACTIVITIES AND ACTIVITIES**
5 **TO COUNTER TRANSNATIONAL ORGANIZED**
6 **CRIME: INCREASE IN CAP FOR SMALL SCALE**
7 **CONSTRUCTION PROJECTS.**

8 Section 284(i)(3) of title 10, United States Code, is
9 amended by striking “\$750,000” and inserting
10 “\$1,500,000”.

11 **SEC. 1014. BUILDING THE CAPACITY OF ARMED FORCES OF**
12 **MEXICO TO COUNTER THE THREAT POSED BY**
13 **TRANSNATIONAL CRIMINAL ORGANIZATIONS.**

14 (a) PILOT PROGRAM.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary of
16 Defense, in coordination with the Secretary of State, shall
17 establish a pilot program to assess the feasibility and ad-
18 visability of building the capacity of armed forces of Mex-
19 ico in the United States on goals, jointly agreed to by the
20 Governments of the United States and Mexico, to counter
21 the threat posed by transnational criminal organizations,
22 including through—

23 (1) operations designed, at least in part, by the
24 United States, to counter that threat; and

1 (2) in consultation with the appropriate civilian
2 government agencies specializing in countering
3 transnational criminal organizations—

4 (A) joint network analysis;

5 (B) counter threat financing;

6 (C) counter illicit trafficking (including
7 narcotics, weapons, and human trafficking, and
8 illicit trafficking in natural resources); and

9 (D) assessments of key nodes of activity of
10 transnational criminal organizations.

11 (b) PLAN.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the Sec-
14 retary of Defense shall submit to the appropriate
15 congressional committees a plan for implementing
16 the pilot program required by subsection (a) over a
17 period of five years, including the costs of admin-
18 istering the program during such period.

19 (2) DEFINITION OF APPROPRIATE CONGRES-
20 SIONAL COMMITTEES.—In this subsection, the term
21 “appropriate congressional committees” means—

22 (A) the Committee on Armed Services, the
23 Committee on Foreign Relations, and the Com-
24 mittee on Appropriations of the Senate; and

1 (B) the Committee on Armed Services, the
2 Committee on Foreign Affairs, and the Com-
3 mittee on Appropriations of the House of Rep-
4 resentatives.

5 **Subtitle C—Naval Vessels**

6 **SEC. 1021. MODIFICATION OF AUTHORITY TO PURCHASE** 7 **USED VESSELS UNDER THE NATIONAL DE-** 8 **FENSE SEALIFT FUND.**

9 Section 2218(f)(3) of title 10, United States Code,
10 is amended—

11 (1) by striking subparagraphs (C), (E) and (G);

12 and

13 (2) by redesignating subparagraphs (D) and
14 (F) as subparagraphs (C) and (D), respectively.

15 **SEC. 1022. AMPHIBIOUS WARSHIP FORCE AVAILABILITY.**

16 Section 8062 of title 10, United States Code, is
17 amended—

18 (1) in subsection (e)—

19 (A) in paragraph (2), by striking “and” at
20 the end;

21 (B) in paragraph (3), by striking the pe-
22 riod at the end and inserting “; and”; and

23 (C) by adding at the end the following new
24 paragraph:

1 “(4) the Navy adjusts scheduled maintenance
2 and repair actions to maintain a minimum of 24 am-
3 phibious warfare ships operationally available for
4 worldwide deployment.”; and

5 (2) by redesignating the second subsection (g)
6 (defining amphibious warfare ship) as subsection
7 (h).

8 **SEC. 1023. PROHIBITION ON RETIREMENT OF CERTAIN**
9 **NAVAL VESSELS.**

10 None of the funds authorized to be appropriated by
11 this Act for fiscal year 2024 may be obligated or expended
12 to retire, prepare to retire, or place in storage any of the
13 following naval vessels:

14 (1) USS Germantown (LSD 42).

15 (2) USS Gunston Hall (LSD 44).

16 (3) USS Tortuga (LSD 46).

17 (4) USS Shiloh (CG 67).

18 **SEC. 1024. REPORT ON THE POTENTIAL FOR AN ARMY AND**
19 **NAVY JOINT EFFORT FOR WATERCRAFT VES-**
20 **SELS.**

21 (a) REPORT REQUIRED.—Not later than February
22 29, 2024, the Secretary of the Navy, in coordination with
23 the Secretary of the Army, shall submit to the congres-
24 sional defense committees a report on the feasibility of
25 conducting a joint Army and Navy effort to develop and

1 field a family of watercraft vessels to support the imple-
2 mentation of the Marine Corps concept of expeditionary
3 advanced base operations and Army operations in mari-
4 time environments.

5 (b) ELEMENTS.—The report required by subsection
6 (a) shall include an assessment of whether a shared base
7 platform could meet requirements of the Department of
8 the Navy and the Department of the Army, and, if so,
9 an assessment of the benefits and challenges of procuring
10 a technical data package to allow simultaneous construc-
11 tion of such platform by multiple builders and using block
12 buy authorities.

13 **Subtitle D—Counterterrorism**

14 **SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS** 15 **TO CLOSE OR RELINQUISH CONTROL OF** 16 **UNITED STATES NAVAL STATION, GUANTA-** 17 **NAMO BAY, CUBA.**

18 Section 1036 of the National Defense Authorization
19 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
20 1551), as most recently amended by section 1034 of the
21 James M. Inhofe National Defense Authorization Act for
22 Fiscal Year 2023 (Public Law 117–263), is further
23 amended by striking “2023” and inserting “2024”.

1 **SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **FOR TRANSFER OR RELEASE OF INDIVID-**
3 **UALS DETAINED AT UNITED STATES NAVAL**
4 **STATION, GUANTANAMO BAY, CUBA, TO THE**
5 **UNITED STATES.**

6 Section 1033 of the John S. McCain National De-
7 fense Authorization Act for Fiscal Year 2019 (Public Law
8 115–232; 132 Stat. 1953), as most recently amended by
9 section 1031 of the James M. Inhofe National Defense
10 Authorization Act for Fiscal Year 2023 (Public Law 117–
11 263), is further amended by striking “December 31,
12 2023” and inserting “December 31, 2024”.

13 **SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS**
14 **TO CONSTRUCT OR MODIFY FACILITIES IN**
15 **THE UNITED STATES TO HOUSE DETAINEES**
16 **TRANSFERRED FROM UNITED STATES NAVAL**
17 **STATION, GUANTANAMO BAY, CUBA.**

18 Section 1034(a) of the John S. McCain National De-
19 fense Authorization Act for Fiscal Year 2019 (Public Law
20 115–232; 132 Stat. 1954), as most recently amended by
21 section 1032 of the James M. Inhofe National Defense
22 Authorization Act for Fiscal Year 2023 (Public Law 117–
23 263), is further amended by striking “December 31,
24 2023” and inserting “December 31, 2024”.

1 **SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **FOR TRANSFER OR RELEASE OF INDIVID-**
3 **UALS DETAINED AT UNITED STATES NAVAL**
4 **STATION, GUANTANAMO BAY, CUBA, TO CER-**
5 **TAIN COUNTRIES.**

6 Section 1035 of the John S. McCain National De-
7 fense Authorization Act for Fiscal Year 2019 (Public Law
8 115–232; 132 Stat. 1954), as most recently amended by
9 section 1033 of the James M. Inhofe National Defense
10 Authorization Act for Fiscal Year 2023 (Public Law 117–
11 263), is further amended by striking “December 31,
12 2023” and inserting “December 31, 2024”.

13 **Subtitle E—Miscellaneous**
14 **Authorities and Limitations**

15 **SEC. 1041. EXTENSION OF ADMISSION TO GUAM OR THE**
16 **COMMONWEALTH OF THE NORTHERN MAR-**
17 **IANA ISLANDS FOR CERTAIN NONIMMIGRANT**
18 **H-2B WORKERS.**

19 Section 6(b)(1)(B) of the Joint Resolution entitled
20 “A Joint Resolution to approve the ‘Covenant to Establish
21 a Commonwealth of the Northern Mariana Islands in Po-
22 litical Union with the United States of America’, and for
23 other purposes”, approved March 24, 1976 (48 U.S.C.
24 1806(b)(1)(B)), is amended, in the matter preceding
25 clause (i), by striking “December 31, 2023” and inserting
26 “December 31, 2029”.

1 **SEC. 1042. AUTHORITY TO INCLUDE FUNDING REQUESTS**
2 **FOR THE CHEMICAL AND BIOLOGICAL DE-**
3 **FENSE PROGRAM IN BUDGET ACCOUNTS OF**
4 **MILITARY DEPARTMENTS.**

5 Section 1701(d)(2) of the National Defense Author-
6 ization Act for Fiscal Year 1994 (50 U.S.C. 1522(d)(2))
7 is amended by striking “may not be included in the budget
8 accounts” and inserting “may be included in the budget
9 accounts”.

10 **SEC. 1043. UNFAVORABLE SECURITY CLEARANCE ELIGI-**
11 **BILITY DETERMINATIONS AND APPEALS.**

12 (a) ADMINISTRATIVE DUE PROCESS PROCEDURES
13 FOR COVERED INDIVIDUALS SEEKING OR HAVING AC-
14 CESS TO CLASSIFIED INFORMATION OR SENSITIVE COM-
15 PARTMENT INFORMATION.—

16 (1) IN GENERAL.—Each head of a component
17 of the Department of Defense shall provide to each
18 covered individual described in paragraph (2) of
19 such component seeking or having access to classi-
20 fied information or sensitive compartment informa-
21 tion with administrative due process procedures de-
22 scribed in paragraph (3) through the Defense Office
23 of Hearings and Appeals.

24 (2) COVERED INDIVIDUAL DESCRIBED.—A cov-
25 ered individual described in this paragraph is a
26 member of the Armed Forces, a civilian employee

1 employed by a component of the Department of De-
2 fense, or a contractor employee described in Depart-
3 ment of Defense Manual 5220.22, Volume 2 (relat-
4 ing to National Industrial Security Program: Indus-
5 trial Security Procedures for Government Activities),
6 or successor manual.

7 (3) ADMINISTRATIVE DUE PROCESS PROCE-
8 DURES DESCRIBED.—The administrative due process
9 procedures described in this paragraph are the ad-
10 ministrative due process procedures described in De-
11 partment of Defense Directive 5220.6 (relating to
12 Defense Industrial Personnel Security Clearance Re-
13 view Program), or successor directive, and Executive
14 Order 10865 (50 U.S.C. 3161 note; relating to safe-
15 guarding classified information within industry).

16 (b) HEARINGS, APPEALS, AND FINAL DENIALS AND
17 REVOCATIONS OF SECURITY CLEARANCE ELIGIBILITY.—
18 In order to simplify, centralize, and unify the administra-
19 tive processes for unfavorable security clearance eligibility
20 determinations for covered individuals described in sub-
21 section (a)(2), the Secretary of Defense shall ensure that
22 all hearings, appeals, and final denials and revocations of
23 security clearance eligibility are performed by the Defense
24 Office of Hearings and Appeals with administrative due
25 process procedures.

1 (c) UPDATES TO DEPARTMENT OF DEFENSE MANU-
2 ALS.—The Secretary of Defense shall update Department
3 of Defense Manual 5200.02 (relating to procedures for
4 Department of Defense Personnel Security Program) and
5 Department of Defense Manual 5220.22, Volume 2 (relat-
6 ing to National Industrial Security Program: Industrial
7 Security Procedures for Government Activities) to con-
8 form with the requirements of subsections (a) and (b).

9 (d) AUTHORITY OF DIRECTOR OF DEFENSE OFFICE
10 OF HEARINGS AND APPEALS TO RENDER ELIGIBILITY
11 DETERMINATIONS FOR ACCESS TO CLASSIFIED INFORMA-
12 TION AND SENSITIVE COMPARTMENTED INFORMATION.—
13 The Director of the Defense Office of Hearings and Ap-
14 peals may render eligibility determinations for access to
15 classified information and sensitive compartmented infor-
16 mation pursuant to procedures and guidelines that the Di-
17 rector shall issue in consultation with the Director of Na-
18 tional Intelligence.

19 (e) DISSEMINATION OF SECURITY RELEVANT INFOR-
20 MATION.—

21 (1) REQUEST FOR SHARING REQUIRED.—In a
22 case in which a contractor or civilian employee of the
23 Federal Government holding an active security clear-
24 ance is seeking to transfer that clearance for a new
25 position in the Department of Defense and in which

1 an agency or department of the Federal Government
2 possesses security relevant information about that
3 clearance holder that is related to eligibility for ac-
4 cess to classified information and makes known the
5 existence of such security relevant information in the
6 commonly accessible security clearance databases of
7 the Federal Government, but without taking any ac-
8 tion to suspend or revoke that clearance holder's se-
9 curity clearance, the Department of Defense compo-
10 nent considering the transfer of a clearance shall
11 promptly make a request to receive the security rel-
12 evant information from the agency or department in
13 possession of such information.

14 (2) FAILURE TO SHARE.—In a case in which an
15 agency or department of the Federal Government re-
16 ceives a request to share security relevant informa-
17 tion about a clearance holder pursuant to paragraph
18 (1) but fails to do so within 30 days of the date on
19 which the request is made, such failure shall trigger
20 procedural and substantive due process rights, estab-
21 lished for the purposes of carrying out this section,
22 for the clearance holder to challenge the security rel-
23 evant information as if the information were the
24 equivalent of a suspension, denial, or revocation of
25 the underlying clearance.

1 (f) PROTECTIONS.—Members of the Armed Forces
2 and civilian employees of the Department of Defense may
3 not be suspended without pay because a security clearance
4 is suspended or revoked prior to the conclusion of any ap-
5 peal process to enable such members and employee to sup-
6 port themselves during an appeal process and to support
7 themselves without resigning from Government employ-
8 ment and thereby losing standing to appeal the suspension
9 or revocation of access to classified information.

10 (g) EFFECTIVE DATE; APPLICABILITY.—

11 (1) EFFECTIVE DATE.—This section shall take
12 effect on the earlier of—

13 (A) the date on which the General Counsel
14 of the Department of Defense certifies to the
15 Committee on Armed Services of the Senate
16 and the Committee on Armed Services of the
17 House of Representatives that the Defense Of-
18 fice of Hearings and Appeals is prepared for
19 the provisions of this section to take effect; or

20 (B) September 30, 2024.

21 (2) APPLICABILITY.—This section shall apply
22 to revocations of eligibility to access classified infor-
23 mation or sensitive compartmented information that
24 occur on or after the date on which this section
25 takes effect pursuant to paragraph (1).

1 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to diminish or otherwise affect the
3 authority of the head of a component of the Department
4 to suspend access to classified information or a special ac-
5 cess program, including sensitive compartmented informa-
6 tion, in exigent circumstances, should the head determine
7 that continued access of a covered individual is incon-
8 sistent with protecting the national security of the United
9 States.

10 **SEC. 1044. ASSISTANCE IN SUPPORT OF DEPARTMENT OF**
11 **DEFENSE ACCOUNTING FOR MISSING UNITED**
12 **STATES GOVERNMENT PERSONNEL.**

13 (a) IN GENERAL.—Section 408 of title 10, United
14 States Code, is amended—

15 (1) in the section heading, by striking “**Equip-**
16 **ment and training of foreign personnel to**
17 **assist in**” and inserting “**Assistance in sup-**
18 **port of**”;

19 (2) in subsection (b), by adding at the end the
20 following new paragraph:

21 “(5) Funds.”;

22 (3) by striking subsections (d) and (f);

23 (4) by redesignating subsection (e) as sub-
24 section (d); and

1 (5) by adding at the end the following new sub-
2 section:

3 “(e) ANNUAL REPORT.—Not later than December 31
4 of each year, the Secretary of Defense shall submit to the
5 congressional defense committees a report on the assist-
6 ance provided under this section during the preceding fis-
7 cal year.”.

8 (b) TABLE OF SECTIONS AMENDMENT.—The table of
9 sections at the beginning of chapter 20 of title 10, United
10 States Code, is amended by striking the item relating to
11 section 408 and inserting the following new item:

“408. Assistance in support of Department of Defense accounting for missing
United States Government personnel.”.

12 **SEC. 1045. IMPLEMENTATION OF ARRANGEMENTS TO**
13 **BUILD TRANSPARENCY, CONFIDENCE, AND**
14 **SECURITY.**

15 Section 2241 of title 10, United States Code, is
16 amended by adding at the end the following new sub-
17 section:

18 “(d) IMPLEMENTATION OF VIENNA DOCUMENT
19 2011.—Amounts appropriated for operation and mainte-
20 nance may be used by the Secretary of Defense for travel,
21 transportation, and subsistence expenses for meetings and
22 demonstrations hosted by the Department of Defense for
23 the implementation of the Vienna Document 2011 on Con-
24 fidence and Security-Building Measures.”.

1 **SEC. 1046. ACCESS TO AND USE OF MILITARY POST OF-**
2 **FICES BY UNITED STATES CITIZENS EM-**
3 **PLOYED OVERSEAS BY THE NORTH ATLANTIC**
4 **TREATY ORGANIZATION WHO PERFORM**
5 **FUNCTIONS IN SUPPORT OF MILITARY OPER-**
6 **ATIONS OF THE ARMED FORCES.**

7 (a) REQUIREMENT TO AUTHORIZE USE OF POST OF-
8 FICE.—Section 406 of title 39, United States Code, is
9 amended by striking “may authorize the use” and insert-
10 ing “shall authorize the use”.

11 (b) BRIEFING REQUIREMENT.—Not later than
12 March 1, 2024, the Secretary of Defense shall brief the
13 Committees on Armed Services of the Senate and House
14 of Representatives on the revision of the Financial Man-
15 agement Regulation to authorize individuals under sub-
16 paragraph (A) of section 406(c)(1) of title 39, United
17 States Code, as amended by subsection (a), to utilize the
18 authority provided under such subparagraph. If there is
19 a determination that this authority is not feasible for a
20 legal or financial reason, the Secretary shall include the
21 background for those determinations in the briefing.

1 **SEC. 1047. REMOVAL OF TIME LIMITATIONS OF TEM-**
2 **PORARY PROTECTION AND AUTHORIZATION**
3 **OF REIMBURSEMENT FOR SECURITY SERV-**
4 **ICES AND EQUIPMENT FOR FORMER OR RE-**
5 **TIRED DEPARTMENT OF DEFENSE PER-**
6 **SONNEL.**

7 (a) REMOVAL OF TIME LIMITATIONS.—Section
8 714(b) of title 10, United States Code, is amended—

9 (1) by redesignating paragraph (6) as para-
10 graph (7);

11 (2) in paragraph (5)—

12 (A) by redesignating subparagraph (C) as
13 paragraph (6) and moving such paragraph, as
14 so redesignated, two ems to the left; and

15 (B) by striking “DURATION OF PROTEC-
16 TION.—” and all that follows through the pe-
17 riod at the end of subparagraph (B) and insert-
18 ing “DURATION OF PROTECTION.—The Sec-
19 retary of Defense shall require periodic reviews,
20 not less than once every six months, of the du-
21 ration of protection provided to individuals
22 under this subsection.”;

23 (3) in subparagraph (A) of paragraph (7), as
24 redesignated by paragraph (1) of this subsection, by
25 striking “and of each determination under para-

1 graph (5)(B) to extend such protection and secu-
2 rity”.

3 (b) AUTHORIZATION OF REIMBURSEMENT OR ACQUI-
4 SITION OF SECURITY SERVICES.—Section 714 of title 10,
5 United States Code, is further amended by adding at the
6 end the following new subsection:

7 “(e) REIMBURSEMENT.—The Secretary of Defense
8 may reimburse a former or retired official who faces seri-
9 ous and credible threats arising from duties performed
10 while employed by the Department for security services
11 and equipment procured at the personal expense of the
12 official, not to exceed an aggregate of \$15,000,000 in any
13 fiscal year for all former and retired officials authorized
14 by the Secretary of Defense for such reimbursement.”.

15 **SEC. 1048. ANNUAL DEFENSE POW/MIA ACCOUNTING AGEN-**
16 **CY (DPAA) CAPABILITIES REQUIRED TO EX-**
17 **PAND ACCOUNTING FOR PERSONS MISSING**
18 **FROM DESIGNATED PAST CONFLICTS.**

19 (a) IN GENERAL.—Not later than March 1, 2024,
20 and annually thereafter, the Defense POW/MIA Account-
21 ing Agency (DPAA) shall post on a publicly available
22 internet website a list of capabilities required to expand
23 accounting for persons missing from designated past con-
24 flicts and provide a briefing to Congress on those capabili-
25 ties.

1 (b) AUTHORITY TO ENTER INTO AGREEMENTS.—
 2 The Defense POW/MIA Accounting Agency may enter
 3 into agreements with universities or research organiza-
 4 tions to provide additional capabilities for specialized mis-
 5 sions or research requirements.

6 **SEC. 1049. ACCESS TO COMMISSARY AND EXCHANGE PRIVI-**
 7 **LEGES FOR REMARRIED SPOUSES.**

8 (a) BENEFITS.—Section 1062 of title 10, United
 9 States Code, is amended—

10 (1) by striking “The Secretary of Defense” and
 11 inserting the following:

12 “(a) CERTAIN UNREARRIED FORMER SPOUSES.—
 13 The Secretary of Defense”;

14 (2) by striking “commissary and exchange
 15 privileges” and inserting “use commissary stores
 16 and MWR retail facilities”;

17 (3) by adding at the end the following new sub-
 18 section:

19 “(b) CERTAIN REMARRIED SURVIVING SPOUSES.—
 20 The Secretary of Defense shall prescribe such regulations
 21 as may be necessary to provide that a surviving spouse
 22 of a deceased member of the armed forces, regardless of
 23 the marital status of the surviving spouse, is entitled to
 24 use commissary stores and MWR retail facilities to the
 25 same extent and on the same basis as an unremarried sur-

1 living spouse of a member of the uniformed services.”;
2 and

3 (4) by adding at the end the following new sub-
4 section:

5 “(c) MWR RETAIL FACILITIES DEFINED.—In this
6 section, the term ‘MWR retail facilities’ has the meaning
7 given that term in section 1063(e) of this title.”.

8 (b) CLERICAL AMENDMENTS.—

9 (1) SECTION HEADING.—The heading of section
10 1062 of title 10, United States Code, is amended to
11 read as follows:

12 “§ 1062. **Certain former spouses and surviving**
13 **spouses”.**

14 (2) TABLE OF SECTIONS.—The table of sections
15 at the beginning of chapter 54 of title 10, United
16 States Code, is amended by striking the item relat-
17 ing to section 1062 and inserting the following new
18 item:

“1062. Certain former spouses and surviving spouses.”.

19 (c) REGULATIONS.—The Secretary of Defense shall
20 publish the regulations required under section 1062(b) of
21 title 10, United States Code, as added by subsection
22 (a)(3), by not later than October 1, 2025.

1 **Subtitle F—Studies and Reports**

2 **SEC. 1051. ANNUAL REPORT AND BRIEFING ON IMPLEMEN-** 3 **TATION OF FORCE DESIGN 2030.**

4 (a) IN GENERAL.—Not later than March 31, 2024,
5 and annually thereafter through March 31, 2030, the
6 Commandant of the Marine Corps shall submit to the con-
7 gressional defense committees a report detailing the pro-
8 grammatic choices made to implement Force Design 2030,
9 including both new developmental and fielded capabilities,
10 as well as capabilities and capacity divested to accelerate
11 implementation of Force Design 2030.

12 (b) BRIEFING REQUIREMENT.—Not later than Sep-
13 tember 30, 2024, and annually thereafter through Sep-
14 tember 30, 2030, the Commandant of the Marine Corps
15 shall provide a briefing on the elements described under
16 subsection (c).

17 (c) ELEMENTS.—The report required under sub-
18 section (a) and briefing required under subsection (b) shall
19 include the following elements:

20 (1) An assessment of changes in the National
21 Defense Strategy, Defense Planning Guidance, Joint
22 Warfighting Concept (and associated Concept Re-
23 quired Capabilities), and other planning processes
24 that informed Force Design 2030.

1 (2) An inventory and assessment of Force De-
2 sign-related exercises and experimentation beginning
3 in fiscal year 2020, including which capabilities were
4 involved and the extent to which such exercises and
5 experiments validated or militated against proposed
6 capability investments.

7 (3) An inventory of divestments of capability or
8 capacity, whether force structure or equipment,
9 starting in fiscal year 2020, including—

10 (A) a timeline of the progress of each di-
11 vestment;

12 (B) the type of force structure or equip-
13 ment divested or reduced;

14 (C) the percentage of force structure or
15 equipment divested or reduced, including any
16 equipment entered into inventory management
17 or another form of storage;

18 (D) the rationale and context behind such
19 divestment;

20 (E) an identification of whether such di-
21 vestment affects the Marine Corps' ability to
22 meet the requirements of Global Force Manage-
23 ment process and the operational plans, includ-
24 ing an explanation of how the Marine Corps
25 plans to mitigate the loss of such capability or

1 capacity if the divestment affects the Marine
2 Corps' ability to meet the requirements of the
3 Global Force Management process and the
4 operational plans, including through new invest-
5 ments, additional joint planning and training,
6 or other methods; and

7 (F) an assessment of the Marine Corps' re-
8 cruitment and retention actual and projected
9 percentages starting in fiscal year 2020.

10 (4) An inventory of extant or planned invest-
11 ments as a part of Force Design 2030,
12 disaggregated by integrated air and missile defense,
13 littoral mobility and maneuver, sea denial, and re-
14 connaissance and counter-reconnaissance forces, in-
15 cluding—

16 (A) capability name;

17 (B) capability purpose and context;

18 (C) capability being replaced (or not appli-
19 cable);

20 (D) date of initial operational capability;

21 (E) date of full operational capability;

22 (F) deliveries of units by year; and

23 (G) approved acquisition objective or simi-
24 lar inventory objective.

1 (5) A description of the amphibious warfare
2 ship and maritime mobility requirements the Marine
3 Corps submitted to the Department of the Navy in
4 support of the Marine Corps organization and con-
5 cepts under Force Design 2030 and its statutory re-
6 quirements, including a detailed statement of the
7 planning assumptions about readiness of amphibious
8 warfare ships and maritime mobility platforms that
9 were used in developing the requirements.

10 (6) An assessment of how the capability invest-
11 ments described in paragraph (4) contribute to joint
12 force efficacy in new ways, including through sup-
13 port of other military services.

14 (7) An assessment of the ability of the Marine
15 Corps to generate required force elements for the
16 Immediate Ready Force and the Contingency Ready
17 Force over the previous two fiscal years and the ex-
18 pected ability to generate forces for the next two fis-
19 cal years.

20 (8) An assessment of Marine Corps force struc-
21 ture and the readiness of Marine Expeditionary
22 Units compared to availability of amphibious ships
23 comprising an Amphibious Ready Group over the
24 previous two fiscal years and the expected avail-
25 ability for the next two fiscal years.

1 (9) An assessment by the Marine Corps of its
2 compliance with the statutory organization pre-
3 scribed in section 8063 of title 10, United States
4 Code, that “[t]he Marine Corps, within the Depart-
5 ment of the Navy, shall be so organized as to include
6 not less than three combat divisions and three air
7 wings, and such other land combat, aviation, and
8 other services as may be organic therein”.

9 (10) An assessment by the Marine Corps of its
10 compliance with the statutory functions prescribed
11 in section 8063 of title 10, United States Code, that
12 “[t]he Marine Corps shall be organized, trained, and
13 equipped to provide fleet marine forces of combined
14 arms, together with supporting air components, for
15 service with the fleet in the seizure or defense of ad-
16 vanced naval bases and for the conduct of such land
17 operations as may be essential to the prosecution of
18 a naval campaign”.

19 **SEC. 1052. PLAN FOR CONVERSION OF JOINT TASK FORCE**
20 **NORTH INTO JOINT INTERAGENCY TASK**
21 **FORCE NORTH.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, the Secretary of De-
24 fense, in consultation with the head of any relevant Fed-
25 eral department or agency and acting through the Under

1 Secretary of Defense for Policy, shall submit to the con-
2 gressional defense committees a plan for converting the
3 Joint Task Force North of the United States Northern
4 Command into a joint interagency task force to be known
5 as the “Joint Interagency Task Force North”.

6 (b) ELEMENTS.—The plan required by subsection (a)
7 shall include the following:

8 (1) A description of the mission of the Joint
9 Interagency Task Force North.

10 (2) A detailed description of the resources of
11 the Department of Defense, including personnel, fa-
12 cilities, and operating costs, necessary to convert the
13 Joint Task Force North into a joint interagency
14 task force.

15 (3) An identification of—

16 (A) each relevant department and agency
17 of the United States Government the participa-
18 tion in the Joint Interagency Task Force North
19 of which is necessary in order to enable the
20 Joint Interagency Task Force North to effec-
21 tively carry out its mission; and

22 (B) the interagency arrangements nec-
23 essary to ensure effective participation by each
24 such department and agency.

1 (4) An identification of each international liai-
2 son necessary for the Joint Interagency Task Force
3 North to effectively carry out its mission.

4 (5) A description of the bilateral and multilat-
5 eral agreements with foreign partners and regional
6 and international organizations that would support
7 the implementation of the mission of the Joint Inter-
8 agency Task Force North.

9 (6) A description of the relationship between
10 the Joint Interagency Task Force North and the
11 Joint Interagency Task Force South of the United
12 States Southern Command.

13 (7) A description of the relationship between
14 the Joint Interagency Task Force North and the rel-
15 evant security forces of the Government of Mexico
16 and the Government of the Bahamas.

17 (8) A recommendation on whether the Joint
18 Interagency Task Force North should be an endur-
19 ing entity and a discussion of the circumstances
20 under which the mission of the Joint Interagency
21 Task Force North would transition to one or more
22 entities within the United States Government other
23 than the United States Northern Command.

1 (9) Any recommendations for additional legal
2 authority needed for the Joint Interagency Task
3 Force North to effectively carry out its mission.

4 (c) FORM.—The plan required by subsection (a) shall
5 be submitted in unclassified form but may include a classi-
6 fied annex.

7 (d) INTERIM BRIEFING.—Not later than 60 days
8 after the date of the enactment of this Act, the Secretary
9 shall provide a briefing to the congressional defense com-
10 mittees on progress made in developing the plan required
11 by subsection (a).

12 **SEC. 1053. REPORT ON USE OF TACTICAL FIGHTER AIR-**
13 **CRAFT AND BOMBER AIRCRAFT FOR DEPLOY-**
14 **MENTS AND HOMELAND DEFENSE MISSIONS.**

15 (a) IN GENERAL.—Not later than May 1, 2024, the
16 Secretary of Defense shall submit to the congressional de-
17 fense committees a report including the results of a study
18 on the use of tactical fighter aircraft and bomber aircraft
19 for deployments and homeland defense missions.

20 (b) SCOPE.—The study conducted pursuant to sub-
21 section (a) shall—

22 (1) review both deployment and exercise re-
23 quirements for tactical fighter aircraft and bomber
24 aircraft levied by each geographic combatant com-
25 mand;

1 (2) assess deployable forces currently available
2 to fulfill each of those requirements, and whether
3 those forces are adequate to meet the global require-
4 ments;

5 (3) review any relevant tactical fighter forces or
6 bomber forces that are not considered deployable or
7 available to meet combatant command requirements,
8 and consider whether that status can or should
9 change;

10 (4) assess whether adequate consideration has
11 been put into fighter coverage of the homeland dur-
12 ing these deployments, in particular within the Alas-
13 ka Area of Responsibility and the Hawaii Area of
14 Responsibility; and

15 (5) assess Air Force and Navy active duty, Air
16 National Guard, and reserve land-based tactical
17 fighter units that could be considered for inclusion
18 into homeland defense mission requirements.

19 **SEC. 1054. MODIFICATIONS OF REPORTING REQUIRE-**
20 **MENTS.**

21 (a) CONSOLIDATED BUDGET QUARTERLY REPORT
22 ON USE OF FUNDS.—Section 381(b) of title 10, United
23 States Code, is amended—

1 (1) in the subsection heading, by striking
2 “QUARTERLY REPORT” and inserting “SEMIANNUAL
3 REPORT”;

4 (2) by striking “calendar quarter” and insert-
5 ing “calendar half”; and

6 (3) by striking “such calendar quarter” and in-
7 serting “such calendar half”.

8 (b) MONTHLY COUNTERTERRORISM OPERATIONS
9 BRIEFING.—

10 (1) IN GENERAL.—Section 485 of title 10,
11 United States Code, is amended—

12 (A) in the section heading, by striking
13 “**Monthly**” and inserting “**Quarterly**”; and

14 (B) in subsection (a), by striking “month-
15 ly” and inserting “quarterly”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions at the beginning of chapter 23 of such title is
18 amended by striking the item relating to section 485
19 and inserting the following new item:

“485. Quarterly counterterrorism operations briefings.”.

20 (c) NATIONAL SECURITY STRATEGY FOR THE NA-
21 TIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section
22 4811(a) of title 10, United States Code, is amended by
23 striking “The Secretary shall submit such strategy to Con-
24 gress not later than 180 days after the date of submission
25 of the national security strategy report required under sec-

1 tion 108 of the National Security Act of 1947 (50 U.S.C.
 2 3043).” and inserting “The Secretary shall submit such
 3 strategy to Congress as an integrated part of the report
 4 submitted under section 4814 of this title.”.

5 (d) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE
 6 REPORT AND QUARTERLY BRIEFING.—

7 (1) IN GENERAL.—Section 4814 of title 10,
 8 United States Code, is amended—

9 (A) by amending the section heading to
 10 read as follows:

11 “§ 4814. National Technology and Industrial Base: bi-
 12 ennial report”;

13 (B) by striking “(a) ANNUAL REPORT.—”;

14 (C) by striking “March 1 of each year”
 15 and inserting “March 1 of each odd-numbered
 16 year”; and

17 (D) by striking subsection (b).

18 (2) CLERICAL AMENDMENT.—The table of sec-
 19 tions at the beginning of chapter 382 of such title
 20 is amended by striking the item relating to section
 21 4814 and inserting the following:

“4814. National Technology and Industrial Base: biennial report.”.

22 (3) CONFORMING AMENDMENT.—Section
 23 858(b)(2) of the James M. Inhofe National Defense
 24 Authorization Act for Fiscal Year 2023 (Public Law
 25 117–263) is amended by striking subparagraph (A).

1 (e) ANNUAL MILITARY CYBERSPACE OPERATIONS
2 REPORT.—Section 1644 of the National Defense Author-
3 ization Act for Fiscal Year 2020 (10 U.S.C. 394 note;
4 Public Law 116–92) is amended—

5 (1) in subsection (a) in the matter preceding
6 paragraph (1) in the first sentence—

7 (A) by inserting “effects” after “all named
8 military cyberspace”; and

9 (B) by striking “, operations, cyber effects
10 enabling operations, and cyber operations con-
11 ducted as defensive operations” and inserting
12 “conducted for either offensive or defensive pur-
13 poses”; and

14 (2) in subsection (c), by inserting “or cyber ef-
15 fects operations for which Congress has otherwise
16 been provided notice” before the period.

17 (f) INDEPENDENT STUDIES REGARDING POTENTIAL
18 COST SAVINGS WITH RESPECT TO THE NUCLEAR SECU-
19 RITY ENTERPRISE AND FORCE STRUCTURE.—Section
20 1753 of the National Defense Authorization Act for Fiscal
21 Year 2020 (Public Law 116–92, 133 Stat. 1852) is hereby
22 repealed.

23 (g) EXTENSION AND MODIFICATION OF AUTHORITY
24 TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPO-
25 SITION.—Section 1231(d) of the John S. McCain National

1 Defense Authorization Act for Fiscal Year 2019 (Public
2 Law 115–232) is amended—

3 (1) in the subsection heading, by striking
4 “QUARTERLY” and inserting “SEMIANNUAL”; and

5 (2) in paragraph (1)—

6 (A) in the matter preceding subparagraph
7 (A), by striking “quarterly” and inserting
8 “semiannual”; and

9 (B) in subparagraph (A), by striking “90-
10 day” and inserting “180-day”.

11 (h) EXTENSION OF AUTHORITY TO PROVIDE ASSIST-
12 ANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND
13 SYRIA.—Section 1233(e) of the John S. McCain National
14 Defense Authorization Act for Fiscal Year 2019 (Public
15 Law 115–232) is amended—

16 (1) in the heading, by striking “QUARTERLY”
17 and inserting “SEMIANNUAL”; and

18 (2) in paragraph (1) in the second sentence of
19 the matter preceding subparagraph (A), by striking
20 “quarterly” and inserting “semiannual”.

21 (i) THEFT, LOSS, OR RELEASE OF BIOLOGICAL SE-
22 LECT AGENTS OR TOXINS INVOLVING DEPARTMENT OF
23 DEFENSE.—Section 1067(a) of the National Defense Au-
24 thorization Act for Fiscal Year 2017 (Public Law 114–
25 328; 50 U.S.C. 1528(a)) is amended to read as follows:

1 “(a) NOTIFICATION.—(1) Subject to paragraph (2),
2 not later than 45 days after a covered report of any theft,
3 loss, or release of a biological select agent or toxin involv-
4 ing the Department of Defense is filed with the Centers
5 for Disease Control and Prevention or the Animal and
6 Plant Health Inspection Service, the Secretary of Defense,
7 acting through the Assistant Secretary of Defense for Nu-
8 clear, Chemical, and Biological Defense Programs, shall
9 provide to the congressional defense committees notice of
10 such theft, loss, or release.

11 “(2) The Secretary shall provide to the congressional
12 defense committees notice of a release under paragraph
13 (1) only if the Secretary, acting through the Assistant Sec-
14 retary, determines that the release is outside the barriers
15 of secondary containment into the ambient air or environ-
16 ment or is causing occupational exposure that presents a
17 threat to public safety.

18 “(3) In this subsection, the term ‘covered report’
19 means a report filed under any of the following (or any
20 successor regulations):

21 “(A) Section 331.19 of title 7, Code of Federal
22 Regulations.

23 “(B) Section 121.19 of title 9, Code of Federal
24 Regulations.

1 “(C) Section 73.19 of title 42, Code of Federal
2 Regulations.”.

3 (j) DEPARTMENT OF DEFENSE SECURITY COOPERA-
4 TION WORKFORCE DEVELOPMENT.—Section 1250(b) of
5 the National Defense Authorization Act for Fiscal Year
6 2017 (Public Law 114–328; 130 Stat. 2529) is amend-
7 ed—

8 (1) in paragraph (1), by striking “each year”
9 and inserting “every other year”; and

10 (2) in paragraph (2) in the matter preceding
11 subparagraph (A), by striking “for the fiscal year”
12 and inserting “for the fiscal years”.

13 (k) AUDIT OF DEPARTMENT OF DEFENSE FINAN-
14 CIAL STATEMENTS.—Section 240a of title 10, United
15 States Code, is amended—

16 (1) by striking “(A) ANNUAL AUDIT RE-
17 QUIRED.—”; and

18 (2) by striking subsection (b).

19 (l) FINANCIAL IMPROVEMENT AND AUDIT REMEDI-
20 ATION PLAN.—Section 240b(b) of title 10, United States
21 Code, is amended—

22 (1) in paragraph (1)—

23 (A) in subparagraph (A), by striking
24 “June 30, 2019, and annually thereafter” and
25 inserting “July 31 each year”;

1 (B) in subparagraph (B)—

2 (i) by striking clauses (vii) through
3 (x); and

4 (ii) by redesignating clauses (xi), (xii),
5 and (xiii) as clauses (vii), (viii), and (ix),
6 respectively; and

7 (C) by striking subparagraph (C); and

8 (2) in paragraph (2)—

9 (A) in subparagraph (A)—

10 (i) by striking “June 30” and insert-
11 ing “July 31”; and

12 (ii) by striking the second sentence;
13 and

14 (B) in subparagraph (b)—

15 (i) by striking “June 30” and insert-
16 ing “July 31”; and

17 (ii) by striking the second sentence.

18 (m) ANNUAL REPORTS ON FUNDING.—Section
19 1009(c) of the National Defense Authorization Act for
20 Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 240b
21 note) is amended by striking “five days” and inserting “10
22 days”.

1 **SEC. 1055. REPORT ON EQUIPPING CERTAIN GROUND COM-**
2 **BAT UNITS WITH SMALL UNMANNED AERIAL**
3 **SYSTEMS.**

4 (a) REPORT REQUIRED.—Not later than one year
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall, in consultation with the Secretaries of
7 the military departments, submit to the congressional de-
8 fense committees a report on equipping platoon-sized
9 ground combat formations with covered small unmanned
10 aerial systems.

11 (b) ELEMENTS.—The report submitted pursuant to
12 subsection (a) shall address the following:

13 (1) The use of covered small unmanned aerial
14 systems in the Ukraine conflict and best practices
15 learned.

16 (2) The potential use of covered small un-
17 manned aerial systems to augment small unit tactics
18 and lethality in the ground combat forces.

19 (3) Procurement challenges, legal restrictions,
20 training shortfalls, operational limitations, or other
21 impediments to fielding covered small unmanned
22 aerial systems at the platoon level.

23 (4) A plan to equip platoon-sized ground com-
24 bat formations in the close combat force with cov-
25 ered small unmanned aerial systems at a basis of

1 issue deemed appropriate by the relevant secretary,
2 including a proposed timeline and fielding strategy.

3 (5) A plan to equip such other ground combat
4 units with covered small unmanned aerial systems as
5 deemed appropriate by the relevant secretaries.

6 (6) An assessment of appropriate mission allo-
7 cation between Group 3 unmanned aerial systems,
8 Group 1 unmanned aerial systems, and covered
9 small unmanned aerial systems.

10 (c) DEFINITION OF COVERED SMALL UNMANNED
11 AERIAL SYSTEM.—In this section, the term “covered
12 small unmanned aerial system” means a lightweight, low-
13 cost, and commercially available unmanned aerial system
14 or drone able to be quickly deployed for—

15 (1) intelligence, surveillance, target acquisition,
16 and reconnaissance;

17 (2) conducting offensive strikes; or

18 (3) other functions as deemed appropriate by
19 the relevant secretaries.

20 **SEC. 1056. COMPREHENSIVE ASSESSMENT OF MARINE**
21 **CORPS FORCE DESIGN 2030.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, the Secretary of Defense
24 shall enter into a contract with a Federally Funded Re-
25 search and Development Center to conduct an inde-

1 pendent review, assessment, and analysis of the Marine
2 Corps modernization initiatives. The required report shall
3 be submitted to the congressional defense committees in
4 written report form not later than one year after entering
5 into the contract.

6 (b) ELEMENTS.—The report required under sub-
7 section (a) shall include the following elements:

8 (1) An assessment of changes in the National
9 Defense Strategy, Defense Planning Guidance, the
10 Joint Warfighting Concept, and other strategic doc-
11 uments and concepts that informed Force Design
12 modernization requirements.

13 (2) An assessment of how the Marine Corps,
14 consistent with authorized end strength, can be
15 structured, organized, trained, equipped, and pos-
16 tured to meet the challenges of future competition,
17 crisis, and conflict to include discussion of multiple
18 structural options as relevant and the tradeoffs be-
19 tween different options.

20 (3) An assessment of the ability of the defense
21 innovation base and defense industrial base to de-
22 velop and produce the technologies required to im-
23 plement the Marine Corps' published Force Design
24 modernization plan on a timeline and at production
25 rates sufficient to sustain military operations.

1 (4) An assessment of forward infrastructure
2 and the extent to which installations are
3 operationalized to deter, compete, and prevail during
4 conflict in support of the Marine Corps moderniza-
5 tion.

6 (5) An assessment of whether the Marine Corps
7 is in compliance with the statutory organization and
8 functions prescribed in section 8063 of title 10,
9 United States Code.

10 (6) An assessment of the current retention and
11 recruiting environment and the ability of the Marine
12 Corps to sustain manpower requirements necessary
13 for operational requirements levied by title 10, in
14 light of the published Force Design plan.

15 (7) The extent to which the modernization ini-
16 tiatives within the Marine Corps are nested within
17 applicable joint warfighting concepts.

18 (8) An assessment of whether the Marine
19 Corps' modernization is consistent with the strategy
20 of integrated deterrence.

21 (9) An assessment of the ability of the Marine
22 Corps to generate required force elements for the
23 Immediate Ready Force and the Contingency Ready
24 Force, based on current and planned end strength
25 and structure.

1 (10) The extent to which the Marine Corps'
2 published plan for modernized capabilities can be in-
3 tegrated across the Joint Force, to include
4 warfighting concepts at the combatant command
5 level.

6 (11) The extent to which the Marine Corps'
7 modernization efforts currently meet the require-
8 ments of combatant commanders' current plans and
9 global force management operations, to include a de-
10 scription of what mechanisms exist to ensure geo-
11 graphic combatant requirements inform Marine
12 Corps modernization efforts.

13 (12) The extent to which modeling and simula-
14 tion, experimentation, wargaming, and other analytic
15 methods support the changes incorporated into the
16 Marine Corps' modernization initiatives, to include
17 underlying assumptions and outcomes of such anal-
18 yses.

19 (13) An inventory of extant or planned invest-
20 ments as part of the Marine Corps' modernization
21 efforts, disaggregated by the following capability
22 areas and including actual or projected dates of Ini-
23 tial Operational Capability and Full Operational Ca-
24 pability:

25 (A) Command and Control.

1 (B) Information.

2 (C) Intelligence.

3 (D) Fires.

4 (E) Movement and Maneuver.

5 (F) Protection.

6 (G) Sustainment.

7 (14) An inventory of divestments of capability
8 or capacity, whether force structure or equipment,
9 starting in fiscal year 2020, including—

10 (A) a timeline of the progress of each di-
11 vestment;

12 (B) the type of force structure or equip-
13 ment divested or reduced;

14 (C) the percentage of force structure of
15 equipment divested or reduced, including any
16 equipment entered into inventory management
17 or other form of storage;

18 (D) the rationale and context behind such
19 divestment; and

20 (E) an identification of whether such di-
21 vestment affects the Marine Corps' ability to
22 meet the requirements of Global Force Manage-
23 ment process and the operational plans.

24 (15) An assessment of how observations regard-
25 ing the invasion and defense of Ukraine affect the

1 feasibility, advisability, and suitability of the Marine
2 Corps' published modernization plans.

3 (c) CLASSIFICATION OF REPORT.—The report re-
4 quired under subsection (a) shall be submitted in unclassi-
5 fied form, but may include a classified appendix to the
6 extent required to ensure that the report is accurate and
7 complete.

8 **SEC. 1057. STRATEGY TO ACHIEVE CRITICAL MINERAL SUP-**
9 **PLY CHAIN INDEPENDENCE FOR THE DE-**
10 **PARTMENT OF DEFENSE.**

11 (a) STRATEGY REQUIRED.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the
14 Under Secretary of Defense for Acquisition and
15 Sustainment shall submit to the appropriate commit-
16 tees of Congress a strategy to develop supply chains
17 for the Department of Defense that are not depend-
18 ent on mining or processing of critical minerals in
19 or by covered countries, prioritizing production and
20 processing in the United States, in order to achieve
21 critical mineral supply chain independence from cov-
22 ered countries for the Department by 2035.

23 (2) ELEMENTS.—The strategy required by
24 paragraph (1) shall—

1 (A) identify and assess significant
2 vulnerabilities in the supply chains of contrac-
3 tors and subcontractors of the Department of
4 Defense involving critical minerals that are
5 mined or processed in or by covered countries;

6 (B) identify and recommend changes to
7 the acquisition laws, regulations, and policies of
8 the Department of Defense to ensure contrac-
9 tors and subcontractors of the Department use
10 supply chains involving critical minerals that
11 are not mined or processed in or by covered
12 countries to the greatest extent practicable,
13 prioritizing production and processing in the
14 United States;

15 (C) evaluate the utility and desirability of
16 using authorities provided by the Defense Pro-
17 duction Act of 1950 (50 U.S.C. 4501 et seq.)
18 to expand supply chains and processing capaci-
19 ty for critical minerals in the United States;

20 (D) evaluate the utility and desirability of
21 expanding authorities provided by the Defense
22 Production Act of 1950 to be used to expand
23 supply chains and processing capacity for crit-
24 ical minerals by countries that are allies or
25 partners of the United States;

1 (E) evaluate the utility and desirability of
2 leveraging the process for acquiring shortfall
3 materials for the National Defense Stockpile
4 under the Strategic and Critical Materials
5 Stock Piling Act (50 U.S.C. 98 et seq.) to ex-
6 pand supply chains and processing capacity for
7 critical minerals in the United States and in
8 countries that are allies or partners of the
9 United States;

10 (F) identify areas of potential engagement
11 and partnership with the governments of coun-
12 tries that are allies or partners of the United
13 States to jointly reduce dependence on critical
14 minerals mined or processed in or by covered
15 countries;

16 (G) identify and recommend other policy
17 changes that may be needed to achieve critical
18 mineral supply chain independence from cov-
19 ered countries for the Department;

20 (H) identify and recommend measures to
21 streamline authorities and policies with respect
22 to critical minerals and supply chains for crit-
23 ical minerals; and

24 (I) prioritize the recommendations made in
25 the strategy to achieve critical mineral supply

1 chain independence from covered countries for
2 the Department, prioritizing production and
3 processing in the United States, and taking into
4 consideration economic costs and varying de-
5 grees of vulnerability posed to the national se-
6 curity of the United States by reliance on dif-
7 ferent types of critical minerals.

8 (3) FORM OF STRATEGY.—The strategy re-
9 quired by paragraph (1) shall be submitted in classi-
10 fied form but shall include an unclassified summary.

11 (b) DEFINITIONS.—In this section:

12 (1) APPROPRIATE COMMITTEES OF CON-
13 GRESS.—The term “appropriate committees of Con-
14 gress” means—

15 (A) the Committee on Armed Services of
16 the Senate; and

17 (B) the Committee on Armed Services of
18 the House of Representatives.

19 (2) COVERED COUNTRY.—The term “covered
20 country” means—

21 (A) a covered nation, as defined in section
22 4872, title 10, United States Code; and

23 (B) any other country determined by the
24 Secretary of Defense to be a geostrategic com-

1 petitor or adversary of the United States for
2 purposes of this Act.

3 (3) CRITICAL MINERAL.—The term “critical
4 mineral” means a critical mineral (as defined in sec-
5 tion 7002(a) of the Energy Act of 2020 (30 U.S.C.
6 1606(a))) that the Secretary of Defense determines
7 to be important to the national security of the
8 United States for purposes of this Act.

9 (4) SHORTFALL MATERIAL.—The term “short-
10 fall material” means materials determined to be in
11 shortfall in the most recent report on stockpile re-
12 quirements submitted to Congress under subsection
13 (a) of section 14 of the Strategic and Critical Mate-
14 rials Stock Piling Act (50 U.S.C. 98h–5) and in-
15 cluded in the most recent briefing required by sub-
16 section (f) of that section.

17 **SEC. 1058. QUARTERLY BRIEFING ON HOMELAND DEFENSE**
18 **PLANNING.**

19 (a) IN GENERAL.—Not later than February 1, 2024,
20 and every 90 days thereafter through February 1, 2026,
21 the Secretary of Defense shall provide a briefing to the
22 congressional defense committees on efforts to bolster
23 homeland defense, which is the top priority under the
24 2022 National Defense Strategy.

1 (b) CONTENTS.—Each briefing required by sub-
2 section (a) shall include the following:

3 (1) A summary of any update made to the
4 homeland defense planning guidance of the Depart-
5 ment of Defense during the preceding quarter.

6 (2) An update on the latest threats to the
7 homeland posed by the Government of the People’s
8 Republic of China, the Government of the Russian
9 Federation, the Government of the Democratic Peo-
10 ple’s Republic of Korea, the Government of Iran,
11 and any other adversary.

12 (3) A description of actions taken by the De-
13 partment during the preceding quarter to mitigate
14 such threats.

15 (4) An assessment of threats to the homeland
16 in the event of a conflict with any adversary referred
17 to in paragraph (2).

18 (5) A description of actions taken by the De-
19 partment during the preceding quarter to bolster
20 homeland defense in the event of such a conflict.

21 (6) An update on coordination by the Depart-
22 ment with Federal, State, and Tribal agencies to
23 bolster homeland defense.

24 (7) Any other matter the Secretary considers
25 relevant.

1 **SEC. 1059. SPECIAL OPERATIONS FORCE STRUCTURE.**

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

4 (1) special operations forces have a vital and in-
5 creasing role to play in strategic competition in addi-
6 tion to conducting counterterrorism operations and
7 responding to crises;

8 (2) the demand for special operations forces
9 and related capabilities by combatant commanders
10 continues to exceed supply;

11 (3) special operations forces cannot be mass
12 produced during a crisis;

13 (4) most special operations require non-special
14 operations forces support, including engineers, tech-
15 nicians, intelligence analysts, and logisticians;

16 (5) reductions to special operations forces, in-
17 cluding critical enablers, would dramatically and
18 negatively impact available options for combatant
19 commanders to engage in strategic competition,
20 carry out counterterrorism operations, and respond
21 to crises; and

22 (6) the Secretary of Defense should not con-
23 sider any reductions to special operations force
24 structure until after the completion of a comprehen-
25 sive analysis of special operations force structure
26 and a determination that any planned changes would

1 not have a negative impact on the ability of combat-
2 ant commanders to support strategic competition,
3 counter terrorism, and respond to crises.

4 (b) REPORT.—Not later than March 1, 2024, the
5 Secretary of Defense shall submit to the congressional de-
6 fense committees a report assessing the optimal force
7 structure for special operations forces that includes the
8 following elements:

9 (1) A description of the role of special oper-
10 ations forces in implementing the most recent na-
11 tional defense strategy under section 113(g) of title
12 10, United States Code.

13 (2) A description of ongoing special operations
14 activities, as described in section 167(k) of title 10,
15 United States Code.

16 (3) An assessment of potential future national
17 security threats to the United States across the
18 spectrum of competition and conflict.

19 (4) A description of ongoing counterterrorism
20 and contingency operations of the United States.

21 (5) A detailed accounting of the demand for
22 special operations forces by geographic combatant
23 command.

24 (6) A description of the role of emerging tech-
25 nology on special operations forces.

1 (7) An assessment of current and projected ca-
2 capabilities of other United States Armed Forces that
3 could affect force structure capability and capacity
4 requirements of special operations forces.

5 (8) An assessment of the size, composition, and
6 organizational structure of the military services' spe-
7 cial operations command headquarters and subordi-
8 nate headquarters elements.

9 (9) An assessment of the readiness of special
10 operations forces for assigned missions and future
11 conflicts.

12 (10) An assessment of the adequacy of special
13 operations force structure for meeting the goals of
14 the National Military Strategy under section 153(b)
15 of title 10, United States Code.

16 (11) A description of the role of special oper-
17 ations forces in supporting the Joint Concept for
18 Competing.

19 (12) Any other matters deemed relevant by the
20 Secretary.

1 **SEC. 1060. BRIEFING ON COMMERCIAL TOOLS EMPLOYED**
2 **BY THE DEPARTMENT OF DEFENSE TO AS-**
3 **SESS FOREIGN OWNERSHIP, CONTROL, OR IN-**
4 **FLUENCE.**

5 (a) **IN GENERAL.**—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of Defense
7 shall submit to the congressional defense committees a re-
8 port on countering industrial espionage.

9 (b) **ELEMENTS.**—The request required under sub-
10 section (a) shall include the following elements:

11 (1) A description of commercial and organically
12 developed tools employed by the Department of De-
13 fense to—

14 (A) assess the risks of foreign malign own-
15 ership, control, or influence within the defense
16 industrial base;

17 (B) mitigate vulnerability associated with,
18 but no limited to, the People’s Republic of Chi-
19 na’s, the Russian Federation’s, Iran’s, or North
20 Korea’s foreign ownership, control, or influence
21 of any part of the acquisition supply chain; and

22 (C) vet program personnel to identify tech-
23 nologies and program components most at risk
24 for industrial espionage.

1 (2) A description of specific commercial solu-
2 tions the Department is currently leveraging to as-
3 sess and mitigate these risks.

4 **SEC. 1061. PLAN ON COUNTERING HUMAN TRAFFICKING.**

5 (a) PLAN.—Not later than 120 days after the date
6 of enactment of this Act, the Secretary of Defense shall
7 submit a plan to the congressional defense committees for
8 coordinating with defense partners in North America and
9 South America and supporting interagency departments
10 and agencies, as appropriate, in countering human traf-
11 ficking operations, including human trafficking by
12 transnational criminal organizations.

13 (b) ELEMENTS OF PLAN.—The plan under sub-
14 section (a) shall include—

15 (1) a description of the threat to United States
16 security from human trafficking operations;

17 (2) a description of the authorities of the De-
18 partment of Defense for the purposes specified in
19 subsection (a);

20 (3) a description of any current or proposed
21 Department of Defense programs or activities to co-
22 ordinate with defense partners or provide support to
23 interagency departments and agencies as described
24 in subsection (a); and

1 (4) any recommendations of the Secretary of
2 Defense for additional authorities for the purposes
3 of countering human trafficking, including by
4 transnational criminal organizations.

5 (c) BRIEFING.—Not later than 180 days after the
6 submission of the plan required under subsection (a), the
7 Secretary of Defense shall brief the congressional defense
8 committees regarding the authorities, programs, and ac-
9 tivities of the Department of Defense to counter human
10 trafficking operations.

11 **SEC. 1062. BRIEFING AND REPORT ON USE AND EFFECTIVE-**
12 **NESS OF UNITED STATES NAVAL STATION,**
13 **GUANTANAMO BAY, CUBA.**

14 (a) IN GENERAL.—Not later than April 30, 2024, the
15 Secretary of Defense shall provide to the Committee on
16 Armed Services of the Senate and the Committee on
17 Armed Services of the House of Representatives a briefing
18 and report on whether United States Naval Station, Guan-
19 tanamo Bay, Cuba, is being used effectively to defend the
20 national security interests of the United States.

21 (b) ELEMENTS.—The briefing and report required by
22 subsection (a) shall—

23 (1) consider—

24 (A) the presence and activities in Cuba of
25 the militaries of foreign governments, such as

1 the Russian Federation and the People’s Re-
2 public of China; and

3 (B) to what extent the presence and activi-
4 ties of those militaries could compromise the
5 national security of the United States or of
6 United States allies and partners; and

7 (2) discuss—

8 (A) options for dealing with the presence
9 and activities of those militaries in Cuba; and

10 (B) how different use by the United States
11 of United States Naval Station, Guantanamo
12 Bay, might mitigate risk.

13 **SEC. 1063. ENSURING RELIABLE SUPPLY OF CRITICAL MIN-**
14 **ERALS.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) the People’s Republic of China’s dominant
18 share of the global minerals market is a threat to
19 the economic stability, well being, and competitive-
20 ness of key industries in the United States;

21 (2) the United States should reduce reliance on
22 the People’s Republic of China for critical minerals
23 through—

1 (A) strategic investments in development
2 projects, production technologies, and refining
3 facilities in the United States; and

4 (B) in partnership with strategic allies of
5 the United States that are reliable trading part-
6 ners, including members of the Quadrilateral
7 Security Dialogue; and

8 (3) the United States Trade Representative
9 should initiate multilateral talks among the coun-
10 tries of the Quadrilateral Security Dialogue to pro-
11 mote shared investment and development of critical
12 minerals.

13 (b) REPORT REQUIRED.—

14 (1) IN GENERAL.—Not later than 120 days
15 after the date of the enactment of this Act, the
16 United States Trade Representative, in consultation
17 with the officials specified in paragraph (3), shall
18 submit to the appropriate congressional committees
19 a report on the work of the Trade Representative to
20 address the national security threat posed by the
21 People’s Republic of China’s control of nearly $\frac{2}{3}$ of
22 the global supply of critical minerals.

23 (2) ELEMENTS.—The report required by para-
24 graph (1) shall include—

1 (A) a description of the extent of the en-
2 gagement of the United States with the other
3 countries of the Quadrilateral Security Dialogue
4 to promote shared investment and development
5 of critical minerals during the period beginning
6 on the date of the enactment of this Act and
7 ending on the date of the report; and

8 (B) a description of the plans of the Presi-
9 dent to leverage the partnership of the coun-
10 tries of the Quadrilateral Security Dialogue to
11 produce a more reliable and secure global sup-
12 ply chain of critical minerals.

13 (3) OFFICIALS SPECIFIED.—The officials speci-
14 fied in this paragraph are the following:

15 (A) The Secretary of Commerce.

16 (B) The Chief Executive Officer of the
17 United States International Development Fi-
18 nance Corporation.

19 (C) The Secretary of Energy.

20 (D) The Director of the United States Ge-
21 ological Survey.

22 (4) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES DEFINED.—In this subsection, the term “ap-
24 propriate congressional committees” means—

1 (A) the Committee on Finance and the
2 Committee on Energy and Natural Resources of
3 the Senate; and

4 (B) the Committee on Ways and Means
5 and the Committee on Energy and Commerce
6 of the House of Representatives.

7 **Subtitle G—Other Matters**

8 **SEC. 1071. MATTERS RELATED TO IRREGULAR WARFARE.**

9 (a) AFFIRMING THE AUTHORITY OF THE SECRETARY
10 OF DEFENSE TO CONDUCT IRREGULAR WARFARE.—Con-
11 gress affirms that the Secretary of Defense is authorized
12 to conduct irregular warfare operations, including clandes-
13 tine irregular warfare operations, to defend the United
14 States, allies of the United States, and interests of the
15 United States.

16 (b) DEFINITION REQUIRED.—Not later than 90 days
17 after the date of the enactment of this Act, the Secretary
18 of Defense shall, for the purposes of joint doctrine, define
19 the term “irregular warfare”.

20 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion shall be construed to constitute a specific statutory
22 authorization for any of the following:

23 (1) The conduct of a covert action, as such
24 term is defined in section 503(e) of the National Se-
25 curity Act of 1947 (50 U.S.C. 3093(e)).

1 (2) The introduction of United States Armed
2 Forces, within the meaning of the War Powers Reso-
3 lution (Public Law 93–148; 50 U.S.C. 1541 et seq.),
4 into hostilities or into situations wherein hostilities
5 are clearly indicated by the circumstances.

6 **SEC. 1072. JOINT CONCEPT FOR COMPETING IMPLEMENTA-**
7 **TION UPDATES.**

8 (a) IMPLEMENTATION UPDATE AND BRIEFINGS RE-
9 QUIRED.—Not later than March 1, 2024, and every 180
10 days thereafter through March 1, 2026, the Chairman of
11 the Joint Chiefs of Staff shall provide the congressional
12 defense committees with a written update with accom-
13 panying briefing on the implementation of the Joint Con-
14 cept for Competing, released on February 10, 2023.

15 (b) ELEMENTS.—At a minimum, the written updates
16 and briefings required by subsection (a) shall include—

17 (1) a detailed description of the Joint Staff’s
18 efforts to develop integrated competitive strategies to
19 address the challenges posed by specific adversaries,
20 including those designed to—

21 (A) deter aggression;

22 (B) prepare for armed conflict, if nec-
23 essary;

24 (C) counter the competitive strategies of
25 adversaries; and

1 (D) support the efforts of interagency, al-
2 lies and foreign partners, and interorganiza-
3 tional partners;

4 (2) an identification of relevant updates to joint
5 doctrine and professional military education;

6 (3) an update on the Joint Concept for
7 Competing's concept required capabilities;

8 (4) an explanation of the integration of the
9 Joint Concept for Competing with other ongoing and
10 future joint force development and design efforts;

11 (5) a description of efforts to operationalize the
12 Joint Concept for Competing through a structured
13 approach, including to provide strategic guidance
14 and direction, identify and optimize Joint Force
15 interdependencies with interagency and allied part-
16 ners, and inform and guide joint force development
17 and design processes;

18 (6) an articulation of concept-required capabili-
19 ties that are necessary for joint force development
20 and design in support of the Joint Concept for Com-
21 peting;

22 (7) a description of efforts to coordinate and
23 synchronize Department of Defense activities with
24 those of other interagency and foreign partners for
25 the purpose of integrated campaigning;

1 (8) an identification of any recommendations to
2 better integrate the role of the Joint Force, as iden-
3 tified by the Joint Concept for Competing, with na-
4 tional security efforts of other interagency and for-
5 eign partners;

6 (9) an identification of any changes to authori-
7 ties and resources necessary to fully implement the
8 Joint Concept for Competing; and

9 (10) a description of any other matters deemed
10 relevant by the Chairman of the Joint Chiefs of
11 Staff.

12 **SEC. 1073. LIMITATION ON CERTAIN FUNDING UNTIL SUB-**
13 **MISSION OF THE CHAIRMAN'S RISK ASSESS-**
14 **MENT AND BRIEFING REQUIREMENT.**

15 (a) OFFICE OF THE CHAIRMAN OF THE JOINT
16 CHIEFS OF STAFF.—Of the amounts authorized to be ap-
17 propriated by this Act for fiscal year 2024 for operation
18 and maintenance, Defense-wide, and available for the Of-
19 fice of the Chairman of the Joint Chiefs of Staff, not more
20 than 50 percent may be obligated or expended until the
21 date that is 15 days after the date on which the following
22 reports are submitted to the Committees on Armed Serv-
23 ices of the Senate and the House of Representatives:

24 (1) The 2021 risk assessment mandated by
25 paragraph (2) of subsection (b) of section 153 of

1 title 10, United States Code, and required to be de-
2 livered pursuant to paragraph (3) of such subsection
3 by not later than February 15, 2021.

4 (2) The 2023 risk assessment mandated by
5 paragraph (2) of subsection (b) of section 153 of
6 title 10, United States Code, and required to be de-
7 livered pursuant to paragraph (3) of such subsection
8 by not later than February 15, 2023.

9 (b) OFFICE OF THE SECRETARY OF DEFENSE.—Of
10 the amounts authorized to be appropriated by this Act for
11 fiscal year 2024 for operation and maintenance, Defense-
12 wide, and available for the Office of the Secretary of De-
13 fense, not more than 50 percent may be obligated or ex-
14 pended until the date that is 15 days after the date on
15 which the Secretary submits to the Committees on Armed
16 Services of the Senate and the House of Representatives:

17 (1) The risk mitigation plan required to be sub-
18 mitted as part of the assessment described under
19 subsection (a)(1), if applicable.

20 (2) The risk mitigation plan required to be sub-
21 mitted as part of the assessment described under
22 subsection (a)(2), if applicable.

23 (c) BRIEFING REQUIREMENT.—Section 153 of title
24 10, United States Code, is amended by adding at the end
25 the following new subsection:

1 “(d) BRIEFING REQUIREMENT.—(1) Not later than
2 15 days after the submission of the risk assessment re-
3 quired under subsection (b)(2) or March 1 of each year,
4 whichever is earlier, the Chairman shall provide to the
5 Committees on Armed Services of the Senate and the
6 House of Representatives a briefing on the activities of
7 the Chairman under this section.

8 “(2) The briefing shall include—

9 “(A) a detailed review of the risk assessment
10 required under paragraph (2) of subsection (b), in-
11 cluding how it addresses the elements required in
12 subparagraph (B) of such paragraph;

13 “(B) an analysis of how the risk assessment in-
14 forms, and supports, other Joint Staff assessments,
15 including joint capability development assessments,
16 joint force development assessments, comprehensive
17 joint readiness assessments, and global military inte-
18 gration assessments; and

19 “(C) if the risk assessment is not delivered at
20 the time of the briefing, a timeline for when the risk
21 assessment will be submitted to the Committees on
22 Armed Services of the Senate and the House of Rep-
23 resentatives.”.

1 **SEC. 1074. NOTIFICATION OF SAFETY AND SECURITY CON-**
2 **CERNS AT CERTAIN DEPARTMENT OF DE-**
3 **FENSE LABORATORIES.**

4 (a) IN GENERAL.—The Secretary of Defense shall
5 notify the congressional defense committees within 7 days
6 after ceasing operations at any Department of Defense
7 laboratory or facility rated at biosafety level (BSL)–3 or
8 higher for safety or security reasons.

9 (b) CONTENT.—The notification required under sub-
10 section (a) shall include—

11 (1) the reason why operations have ceased at
12 the laboratory or facility;

13 (2) whether appropriate notification to other
14 Federal agencies has occurred;

15 (3) a description of the actions taken to deter-
16 mine the root cause of the cessation; and

17 (4) a description of the actions taken to restore
18 operations at the laboratory or facility.

19 **SEC. 1075. ASSESSMENT AND RECOMMENDATIONS RELAT-**
20 **ING TO INFRASTRUCTURE, CAPACITY, RE-**
21 **SOURCES, AND PERSONNEL IN GUAM.**

22 (a) ASSESSMENT.—The Secretary of Defense, in co-
23 ordination with the Commander of United States Indo-
24 Pacific Command, shall assess the capacity of existing in-
25 frastructure, resources, and personnel available in Guam
26 to meet Indo-Pacific Command strategic objectives.

1 (b) ELEMENTS.—The assessment under subsection
2 (a) shall include the following elements:

3 (1) An appraisal of the potential role Guam
4 could play as a key logistics and operational hub for
5 the United States military in the Indo-Pacific re-
6 gion.

7 (2) An assessment of whether current infra-
8 structure, capacity, resources, and personnel in
9 Guam is sufficient to meet the expected demands
10 during relevant operations and contingency sce-
11 narios.

12 (3) An assessment of the adequacy of civilian
13 infrastructure in Guam for supporting the require-
14 ments of United States Indo-Pacific Command, in-
15 cluding the resilience of such infrastructure in the
16 event of a natural disaster and the vulnerability of
17 such infrastructure to cyber threats.

18 (4) Recommendations to improve current infra-
19 structure, capacity, resources, and personnel in
20 Guam, to include the need for recruiting and reten-
21 tion programs, such as cost-of-living adjustments,
22 initiatives for dealing with any shortages of civilian
23 employees, and programs to improve quality-of-life
24 for personnel assigned to Guam.

1 including the foreign military sales and direct commercial
2 sales processes, for the purpose of facilitating the effective
3 implementation of such processes.

4 (b) INDUSTRY DAY.—

5 (1) IN GENERAL.—Not later than March 1,
6 2024, and not less frequently than annually there-
7 after, the Secretary of Defense shall conduct an in-
8 dustry day—

9 (A) to raise awareness and understanding
10 among officials of foreign governments, em-
11 bassy personnel, and industry representatives
12 with respect to the role of the Department of
13 Defense in implementing the foreign military
14 sales and direct commercial sales processes; and

15 (B) to raise awareness—

16 (i) within the United States private
17 sector with respect to—

18 (I) foreign demand for United
19 States weapon systems; and

20 (II) potential foreign industry
21 partnering opportunities; and

22 (ii) among officials of foreign govern-
23 ments and embassy personal with respect
24 to potential United States material solu-
25 tions for capability needs.

1 (2) **FORMAT.**—In conducting each industry day
2 under paragraph (1), the Secretary of Defense, to
3 the extent practicable, shall seek to maximize par-
4 ticipation by representatives of the commercial de-
5 fense industry and government officials while mini-
6 mizing cost, by—

7 (A) convening the industry day at the un-
8 classified security level;

9 (B) making the industry day publicly ac-
10 cessible through teleconference or other virtual
11 means; and

12 (C) disseminating any supporting materials
13 by posting the materials on a publicly accessible
14 internet website.

15 (c) **SENIOR-LEVEL INDUSTRY ADVISORY GROUP.**—

16 (1) **IN GENERAL.**—Not later than 180 days
17 after the date of the enactment of this Act, the Sec-
18 retary of Defense, in coordination with representa-
19 tives of the commercial defense industry, shall estab-
20 lish a senior-level industry advisory group, modeled
21 on the Defense Trade Advisory Group of the De-
22 partment of State and the Industry Trade Advisory
23 Committees of the Department of Commerce, for the
24 purpose of focusing on the role of the Department
25 of Defense in the foreign military sales process.

1 (2) BRIEFING.—Not later than 90 days after
2 the date of the enactment of this Act, the Secretary
3 of Defense shall provide a briefing to the Commit-
4 tees on Armed Services of the Senate and the House
5 of Representatives on plans to establish the group
6 described in paragraph (1).

7 (d) DEPARTMENT OF DEFENSE POINTS OF CONTACT
8 FOR FOREIGN MILITARY SALES.—

9 (1) IN GENERAL.—Not later than 90 days after
10 the date of the enactment of this Act, the Under
11 Secretary of Defense for Acquisition and
12 Sustainment and the Secretary of each military de-
13 partment shall each establish a single point of con-
14 tact—

15 (A) to coordinate information and outreach
16 on Department of Defense implementation of
17 the foreign military sales process; and

18 (B) to respond to inquiries from represent-
19 atives of the commercial defense industry and
20 partner countries.

21 (2) POINTS OF CONTACT.—The Under Sec-
22 retary of Defense for Acquisition and Sustainment
23 and the Secretary of each military department shall
24 each ensure that the contact information for the cor-

1 responding point of contact established under para-
2 graph (1) is—

3 (A) publicized at each industry day con-
4 ducted under subsection (b); and

5 (B) disseminated among the members of
6 the advisory group established under subsection
7 (f).

8 (e) COMBATANT COMMAND NEEDS FOR
9 EXPORTABILITY.—Not later than July 1 each year until
10 2030, the commander of each geographic combatant com-
11 mand shall provide to the Under Secretary of Defense for
12 Acquisition and Sustainment a list of systems relating to
13 research and development or sustainment that would ben-
14 efit from investment for exportability features in support
15 of the security cooperation objectives of the commander.

16 (f) SUNSET.—This section shall cease to have effect
17 on December 31, 2028.

18 **SEC. 1077. TECHNICAL AND CONFORMING AMENDMENTS**

19 **RELATED TO THE SPACE FORCE.**

20 (a) APPOINTMENT OF CHAIRMAN; GRADE AND
21 RANK.—Section 152(c) of title 10, United States Code,
22 is amended by striking “or, in the case of an officer of
23 the Space Force, the equivalent grade,”.

24 (b) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—
25 Section 181(e)(1)(F) of such title is amended by striking

1 “in the grade equivalent to the grade of general in the
2 Army, Air Force, or Marine Corps, or admiral in the
3 Navy” and inserting “in the grade of general”.

4 (c) ORIGINAL APPOINTMENTS OF COMMISSIONED
5 OFFICERS.—Section 531(a) of such title is amended—

6 (1) in paragraph (1), by striking “and Regular
7 Marine Corps in the grades of ensign, lieutenant
8 (junior grade), and lieutenant in the Regular Navy,
9 and in the equivalent grades in the Regular Space
10 Force” and inserting “Regular Marine Corps, and
11 Regular Space Force, and in the grades of ensign,
12 lieutenant (junior grade), and lieutenant in the Reg-
13 ular Navy”; and

14 (2) in paragraph (2), by striking “and Regular
15 Marine Corps in the grades of lieutenant com-
16 mander, commander, and captain in the Regular
17 Navy, and in the equivalent grades in the Regular
18 Space Force” and inserting “Regular Marine Corps,
19 and Regular Space Force, and in the grades of lieu-
20 tenant commander, commander, and captain in the
21 Regular Navy”.

22 (d) SERVICE CREDIT UPON ORIGINAL APPOINTMENT
23 AS A COMMISSIONED OFFICER.—Section 533(b)(2) of
24 such title is amended—

1 (1) by striking “, or Marine Corps, captain in
2 the Navy, or an equivalent grade in the Space
3 Force” and inserting “Marine Corps, or Space Force
4 or captain in the Navy”.

5 (e) POSITIONS OF IMPORTANCE AND RESPONSIBI-
6 LITY.—Section 601(e) of such title is amended—

7 (1) by striking “or Marine Corps” and inserting
8 “Marine Corps, or Space Force, or”; and

9 (2) by striking “or the commensurate grades in
10 the Space Force,”.

11 (f) CONVENING OF SELECTION BOARDS.—Section
12 611(a) of such title is amended by striking “or Marine
13 Corps” and inserting “Marine Corps, or Space Force”.

14 (g) INFORMATION FURNISHED TO SELECTION
15 BOARDS.—Section 615(a)(3) of such title is amended—

16 (1) in subparagraph (B)(i), by striking “, in the
17 case of the Navy, lieutenant, or in the case of the
18 Space Force, the equivalent grade” and inserting
19 “or, in the case of the Navy, lieutenant”; and

20 (2) in subparagraph (D), by striking “in the
21 case of the Navy, rear admiral, or, in the case of the
22 Space Force, the equivalent grade” and inserting
23 “or, in the case of the Navy, rear admiral”.

24 (h) SPECIAL SELECTION REVIEW BOARDS.—Section
25 628a(a)(1)(A) of such title is amended by striking “, rear

1 admiral in the Navy, or an equivalent grade in the Space
2 Force” and inserting “or rear admiral in the Navy”.

3 (i) RANK: COMMISSIONED OFFICERS OF THE ARMED
4 FORCES.—Section 741(a) of such title is amended in the
5 table by striking “and Marine Corps” and inserting “Ma-
6 rine Corps, and Space Force”.

7 (j) REGULAR COMMISSIONED OFFICERS.—Section
8 1370 of such title is amended—

9 (1) in subsection (a)(2), by striking “rear admi-
10 ral in the Navy, or the equivalent grade in the Space
11 Force” both places it appears and inserting “or rear
12 admiral in the Navy”;

13 (2) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) in the matter preceding subpara-
16 graph (A), by striking “or Marine Corps,
17 lieutenant in the Navy, or the equivalent
18 grade in the Space Force” and inserting
19 “Marine Corps, or Space Force, or lieuten-
20 ant in the Navy”; and

21 (ii) in subparagraph (B), by striking
22 “or Marine Corps, rear admiral in the
23 Navy, or an equivalent grade in the Space
24 Force” and inserting “Marine Corps, or
25 Space Force, or rear admiral in the Navy”;

1 (B) in paragraph (4), by striking “or Ma-
2 rine Corps, captain in the Navy, or the equiva-
3 lent grade in the Space Force” and inserting
4 “Marine Corps, or Space Force, or captain in
5 the Navy”;

6 (C) in paragraph (5)—

7 (i) in subparagraph (A), by striking
8 “or Marine Corps, lieutenant commander
9 in the Navy, or the equivalent grade in the
10 Space Force” and inserting “Marine
11 Corps, or Space Force, or lieutenant com-
12 mander in the Navy”;

13 (ii) in subparagraph (B), by striking
14 “or Marine Corps, commander or captain
15 in the Navy, or an equivalent grade in the
16 Space Force” and inserting “Marine
17 Corps, or Space Force, or commander or
18 captain in the Navy”; and

19 (iii) in subparagraph (C), by striking
20 “or Marine Corps, rear admiral (lower
21 half) or rear admiral in the Navy” and in-
22 sserting “Marine Corps, or Space Corps, or
23 rear admiral (lower half) or rear admiral
24 in the Navy”; and

1 (D) in paragraph (6), by striking “, or an
2 equivalent grade in the Space Force,”;

3 (3) in subsection (c)(1), by striking “or Marine
4 Corps, vice admiral or admiral in the Navy, or an
5 equivalent grade in the Space Force” and inserting
6 “Marine Corps, or Space Force, or vice admiral or
7 admiral in the Navy”;

8 (4) in subsection (d)—

9 (A) in paragraph (1), by striking “or Ma-
10 rine Corps, rear admiral in the Navy, or an
11 equivalent grade in the Space Force” and in-
12 serting “Marine Corps, or Space Force, or rear
13 admiral in the Navy”; and

14 (B) in paragraph (3), by striking “or Ma-
15 rine Corps, captain in the Navy, or the equiva-
16 lent grade in the Space Force” and inserting
17 “Marine Corps, or Space Force, or captain in
18 the Navy”;

19 (5) in subsection (e)(2), by striking “or Marine
20 Corps, vice admiral or admiral in the Navy, or an
21 equivalent grade in the Space Force” and inserting
22 “Marine Corps, or Space Force, or vice admiral or
23 admiral in the Navy”;

24 (6) in subsection (f)—

25 (A) in paragraph (3)—

1 (i) in subparagraph (A), by striking
2 “or Marine Corps, rear admiral in the
3 Navy, or the equivalent grade in the Space
4 Force” and inserting “Marine Corps, or
5 Space Force, or rear admiral in the Navy”;
6 and

7 (ii) in subparagraph (B), by striking
8 “or Marine Corps, vice admiral or admiral
9 in the Navy, or an equivalent grade in the
10 Space Force” and inserting “Marine
11 Corps, or Space Force, or vice admiral or
12 admiral in the Navy”; and

13 (B) in paragraph (6)—

14 (i) in subparagraph (A), by striking
15 “or Marine Corps, rear admiral in the
16 Navy, or the equivalent grade in the Space
17 Force” and inserting “, Marine Corps, or
18 Space Force, or rear admiral in the Navy”;
19 and

20 (ii) in subparagraph (B), by striking
21 “or Marine Corps, vice admiral or admiral
22 in the Navy, or an equivalent grade in the
23 Space Force” and inserting “Marine
24 Corps, or Space Force, or vice admiral or
25 admiral in the Navy”; and

1 (7) in subsection (g), by striking “or Marine
2 Corps, rear admiral in the Navy, or an equivalent
3 grade in the Space Force” and inserting “Marine
4 Corps, or Space Force, or rear admiral in the
5 Navy”.

6 (k) OFFICERS ENTITLED TO RETIRED PAY FOR
7 NON-REGULAR SERVICE.—Section 1370a of such title is
8 amended—

9 (1) in subsection (d)(1), by striking “or Marine
10 Corps” both places it appears and inserting “Marine
11 Corps, or Space Force”; and

12 (2) in subsection (h), by striking “or Marine
13 Corps” and inserting “Marine Corps, or Space
14 Force”.

15 (l) RETIRED BASE PAY.—Section 1406(i)(3)(B)(v) of
16 such title is amended by striking “The senior enlisted ad-
17 visor of the Space Force” and inserting “Chief Master
18 Sergeant of the Space Force”.

19 (m) FINANCIAL ASSISTANCE PROGRAM FOR SPE-
20 CIALLY SELECTED MEMBERS.—Section 2107 of such title
21 is amended—

22 (1) in subsection (a)—

23 (A) by striking “, as a” and inserting “or
24 as a”; and

1 (B) by striking “or Marine Corps, or as an
2 officer in the equivalent grade in the Space
3 Force” and inserting “Marine Corps, or Space
4 Force”; and

5 (2) in subsection (d), by striking “lieutenant,
6 ensign, or an equivalent grade in the Space Force,”
7 and inserting “lieutenant or ensign,”.

8 (n) DESIGNATION OF SPACE SYSTEMS COMMAND AS
9 A FIELD COMMAND OF THE UNITED STATES SPACE
10 FORCE.—Section 9016(b)(6)(B)(iv)(II) of title 10, United
11 States Code, is amended by striking “Space and Missile
12 Systems Center” and inserting “Space Systems Com-
13 mand”.

14 (o) CHIEF OF SPACE OPERATIONS.—Section 9082 of
15 such title is amended—

16 (1) in subsection (a), by striking “, flag, or
17 equivalent” both places it appears; and

18 (2) in subsection (b), by striking “grade in the
19 Space Force equivalent to the grade of general in
20 the Army, Air Force, and Marine Corps, or admiral
21 in the Navy” and inserting “grade of general”.

22 (p) DISTINGUISHED FLYING CROSS.—Section
23 9279(a) of such title is amended—

24 (1) by adding “or Space Force” after “Air
25 Force”; and

1 (2) by adding “or space” after “aerial”.

2 (q) AIRMAN’S MEDAL.—Section 9280(a)(1) of such
3 title is amended by adding “or Space Force” after “Air
4 Force”.

5 (r) RETIRED GRADE OF COMMISSIONED OFFI-
6 CERS.—Section 9341 of such title is amended—

7 (1) in subsection (a)(2), by striking “or the
8 Space Force”; and

9 (2) in subsection (b), by striking “or Reserve”.

10 (s) UNITED STATES AIR FORCE INSTITUTE OF
11 TECHNOLOGY: ADMINISTRATION.—Section
12 9414b(a)(2)(B) of such title is amended by striking “or
13 the equivalent grade in the Space Force”.

14 (t) AIR FORCE ACADEMY PERMANENT PROFESSORS;
15 DIRECTOR OF ADMISSIONS.—Section 9436 of such title
16 is amended—

17 (1) in subsection (a)—

18 (A) in the first sentence, by striking “in
19 the Air Force or the equivalent grade in the
20 Space Force”;

21 (B) in the second sentence—

22 (i) by inserting “or Regular Space
23 Force” after “Regular Air Force”; and

24 (ii) by striking “and a permanent pro-
25 fessor appointed from the Regular Space

1 Force has the grade equivalent to the
2 grade of colonel in the Regular Air Force”;
3 and

4 (C) in the third sentence, by striking “in
5 the Air Force or the equivalent grade in the
6 Space Force”; and

7 (2) in subsection (b)—

8 (A) in the first sentence, by striking “in
9 the Air Force or the equivalent grade in the
10 Space Force” both places it appears; and

11 (B) in the second sentence—

12 (i) by inserting “or Regular Space
13 Force” after “Regular Air Force”; and

14 (ii) by striking “and a permanent pro-
15 fessor appointed from the Regular Space
16 Force has the grade equivalent to the
17 grade of colonel in the Regular Air Force”.

18 (u) CADETS: DEGREE AND COMMISSION ON GRADUA-
19 TION.—Section 9453(b) of such title is amended by strik-
20 ing “in the equivalent grade in”.

21 (v) BASIC PAY RATES FOR ENLISTED MEMBERS.—
22 Footnote 2 of the table titled “ENLISTED MEMBERS”
23 in section 601(c) of the John Warner National Defense
24 Authorization Act for Fiscal Year 2007 (Public Law 109–
25 364; 37 U.S.C. 1009 note) is amended by striking “the

1 senior enlisted advisor of the Space Force” and inserting
2 “Chief Master Sergeant of the Space Force”.

3 (w) PAY OF SENIOR ENLISTED MEMBERS.—Section
4 210(c)(5) of title 37, United States Code, is amended by
5 striking “the senior enlisted advisor of the Space Force”
6 and inserting “the Chief Master Sergeant of the Space
7 Force”.

8 (x) PERSONAL MONEY ALLOWANCE.—Section 414(b)
9 of title 37, United States Code, is amended by striking
10 “the senior enlisted advisor of the Space Force” and in-
11 serting “the Chief Master Sergeant of the Space Force”.

12 **SEC. 1078. AUTHORITY TO ESTABLISH COMMERCIAL INTE-**
13 **GRATION CELLS WITHIN CERTAIN COMBAT-**
14 **ANT COMMANDS.**

15 (a) IN GENERAL.—The Commander of the United
16 States Africa Command, the Commander of the United
17 States European Command, the Commander of the United
18 States Indo-Pacific Command, the Commander of the
19 United States Northern Command, and the Commander
20 of the United States Southern Command may each estab-
21 lish—

22 (1) a commercial integration cell within their
23 respective combatant command for the purpose of
24 closely integrating public and private entities with

1 capabilities relevant to the area of operation of such
2 combatant command; and

3 (2) a chief technology officer position within
4 their respective combatant command, who may—

5 (A) oversee such commercial integration
6 cell; and

7 (B) report directly to the commander of
8 the applicable combatant command.

9 (b) REQUIREMENTS AND AUTHORITIES.—In estab-
10 lishing the commercial integration cells under subsection
11 (a)(1), each commander described in that paragraph
12 may—

13 (1) make the applicable commercial integration
14 cell available to commercial entities with existing
15 Government contracts up to the Top Secret/Sensitive
16 Compartmented Information clearance level;

17 (2) ensure that such commercial integration cell
18 is an information-sharing partnership rather than a
19 service contract;

20 (3) in the case of a solution identified within
21 the commercial integration cell that requires re-
22 sources, work within existing resources or processes
23 to request such resources; and

1 (4) integrate lessons learned from the commer-
2 cial integration cells of the United States Space
3 Command and the United States Central Command.

4 (c) BRIEFING.—Not later than 90 days after the date
5 of the enactment of this Act, the Commander of the
6 United States Africa Command, the Commander of the
7 United States European Command, the Commander of the
8 United States Indo-Pacific Command, the Commander of
9 the United States Northern Command, and the Com-
10 mander of the United States Southern Command shall
11 each provide to the Committees on Armed Services of the
12 Senate and the House of Representatives—

13 (1) a briefing on whether a commercial integra-
14 tion cell was implemented and any related progress,
15 including any challenges to implementation;

16 (2) in the case of a commander of a combatant
17 command who chooses not to use the authority pro-
18 vided in this section to establish a commercial inte-
19 gration cell or a chief technology officer—

20 (A) an explanation for not using such au-
21 thority; and

22 (B) a description of the manner in which
23 such commander is otherwise addressing the
24 need to integrate commercial solutions; and

1 (3) in the case of a combatant command that
2 has an official performing a role similar to the role
3 described for a chief technology officer under sub-
4 section (a)(2), a detailed description of the role per-
5 formed by such official.

6 **SEC. 1079. MODIFICATION ON LIMITATION ON FUNDING**
7 **FOR INSTITUTIONS OF HIGHER EDUCATION**
8 **HOSTING CONFUCIUS INSTITUTES.**

9 Section 1062 of the William M. (“Mac”) Thornberry
10 National Defense Authorization Act for Fiscal Year 2021
11 (Public Law 116–283; 10 U.S.C. 2241 note) is amended
12 by striking subsection (b).

13 **SEC. 1080. MODIFICATION OF DEFINITION OF DOMESTIC**
14 **SOURCE FOR TITLE III OF DEFENSE PRODUC-**
15 **TION ACT OF 1950.**

16 (a) IN GENERAL.—Section 702(7) of such Act (50
17 U.S.C. 4552(7)) is amended—

18 (1) by redesignating subparagraphs (A) and
19 (B) as clauses (i) and (ii), respectively, and by mov-
20 ing such clauses, as so redesignated, two ems to the
21 right;

22 (2) by striking “The term” and inserting the
23 following:

24 “(A) IN GENERAL.—Except as provided in
25 subparagraph (B), the term”;

1 (3) in clause (ii), as redesignated by paragraph
2 (1), by striking “subparagraph (A)” and inserting
3 “clause (i)”; and

4 (4) by adding at the end the following new sub-
5 paragraph (B):

6 “(B) DOMESTIC SOURCE FOR TITLE III.—

7 “(i) IN GENERAL.—For purposes of
8 title III, the term ‘domestic source’ means
9 a business concern that—

10 “(I) performs substantially all of
11 the research and development, engi-
12 neering, manufacturing, and produc-
13 tion activities required of such busi-
14 ness concern under a contract with
15 the United States relating to a critical
16 component or a critical technology
17 item in—

18 “(aa) the United States or
19 Canada; or

20 “(bb) subject to clause (ii),
21 Australia or the United King-
22 dom; and

23 “(II) procures from business con-
24 cerns described in subclause (I) sub-
25 stantially all of any components or as-

1 semblies required under a contract
2 with the United States relating to a
3 critical component or critical tech-
4 nology item.

5 “(ii) LIMITATIONS ON USE OF BUSI-
6 NESS CONCERNS IN AUSTRALIA AND
7 UNITED KINGDOM.—

8 “(I) IN GENERAL.—A business
9 concern described in clause (i)(I)(bb)
10 may be treated as a domestic source
11 only for purposes of the exercise of
12 authorities under title III relating to
13 national defense matters that cannot
14 be fully addressed with business con-
15 cerns described in clause (i)(I)(aa).

16 “(II) NATIONAL DEFENSE MAT-
17 TERS.—For purposes of subclause (I),
18 a national defense matter is a matter
19 relating to the development or produc-
20 tion of—

21 “(aa) a defense article, as
22 defined in section 301 of title 10,
23 United States Code; or

24 “(bb) a material critical to
25 national defense or national secu-

1 rity, as defined in section 10(f) of
2 the Strategic and Critical Mate-
3 rials Stock Piling Act (50 U.S.C.
4 98h-1(f)).”.

5 (b) REPORTS ON EXERCISE OF TITLE III AUTHORI-
6 TIES.—Title III of the Defense Production Act of 1950
7 (50 U.S.C. 4531 et seq.) is amended by adding at the end
8 the following new section:

9 **“SEC. 305. REPORTS ON EXERCISE OF AUTHORITIES.**

10 “(a) IN GENERAL.—The President, or the head of
11 an agency to which the President has delegated authorities
12 under this title, shall submit a report and provide a brief-
13 ing to the appropriate congressional committees with re-
14 spect to any action taken pursuant to such authorities—

15 “(1) except as provided by paragraph (2), not
16 later than 30 days after taking the action; and

17 “(2) in the case of an action that involves a
18 business concern in the United Kingdom or Aus-
19 tralia, not later than 30 days before taking the ac-
20 tion.

21 “(b) ELEMENTS.—

22 “(1) IN GENERAL.—Each report and briefing
23 required by subsection (a) with respect to an action
24 described in that subsection shall include—

1 “(A) a justification of the necessity of the
2 use of authorities under this title; and

3 “(B) a description of the financial terms of
4 any related financial transaction.

5 “(2) ADDITIONAL ELEMENTS RELATING TO
6 BUSINESS CONCERNS IN THE UNITED KINGDOM OR
7 AUSTRALIA.—Each report and briefing required by
8 subsection (a) with respect to an action described in
9 paragraph (2) of that subsection shall include, in ad-
10 dition to the elements under paragraph (1)—

11 “(A) a certification that business concerns
12 in the United States or Canada were not avail-
13 able with respect to the action; and

14 “(B) an analysis of why such business con-
15 cerns were not available.

16 “(c) APPROPRIATE CONGRESSIONAL COMMITTEES
17 DEFINED.—In this section, the term ‘appropriate congres-
18 sional committees’ means—

19 “(1) the Committee on Banking, Housing, and
20 Urban Affairs of the Senate and the Committee on
21 Financial Services of the House of Representatives;
22 and

23 “(2) in the case of an action described in sub-
24 section (a) involving strategic and critical materials
25 relating to national defense matters (as described in

1 section 702(7)(B)(ii)(II)), the Committee on Energy
2 and Natural Resources of the Senate and the Com-
3 mittee on Natural Resources of the House of Rep-
4 resentatives.”.

5 **SEC. 1081. COMPREHENSIVE STRATEGY FOR TALENT DE-**
6 **VELOPMENT AND MANAGEMENT OF DEPART-**
7 **MENT OF DEFENSE COMPUTER PROGRAM-**
8 **MING WORKFORCE.**

9 (a) **POLICY.**—It shall be a policy of the Armed
10 Forces, including the reserve components, to establish ap-
11 propriate and effective talent development and manage-
12 ment policies and practices that allow for the military de-
13 partments to present an adaptable, qualified workforce
14 training and education standard with respect to computer
15 programming skill needs for the workforce of the Depart-
16 ment of Defense, including technical and nontechnical
17 skills related to artificial intelligence and software coding.

18 (b) **STRATEGY REQUIRED.**—

19 (1) **IN GENERAL.**—The Secretary of Defense, in
20 consultation with the Secretaries of each military de-
21 partment and the Chairman of the Joint Chiefs of
22 Staff, shall develop a strategy to achieve the policy
23 set forth in subsection (a).

24 (2) **ELEMENTS.**—The strategy required by
25 paragraph (1) shall include—

1 (A) the development, funding, and execu-
2 tion of a coherent approach and transparent
3 strategy across digital platforms and applica-
4 tions that enable development and presentation
5 of forces with appropriate programmatic over-
6 sight for both active and reserve component
7 workforces;

8 (B) the evaluation of the potential need for
9 career field occupational codes or other service-
10 specific talent management mechanisms aligned
11 with the work roles related to computer pro-
12 gramming, artificial intelligence and machine
13 learning competency, and software engineering
14 under the Department of Defense Cyber Work-
15 force Framework to allow for the military de-
16 partments to identify, assess, track, manage,
17 and assign personnel with computer program-
18 ming, coding, and artificial intelligence skills
19 through established mechanisms, under the
20 policies of the military departments with respect
21 to career field management, including—

22 (i) development, modification, or re-
23 validation of a career field or separate oc-
24 cupational code for computer programming

1 occupational areas aligned with such work
2 roles; and

3 (ii) development, modification, or re-
4 validation of a unique special skills or ex-
5 perience designator or qualification,
6 tracked independently of a career field, for
7 computer programming occupational areas
8 aligned with such work roles;

9 (C) the evaluation of current talent man-
10 agement processes to incorporate equivalency
11 assessment as part of the qualification standard
12 to accommodate experiences, training, or skills
13 developed as a result of other work experience
14 or training opportunities, including potentially
15 from civilian occupations or commercially-avail-
16 able training courses

17 (D) assessment of members of the Armed
18 Forces who have completed the qualification
19 process of the military department concerned or
20 who qualify based on existing skills and training
21 across computer programming occupational
22 areas; and

23 (E) maintaining data on, and longitudinal
24 tracking of, members of the Armed Forces de-
25 scribed in subparagraph (D).

1 (c) RESPONSIBILITIES.—The Secretary of each mili-
2 tary department, in consultation with the Assistant Sec-
3 retary of the military department for Manpower and Re-
4 serve Affairs, the Chief Information Officer of the Depart-
5 ment of Defense, and the Chief Digital and Artificial In-
6 telligence Officer of the Office of the Secretary of Defense,
7 shall—

8 (1) be responsible for development and imple-
9 mentation of the policy set forth in subsection (a)
10 and strategy required by subsection (b); and

11 (2) carry out that responsibility through an of-
12 ficer or employee of the military department as-
13 signed by the Secretary for that purpose.

14 (d) DUTIES.—In developing and providing for the im-
15 plementation of the policy set forth in subsection (a) and
16 strategy required by subsection (b), the Secretary of each
17 military department, in consultation with the Assistant
18 Secretary of the military department for Manpower and
19 Reserve Affairs, the Chief Information Officer of the mili-
20 tary department, the Chief Information Officer of the De-
21 partment of Defense, and the Chief Digital and Artificial
22 Intelligence Officer of the Office of the Secretary of De-
23 fense, shall establish and update relevant policies and
24 practices to enable the talent development and manage-
25 ment to provide a workforce capable of conducting com-

1 puter programming, software coding, and artificial intel-
2 ligence activities, including by meeting related manning,
3 systems, training, and other related funding requirements.

4 (e) STRATEGY AND IMPLEMENTATION PLANS.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the Sec-
7 retary of each military department shall submit to
8 the Committees on Armed Services of the Senate
9 and the House of Representatives the strategy re-
10 quired by subsection (b).

11 (2) IMPLEMENTATION PLANS REQUIRED.—Not
12 later than one year after the date of the enactment
13 of this Act, the Secretary of each military depart-
14 ment shall submit to the Committees on Armed
15 Services of the Senate and the House of Representa-
16 tives a implementation plan for the strategy required
17 by subsection (b), including identification of resource
18 needs and areas where current internal policy or
19 legal statutes may need to be updated.

20 (f) DEFINITIONS.—In this section:

21 (1) COMPUTER PROGRAMMING OCCUPATIONAL
22 AREA.—The term “computer programming occupa-
23 tional area” means a technical or nontechnical occu-
24 pational position that supports computer program-

1 ming, coding, or artificial intelligence operations and
2 development, including the following positions:

3 (A) Data scientists.

4 (B) Data engineers.

5 (C) Data analysts.

6 (D) Software developers.

7 (E) Machine learning engineers.

8 (F) Program managers.

9 (G) Acquisition professionals.

10 (2) DIGITAL PLATFORM OR APPLICATION.—The
11 term “digital platform or application” means an on-
12 line integrated personnel management system or
13 human capital solution.

14 (3) QUALIFICATION PROCESS.—The term
15 “qualification process”—

16 (A) means the process, modeled on a
17 streamlined version of the process for obtaining
18 joint qualifications, for training and verifying
19 members of the Armed Forces to receive career
20 field or occupational codes associated with com-
21 puter programming occupational areas; and

22 (B) may include—

23 (i) experiences, education, and train-
24 ing received as a part of military service,
25 including fellowships, talent exchanges, po-

1 sitions within government, and educational
2 courses; and

3 (ii) in the case of members of the re-
4 serve components, experiences, education,
5 and training received in their civilian occu-
6 pations.

7 (4) STANDARD.—The term “standard” means
8 the defined, reviewed, and published standard for oc-
9 cupational series or career fields that provides a
10 measurable standard by which the military depart-
11 ments can assess the ability to meet their oper-
12 ational planning and steady-state force presentation
13 requirements during the global force management
14 process.

15 **SEC. 1082. LIMITATION ON AVAILABILITY OF FUNDS FOR**
16 **DESTRUCTION OF LANDMINES.**

17 (a) LIMITATION.—Except as provided in subsection
18 (b), none of the funds authorized to be appropriated by
19 this Act or otherwise made available for fiscal year 2024
20 for the Department of Defense may be obligated or ex-
21 pended for the destruction of anti-personnel landmine mu-
22 nitions before the date on which the Secretary of Defense
23 submits the report required by subsection (c).

24 (b) EXCEPTION FOR SAFETY.—Subsection (a) shall
25 not apply to any anti-personnel landmine munitions that

1 the Secretary of Defense determines are unsafe or could
2 pose a safety risk to the United States Armed Forces if
3 not demilitarized or destroyed.

4 (c) REPORT REQUIRED.—

5 (1) IN GENERAL.—Not later than one year
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall submit to the congressional
8 defense committees a report that includes each of
9 the following:

10 (A) A description of the policy of the De-
11 partment of Defense regarding the use of anti-
12 personnel landmines, including methods for
13 commanders to seek waivers to use such muni-
14 tions.

15 (B) Projections covering the period of 10
16 years following the date of the report of—

17 (i) the inventory levels for all anti-per-
18 sonnel landmine munitions, taking into ac-
19 count future production of anti-personnel
20 landmine munitions, any plans for demili-
21 tarization of such munitions, the age of the
22 munitions, storage and safety consider-
23 ations, and any other factors that are ex-
24 pected to impact the size of the inventory;

1 (ii) the cost to achieve the inventory
2 levels projected in clause (i), including the
3 cost for potential demilitarization or dis-
4 posal of such munitions; and

5 (iii) the cost to develop and produce
6 new anti-personnel landmine munitions the
7 Secretary determines are necessary to meet
8 the demands of operational plans.

9 (C) An assessment by the Chairman of the
10 Joint Chiefs of Staff of the effects of the inven-
11 tory levels projected under subparagraph (B)(i)
12 on operational plans.

13 (D) Any inputs by the Chairman and the
14 commanders of the combatant commands to a
15 policy process that resulted in a change in land-
16 mine policy during the calendar year preceding
17 the date of the enactment of this Act.

18 (E) Any other matters that the Secretary
19 determines appropriate for inclusion in the re-
20 port.

21 (2) FORM OF REPORT.—The report required by
22 paragraph (1) shall be submitted in unclassified
23 form, but may include a classified annex.

24 (d) BRIEFING REQUIRED.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall provide to the congressional
4 defense committees a briefing on the status, as of
5 the date of the briefing, of research and development
6 into operational alternatives to anti-personnel land-
7 mine munitions.

8 (2) FORM OF BRIEFING.—The briefing required
9 by paragraph (1) may contain classified information.

10 (e) ANTI-PERSONNEL LANDMINE MUNITIONS DE-
11 FINED.—In this section, the term “anti-personnel land-
12 mine munitions” includes anti-personnel landmines and
13 submunitions, as defined by the Convention on the Prohi-
14 bition of the Use, Stockpiling, Production and Transfer
15 of Anti-Personnel Mines and on their Destruction, con-
16 cluded at Oslo September 18, 1997, as determined by the
17 Secretary.

18 **SEC. 1083. NOGALES WASTEWATER IMPROVEMENT.**

19 (a) AMENDMENT TO THE ACT OF JULY 27, 1953.—
20 The first section of the Act of July 27, 1953 (67 Stat.
21 195, chapter 242; 22 U.S.C. 277d–10), is amended by
22 striking the period at the end and inserting “: *Provided*
23 *further*, That the equitable portion of the Nogales sanita-
24 tion project for the city of Nogales, Arizona, shall be lim-
25 ited to the costs directly associated with the treatment and

1 conveyance of the wastewater of the city and, to the extent
 2 practicable, shall not include any costs directly associated
 3 with the quality or quantity of wastewater originating in
 4 Mexico.”.

5 (b) NOGALES SANITATION PROJECT.—

6 (1) DEFINITIONS.—In this subsection:

7 (A) CITY.—The term “City” means the
 8 City of Nogales, Arizona.

9 (B) COMMISSION.—The term “Commis-
 10 sion” means the United States Section of the
 11 International Boundary and Water Commission.

12 (C) INTERNATIONAL OUTFALL INTER-
 13 CEPTOR.—The term “International Outfall In-
 14 terceptor” means the pipeline that conveys
 15 wastewater from the United States-Mexico bor-
 16 der to the Nogales International Wastewater
 17 Treatment Plant.

18 (D) NOGALES INTERNATIONAL WASTE-
 19 WATER TREATMENT PLANT.—The term
 20 “Nogales International Wastewater Treatment
 21 Plant” means the wastewater treatment plant
 22 that—

23 (i) is operated by the Commission;

24 (ii) is located in Rio Rico, Santa Cruz
 25 County, Arizona, after manhole 99; and

1 (iii) treats sewage and wastewater
2 originating from—

3 (I) Nogales, Sonora, Mexico; and

4 (II) Nogales, Arizona.

5 (2) OWNERSHIP AND CONTROL.—

6 (A) IN GENERAL.—Subject to subpara-
7 graph (B) and in accordance with authority
8 under the Act of July 27, 1953 (67 Stat. 195,
9 chapter 242; 22 U.S.C. 277d–10 et seq.), on
10 transfer by donation from the City of the cur-
11 rent stake of the City in the International Out-
12 fall Interceptor to the Commission, the Com-
13 mission shall enter into such agreements as are
14 necessary to assume full ownership and control
15 over the International Outfall Interceptor.

16 (B) AGREEMENTS REQUIRED.—The Com-
17 mission shall assume full ownership and control
18 over the International Outfall Interceptor under
19 subparagraph (A) after all applicable governing
20 bodies in the State of Arizona, including the
21 City, have—

22 (i) signed memoranda of under-
23 standing granting to the Commission ac-
24 cess to existing easements for a right of
25 entry to the International Outfall Inter-

1 ceptor for the life of the International Out-
2 fall Interceptor;

3 (ii) entered into an agreement with re-
4 spect to the flows entering the Inter-
5 national Outfall Interceptor that are con-
6 trolled by the City; and

7 (iii) agreed to work in good faith to
8 expeditiously enter into such other agree-
9 ments as are necessary for the Commission
10 to operate and maintain the International
11 Outfall Interceptor.

12 (3) OPERATIONS AND MAINTENANCE.—

13 (A) IN GENERAL.—Beginning on the date
14 on which the Commission assumes full owner-
15 ship and control of the International Outfall In-
16 terceptor under paragraph (2)(A), but subject
17 to paragraph (5), the Commission shall be re-
18 sponsible for the operations and maintenance of
19 the International Outfall Interceptor.

20 (B) AUTHORIZATION OF APPROPRIA-
21 TIONS.—There are authorized to be appro-
22 priated to the Commission to carry out this
23 paragraph, to remain available until ex-
24 pended—

1 (i) \$6,500,000 for fiscal year 2025;

2 and

3 (ii) not less than \$2,500,000 for fiscal
4 year 2026 and each fiscal year thereafter.

5 (4) DEBRIS SCREEN.—

6 (A) DEBRIS SCREEN REQUIRED.—

7 (i) IN GENERAL.—The Commission
8 shall construct, operate, and maintain a
9 debris screen at Manhole One of the Inter-
10 national Outfall Interceptor for inter-
11 cepting debris and drug bundles coming to
12 the United States from Nogales, Sonora,
13 Mexico.

14 (ii) REQUIREMENT.—In constructing
15 and operating the debris screen under
16 clause (i), the Commission and the Com-
17 missioner of U.S. Customs and Border
18 Protection shall coordinate—

19 (I) the removal of drug bundles
20 and other illicit goods caught in the
21 debris screen; and

22 (II) other operations at the Inter-
23 national Outfall Interceptor that re-
24 quire coordination.

1 (B) AUTHORIZATION OF APPROPRIA-
2 TIONS.—There are authorized to be appro-
3 priated to the Commission, to remain available
4 until expended—

5 (i) for fiscal year 2025—

6 (I) \$8,000,000 for construction
7 of the debris screen described in sub-
8 paragraph (A)(i); and

9 (II) not less than \$1,000,000 for
10 the operations and maintenance of the
11 debris screen described in subpara-
12 graph (A)(i); and

13 (ii) not less than \$1,000,000 for fiscal
14 year 2026 and each fiscal year thereafter
15 for the operations and maintenance of the
16 debris screen described in subparagraph
17 (A)(i).

18 (5) LIMITATION OF CLAIMS.—Chapter 171 and
19 section 1346(b) of title 28, United States Code
20 (commonly known as the “Federal Tort Claims
21 Act”), shall not apply to any claim arising from the
22 activities of the Commission in carrying out this
23 subsection, including any claim arising from dam-
24 ages that result from overflow of the International
25 Outfall Interceptor due to excess inflow to the Inter-

1 national Outfall Interceptor originating from
2 Nogales, Sonora, Mexico.

3 (c) EFFECTIVE DATE.—This section (including the
4 amendments made by this section) takes effect on October
5 1, 2024.

6 **SEC. 1084. AUTHORIZATION OF AMOUNTS TO SUPPORT INI-**
7 **TIATIVES FOR MOBILE MAMMOGRAPHY**
8 **SERVICES FOR VETERANS.**

9 There is authorized to be appropriated to the Sec-
10 retary of Veterans Affairs \$10,000,000 for the Office of
11 Women’s Health of the Department of Veterans Affairs
12 under section 7310 of title 38, United States Code, to be
13 used by the Secretary to expand access of women veterans
14 to—

- 15 (1) mobile mammography initiatives;
16 (2) advanced mammography equipment; and
17 (3) outreach activities to publicize those initia-
18 tives and equipment.

19 **SEC. 1085. PROTECTION OF COVERED SECTORS.**

20 The Defense Production Act of 1950 (50 U.S.C.
21 4501 et seq.) is amended by adding at the end the fol-
22 lowing:

1 **“TITLE VIII—PROTECTION OF**
2 **COVERED SECTORS**

3 **“SEC. 801. DEFINITIONS.**

4 “In this title:

5 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term ‘appropriate congressional com-
7 mittees’ means—

8 “(A) the Committee on Armed Services,
9 the Committee on Finance, the Committee on
10 Banking, Housing, and Urban Affairs, the Se-
11 lect Committee on Intelligence, and the Com-
12 mittee on Foreign Relations of the Senate; and

13 “(B) the Committee on Armed Services,
14 the Committee on Ways and Means, the Com-
15 mittee on Financial Services, the Permanent
16 Select Committee on Intelligence, and the Com-
17 mittee on Foreign Affairs of the House of Rep-
18 resentatives.

19 “(2) COUNTRY OF CONCERN.—The term ‘coun-
20 try of concern’ means, subject to such regulations as
21 may be prescribed in accordance with section 806, a
22 country specified in section 4872(d)(2) of title 10,
23 United States Code.

24 “(3) COVERED ACTIVITY.—

1 “(A) IN GENERAL.—Subject to such regu-
2 lations as may be prescribed in accordance with
3 section 806, and except as provided in subpara-
4 graph (B), the term ‘covered activity’ means
5 any activity engaged in by a United States per-
6 son in a related to a covered sector that in-
7 volves—

8 “(i) an acquisition by such United
9 States person of an equity interest or con-
10 tingent equity interest, or monetary capital
11 contribution, in a covered foreign entity,
12 directly or indirectly, by contractual com-
13 mitment or otherwise, with the goal of gen-
14 erating income or gain;

15 “(ii) an arrangement for an interest
16 held by such United States person in the
17 short- or long-term debt obligations of a
18 covered foreign entity that includes govern-
19 ance rights that are characteristic of an
20 equity investment, management, or other
21 important rights, as defined in regulations
22 prescribed in accordance with section 806;

23 “(iii) the establishment of a wholly
24 owned subsidiary in a country of concern,
25 such as a greenfield investment, for the

1 purpose of production, design, testing,
2 manufacturing, fabrication, or development
3 related to one or more covered sectors;

4 “(iv) the establishment by such
5 United States person of a joint venture in
6 a country of concern or with a covered for-
7 eign entity for the purpose of production,
8 design, testing, manufacturing, fabrication,
9 or research involving one or more covered
10 sectors, or other contractual or other com-
11 mitments involving a covered foreign entity
12 to jointly research and develop new innova-
13 tion, including through the transfer of cap-
14 ital or intellectual property or other busi-
15 ness proprietary information; or

16 “(v) the acquisition by a United
17 States person with a covered foreign entity
18 of—

19 “(I) operational cooperation, such
20 as through supply or support arrange-
21 ments;

22 “(II) the right to board represen-
23 tation (as an observer, even if limited,
24 or as a member) or an executive role

1 (as may be defined through regula-
2 tion) in a covered foreign entity;

3 “(III) the ability to direct or in-
4 fluence such operational decisions as
5 may be defined through such regula-
6 tions;

7 “(IV) formal governance rep-
8 resentation in any operating affiliate,
9 like a portfolio company, of a covered
10 foreign entity; or

11 “(V) a new relationship to share
12 or provide business services, such as
13 but not limited to financial services,
14 marketing services, maintenance, or
15 assembly functions, related to a cov-
16 ered sectors.

17 “(B) EXCEPTIONS.—The term ‘covered ac-
18 tivity’ does not include—

19 “(i) any transaction the value of
20 which the Secretary of the Treasury deter-
21 mines is de minimis, as defined in regula-
22 tions prescribed in accordance with section
23 806;

24 “(ii) any category of transactions that
25 the Secretary determines is in the national

1 interest of the United States, as may be
2 defined in regulations prescribed in accord-
3 ance with section 806; or

4 “(iii) any ordinary or administrative
5 business transaction as may be defined in
6 such regulations.

7 “(4) COVERED FOREIGN ENTITY.—

8 “(A) IN GENERAL.—Subject to regulations
9 prescribed in accordance with section 806, and
10 except as provided in subparagraph (B), the
11 term ‘covered foreign entity’ means—

12 “(i) any entity that is incorporated in,
13 has a principal place of business in, or is
14 organized under the laws of a country of
15 concern;

16 “(ii) any entity the equity securities of
17 which are primarily traded in the ordinary
18 course of business on one or more ex-
19 changes in a country of concern;

20 “(iii) any entity in which any entity
21 described in subclause (i) or (ii) holds, in-
22 dividually or in the aggregate, directly or
23 indirectly, an ownership interest of greater
24 than 50 percent; or

1 “(iv) any other entity that is not a
2 United States person and that meets such
3 criteria as may be specified by the Sec-
4 retary of the Treasury in such regulations.

5 “(B) EXCEPTION.—The term ‘covered for-
6 eign entity’ does not include any entity de-
7 scribed in subparagraph (A) that can dem-
8 onstrate that a majority of the equity interest
9 in the entity is ultimately owned by—

10 “(i) nationals of the United States; or

11 “(ii) nationals of such countries (other
12 than countries of concern) as are identified
13 for purposes of this subparagraph pursu-
14 ant to regulations prescribed in accordance
15 with section 806.

16 “(5) COVERED SECTORS.—Subject to regula-
17 tions prescribed in accordance with section 806, the
18 term ‘covered sectors’ includes sectors within the fol-
19 lowing areas, as specified in such regulations:

20 “(A) Advanced semiconductors and micro-
21 electronics.

22 “(B) Artificial intelligence.

23 “(C) Quantum information science and
24 technology.

25 “(D) Hypersonics.

1 “(E) Satellite-based communications.

2 “(F) Networked laser scanning systems
3 with dual-use applications.

4 “(6) PARTY.—The term ‘party’, with respect to
5 an activity, has the meaning given that term in reg-
6 ulations prescribed in accordance with section 806.

7 “(7) UNITED STATES.—The term ‘United
8 States’ means the several States, the District of Co-
9 lumbia, and any territory or possession of the
10 United States.

11 “(8) UNITED STATES PERSON.—The term
12 ‘United States person’ means—

13 “(A) an individual who is a citizen or na-
14 tional of the United States or an alien lawfully
15 admitted for permanent residence in the United
16 States; and

17 “(B) any corporation, partnership, or other
18 entity organized under the laws of the United
19 States or the laws of any jurisdiction within the
20 United States.

21 **“SEC. 802. ADMINISTRATION OF UNITED STATES INVEST-**
22 **MENT NOTIFICATION.**

23 “(a) IN GENERAL.—The President shall delegate the
24 authorities and functions under this title to the Secretary
25 of the Treasury.

1 “(b) COORDINATION.—In carrying out the duties of
2 the Secretary under this title, the Secretary shall—

3 “(1) coordinate with the Secretary of Com-
4 merce; and

5 “(2) consult with the United States Trade Rep-
6 resentative, the Secretary of Defense, the Secretary
7 of State, and the Director of National Intelligence.

8 **“SEC. 803. MANDATORY NOTIFICATION OF COVERED AC-**
9 **TIVITIES.**

10 “(a) MANDATORY NOTIFICATION.—

11 “(1) IN GENERAL.—Subject to regulations pre-
12 scribed in accordance with section 806, beginning on
13 the date that is 90 days after such regulations take
14 effect, a United States person that plans to engage
15 in a covered activity shall—

16 “(A) if such covered activity is not a se-
17 cured transaction, submit to the Secretary of
18 the Treasury a complete written notification of
19 the activity not later than 14 days before the
20 anticipated completion date of the activity; and

21 “(B) if such covered activity is a secured
22 transaction, submit to the Secretary of the
23 Treasury a complete written notification of the
24 activity not later than 14 days after the comple-
25 tion date of the activity.

1 “(2) CIRCULATION OF NOTIFICATION.—

2 “(A) IN GENERAL.—The Secretary shall,
3 upon receipt of a notification under paragraph
4 (1), promptly inspect the notification for com-
5 pleteness.

6 “(B) INCOMPLETE NOTIFICATIONS.—If a
7 notification submitted under paragraph (1) is
8 incomplete, the Secretary shall promptly inform
9 the United States person that submits the noti-
10 fication that the notification is not complete
11 and provide an explanation of relevant material
12 respects in which the notification is not com-
13 plete.

14 “(3) IDENTIFICATION OF NON-NOTIFIED ACTIV-
15 ITY.—The Secretary shall establish a process to
16 identify covered activity for which—

17 “(A) a notification is not submitted to the
18 Secretary under paragraph (1); and

19 “(B) information is reasonably available.

20 “(b) CONFIDENTIALITY OF INFORMATION.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), any information or documentary material
23 filed with the Secretary of the Treasury pursuant to
24 this section shall be exempt from disclosure under
25 section 552 of title 5, United States Code, and no

1 such information or documentary material may be
2 made public by any government agency or Member
3 of Congress.

4 “(2) EXCEPTIONS.—The exemption from disclo-
5 sure provided by paragraph (1) shall not prevent the
6 disclosure of the following:

7 “(A) Information relevant to any adminis-
8 trative or judicial action or proceeding.

9 “(B) Information provided to Congress or
10 any of the appropriate congressional commit-
11 tees.

12 “(C) Information important to the national
13 security analysis or actions of the President to
14 any domestic governmental entity, or to any
15 foreign governmental entity of an ally or part-
16 ner of the United States, under the direction
17 and authorization of the President or the Sec-
18 retary, only to the extent necessary for national
19 security purposes, and subject to appropriate
20 confidentiality and classification requirements.

21 “(D) Information that the parties have
22 consented to be disclosed to third parties.

23 **“SEC. 804. REPORTING REQUIREMENTS.**

24 “(a) IN GENERAL.—Not later than 360 days after
25 the date on which the regulations prescribed under section

1 806 take effect, and not less frequently than annually
2 thereafter, the Secretary of the Treasury shall submit to
3 the appropriate congressional committees a report that—

4 “(1) lists all notifications submitted under sec-
5 tion 803(a) during the year preceding submission of
6 the report and includes, with respect to each such
7 notification—

8 “(A) basic information on each party to
9 the covered activity with respect to which the
10 notification was submitted; and

11 “(B) the nature of the covered activity that
12 was the subject to the notification, including
13 the elements of the covered activity that neces-
14 sitated a notification;

15 “(2) includes a summary of those notifications,
16 disaggregated by sector, by covered activity, and by
17 country of concern;

18 “(3) provides additional context and informa-
19 tion regarding trends in the sectors, the types of
20 covered activities, and the countries involved in those
21 notifications;

22 “(4) includes a description of the national secu-
23 rity risks associated with—

24 “(A) the covered activities with respect to
25 which those notifications were submitted; or

1 “(B) categories of such activities; and

2 “(5) assesses the overall impact of those notifi-
3 cations, including recommendations for—

4 “(A) expanding existing Federal programs
5 to support the production or supply of covered
6 sectors in the United States, including the po-
7 tential of existing authorities to address any re-
8 lated national security concerns;

9 “(B) investments needed to enhance cov-
10 ered sectors and reduce dependence on coun-
11 tries of concern regarding those sectors; and

12 “(C) the continuation, expansion, or modi-
13 fication of the implementation and administra-
14 tion of this title, including recommendations
15 with respect to whether the definition of ‘coun-
16 try of concern’ under section 801(2) should be
17 amended to add or remove countries.

18 “(b) FORM OF REPORT.—Each report required by
19 this section shall be submitted in unclassified form, but
20 may include a classified annex.

21 “(c) TESTIMONY REQUIRED.—Not later than one
22 year after the date of enactment of this title, and annually
23 thereafter, the Secretary of the Treasury and the Sec-
24 retary of Commerce shall each provide to the Committee
25 on Banking, Housing, and Urban Affairs of the Senate

1 and the Committee on Financial Services of the House of
2 Representatives testimony with respect to the national se-
3 curity threats relating to investments by the United States
4 persons in countries of concern and broader international
5 capital flows.

6 **“SEC. 805. PENALTIES AND ENFORCEMENT.**

7 “(a) PENALTIES WITH RESPECT TO UNLAWFUL
8 ACTS.—Subject to regulations prescribed in accordance
9 with section 806, it shall be unlawful—

10 “(1) to fail to submit a notification under sub-
11 section (a) of section 803 with respect to a covered
12 activity or to submit other information as required
13 by the Secretary of the Treasury; or

14 “(2) to make a material misstatement or to
15 omit a material fact in any information submitted to
16 the Secretary under this title.

17 “(b) ENFORCEMENT.—The President may direct the
18 Attorney General to seek appropriate relief in the district
19 courts of the United States, in order to implement and
20 enforce this title.

21 **“SEC. 806. REQUIREMENT FOR REGULATIONS.**

22 “(a) IN GENERAL.—Not later than 360 days after
23 the date of the enactment of this title, the Secretary of
24 the Treasury shall finalize regulations to carry out this
25 title.

1 “(b) ELEMENTS.—Regulations prescribed to carry
2 out this title shall include specific examples of the types
3 of—

4 “(1) activities that will be considered to be cov-
5 ered activities; and

6 “(2) the specific sectors and subsectors that
7 may be considered to be covered sectors.

8 “(c) REQUIREMENTS FOR CERTAIN REGULATIONS.—
9 The Secretary of the Treasury shall prescribe regulations
10 further defining the terms used in this title, including ‘cov-
11 ered activity’, ‘covered foreign entity’, and ‘party’, in ac-
12 cordance with subchapter II of chapter 5 and chapter 7
13 of title 5 (commonly known as the ‘Administrative Proce-
14 dure Act’).

15 “(d) PUBLIC PARTICIPATION IN RULEMAKING.—The
16 provisions of section 709 shall apply to any regulations
17 issued under this title.

18 “(e) LOW-BURDEN REGULATIONS.—In prescribing
19 regulations under this section, the Secretary of the Treas-
20 ury shall structure the regulations—

21 “(1) to minimize the cost and complexity of
22 compliance for affected parties;.

23 “(2) to ensure the benefits of the regulations
24 outweigh their costs;

1 “(3) to adopt the least burdensome alternative
2 that achieves regulatory objectives;

3 “(4) to prioritize transparency and stakeholder
4 involvement in the process of prescribing the regula-
5 tions; and

6 “(5) to regularly review and streamline existing
7 regulations to reduce redundancy and complexity.

8 **“SEC. 807. MULTILATERAL ENGAGEMENT AND COORDINA-**
9 **TION.**

10 “(a) IN GENERAL.—The President shall delegate the
11 authorities and functions under this section to the Sec-
12 retary of State.

13 “(b) AUTHORITIES.—The Secretary of State, in co-
14 ordination with the Secretary of the Treasury, the Sec-
15 retary of Commerce, the United States Trade Representa-
16 tive, and the Director of National Intelligence, shall—

17 “(1) conduct bilateral and multilateral engage-
18 ment with the governments of countries that are al-
19 lies and partners of the United States to ensure co-
20 ordination of protocols and procedures with respect
21 to covered activities with countries of concern and
22 covered foreign entities; and

23 “(2) upon adoption of protocols and procedures
24 described in paragraph (1), work with those govern-

1 ments to establish mechanisms for sharing informa-
2 tion, including trends, with respect to such activities.

3 “(c) STRATEGY FOR DEVELOPMENT OF OUTBOUND
4 INVESTMENT SCREENING MECHANISMS.—The Secretary
5 of State, in coordination with the Secretary of the Treas-
6 ury and in consultation with the Attorney General, shall—

7 “(1) develop a strategy to work with countries
8 that are allies and partners of the United States to
9 develop mechanisms comparable to this title for the
10 notification of covered activities; and

11 “(2) provide technical assistance to those coun-
12 tries with respect to the development of those mech-
13 anisms.

14 “(d) REPORT.—Not later than 90 days after the de-
15 velopment of the strategy required by subsection (b), and
16 annually thereafter for a period of 5 years, the Secretary
17 of State shall submit to the appropriate congressional
18 committees a report that includes the strategy, the status
19 of implementing the strategy, and a description of any im-
20 pediments to the establishment of mechanisms comparable
21 to this title by allies and partners,

22 **“SEC. 808. AUTHORIZATION OF APPROPRIATIONS.**

23 “(a) IN GENERAL.—There are authorized to be ap-
24 propriated such sums as may be necessary to carry out

1 this title, including to provide outreach to industry and
 2 persons affected by this title.

3 “(b) **HIRING AUTHORITY.**—The head of any agency
 4 designated as a lead agency under section 802(b) may ap-
 5 point, without regard to the provisions of sections 3309
 6 through 3318 of title 5, United States Code, not more
 7 than 25 candidates directly to positions in the competitive
 8 service (as defined in section 2102 of that title) in that
 9 agency. The primary responsibility of individuals in posi-
 10 tions authorized under the preceding sentence shall be to
 11 administer this title.

12 **“SEC. 809. RULE OF CONSTRUCTION WITH RESPECT TO**
 13 **FREE AND FAIR COMMERCE.**

14 “Nothing in this title may be construed to restrain
 15 or deter foreign investment in the United States, United
 16 States investment abroad, or trade in goods or services,
 17 if such investment and trade do not pose a risk to the
 18 national security of the United States.”.

19 **SEC. 1086. REVIEW OF AGRICULTURE-RELATED TRANS-**
 20 **ACTIONS BY COMMITTEE ON FOREIGN IN-**
 21 **VESTMENT IN THE UNITED STATES.**

22 Section 721 of the Defense Production Act of 1950
 23 (50 U.S.C. 4565) is amended—

24 (1) in subsection (a)—

25 (A) in paragraph (4)—

1 (i) in subparagraph (A)—

2 (I) in clause (i), by striking “;
3 and” and inserting a semicolon;

4 (II) in clause (ii), by striking the
5 period at the end and inserting “;
6 and”; and

7 (III) by adding at the end the
8 following:

9 “(iii) any transaction described in
10 clause (vi) or (vii) of subparagraph (B)
11 proposed or pending on or after the date of
12 the enactment of this clause.”;

13 (ii) in subparagraph (B), by adding at
14 the end the following:

15 “(vi) Any other investment, subject to
16 regulations prescribed under subpara-
17 graphs (D) and (E), by a foreign person in
18 any unaffiliated United States business
19 that is engaged in agriculture or bio-
20 technology related to agriculture.

21 “(vii) Subject to subparagraphs (C)
22 and (E), the purchase or lease by, or a
23 concession to, a foreign person of private
24 real estate that is—

25 “(I) located in the United States;

1 “(II) used in agriculture; and

2 “(III) more than 320 acres or
3 valued in excess of \$5,000,000.”;

4 (iii) in subparagraph (C)(i), by strik-
5 ing “subparagraph (B)(ii)” and inserting
6 “clause (ii) or (vii) of subparagraph (B)”;

7 (iv) in subparagraph (D)—

8 (I) in clause (i), by striking “sub-
9 paragraph (B)(iii)” and inserting
10 “clauses (iii) and (vi) of subparagraph
11 (B)”;

12 (II) in clause (iii)(I), by striking
13 “subparagraph (B)(iii)” and inserting
14 “clauses (iii) and (vi) of subparagraph
15 (B)”;

16 (III) in clause (iv)(I), by striking
17 “subparagraph (B)(iii)” each place it
18 appears and inserting “clauses (iii)
19 and (vi) of subparagraph (B)”;

20 (IV) in clause (v), by striking
21 “subparagraph (B)(iii)” and inserting
22 “clauses (iii) and (vi) of subparagraph
23 (B)”;

1 (v) in subparagraph (E), by striking
2 “clauses (ii) and (iii)” and inserting
3 “clauses (ii), (iii), (iv), and (vii)”; and
4 (B) by adding at the end the following:

5 “(14) AGRICULTURE.—The term ‘agriculture’
6 has the meaning given such term in section 3 of the
7 Fair Labor Standards Act of 1938 (29 U.S.C.
8 203).”;

9 (2) in subsection (k)(2)—

10 (A) by redesignating subparagraphs (H),
11 (I), and (J), as subparagraphs (I), (J), and
12 (K), respectively; and

13 (B) inserting after subparagraph (G) the
14 following new subparagraph:

15 “(H) The Secretary of Agriculture (non-
16 voting, ex officio).”;

17 (3) by adding at the end the following:

18 “(r) PROHIBITION WITH RESPECT TO AGRICUL-
19 TURAL COMPANIES AND REAL ESTATE.—

20 “(1) IN GENERAL.—Notwithstanding any other
21 provision of this section, if the Committee, in con-
22 ducting a review and investigation under this sec-
23 tion, determines that a transaction described in
24 clause (i), (vi), or (vii) of subsection (a)(4)(B) would
25 result in control by a covered foreign person of or

1 investment by a covered foreign person in a United
2 States business engaged in agriculture or private
3 real estate used in agriculture, the President shall
4 prohibit such transaction.

5 “(2) WAIVER.—The President may waive, on a
6 case-by-case basis, the requirement to prohibit a
7 transaction under paragraph (1), not less than 30
8 days after the President determines and reports to
9 the relevant committees of jurisdiction that it is vital
10 to the national security interests of the United
11 States to waive such prohibition.

12 “(3) DEFINED TERMS.—In this subsection:

13 “(A) COVERED PERSON.—

14 “(i) IN GENERAL.—Except as pro-
15 vided by clause (ii), the term ‘covered per-
16 son’—

17 “(I) has the meaning given the
18 term ‘a person owned by, controlled
19 by, or subject to the jurisdiction or di-
20 rection of a foreign adversary’ in sec-
21 tion 7.2 of title 15, Code of Federal
22 Regulations (as in effect on the date
23 of the enactment of the National De-
24 fense Authorization Act for Fiscal
25 Year 2024), except that each ref-

1 erence to ‘foreign adversary’ in that
2 definition shall be deemed to be a ref-
3 erence to the government of a covered
4 country; and

5 “(II) includes an entity that—

6 “(aa) is registered in or or-
7 ganized under the laws of a cov-
8 ered country;

9 “(bb) has a principal place
10 of business in a covered country;

11 or

12 “(cc) has a subsidiary with a
13 principal place of business in a
14 covered country.

15 “(ii) EXCLUSIONS.—The term ‘cov-
16 ered person’ does not include a United
17 States citizen or an alien lawfully admitted
18 for permanent residence to the United
19 States.

20 “(B) COVERED COUNTRY.—The term ‘cov-
21 ered country’ means any of the following:

22 “(i) The People’s Republic of China.

23 “(ii) The Russian Federation.

24 “(iii) The Islamic Republic of Iran.

1 “(iv) The Democratic People’s Repub-
2 lic of Korea.”.

3 **SEC. 1087. 9/11 RESPONDER AND SURVIVOR HEALTH FUND-**
4 **ING CORRECTION ACT OF 2023.**

5 (a) DEPARTMENT OF DEFENSE, ARMED FORCES, OR
6 OTHER FEDERAL WORKER RESPONDERS TO THE SEP-
7 TEMBER 11 ATTACKS AT THE PENTAGON AND
8 SHANKSVILLE, PENNSYLVANIA.—Title XXXIII of the
9 Public Health Service Act (42 U.S.C. 300mm et seq.) is
10 amended—

11 (1) in section 3306 (42 U.S.C. 300mm–5)—

12 (A) by redesignating paragraphs (5)
13 through (11) and paragraphs (12) through (17)
14 as paragraphs (6) through (12) and paragraphs
15 (14) through (19), respectively;

16 (B) by inserting after paragraph (4) the
17 following:

18 “(5) The term ‘Federal agency’ means an agen-
19 cy, office, or other establishment in the executive,
20 legislative, or judicial branch of the Federal Govern-
21 ment.”; and

22 (C) by inserting after paragraph (12), as
23 so redesignated, the following:

1 “(13) The term ‘uniformed services’ has the
2 meaning given the term in section 101(a) of title 10,
3 United States Code.”; and

4 (2) in section 3311(a) (42 U.S.C. 300mm–
5 21(a))—

6 (A) in paragraph (2)(C)(i)—

7 (i) in subclause (I), by striking “; or”
8 and inserting a semicolon;

9 (ii) in subclause (II), by striking “;
10 and” and inserting a semicolon; and

11 (iii) by adding at the end the fol-
12 lowing:

13 “(III) was an employee of the Depart-
14 ment of Defense or any other Federal
15 agency, worked during the period begin-
16 ning on September 11, 2001, and ending
17 on September 18, 2001, for a contractor of
18 the Department of Defense or any other
19 Federal agency, or was a member of a reg-
20 ular or reserve component of the uni-
21 formed services; and performed rescue, re-
22 covery, demolition, debris cleanup, or other
23 related services at the Pentagon site of the
24 terrorist-related aircraft crash of Sep-
25 tember 11, 2001, during the period begin-

1 ning on September 11, 2001, and ending
2 on the date on which the cleanup of the
3 site was concluded, as determined by the
4 WTC Program Administrator; or

5 “(IV) was an employee of the Depart-
6 ment of Defense or any other Federal
7 agency, worked during the period begin-
8 ning on September 11, 2001, and ending
9 on September 18, 2001, for a contractor of
10 the Department of Defense or any other
11 Federal agency, or was a member of a reg-
12 ular or reserve component of the uni-
13 formed services; and performed rescue, re-
14 covery, demolition, debris cleanup, or other
15 related services at the Shanksville, Penn-
16 sylvania, site of the terrorist-related air-
17 craft crash of September 11, 2001, during
18 the period beginning on September 11,
19 2001, and ending on the date on which the
20 cleanup of the site was concluded, as deter-
21 mined by the WTC Program Adminis-
22 trator; and”;

23 (B) in paragraph (4)(A)—

24 (i) by striking “(A) IN GENERAL.—
25 The” and inserting the following:

1 “(A) LIMIT.—
 2 “(i) IN GENERAL.—The”;
 3 (ii) by inserting “or subclause (III) or
 4 (IV) of paragraph (2)(C)(i)” after “or
 5 (2)(A)(ii)”;
 6 (iii) by adding at the end the fol-
 7 lowing:
 8 “(ii) CERTAIN RESPONDERS TO THE
 9 SEPTEMBER 11 ATTACKS AT THE PEN-
 10 TAGON AND SHANKSVILLE, PENNSYLVANIA.—The total number of individuals
 11 who may be enrolled under paragraph
 12 (3)(A)(ii) based on eligibility criteria de-
 13 scribed in subclause (III) or (IV) of para-
 14 graph (2)(C)(i) shall not exceed 500 at any
 15 time.”.

17 (b) ADDITIONAL FUNDING FOR THE WORLD TRADE
 18 CENTER HEALTH PROGRAM.—Title XXXIII of the Public
 19 Health Service Act (42 U.S.C. 300mm et seq.) is amended
 20 by adding at the end the following:

21 **“SEC. 3353. SPECIAL FUND.**

22 “(a) IN GENERAL.—There is established a fund to
 23 be known as the World Trade Center Health Program
 24 Special Fund (referred to in this section as the ‘Special

1 Fund’), consisting of amounts deposited into the Special
2 Fund under subsection (b).

3 “(b) AMOUNT.—Out of any money in the Treasury
4 not otherwise appropriated, there is appropriated for fiscal
5 year 2024 \$444,000,000 for deposit into the Special
6 Fund, which amounts shall remain available in such Fund
7 through fiscal year 2033.

8 “(c) USES OF FUNDS.—Amounts deposited into the
9 Special Fund under subsection (b) shall be available, with-
10 out further appropriation and without regard to any
11 spending limitation under section 3351(c), to the WTC
12 Program Administrator as needed at the discretion of such
13 Administrator, for carrying out any provision in this title
14 (including sections 3303 and 3341(c)).

15 “(d) REMAINING AMOUNTS.—Any amounts that re-
16 main in the Special Fund on September 30, 2033, shall
17 be deposited into the Treasury as miscellaneous receipts.

18 **“SEC. 3354. PENTAGON/SHANKSVILLE FUND.**

19 “(a) IN GENERAL.—There is established a fund to
20 be known as the World Trade Center Health Program
21 Fund for Certain WTC Responders at the Pentagon and
22 Shanksville, Pennsylvania (referred to in this section as
23 the ‘Pentagon/Shanksville Fund’), consisting of amounts
24 deposited into the Pentagon/Shanksville Fund under sub-
25 section (b).

1 “(b) AMOUNT.—Out of any money in the Treasury
2 not otherwise appropriated, there is appropriated for fiscal
3 year 2024 \$232,000,000 for deposit into the Pentagon/
4 Shanksville Fund, which amounts shall remain available
5 in such Fund through fiscal year 2033.

6 “(c) USES OF FUNDS.—

7 “(1) IN GENERAL.—Amounts deposited into the
8 Pentagon/Shanksville Fund under subsection (b)
9 shall be available, without further appropriation and
10 without regard to any spending limitation under sec-
11 tion 3351(c), to the WTC Program Administrator
12 for the purpose of carrying out section 3312 with re-
13 gard to WTC responders enrolled in the WTC Pro-
14 gram based on eligibility criteria described in sub-
15 clause (III) or (IV) of section 3311(a)(2)(C)(i).

16 “(2) LIMITATION ON OTHER FUNDING.—Not-
17 withstanding sections 3331(a), 3351(b)(1), 3352(c),
18 and 3353(c), and any other provision in this title,
19 for the period of fiscal years 2024 through 2033, no
20 amounts made available under this title other than
21 those amounts appropriated under subsection (b)
22 may be available for the purpose described in para-
23 graph (1).

24 “(d) REMAINING AMOUNTS.—Any amounts that re-
25 main in the Pentagon/Shanksville Fund on September 30,

1 2033, shall be deposited into the Treasury as miscella-
2 neous receipts.”.

3 (c) CONFORMING AMENDMENTS.—Title XXXIII of
4 the Public Health Service Act (42 U.S.C. 300mm et seq.)
5 is amended—

6 (1) in section 3311(a)(4)(B)(i)(II) (42 U.S.C.
7 300mm–21(a)(4)(B)(i)(II)), by striking “sections
8 3351 and 3352” and inserting “this title”;

9 (2) in section 3321(a)(3)(B)(i)(II) (42 U.S.C.
10 300mm–31(a)(3)(B)(i)(II)), by striking “sections
11 3351 and 3352” and inserting “this title”;

12 (3) in section 3331 (42 U.S.C. 300mm–41)—

13 (A) in subsection (a), by striking “the
14 World Trade Center Health Program Fund and
15 the World Trade Center Health Program Sup-
16 plemental Fund” and inserting “(as applicable)
17 the Funds established under sections 3351,
18 3352, 3353, and 3354”; and

19 (B) in subsection (d)—

20 (i) in paragraph (1)(A), by inserting
21 “or the World Trade Center Health Pro-
22 gram Special Fund under section 3353”
23 after “section 3351”;

24 (ii) in paragraph (1)(B), by inserting
25 “or the World Trade Center Health Pro-

1 gram Fund for Certain WTC Responders
2 at the Pentagon and Shanksville, Pennsyl-
3 vania under section 3354” after “section
4 3352”; and

5 (iii) in paragraph (2), in the flush text
6 following subparagraph (C), by inserting
7 “or the World Trade Center Health Pro-
8 gram Fund for Certain WTC Responders
9 at the Pentagon and Shanksville, Pennsyl-
10 vania under section 3354” after “section
11 3352”; and

12 (4) in section 3351(b) (42 U.S.C. 300mm-
13 61(b))—

14 (A) in paragraph (2), by inserting “, the
15 World Trade Center Health Program Special
16 Fund under section 3353, or the World Trade
17 Center Health Program Fund for Certain WTC
18 Responders at the Pentagon and Shanksville,
19 Pennsylvania under section 3354” before the
20 period at the end; and

21 (B) in paragraph (3), by inserting “, the
22 World Trade Center Health Program Special
23 Fund under section 3353, or the World Trade
24 Center Health Program Fund for Certain WTC
25 Responders at the Pentagon and Shanksville,

1 Pennsylvania under section 3354” before the
2 period at the end.

3 (d) ENSURING TIMELY ACCESS TO GENERICS.—Sec-
4 tion 505(q) of the Federal Food, Drug, and Cosmetic Act
5 (21 U.S.C. 355(q)) is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (A)(i), by inserting “,
8 10.31,” after “10.30”;

9 (B) in subparagraph (E)—

10 (i) by striking “application and” and
11 inserting “application or”;

12 (ii) by striking “If the Secretary” and
13 inserting the following:

14 “(i) IN GENERAL.—If the Secretary”;
15 and

16 (iii) by striking the second sentence
17 and inserting the following:

18 “(ii) PRIMARY PURPOSE OF DELAY-
19 ING.—

20 “(I) IN GENERAL.—In deter-
21 mining whether a petition was sub-
22 mitted with the primary purpose of
23 delaying an application, the Secretary
24 may consider the following factors:

1 “(aa) Whether the petition
2 was submitted in accordance with
3 paragraph (2)(B), based on when
4 the petitioner knew the relevant
5 information relied upon to form
6 the basis of such petition.

7 “(bb) When the petition was
8 submitted in relation to when the
9 petitioner reasonably should have
10 known the relevant information
11 relied upon to form the basis of
12 such petition.

13 “(cc) Whether the petitioner
14 has submitted multiple or serial
15 petitions or supplements to peti-
16 tions raising issues that reason-
17 ably could have been known to
18 the petitioner at the time of sub-
19 mission of the earlier petition or
20 petitions.

21 “(dd) Whether the petition
22 was submitted close in time to a
23 known, first date upon which an
24 application under subsection
25 (b)(2) or (j) of this section or

1 section 351(k) of the Public
2 Health Service Act could be ap-
3 proved.

4 “(ee) Whether the petition
5 was submitted without relevant
6 data or information in support of
7 the scientific positions forming
8 the basis of such petition.

9 “(ff) Whether the petition
10 raises the same or substantially
11 similar issues as a prior petition
12 to which the Secretary has re-
13 sponded substantively already, in-
14 cluding if the subsequent submis-
15 sion follows such response from
16 the Secretary closely in time.

17 “(gg) Whether the petition
18 requests changing the applicable
19 standards that other applicants
20 are required to meet, including
21 requesting testing, data, or label-
22 ing standards that are more on-
23 erous or rigorous than the stand-
24 ards the Secretary has deter-
25 mined to be applicable to the list-

1 ed drug, reference product, or pe-
2 titioner's version of the same
3 drug.

4 “(hh) The petitioner's
5 record of submitting petitions to
6 the Food and Drug Administra-
7 tion that have been determined
8 by the Secretary to have been
9 submitted with the primary pur-
10 pose of delay.

11 “(ii) Other relevant and ap-
12 propriate factors, which the Sec-
13 retary shall describe in guidance.

14 “(II) GUIDANCE.—The Secretary
15 may issue or update guidance, as ap-
16 propriate, to describe factors the Sec-
17 retary considers in accordance with
18 subclause (I).”;

19 (C) by striking subparagraph (F);

20 (D) by redesignating subparagraphs (G)
21 through (I) as subparagraphs (F) through (H),
22 respectively; and

23 (E) in subparagraph (H), as so redesign-
24 nated, by striking “submission of this petition”
25 and inserting “submission of this document”;

1 (2) in paragraph (2)—

2 (A) by redesignating subparagraphs (A)
3 through (C) as subparagraphs (C) through (E),
4 respectively;

5 (B) by inserting before subparagraph (C),
6 as so redesignated, the following:

7 “(A) IN GENERAL.—A person shall submit
8 a petition to the Secretary under paragraph (1)
9 before filing a civil action in which the person
10 seeks to set aside, delay, rescind, withdraw, or
11 prevent submission, review, or approval of an
12 application submitted under subsection (b)(2)
13 or (j) of this section or section 351(k) of the
14 Public Health Service Act. Such petition and
15 any supplement to such a petition shall describe
16 all information and arguments that form the
17 basis of the relief requested in any civil action
18 described in the previous sentence.

19 “(B) TIMELY SUBMISSION OF CITIZEN PE-
20 TITION.—A petition and any supplement to a
21 petition shall be submitted within 180 days
22 after the person knew the information that
23 forms the basis of the request made in the peti-
24 tion or supplement.”;

1 (C) in subparagraph (C), as so redesignig-
2 nated—

3 (i) in the heading, by striking “WITH-
4 IN 150 DAYS”;

5 (ii) in clause (i), by striking “during
6 the 150-day period referred to in para-
7 graph (1)(F),”; and

8 (iii) by amending clause (ii) to read as
9 follows:

10 “(ii) on or after the date that is 151
11 days after the date of submission of the
12 petition, the Secretary approves or has ap-
13 proved the application that is the subject
14 of the petition without having made such a
15 final decision.”;

16 (D) by amending subparagraph (D), as so
17 redesignated, to read as follows:

18 “(D) DISMISSAL OF CERTAIN CIVIL AC-
19 TIONS.—

20 “(i) PETITION.—If a person files a
21 civil action against the Secretary in which
22 a person seeks to set aside, delay, rescind,
23 withdraw, or prevent submission, review, or
24 approval of an application submitted under
25 subsection (b)(2) or (j) of this section or

1 section 351(k) of the Public Health Service
2 Act without complying with the require-
3 ments of subparagraph (A), the court shall
4 dismiss without prejudice the action for
5 failure to exhaust administrative remedies.

6 “(ii) TIMELINESS.—If a person files a
7 civil action against the Secretary in which
8 a person seeks to set aside, delay, rescind,
9 withdraw, or prevent submission, review, or
10 approval of an application submitted under
11 subsection (b)(2) or (j) of this section or
12 section 351(k) of the Public Health Service
13 Act without complying with the require-
14 ments of subparagraph (B), the court shall
15 dismiss with prejudice the action for fail-
16 ure to timely file a petition.

17 “(iii) FINAL RESPONSE.—If a civil ac-
18 tion is filed against the Secretary with re-
19 spect to any issue raised in a petition time-
20 ly filed under paragraph (1) in which the
21 petitioner requests that the Secretary take
22 any form of action that could, if taken, set
23 aside, delay, rescind, withdraw, or prevent
24 submission, review, or approval of an appli-
25 cation submitted under subsection (b)(2)

1 or (j) of this section or section 351(k) of
2 the Public Health Service Act before the
3 Secretary has taken final agency action on
4 the petition within the meaning of sub-
5 paragraph (C), the court shall dismiss
6 without prejudice the action for failure to
7 exhaust administrative remedies.”; and

8 (E) in clause (iii) of subparagraph (E), as
9 so redesignated, by striking “as defined under
10 subparagraph (2)(A)” and inserting “within the
11 meaning of subparagraph (C)”;

12 (3) in paragraph (4)—

13 (A) by striking “EXCEPTIONS” in the
14 paragraph heading and all that follows through
15 “This subsection does” and inserting “EXCEP-
16 TIONS.—This subsection does”;

17 (B) by striking subparagraph (B); and

18 (C) by redesignating clauses (i) and (ii) as
19 subparagraphs (A) and (B), respectively, and
20 adjusting the margins accordingly.

21 **SEC. 1088. REAUTHORIZATION OF VOLUNTARY REGISTRY**
22 **FOR FIREFIGHTER CANCER INCIDENCE.**

23 Section 2(h) of the Firefighter Cancer Registry Act
24 of 2018 (42 U.S.C. 280e–5(h)) is amended by striking
25 “\$2,500,000 for each of the fiscal years 2018 through

1 2022” and inserting “\$5,500,000 for each of fiscal years
2 2024 through 2028”.

3 **SEC. 1089. REQUIREMENT FOR UNQUALIFIED OPINION ON**
4 **FINANCIAL STATEMENT.**

5 The Secretary of Defense shall ensure that the De-
6 partment of Defense has received an unqualified opinion
7 on its financial statements by October 1, 2027.

8 **SEC. 1090. BRIEFING ON AIR NATIONAL GUARD ACTIVE AS-**
9 **SOCIATIONS.**

10 Not later than November 1, 2023, the Secretary of
11 the Air Force shall brief the Committee on Armed Services
12 of the Senate and the Committee on Armed Services of
13 the House of Representatives on the potential increase in
14 air refueling capacity and cost savings, including man-
15 power, to be achieved by making all Air National Guard
16 KC-135 units active associations.

17 **SEC. 1090A. INFORMING CONSUMERS ABOUT SMART DE-**
18 **VICES ACT.**

19 (a) **REQUIRED DISCLOSURE OF A CAMERA OR RE-**
20 **CORDING CAPABILITY IN CERTAIN INTERNET-CONNECTED**
21 **DEVICES.**—Each manufacturer of a covered device shall
22 disclose, clearly and conspicuously and prior to purchase,
23 whether the covered device manufactured by the manufac-
24 turer contains a camera or microphone as a component
25 of the covered device.

1 (b) ENFORCEMENT BY THE FEDERAL TRADE COM-
2 MISSION.—

3 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
4 TICES.—A violation of subsection (a) shall be treated
5 as a violation of a rule defining an unfair or decep-
6 tive act or practice prescribed under section
7 18(a)(1)(B) of the Federal Trade Commission Act
8 (15 U.S.C. 57a(a)(1)(B)).

9 (2) ACTIONS BY THE COMMISSION.—

10 (A) IN GENERAL.—The Federal Trade
11 Commission (in this section referred to as the
12 “Commission”) shall enforce this section in the
13 same manner, by the same means, and with the
14 same jurisdiction, powers, and duties as though
15 all applicable terms and provisions of the Fed-
16 eral Trade Commission Act (15 U.S.C. 41 et
17 seq.) were incorporated into and made a part of
18 this section.

19 (B) PENALTIES AND PRIVILEGES.—Any
20 person who violates this section or a regulation
21 promulgated under this section shall be subject
22 to the penalties and entitled to the privileges
23 and immunities provided in the Federal Trade
24 Commission Act (15 U.S.C. 41 et seq.).

1 (C) SAVINGS CLAUSE.—Nothing in this
2 section shall be construed to limit the authority
3 of the Commission under any other provision of
4 law.

5 (3) COMMISSION GUIDANCE.—Not later than
6 180 days after the date of enactment of this section,
7 the Commission, through outreach to relevant pri-
8 vate entities, shall issue guidance to assist manufac-
9 turers in complying with the requirements of this
10 section, including guidance about best practices for
11 making the disclosure required by subsection (a) as
12 clear and conspicuous and age appropriate as prac-
13 ticable and about best practices for the use of a pic-
14 torial (as defined in section 2(a) of the Consumer
15 Review Fairness Act of 2016 (15 U.S.C. 45b(a)))
16 visual representation of the information to be dis-
17 closed.

18 (4) TAILORED GUIDANCE.—A manufacturer of
19 a covered device may petition the Commission for
20 tailored guidance as to how to meet the require-
21 ments of subsection (a) consistent with existing rules
22 of practice or any successor rules.

23 (5) LIMITATION ON COMMISSION GUIDANCE.—
24 No guidance issued by the Commission with respect
25 to this section shall confer any rights on any person,

1 State, or locality, nor shall operate to bind the Com-
2 mission or any person to the approach recommended
3 in such guidance. In any enforcement action brought
4 pursuant to this section, the Commission shall allege
5 a specific violation of a provision of this section. The
6 Commission may not base an enforcement action on,
7 or execute a consent order based on, practices that
8 are alleged to be inconsistent with any such guide-
9 lines, unless the practices allegedly violate subsection
10 (a).

11 (c) DEFINITION OF COVERED DEVICE.—In this sec-
12 tion, the term “covered device”—

13 (1) means a consumer product, as defined by
14 section 3(a) of the Consumer Product Safety Act
15 (15 U.S.C. 2052(a)) that is capable of connecting to
16 the internet, a component of which is a camera or
17 microphone; and

18 (2) does not include—

19 (A) a telephone (including a mobile phone),
20 a laptop, tablet, or any device that a consumer
21 would reasonably expect to have a microphone
22 or camera;

23 (B) any device that is specifically marketed
24 as a camera, telecommunications device, or
25 microphone; or

1 (C) any device or apparatus described in
2 sections 255, 716, and 718, and subsections
3 (aa) and (bb) of section 303 of the Communica-
4 tions Act of 1934 (47 U.S.C. 255; 617; 619;
5 and 303(aa) and (bb)), and any regulations
6 promulgated thereunder.

7 (d) EFFECTIVE DATE.—This section shall apply to
8 all covered devices manufactured after the date that is 180
9 days after the date on which guidance is issued by the
10 Commission under subsection (b)(3), and shall not apply
11 to covered devices manufactured or sold before such date,
12 or otherwise introduced into interstate commerce before
13 such date.

14 **SEC. 1090B. IMPROVING PROCESSING BY DEPARTMENT OF**
15 **VETERANS AFFAIRS OF DISABILITY CLAIMS**
16 **FOR POST-TRAUMATIC STRESS DISORDER**
17 **THROUGH IMPROVED TRAINING.**

18 (a) SHORT TITLE.—This section may be cited as the
19 “Department of Veterans Affairs Post-Traumatic Stress
20 Disorder Processing Claims Improvement Act of 2023”.

21 (b) FORMAL PROCESS FOR CONDUCT OF ANNUAL
22 ANALYSIS OF TRAINING NEEDS BASED ON TRENDS.—
23 Not later than 180 days after the date of the enactment
24 of this Act, the Secretary of Veterans Affairs, acting
25 through the Under Secretary for Benefits, shall establish

1 a formal process to analyze, on an annual basis, training
2 needs of employees of the Department who review claims
3 for disability compensation for service-connected post-
4 traumatic stress disorder, based on identified processing
5 error trends.

6 (c) FORMAL PROCESS FOR CONDUCT OF ANNUAL
7 STUDIES TO SUPPORT ANNUAL ANALYSIS.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, the Sec-
10 retary, acting through the Under Secretary, shall es-
11 tablish a formal process to conduct, on an annual
12 basis, studies to help guide the process established
13 under subsection (b).

14 (2) ELEMENTS.—Each study conducted under
15 paragraph (1) shall cover the following:

16 (A) Military post-traumatic stress disorder
17 stressors.

18 (B) Decision-making claims for claims
19 processors.

20 **SEC. 1090C. U.S. HOSTAGE AND WRONGFUL DETAINEE DAY**
21 **ACT OF 2023.**

22 (a) SHORT TITLE.—This section may be cited as the
23 “U.S. Hostage and Wrongful Detainee Day Act of 2023”.

24 (b) DESIGNATION.—

1 (1) HOSTAGE AND WRONGFUL DETAINEE
2 DAY.—

3 (A) IN GENERAL.—Chapter 1 of title 36,
4 United States Code, is amended—

5 (i) by redesignating the second section
6 146 (relating to Choose Respect Day) as
7 section 147; and

8 (ii) by adding at the end the fol-
9 lowing:

10 **“§ 148. U.S. Hostage and Wrongful Detainee Day**

11 “(a) DESIGNATION.—March 9 is U.S. Hostage and
12 Wrongful Detainee Day.

13 “(b) PROCLAMATION.—The President is requested to
14 issue each year a proclamation calling on the people of
15 the United States to observe U.S. Hostage and Wrongful
16 Detainee Day with appropriate ceremonies and activi-
17 ties.”.

18 (B) TECHNICAL AND CONFORMING AMEND-
19 MENT.—The table of sections for chapter 1 of
20 title 36, United States Code, is amended by
21 striking the item relating to the second section
22 146 and inserting the following new items:

“147. Choose Respect Day.

“148. U.S. Hostage and Wrongful Detainee Day.”.

23 (2) HOSTAGE AND WRONGFUL DETAINEE
24 FLAG.—

1 (A) IN GENERAL.—Chapter 9 of title 36,
2 United States Code, is amended by adding at
3 the end the following new section:

4 **“§ 904. Hostage and Wrongful Detainee flag**

5 “(a) DESIGNATION.—The Hostage and Wrongful De-
6 tainee flag championed by the Bring Our Families Home
7 Campaign is designated as the symbol of the commitment
8 of the United States to recognizing, and prioritizing the
9 freedom of, citizens and lawful permanent residents of the
10 United States held as hostages or wrongfully detained
11 abroad.

12 “(b) REQUIRED DISPLAY.—

13 “(1) IN GENERAL.—The Hostage and Wrongful
14 Detainee flag shall be displayed at the locations
15 specified in paragraph (3) on the days specified in
16 paragraph (2).

17 “(2) DAYS SPECIFIED.—The days specified in
18 this paragraph are the following:

19 “(A) U.S. Hostage and Wrongful Detainee
20 Day, March 9.

21 “(B) Flag Day, June 14.

22 “(C) Independence Day, July 4.

23 “(D) Any day on which a citizen or lawful
24 permanent resident of the United States—

1 “(i) returns to the United States from
2 being held hostage or wrongfully detained
3 abroad; or

4 “(ii) dies while being held hostage or
5 wrongfully detained abroad.

6 “(3) LOCATIONS SPECIFIED.—The locations
7 specified in this paragraph are the following:

8 “(A) The Capitol.

9 “(B) The White House.

10 “(C) The buildings containing the official
11 office of—

12 “(i) the Secretary of State; and

13 “(ii) the Secretary of Defense.

14 “(c) DISPLAY TO BE IN A MANNER VISIBLE TO THE
15 PUBLIC.—Display of the Hostage and Wrongful Detainee
16 flag pursuant to this section shall be in a manner designed
17 to ensure visibility to the public.

18 “(d) LIMITATION.—This section may not be con-
19 strued or applied so as to require any employee to report
20 to work solely for the purpose of providing for the display
21 of the Hostage and Wrongful Detainee flag.”.

22 (B) TECHNICAL AND CONFORMING AMEND-
23 MENT.—The table of sections for chapter 9 of
24 title 36, United States Code, is amended by
25 adding at the end the following:

“904. Hostage and Wrongful Detainee flag.”.

1 **SEC. 1090D. PROHIBITION ON PROVISION OF AIRPORT IM-**
2 **PROVEMENT GRANT FUNDS TO CERTAIN EN-**
3 **TITIES THAT HAVE VIOLATED INTELLECTUAL**
4 **PROPERTY RIGHTS OF UNITED STATES ENTI-**
5 **TIES.**

6 (a) IN GENERAL.—During the period beginning on
7 the date that is 30 days after the date of the enactment
8 of this section, amounts provided as project grants under
9 subchapter I of chapter 471 of title 49, United States
10 Code, may not be used to enter into a contract described
11 in subsection (b) with any entity on the list required by
12 subsection (c).

13 (b) CONTRACT DESCRIBED.—A contract described in
14 this subsection is a contract or other agreement for the
15 procurement of infrastructure or equipment for a pas-
16 senger boarding bridge at an airport.

17 (c) LIST REQUIRED.—

18 (1) IN GENERAL.—Not later than 30 days after
19 the date of enactment of this Act, and thereafter as
20 required by paragraph (2), the United States Trade
21 Representative, and the Administrator of the Fed-
22 eral Aviation Administration shall make available to
23 the Administrator of the Federal Aviation Adminis-
24 tration a publicly-available a list of entities manufac-
25 turing airport passenger boarding infrastructure or
26 equipment that—

1 (A) are owned, directed by, or subsidized
2 in whole, or in part by the People's Republic of
3 China;

4 (B) have been determined by a Federal
5 court to have misappropriated intellectual prop-
6 erty or trade secrets from an entity organized
7 under the laws of the United States or any ju-
8 risdiction within the United States;

9 (C) own or control, are owned or controlled
10 by, are under common ownership or control
11 with, or are successors to, an entity described
12 in subparagraph (A);

13 (D) own or control, are under common
14 ownership or control with, or are successors to,
15 an entity described in subparagraph (A); or

16 (E) have entered into an agreement with
17 or accepted funding from, whether in the form
18 of minority investment interest or debt, have
19 entered into a partnership with, or have entered
20 into another contractual or other written ar-
21 rangement with, an entity described in subpara-
22 graph (A).

23 (2) UPDATES TO LIST.—The United States
24 Trade Representative shall update the list required
25 by paragraph (1), based on information provided by

1 the Administrator of the Federal Aviation Adminis-
2 tration, in consultation with the Attorney General—

3 (A) not less frequently than every 90 days
4 during the 180-day period following the initial
5 publication of the list under paragraph (1); and

6 (B) not less frequently than annually
7 thereafter.

8 (d) DEFINITIONS.—In this section, the definitions in
9 section 47102 of title 49, United States Code, shall apply.

10 **SEC. 1090E. CONDUCT OF WINTER SEASON RECONNAIS-**
11 **SANCE OF ATMOSPHERIC RIVERS IN THE**
12 **WESTERN UNITED STATES.**

13 (a) CONDUCT OF RECONNAISSANCE.—

14 (1) IN GENERAL.—Subject to the availability of
15 appropriations, the 53rd Weather Reconnaissance
16 Squadron of the Air Force Reserve Command and
17 the Administrator of the National Oceanic and At-
18 mospheric Administration may use aircraft, per-
19 sonnel, and equipment necessary to meet the mission
20 requirements of the 53rd Weather Reconnaissance
21 Squadron of the Air Force Reserve Command and
22 the National Oceanic and Atmospheric Administra-
23 tion if those aircraft, personnel, and equipment are
24 not otherwise needed for hurricane monitoring and
25 response.

1 (2) ACTIVITIES.—In carrying out paragraph
2 (1), the 53rd Weather Reconnaissance Squadron of
3 the Air Force Reserve Command, in consultation
4 with the Administrator of the National Oceanic and
5 Atmospheric Administration and appropriate line of-
6 fices of the National Oceanic and Atmospheric Ad-
7 ministration, may—

8 (A) improve the accuracy and timeliness of
9 observations to support the forecast and warn-
10 ing services of the National Weather Service for
11 the coasts of the United States;

12 (B) collect data in data-sparse regions
13 where conventional, upper-air observations are
14 lacking;

15 (C) support water management decisions
16 and flood forecasting through the execution of
17 targeted airborne dropsonde, buoys, autono-
18 mous platform observations, satellite observa-
19 tions, remote sensing observations, and other
20 observation platforms as appropriate, including
21 enhanced assimilation of the data from those
22 observations over the eastern, central, and west-
23 ern north Pacific Ocean, the Gulf of Mexico,
24 and the western Atlantic Ocean to improve fore-

1 casts of large storms for civil authorities and
2 military decision makers;

3 (D) participate in the research and oper-
4 ations partnership that guides flight planning
5 and uses research methods to improve and ex-
6 pand the capabilities and effectiveness of weath-
7 er reconnaissance over time; and

8 (E) undertake such other additional activi-
9 ties as the Administrator of the National Oce-
10 anic and Atmospheric Administration, in col-
11 laboration with the 53rd Weather Reconnois-
12 sance Squadron, considers appropriate to fur-
13 ther prediction of dangerous weather events.

14 (b) REPORTS.—

15 (1) AIR FORCE.—

16 (A) IN GENERAL.—Not later than 90 days
17 after the date of the enactment of this Act, the
18 Secretary of the Air Force, in consultation with
19 the Administrator of the National Oceanic and
20 Atmospheric Administration, shall submit to the
21 appropriate committees of Congress a com-
22 prehensive report on the resources necessary for
23 the 53rd Weather Reconnaissance Squadron of
24 the Air Force Reserve Command to continue to
25 support, through December 31, 2035—

1 (i) the National Hurricane Operations
2 Plan;

3 (ii) the National Winter Season Oper-
4 ations Plan; and

5 (iii) any other operational require-
6 ments relating to weather reconnaissance.

7 (B) APPROPRIATE COMMITTEES OF CON-
8 GRESS.—In this paragraph, the term “appro-
9 priate committees of Congress” means—

10 (i) the Committee on Armed Services
11 of the Senate;

12 (ii) the Subcommittee on Defense of
13 the Committee on Appropriations of the
14 Senate;

15 (iii) the Committee on Commerce,
16 Science, and Transportation of the Senate;

17 (iv) the Committee on Science, Space,
18 and Technology of the House of Represent-
19 atives;

20 (v) the Committee on Armed Services
21 of the House of Representatives; and

22 (vi) the Subcommittee on Defense of
23 the Committee on Appropriations of the
24 House of Representatives.

1 (2) COMMERCE.—Not later than 90 days after
2 the date of the enactment of this Act, the Secretary
3 of Commerce shall submit to the Committee on
4 Commerce, Science, and Transportation of the Sen-
5 ate and the Committee on Science, Space, and Tech-
6 nology of the House of Representatives a com-
7 prehensive report on the resources necessary for the
8 National Oceanic and Atmospheric Administration
9 to continue to support, through December 31,
10 2035—

11 (A) the National Hurricane Operations
12 Plan;

13 (B) the National Winter Season Oper-
14 ations Plan; and

15 (C) any other operational requirements re-
16 lating to weather reconnaissance.

17 **SEC. 1090F. NATIONAL COLD WAR CENTER DESIGNATION.**

18 (a) PURPOSES.—The purposes of this section are—

19 (1) to designate the museum located at Blythe-
20 ville/Eaker Air Force Base in Blytheville, Arkansas,
21 including its future and expanded exhibits, collec-
22 tions, and educational programs, as a “National
23 Cold War Center”;

1 (2) to recognize the preservation, maintenance,
2 and interpretation of the artifacts, documents, im-
3 ages, and history collected by the Center;

4 (3) to enhance the knowledge of the American
5 people of the experience of the United States during
6 the Cold War years; and

7 (4) to ensure that all future generations under-
8 stand the sacrifices made to preserve freedom and
9 democracy, and the benefits of peace for all future
10 generations in the 21st century and beyond.

11 (b) DESIGNATION.—

12 (1) IN GENERAL.—The museum located at
13 Blytheville/Eaker Air Force Base in Blytheville, Ar-
14 kansas, is designated as a “National Cold War Cen-
15 ter”.

16 (2) RULE OF CONSTRUCTION.—Nothing in this
17 section shall preclude the designation of other na-
18 tional centers or museums in the United States in-
19 terpreting the Cold War.

20 (c) EFFECT OF DESIGNATION.—The National Cold
21 War Center designated by this section is not a unit of the
22 National Park System, and the designation of the center
23 as a National Cold War Center shall not be construed to
24 require or permit Federal funds to be expended for any
25 purpose related to the designation made by this section.

1 **SEC. 1090G. SEMICONDUCTOR PROGRAM.**

2 Title XCIX of division H of the William M. (Mac)
3 Thornberry National Defense Authorization Act for Fiscal
4 Year 2021 (15 U.S.C. 4651 et seq.) is amended—

5 (1) in section 9902 (15 U.S.C. 4652)—

6 (A) by redesignating subsections (h) and
7 (i) as subsections (i) and (j), respectively; and

8 (B) by inserting after subsection (g) the
9 following:

10 “(h) AUTHORITY RELATING TO ENVIRONMENTAL
11 REVIEW.—

12 “(1) IN GENERAL.—Notwithstanding any other
13 provision of law, the provision by the Secretary of
14 Federal financial assistance for a project described
15 in this section that satisfies the requirements under
16 subsection (a)(2)(C)(i) of this section shall not be
17 considered to be a major Federal action under
18 NEPA or an undertaking for the purposes of divi-
19 sion A of subtitle III of title 54, United States Code,
20 if—

21 “(A) the activity described in the applica-
22 tion for that project has commenced not later
23 than 1 year after the date of enactment of the
24 National Defense Authorization Act for Fiscal
25 Year 2024;

1 “(B) the Federal financial assistance pro-
2 vided is in the form of a loan or loan guarantee;
3 or

4 “(C) the Federal financial assistance pro-
5 vided, excluding any loan or loan guarantee,
6 comprises not more than 10 percent of the total
7 estimated cost of the project.

8 “(2) SAVINGS CLAUSE.—Nothing in this sub-
9 section may be construed as altering whether an ac-
10 tivity described in subparagraph (A), (B), or (C) of
11 paragraph (1) is considered to be a major Federal
12 action under NEPA, or an undertaking under divi-
13 sion A of subtitle III of title 54, United States Code,
14 for a reason other than that the activity is eligible
15 for Federal financial assistance provided under this
16 section.”; and

17 (2) in section 9909 (15 U.S.C. 4659), by add-
18 ing at the end the following:

19 “(c) LEAD FEDERAL AGENCY AND COOPERATING
20 AGENCIES.—

21 “(1) DEFINITION.—In this subsection, the term
22 ‘lead agency’ has the meaning given the term in sec-
23 tion 111 of NEPA.

24 “(2) OPTION TO SERVE AS LEAD AGENCY.—
25 With respect to a covered activity that is a major

1 Federal action under NEPA, and with respect to
2 which the Department of Commerce is authorized or
3 required by law to issue an authorization or take ac-
4 tion for or relating to that covered activity, the De-
5 partment of Commerce shall have the first right to
6 serve as the lead agency with respect to that covered
7 activity under NEPA.

8 “(d) CATEGORICAL EXCLUSIONS.—

9 “(1) ESTABLISHMENT OF CATEGORICAL EXCLU-
10 SIONS.—Each of the following categorical exclusions
11 is established for the National Institute of Standards
12 and Technology with respect to a covered activity
13 and, beginning on the date of enactment of this sub-
14 section, is available for use by the Secretary with re-
15 spect to a covered activity:

16 “(A) Categorical exclusion 17.04.d (relat-
17 ing to the acquisition of machinery and equip-
18 ment) in the document entitled ‘EDA Program
19 to Implement the National Environmental Pol-
20 icy Act of 1969 and Other Federal Environ-
21 mental Mandates As Required’ (Directive No.
22 17.02–2; effective date October 14, 1992).

23 “(B) Categorical exclusion A9 in Appendix
24 A to subpart D of part 1021 of title 10, Code

1 of Federal Regulations, or any successor regula-
2 tion.

3 “(C) Categorical exclusions B1.24, B1.31,
4 B2.5, and B5.1 in Appendix B to subpart D of
5 part 1021 of title 10, Code of Federal Regula-
6 tions, or any successor regulation.

7 “(D) The categorical exclusions described
8 in paragraphs (4) and (13) of section 50.19(b)
9 of title 24, Code of Federal Regulations, or any
10 successor regulation.

11 “(E) Categorical exclusion (c)(1) in Appen-
12 dix B to part 651 of title 32, Code of Federal
13 Regulations, or any successor regulation.

14 “(F) Categorical exclusions A2.3.8 and
15 A2.3.14 in Appendix B to part 989 of title 32,
16 Code of Federal Regulations, or any successor
17 regulation.

18 “(2) ADDITIONAL CATEGORICAL EXCLU-
19 SIONS.—Notwithstanding any other provision of law,
20 each of the following shall be treated as a category
21 of action categorically excluded from the require-
22 ments relating to environmental assessments and en-
23 vironmental impact statements under section 1501.4
24 of title 40, Code of Federal Regulations, or any suc-
25 cessor regulation:

1 “(A) The provision by the Secretary of any
2 Federal financial assistance for a project de-
3 scribed in section 9902, if the facility that is
4 the subject of the project is on or adjacent to
5 a site—

6 “(i) that is owned or leased by the
7 covered entity to which Federal financial
8 assistance is provided for that project; and

9 “(ii) on which, as of the date on which
10 the Secretary provides that Federal finan-
11 cial assistance, substantially similar con-
12 struction, expansion, or modernization is
13 being or has been carried out, such that
14 the facility would not more than double ex-
15 isting developed acreage or on-site sup-
16 porting infrastructure.

17 “(B) The provision by the Secretary of De-
18 fense of any Federal financial assistance relat-
19 ing to—

20 “(i) the creation, expansion, or mod-
21 ernization of one or more facilities de-
22 scribed in the second sentence of section
23 9903(a)(1); or

1 “(ii) carrying out section 9903(b), as
2 in effect on the date of enactment of this
3 subsection.

4 “(C) Any activity undertaken by the Sec-
5 retary relating to carrying out section 9906, as
6 in effect on the date of enactment of this sub-
7 section.

8 “(e) INCORPORATION OF PRIOR PLANNING DECI-
9 SIONS.—

10 “(1) DEFINITION.—In this subsection, the term
11 ‘prior studies and decisions’ means baseline data,
12 planning documents, studies, analyses, decisions,
13 and documentation that a Federal agency has com-
14 pleted for a project (or that have been completed
15 under the laws and procedures of a State or Indian
16 Tribe), including for determining the reasonable
17 range of alternatives for that project.

18 “(2) RELIANCE ON PRIOR STUDIES AND DECI-
19 SIONS.—In completing an environmental review
20 under NEPA for a covered activity, the Secretary
21 may consider and, as appropriate, rely on or adopt
22 prior studies and decisions, if the Secretary deter-
23 mines that—

24 “(A) those prior studies and decisions meet
25 the standards for an adequate statement, as-

1 assessment, or determination under applicable
2 procedures of the Department of Commerce im-
3 plementing the requirements of NEPA;

4 “(B) in the case of prior studies and deci-
5 sions completed under the laws and procedures
6 of a State or Indian Tribe, those laws and pro-
7 cedures are of equal or greater rigor than those
8 of each applicable Federal law, including
9 NEPA, implementing procedures of the Depart-
10 ment of Commerce; or

11 “(C) if applicable, the prior studies and de-
12 cisions are informed by other analysis or docu-
13 mentation that would have been prepared if the
14 prior studies and decisions were prepared by
15 the Secretary under NEPA.

16 “(f) DEFINITIONS.—In this section:

17 “(1) COVERED ACTIVITY.—The term ‘covered
18 activity’ means any activity relating to the construc-
19 tion, expansion, or modernization of a facility, the
20 investment in which is eligible for Federal financial
21 assistance under section 9902 or 9906.

22 “(2) NEPA.—The term ‘NEPA’ means the Na-
23 tional Environmental Policy Act of 1969 (42 U.S.C.
24 4321 et seq.).”.

1 **SEC. 1090H. PROHIBITION OF DEMAND FOR BRIBE.**

2 Section 201 of title 18, United States Code, is
3 amended—

4 (1) in subsection (a)—

5 (A) in paragraph (2), by striking “and” at
6 the end;

7 (B) in paragraph (3), by striking the pe-
8 riod at the end and inserting a semicolon; and

9 (C) by adding at the end the following:

10 “(4) the term ‘foreign official’ means—

11 “(A)(i) any official or employee of a for-
12 eign government or any department, agency, or
13 instrumentality thereof; or

14 “(ii) any senior foreign political figure, as
15 defined in section 1010.605 of title 31, Code of
16 Federal Regulations, or any successor regula-
17 tion;

18 “(B) any official or employee of a public
19 international organization;

20 “(C) any person acting in an official ca-
21 pacity for or on behalf of—

22 “(i) a government, department, agen-
23 cy, or instrumentality described in sub-
24 paragraph (A)(i); or

25 “(ii) a public international organiza-
26 tion; or

1 “(D) any person acting in an unofficial ca-
2 pacity for or on behalf of—

3 “(i) a government, department, agen-
4 cy, or instrumentality described in sub-
5 paragraph (A)(i); or

6 “(ii) a public international organiza-
7 tion; and

8 “(5) the term ‘public international organization’
9 means—

10 “(A) an organization that is designated by
11 Executive order pursuant to section 1 of the
12 International Organizations Immunities Act (22
13 U.S.C. 288); or

14 “(B) any other international organization
15 that is designated by the President by Execu-
16 tive order for the purposes of this section, effec-
17 tive as of the date of publication of such order
18 in the Federal Register.”; and

19 (2) by adding at the end the following:

20 “(f) PROHIBITION OF DEMAND FOR A BRIBE.—

21 “(1) OFFENSE.—It shall be unlawful for any
22 foreign official or person selected to be a foreign of-
23 ficial to corruptly demand, seek, receive, accept, or
24 agree to receive or accept, directly or indirectly, any-
25 thing of value personally or for any other person or

1 nongovernmental entity, by making use of the mails
2 or any means or instrumentality of interstate com-
3 merce, from any person (as defined in section 104A
4 of the Foreign Corrupt Practices Act of 1977 (15
5 U.S.C. 78dd-3), except that that definition shall be
6 applied without regard to whether the person is an
7 offender) while in the territory of the United States,
8 from an issuer (as defined in section 3(a) of the Se-
9 curities Exchange Act of 1934 (15 U.S.C. 78c(a))),
10 or from a domestic concern (as defined in section
11 104 of the Foreign Corrupt Practices Act of 1977
12 (15 U.S.C. 78dd-2)), in return for—

13 “(A) being influenced in the performance
14 of any official act;

15 “(B) being induced to do or omit to do any
16 act in violation of the official duty of such for-
17 eign official or person; or

18 “(C) conferring any improper advantage,
19 in connection with obtaining or retaining business
20 for or with, or directing business to, any person.

21 “(2) PENALTIES.—Any person who violates
22 paragraph (1) shall be fined not more than
23 \$250,000 or 3 times the monetary equivalent of the
24 thing of value, imprisoned for not more than 15
25 years, or both.

1 “(3) JURISDICTION.—An offense under para-
2 graph (1) shall be subject to extraterritorial Federal
3 jurisdiction.

4 “(4) REPORT.—Not later than 1 year after the
5 date of enactment of the Foreign Extortion Preven-
6 tion Act, and annually thereafter, the Attorney Gen-
7 eral, in consultation with the Secretary of State as
8 relevant, shall submit to the Committee on the Judi-
9 ciary and the Committee on Foreign Relations of the
10 Senate and the Committee on the Judiciary and the
11 Committee on Foreign Affairs of the House of Rep-
12 resentatives, and post on the publicly available
13 website of the Department of Justice, a report—

14 “(A) focusing, in part, on demands by for-
15 eign officials for bribes from entities domiciled
16 or incorporated in the United States, and the
17 efforts of foreign governments to prosecute such
18 cases;

19 “(B) addressing United States diplomatic
20 efforts to protect entities domiciled or incor-
21 porated in the United States from foreign brib-
22 ery, and the effectiveness of those efforts in
23 protecting such entities;

24 “(C) summarizing major actions taken
25 under this section in the previous year, includ-

1 ing enforcement actions taken and penalties im-
2 posed;

3 “(D) evaluating the effectiveness of the
4 Department of Justice in enforcing this section;
5 and

6 “(E) detailing what resources or legislative
7 action the Department of Justice needs to en-
8 sure adequate enforcement of this section.

9 “(5) RULE OF CONSTRUCTION.—This sub-
10 section shall not be construed as encompassing con-
11 duct that would violate section 30A of the Securities
12 Exchange Act of 1934 (15 U.S.C. 78dd–1) or sec-
13 tion 104 or 104A of the Foreign Corrupt Practices
14 Act of 1977 (15 U.S.C. 78dd–2; 15 U.S.C. 78dd–
15 3) whether pursuant to a theory of direct liability,
16 conspiracy, complicity, or otherwise.”.

17 **SEC. 1090I. STUDIES AND REPORTS ON TREATMENT OF**
18 **SERVICE OF CERTAIN MEMBERS OF THE**
19 **ARMED FORCES WHO SERVED IN FEMALE**
20 **CULTURAL SUPPORT TEAMS.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) In 2010, the Commander of United States
23 Special Operations Command established the Cul-
24 tural Support Team Program to overcome signifi-

1 cant intelligence gaps during the Global War on Ter-
2 ror.

3 (2) From 2010 through 2021, approximately
4 310 female members, from every Armed Force,
5 passed and were selected as members of female cul-
6 tural support teams, and deployed with special oper-
7 ations forces.

8 (3) Members of female cultural support teams
9 served honorably, demonstrated commendable cour-
10 age, overcame such intelligence gaps, engaged in di-
11 rect action, and suffered casualties during the Glob-
12 al War on Terror.

13 (4) The Federal Government has a duty to rec-
14 ognize members and veterans of female cultural sup-
15 port teams who volunteered to join the Armed
16 Forces, to undergo arduous training for covered
17 service, and to execute dangerous and classified mis-
18 sions in the course of such covered service.

19 (5) Members who performed covered service
20 have sought treatment from the Department of Vet-
21 erans Affairs for traumatic brain injuries, post-trau-
22 matic stress, and disabling physical trauma incurred
23 in the course of such covered service, but have been
24 denied such care.

1 (b) SENSE OF CONGRESS.—It is the Sense of Con-
2 gress that—

3 (1) individuals who performed covered service
4 performed exceptional service to the United States;
5 and

6 (2) the Secretary of Defense should ensure that
7 the performance of covered service is included in the
8 military service record of each individual who per-
9 formed covered service so that those with service-
10 connected injuries can receive proper care and bene-
11 fits for their service.

12 (c) SECRETARY OF DEFENSE STUDY AND REPORT.—

13 (1) IN GENERAL.—Not later than March 31,
14 2024, the Secretary of Defense shall—

15 (A) carry out a study on the treatment of
16 covered service for purposes of retired pay
17 under laws administered by the Secretary; and

18 (B) submit to the appropriate committees
19 of Congress a report on the findings of the Sec-
20 retary with respect to the study carried out
21 under paragraph (1).

22 (2) LIST.—The report submitted under para-
23 graph (1)(B) shall include a list of each individual
24 who performed covered service whose military service

1 record should be modified on account of covered
2 service.

3 (d) SECRETARY OF VETERANS AFFAIRS STUDY AND
4 REPORT.—

5 (1) IN GENERAL.—Not later than March 31,
6 2024, the Secretary of Veterans Affairs shall—

7 (A) carry out a study on the treatment of
8 covered service for purposes of compensation
9 under laws administered by the Secretary; and

10 (B) submit to the appropriate committees
11 of Congress a report on the findings of the Sec-
12 retary with respect to the study carried out
13 under paragraph (1).

14 (2) CONTENTS.—The report submitted under
15 paragraph (1)(B) shall include the following:

16 (A) A list of each veteran who performed
17 covered service whose claim for disability com-
18 pensation under a law administered by the Sec-
19 retary was denied due to the inability of the
20 Department of Veterans Affairs to determine
21 the injury was service-connected.

22 (B) An estimate of the cost that would be
23 incurred by the Department to provide veterans
24 described in subparagraph (A) with the health
25 care and benefits they are entitled to under the

1 laws administered by the Secretary on account
2 of their covered service.

3 (e) DEFINITIONS.—In this section:

4 (1) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term “appropriate committees of Con-
6 gress” means—

7 (A) the Committee on Armed Services and
8 the Committee on Veterans’ Affairs of the Sen-
9 ate; and

10 (B) the Committee on Armed Services and
11 the Committee on Veterans’ Affairs of the
12 House of Representatives.

13 (2) COVERED SERVICE.—The term “covered
14 service” means service—

15 (A) as a member of the Armed Forces;

16 (B) in a female cultural support team;

17 (C) with the personnel development skill
18 identifier of R2J or 5DK, or any other valida-
19 tion methods, such as valid sworn statements,
20 officer and enlisted performance evaluations,
21 training certificates, or records of an award
22 from completion of tour with a cultural support
23 team; and

24 (D) during the period beginning on Janu-
25 ary 1, 2010, and ending on August 31, 2021.

1 **SEC. 1090J. GLOBAL COOPERATIVE FRAMEWORK TO END**
2 **HUMAN RIGHTS ABUSES IN SOURCING CRIT-**
3 **ICAL MINERALS.**

4 (a) **IN GENERAL.**—The Secretary of State shall seek
5 to convene a meeting of foreign leaders to establish a mul-
6 tilateral framework to end human rights abuses, including
7 the exploitation of forced labor and child labor, related to
8 the mining and sourcing of critical minerals.

9 (b) **IMPLEMENTATION REPORT.**—The Secretary shall
10 lead the development of an annual global report on the
11 implementation of the framework under subsection (a), in-
12 cluding progress and recommendations to fully end human
13 rights abuses, including the exploitation of forced labor
14 and child labor, related to the extraction of critical min-
15 erals around the world.

16 (c) **CONSULTATIONS.**—The Secretary shall consult
17 closely on a timely basis with the following with respect
18 to developing and implementing the framework under sub-
19 section (a):

20 (1) The Forced Labor Enforcement Task Force
21 established under section 741 of the United States-
22 Mexico-Canada Agreement Implementation Act (19
23 U.S.C. 4681); and

24 (2) Congress.

1 (d) RELATIONSHIP TO UNITED STATES LAW.—Noth-
2 ing in the framework under subsection (a) shall be con-
3 strued—

4 (1) to amend or modify any law of the United
5 States; or

6 (2) to limit any authority conferred under any
7 law of the United States.

8 (e) EXTRACTIVE INDUSTRIES TRANSPARENCY INI-
9 TIATIVE AND CERTAIN PROVISIONS OF THE DODD-FRANK
10 WALL STREET REFORM AND CONSUMER PROTECTION
11 ACT.—Nothing in this section shall—

12 (1) affect the authority of the President to take
13 any action to join and subsequently comply with the
14 terms and obligations of the Extractive Industries
15 Transparency Initiative (EITI); or

16 (2) affect section 1502 of the Dodd-Frank Wall
17 Street Reform and Consumer Protection Act (15
18 U.S.C. 78m note), or subsection (q) of section 13 of
19 the Securities Exchange Act of 1934 (15 U.S.C.
20 78m), as added by section 1504 of the Dodd-Frank
21 Wall Street Reform and Consumer Protection Act
22 (Public Law 111–203; 124 Stat. 2220), or any rule
23 prescribed under either such section.

24 (f) CRITICAL MINERAL DEFINED.—In this section,
25 the term “critical mineral” has the meaning given the

1 term in section 7002(a) of the Energy Act of 2020 (30
2 U.S.C. 1606(a)).

3 **SEC. 1090K. READMISSION REQUIREMENTS FOR**
4 **SERVICEMEMBERS.**

5 Section 484C(a) of the Higher Education Act of 1965
6 (20 U.S.C. 1091c(a)) is amended to read as follows:

7 “(a) **DEFINITION OF SERVICE IN THE UNIFORMED**
8 **SERVICES.**—In this section, the term ‘service in the uni-
9 formed services’ means service (whether voluntary or in-
10 voluntary) on active duty in the Armed Forces, including
11 such service by a member of the National Guard or Re-
12 serve.”.

13 **Subtitle H—Drone Security**

14 **SEC. 1091. SHORT TITLE.**

15 This subtitle may be cited as the “American Security
16 Drone Act of 2023”.

17 **SEC. 1092. DEFINITIONS.**

18 In this subtitle:

19 (1) **COVERED FOREIGN ENTITY.**—The term
20 “covered foreign entity” means an entity included on
21 a list developed and maintained by the Federal Ac-
22 quisition Security Council and published in the Sys-
23 tem for Award Management (SAM). This list will in-
24 clude entities in the following categories:

1 (A) An entity included on the Consolidated
2 Screening List.

3 (B) Any entity that is subject to
4 extrajudicial direction from a foreign govern-
5 ment, as determined by the Secretary of Home-
6 land Security.

7 (C) Any entity the Secretary of Homeland
8 Security, in coordination with the Attorney
9 General, Director of National Intelligence, and
10 the Secretary of Defense, determines poses a
11 national security risk.

12 (D) Any entity domiciled in the People's
13 Republic of China or subject to influence or
14 control by the Government of the People's Re-
15 public of China or the Communist Party of the
16 People's Republic of China, as determined by
17 the Secretary of Homeland Security.

18 (E) Any subsidiary or affiliate of an entity
19 described in subparagraphs (A) through (D).

20 (2) COVERED UNMANNED AIRCRAFT SYSTEM.—

21 The term “covered unmanned aircraft system” has
22 the meaning given the term “unmanned aircraft sys-
23 tem” in section 44801 of title 49, United States
24 Code.

1 (3) INTELLIGENCE; INTELLIGENCE COMMU-
2 NITY.—The terms “intelligence” and “intelligence
3 community” have the meanings given those terms in
4 section 3 of the National Security Act of 1947 (50
5 U.S.C. 3003).

6 **SEC. 1093. PROHIBITION ON PROCUREMENT OF COVERED**
7 **UNMANNED AIRCRAFT SYSTEMS FROM COV-**
8 **ERED FOREIGN ENTITIES.**

9 (a) IN GENERAL.—Except as provided under sub-
10 sections (b) through (f), the head of an executive agency
11 may not procure any covered unmanned aircraft system
12 that is manufactured or assembled by a covered foreign
13 entity, which includes associated elements related to the
14 collection and transmission of sensitive information (con-
15 sisting of communication links and the components that
16 control the unmanned aircraft) that enable the operator
17 to operate the aircraft in the National Airspace System.
18 The Federal Acquisition Security Council, in coordination
19 with the Secretary of Transportation, shall develop and
20 update a list of associated elements.

21 (b) EXEMPTION.—The Secretary of Homeland Secu-
22 rity, the Secretary of Defense, the Director of National
23 Intelligence, and the Attorney General are exempt from
24 the restriction under subsection (a) if the procurement is

1 required in the national interest of the United States
2 and—

3 (1) is for the sole purposes of research, evalua-
4 tion, training, testing, or analysis for electronic war-
5 fare, information warfare operations, cybersecurity,
6 or development of unmanned aircraft system or
7 counter-unmanned aircraft system technology;

8 (2) is for the sole purposes of conducting
9 counterterrorism or counterintelligence activities,
10 protective missions, or Federal criminal or national
11 security investigations, including forensic examina-
12 tions, or for electronic warfare, information warfare
13 operations, cybersecurity, or development of an un-
14 manned aircraft system or counter-unmanned air-
15 craft system technology; or

16 (3) is an unmanned aircraft system that, as
17 procured or as modified after procurement but be-
18 fore operational use, can no longer transfer to, or
19 download data from, a covered foreign entity and
20 otherwise poses no national security cybersecurity
21 risks as determined by the exempting official.

22 (c) DEPARTMENT OF TRANSPORTATION AND FED-
23 ERAL AVIATION ADMINISTRATION EXEMPTION.—The
24 Secretary of Transportation is exempt from the restriction
25 under subsection (a) if the operation or procurement is

1 deemed to support the safe, secure, or efficient operation
2 of the National Airspace System or maintenance of public
3 safety, including activities carried out under the Federal
4 Aviation Administration's Alliance for System Safety of
5 UAS through Research Excellence (ASSURE) Center of
6 Excellence (COE) and any other activity deemed to sup-
7 port the safe, secure, or efficient operation of the National
8 Airspace System or maintenance of public safety, as deter-
9 mined by the Secretary or the Secretary's designee.

10 (d) NATIONAL TRANSPORTATION SAFETY BOARD
11 EXEMPTION.—The National Transportation Safety
12 Board, in consultation with the Secretary of Homeland Se-
13 curity, is exempt from the restriction under subsection (a)
14 if the operation or procurement is necessary for the sole
15 purpose of conducting safety investigations.

16 (e) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
17 ISTRATION EXEMPTION.—The Administrator of the Na-
18 tional Oceanic and Atmospheric Administration (NOAA),
19 in consultation with the Secretary of Homeland Security,
20 is exempt from the restriction under subsection (a) if the
21 procurement is necessary for the purpose of meeting
22 NOAA's science or management objectives or operational
23 mission.

1 (f) WAIVER.—The head of an executive agency may
2 waive the prohibition under subsection (a) on a case-by-
3 case basis—

4 (1) with the approval of the Director of the Of-
5 fice of Management and Budget, after consultation
6 with the Federal Acquisition Security Council; and

7 (2) upon notification to—

8 (A) the Committee on Homeland Security
9 and Governmental Affairs of the Senate;

10 (B) the Committee on Oversight and Re-
11 form in the House of Representatives; and

12 (C) other appropriate congressional com-
13 mittees of jurisdiction.

14 **SEC. 1094. PROHIBITION ON OPERATION OF COVERED UN-**
15 **MANNED AIRCRAFT SYSTEMS FROM COV-**
16 **ERED FOREIGN ENTITIES.**

17 (a) PROHIBITION.—

18 (1) IN GENERAL.—Beginning on the date that
19 is two years after the date of the enactment of this
20 Act, no Federal department or agency may operate
21 a covered unmanned aircraft system manufactured
22 or assembled by a covered foreign entity.

23 (2) APPLICABILITY TO CONTRACTED SERV-
24 ICES.—The prohibition under paragraph (1) applies
25 to any covered unmanned aircraft systems that are

1 being used by any executive agency through the
2 method of contracting for the services of covered un-
3 manned aircraft systems.

4 (b) EXEMPTION.—The Secretary of Homeland Secu-
5 rity, the Secretary of Defense, the Director of National
6 Intelligence, and the Attorney General are exempt from
7 the restriction under subsection (a) if the operation is re-
8 quired in the national interest of the United States and—

9 (1) is for the sole purposes of research, evalua-
10 tion, training, testing, or analysis for electronic war-
11 fare, information warfare operations, cybersecurity,
12 or development of unmanned aircraft system or
13 counter-unmanned aircraft system technology;

14 (2) is for the sole purposes of conducting
15 counterterrorism or counterintelligence activities,
16 protective missions, or Federal criminal or national
17 security investigations, including forensic examina-
18 tions, or for electronic warfare, information warfare
19 operations, cybersecurity, or development of an un-
20 manned aircraft system or counter-unmanned air-
21 craft system technology; or

22 (3) is an unmanned aircraft system that, as
23 procured or as modified after procurement but be-
24 fore operational use, can no longer transfer to, or
25 download data from, a covered foreign entity and

1 otherwise poses no national security cybersecurity
2 risks as determined by the exempting official.

3 (c) DEPARTMENT OF TRANSPORTATION AND FED-
4 ERAL AVIATION ADMINISTRATION EXEMPTION.—The
5 Secretary of Transportation is exempt from the restriction
6 under subsection (a) if the operation is deemed to support
7 the safe, secure, or efficient operation of the National Air-
8 space System or maintenance of public safety, including
9 activities carried out under the Federal Aviation Adminis-
10 tration’s Alliance for System Safety of UAS through Re-
11 search Excellence (ASSURE) Center of Excellence (COE)
12 and any other activity deemed to support the safe, secure,
13 or efficient operation of the National Airspace System or
14 maintenance of public safety, as determined by the Sec-
15 retary or the Secretary’s designee.

16 (d) NATIONAL TRANSPORTATION SAFETY BOARD
17 EXEMPTION.—The National Transportation Safety
18 Board, in consultation with the Secretary of Homeland Se-
19 curity, is exempt from the restriction under subsection (a)
20 if the operation is necessary for the sole purpose of con-
21 ducting safety investigations.

22 (e) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
23 ISTRATION EXEMPTION.—The Administrator of the Na-
24 tional Oceanic and Atmospheric Administration (NOAA),
25 in consultation with the Secretary of Homeland Security,

1 is exempt from the restriction under subsection (a) if the
2 procurement is necessary for the purpose of meeting
3 NOAA's science or management objectives or operational
4 mission.

5 (f) WAIVER.—The head of an executive agency may
6 waive the prohibition under subsection (a) on a case-by-
7 case basis—

8 (1) with the approval of the Director of the Of-
9 fice of Management and Budget, after consultation
10 with the Federal Acquisition Security Council; and

11 (2) upon notification to—

12 (A) the Committee on Homeland Security
13 and Governmental Affairs of the Senate;

14 (B) the Committee on Oversight and Re-
15 form in the House of Representatives; and

16 (C) other appropriate congressional com-
17 mittees of jurisdiction.

18 (g) REGULATIONS AND GUIDANCE.—Not later than
19 180 days after the date of the enactment of this Act, the
20 Secretary of Homeland Security, in consultation with the
21 Attorney General and the Secretary of Transportation,
22 shall prescribe regulations or guidance to implement this
23 section.

1 **SEC. 1095. PROHIBITION ON USE OF FEDERAL FUNDS FOR**
2 **PROCUREMENT AND OPERATION OF COV-**
3 **ERED UNMANNED AIRCRAFT SYSTEMS FROM**
4 **COVERED FOREIGN ENTITIES.**

5 (a) IN GENERAL.—Beginning on the date that is two
6 years after the date of the enactment of this Act, except
7 as provided in subsection (b), no Federal funds awarded
8 through a contract, grant, or cooperative agreement, or
9 otherwise made available may be used—

10 (1) to procure a covered unmanned aircraft sys-
11 tem that is manufactured or assembled by a covered
12 foreign entity; or

13 (2) in connection with the operation of such a
14 drone or unmanned aircraft system.

15 (b) EXEMPTION.—The Secretary of Homeland Secu-
16 rity, the Secretary of Defense, the Director of National
17 Intelligence, and the Attorney General are exempt from
18 the restriction under subsection (a) if the procurement or
19 operation is required in the national interest of the United
20 States and—

21 (1) is for the sole purposes of research, evalua-
22 tion, training, testing, or analysis for electronic war-
23 fare, information warfare operations, cybersecurity,
24 or development of unmanned aircraft system or
25 counter-unmanned aircraft system technology;

1 (2) is for the sole purposes of conducting
2 counterterrorism or counterintelligence activities,
3 protective missions, or Federal criminal or national
4 security investigations, including forensic examina-
5 tions, or for electronic warfare, information warfare
6 operations, cybersecurity, or development of an un-
7 manned aircraft system or counter-unmanned air-
8 craft system technology; or

9 (3) is an unmanned aircraft system that, as
10 procured or as modified after procurement but be-
11 fore operational use, can no longer transfer to, or
12 download data from, a covered foreign entity and
13 otherwise poses no national security cybersecurity
14 risks as determined by the exempting official.

15 (c) DEPARTMENT OF TRANSPORTATION AND FED-
16 ERAL AVIATION ADMINISTRATION EXEMPTION.—The
17 Secretary of Transportation is exempt from the restriction
18 under subsection (a) if the operation or procurement is
19 deemed to support the safe, secure, or efficient operation
20 of the National Airspace System or maintenance of public
21 safety, including activities carried out under the Federal
22 Aviation Administration’s Alliance for System Safety of
23 UAS through Research Excellence (ASSURE) Center of
24 Excellence (COE) and any other activity deemed to sup-
25 port the safe, secure, or efficient operation of the National

1 Airspace System or maintenance of public safety, as deter-
2 mined by the Secretary or the Secretary's designee.

3 (d) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
4 STRATION EXEMPTION.—The Administrator of the Na-
5 tional Oceanic and Atmospheric Administration (NOAA),
6 in consultation with the Secretary of Homeland Security,
7 is exempt from the restriction under subsection (a) if the
8 operation or procurement is necessary for the purpose of
9 meeting NOAA's science or management objectives or
10 operational mission.

11 (e) WAIVER.—The head of an executive agency may
12 waive the prohibition under subsection (a) on a case-by-
13 case basis—

14 (1) with the approval of the Director of the Of-
15 fice of Management and Budget, after consultation
16 with the Federal Acquisition Security Council; and

17 (2) upon notification to—

18 (A) the Committee on Homeland Security
19 and Governmental Affairs of the Senate;

20 (B) the Committee on Oversight and Re-
21 form in the House of Representatives; and

22 (C) other appropriate congressional com-
23 mittees of jurisdiction.

24 (f) REGULATIONS.—Not later than 180 days after
25 the date of the enactment of this Act, the Federal Acquisi-

1 tion Regulatory Council shall prescribe regulations or
2 guidance, as necessary, to implement the requirements of
3 this section pertaining to Federal contracts.

4 **SEC. 1096. PROHIBITION ON USE OF GOVERNMENT-ISSUED**
5 **PURCHASE CARDS TO PURCHASE COVERED**
6 **UNMANNED AIRCRAFT SYSTEMS FROM COV-**
7 **ERED FOREIGN ENTITIES.**

8 Effective immediately, Government-issued Purchase
9 Cards may not be used to procure any covered unmanned
10 aircraft system from a covered foreign entity.

11 **SEC. 1097. MANAGEMENT OF EXISTING INVENTORIES OF**
12 **COVERED UNMANNED AIRCRAFT SYSTEMS**
13 **FROM COVERED FOREIGN ENTITIES.**

14 (a) IN GENERAL.—All executive agencies must ac-
15 count for existing inventories of covered unmanned air-
16 craft systems manufactured or assembled by a covered for-
17 eign entity in their personal property accounting systems,
18 within one year of the date of enactment of this Act, re-
19 gardless of the original procurement cost, or the purpose
20 of procurement due to the special monitoring and account-
21 ing measures necessary to track the items' capabilities.

22 (b) CLASSIFIED TRACKING.—Due to the sensitive na-
23 ture of missions and operations conducted by the United
24 States Government, inventory data related to covered un-
25 manned aircraft systems manufactured or assembled by

1 a covered foreign entity may be tracked at a classified
2 level, as determined by the Secretary of Homeland Secu-
3 rity or the Secretary's designee.

4 (c) EXCEPTIONS.—The Department of Defense, the
5 Department of Homeland Security, the Department of
6 Justice, the Department of Transportation, and the Na-
7 tional Oceanic and Atmospheric Administration may ex-
8 clude from the full inventory process, covered unmanned
9 aircraft systems that are deemed expendable due to mis-
10 sion risk such as recovery issues, or that are one-time-
11 use covered unmanned aircraft due to requirements and
12 low cost.

13 **SEC. 1098. COMPTROLLER GENERAL REPORT.**

14 Not later than 275 days after the date of the enact-
15 ment of this Act, the Comptroller General of the United
16 States shall submit to Congress a report on the amount
17 of commercial off-the-shelf drones and covered unmanned
18 aircraft systems procured by Federal departments and
19 agencies from covered foreign entities.

20 **SEC. 1099. GOVERNMENT-WIDE POLICY FOR PROCURE-**
21 **MENT OF UNMANNED AIRCRAFT SYSTEMS.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the Director of the Of-
24 fice of Management and Budget, in coordination with the
25 Department of Homeland Security, Department of Trans-

1 portation, the Department of Justice, and other Depart-
2 ments as determined by the Director of the Office of Man-
3 agement and Budget, and in consultation with the Na-
4 tional Institute of Standards and Technology, shall estab-
5 lish a government-wide policy for the procurement of an
6 unmanned aircraft system—

7 (1) for non-Department of Defense and non-in-
8 telligence community operations; and

9 (2) through grants and cooperative agreements
10 entered into with non-Federal entities.

11 (b) INFORMATION SECURITY.—The policy developed
12 under subsection (a) shall include the following specifica-
13 tions, which to the extent practicable, shall be based on
14 industry standards and technical guidance from the Na-
15 tional Institute of Standards and Technology, to address
16 the risks associated with processing, storing, and trans-
17 mitting Federal information in an unmanned aircraft sys-
18 tem:

19 (1) Protections to ensure controlled access to
20 an unmanned aircraft system.

21 (2) Protecting software, firmware, and hard-
22 ware by ensuring changes to an unmanned aircraft
23 system are properly managed, including by ensuring
24 an unmanned aircraft system can be updated using
25 a secure, controlled, and configurable mechanism.

1 (3) Cryptographically securing sensitive col-
2 lected, stored, and transmitted data, including prop-
3 er handling of privacy data and other controlled un-
4 classified information.

5 (4) Appropriate safeguards necessary to protect
6 sensitive information, including during and after use
7 of an unmanned aircraft system.

8 (5) Appropriate data security to ensure that
9 data is not transmitted to or stored in non-approved
10 locations.

11 (6) The ability to opt out of the uploading,
12 downloading, or transmitting of data that is not re-
13 quired by law or regulation and an ability to choose
14 with whom and where information is shared when it
15 is required.

16 (c) REQUIREMENT.—The policy developed under sub-
17 section (a) shall reflect an appropriate risk-based ap-
18 proach to information security related to use of an un-
19 manned aircraft system.

20 (d) REVISION OF ACQUISITION REGULATIONS.—Not
21 later than 180 days after the date on which the policy
22 required under subsection (a) is issued—

23 (1) the Federal Acquisition Regulatory Council
24 shall revise the Federal Acquisition Regulation, as
25 necessary, to implement the policy; and

1 (2) any Federal department or agency or other
2 Federal entity not subject to, or not subject solely
3 to, the Federal Acquisition Regulation shall revise
4 applicable policy, guidance, or regulations, as nec-
5 essary, to implement the policy.

6 (e) EXEMPTION.—In developing the policy required
7 under subsection (a), the Director of the Office of Man-
8 agement and Budget shall—

9 (1) incorporate policies to implement the ex-
10 emptions contained in this subtitle; and

11 (2) incorporate an exemption to the policy in
12 the case of a head of the procuring department or
13 agency determining, in writing, that no product that
14 complies with the information security requirements
15 described in subsection (b) is capable of fulfilling
16 mission critical performance requirements, and such
17 determination—

18 (A) may not be delegated below the level of
19 the Deputy Secretary, or Administrator, of the
20 procuring department or agency;

21 (B) shall specify—

22 (i) the quantity of end items to which
23 the waiver applies and the procurement
24 value of those items; and

1 (ii) the time period over which the
2 waiver applies, which shall not exceed three
3 years;

4 (C) shall be reported to the Office of Man-
5 agement and Budget following issuance of such
6 a determination; and

7 (D) not later than 30 days after the date
8 on which the determination is made, shall be
9 provided to the Committee on Homeland Secu-
10 rity and Governmental Affairs of the Senate
11 and the Committee on Oversight and Reform of
12 the House of Representatives.

13 **SEC. 1099A. STATE, LOCAL, AND TERRITORIAL LAW EN-**
14 **FORCEMENT AND EMERGENCY SERVICE EX-**
15 **EMPTION.**

16 (a) **RULE OF CONSTRUCTION.**—Nothing in this sub-
17 title shall prevent a State, local, or territorial law enforce-
18 ment or emergency service agency from procuring or oper-
19 ating a covered unmanned aircraft system purchased with
20 non-Federal dollars.

21 (b) **CONTINUITY OF ARRANGEMENTS.**—The Federal
22 Government may continue entering into contracts, grants,
23 and cooperative agreements or other Federal funding in-
24 struments with State, local, or territorial law enforcement
25 or emergency service agencies under which a covered un-

1 manned aircraft system will be purchased or operated if
2 the agency has received approval or waiver to purchase
3 or operate a covered unmanned aircraft system pursuant
4 to section 1095.

5 **SEC. 1099B. STUDY.**

6 (a) STUDY ON THE SUPPLY CHAIN FOR UNMANNED
7 AIRCRAFT SYSTEMS AND COMPONENTS.—

8 (1) REPORT REQUIRED.—Not later than one
9 year after the date of the enactment of this Act, the
10 Under Secretary of Defense for Acquisition and
11 Sustainment shall provide to the appropriate con-
12 gressional committees a report on the supply chain
13 for covered unmanned aircraft systems, including a
14 discussion of current and projected future demand
15 for covered unmanned aircraft systems.

16 (2) ELEMENTS.—The report under paragraph
17 (1) shall include the following:

18 (A) A description of the current and future
19 global and domestic market for covered un-
20 manned aircraft systems that are not widely
21 commercially available except from a covered
22 foreign entity.

23 (B) A description of the sustainability,
24 availability, cost, and quality of secure sources
25 of covered unmanned aircraft systems domesti-

1 cally and from sources in allied and partner
2 countries.

3 (C) The plan of the Secretary of Defense
4 to address any gaps or deficiencies identified in
5 subparagraph (B), including through the use of
6 funds available under the Defense Production
7 Act of 1950 (50 U.S.C. 4501 et seq.) and part-
8 nerships with the National Aeronautics and
9 Space Administration and other interested per-
10 sons.

11 (D) Such other information as the Under
12 Secretary of Defense for Acquisition and
13 Sustainment determines to be appropriate.

14 (3) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES DEFINED.—In this section the term “appro-
16 priate congressional committees” means:

17 (A) The Committees on Armed Services of
18 the Senate and the House of Representatives.

19 (B) The Committee on Homeland Security
20 and Governmental Affairs of the Senate and the
21 Committee on Oversight and Reform of the
22 House of Representatives.

23 (C) The Committee on Commerce, Science,
24 and Transportation of the Senate and the Com-

1 committee on Science, Space, and Technology of
2 the House of Representatives.

3 (D) The Select Committee on Intelligence
4 of the Senate and the Permanent Select Com-
5 mittee on Intelligence of the House of Rep-
6 resentatives.

7 (E) The Committee on Transportation and
8 Infrastructure of the House of Representatives.

9 (F) The Committee on Homeland Security
10 of the House of Representatives.

11 **SEC. 1099C. EXCEPTIONS.**

12 (a) EXCEPTION FOR WILDFIRE MANAGEMENT OPER-
13 ATIONS AND SEARCH AND RESCUE OPERATIONS.—The
14 appropriate Federal agencies, in consultation with the Sec-
15 retary of Homeland Security, are exempt from the pro-
16 curement and operation restrictions under sections 1093,
17 1094, and 1095 to the extent the procurement or oper-
18 ation is necessary for the purpose of supporting the full
19 range of wildfire management operations or search and
20 rescue operations.

21 (b) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—
22 The elements of the intelligence community, in consulta-
23 tion with the Director of National Intelligence, are exempt
24 from the procurement and operation restrictions under
25 sections 1093, 1094, and 1095 to the extent the procure-

1 ment or operation is necessary for the purpose of sup-
 2 porting intelligence activities.

3 (c) EXCEPTION FOR TRIBAL LAW ENFORCEMENT OR
 4 EMERGENCY SERVICE AGENCY.—Tribal law enforcement
 5 or Tribal emergency service agencies, in consultation with
 6 the Secretary of Homeland Security, are exempt from the
 7 procurement, operation, and purchase restrictions under
 8 sections 1093, 1094, and 1095 to the extent the procure-
 9 ment or operation is necessary for the purpose of sup-
 10 porting the full range of law enforcement operations or
 11 search and rescue operations on Indian lands.

12 **SEC. 1099D. SUNSET.**

13 Sections 1093, 1094, and 1095 shall cease to have
 14 effect on the date that is five years after the date of the
 15 enactment of this Act.

16 **Subtitle I—Radiation Exposure**
 17 **Compensation Act**

18 **PART I—MANHATTAN PROJECT WASTE**

19 **SEC. 1099AA. CLAIMS RELATING TO MANHATTAN PROJECT**
 20 **WASTE.**

21 (a) SHORT TITLE.—This section may be cited as the
 22 “Radiation Exposure Compensation Expansion Act”.

23 (b) CLAIMS RELATING TO MANHATTAN PROJECT
 24 WASTE.—The Radiation Exposure Compensation Act

1 (Public Law 101–426; 42 U.S.C. 2210 note) is amended
2 by inserting after section 5 the following:

3 **“SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT**
4 **WASTE.**

5 “(a) IN GENERAL.—A claimant shall receive com-
6 pensation for a claim made under this Act, as described
7 in subsection (b) or (c), if—

8 “(1) a claim for compensation is filed with the
9 Attorney General—

10 “(A) by an individual described in para-
11 graph (2); or

12 “(B) on behalf of that individual by an au-
13 thorized agent of that individual, if the indi-
14 vidual is deceased or incapacitated, such as—

15 “(i) an executor of estate of that indi-
16 vidual; or

17 “(ii) a legal guardian or conservator
18 of that individual;

19 “(2) that individual, or if applicable, an author-
20 ized agent of that individual, demonstrates that the
21 individual—

22 “(A) was physically present in an affected
23 area for a period of at least 2 years after Janu-
24 ary 1, 1949; and

1 “(B) contracted a specified disease after
2 such period of physical presence;

3 “(3) the Attorney General certifies that the
4 identity of that individual, and if applicable, the au-
5 thorized agent of that individual, is not fraudulent
6 or otherwise misrepresented; and

7 “(4) the Attorney General determines that the
8 claimant has satisfied the applicable requirements of
9 this Act.

10 “(b) LOSSES AVAILABLE TO LIVING AFFECTED INDI-
11 VIDUALS.—

12 “(1) IN GENERAL.—In the event of a claim
13 qualifying for compensation under subsection (a)
14 that is submitted to the Attorney General to be eligi-
15 ble for compensation under this section at a time
16 when the individual described in subsection (a)(2) is
17 living, the amount of compensation under this sec-
18 tion shall be in an amount that is the greater of
19 \$50,000 or the total amount of compensation for
20 which the individual is eligible under paragraph (2).

21 “(2) LOSSES DUE TO MEDICAL EXPENSES.—A
22 claimant described in paragraph (1) shall be eligible
23 to receive, upon submission of contemporaneous
24 written medical records, reports, or billing state-
25 ments created by or at the direction of a licensed

1 medical professional who provided contemporaneous
2 medical care to the claimant, additional compensa-
3 tion in the amount of all documented out-of-pocket
4 medical expenses incurred as a result of the specified
5 disease suffered by that claimant, such as any med-
6 ical expenses not covered, paid for, or reimbursed
7 through—

8 “(A) any public or private health insur-
9 ance;

10 “(B) any employee health insurance;

11 “(C) any workers’ compensation program;

12 or

13 “(D) any other public, private, or employee
14 health program or benefit.

15 “(c) PAYMENTS TO BENEFICIARIES OF DECEASED
16 INDIVIDUALS.—In the event that an individual described
17 in subsection (a)(2) who qualifies for compensation under
18 subsection (a) is deceased at the time of submission of
19 the claim—

20 “(1) a surviving spouse may, upon submission
21 of a claim and records sufficient to satisfy the re-
22 quirements of subsection (a) with respect to the de-
23 ceased individual, receive compensation in the
24 amount of \$25,000; or

1 “(2) in the event that there is no surviving
2 spouse, the surviving children, minor or otherwise, of
3 the deceased individual may, upon submission of a
4 claim and records sufficient to satisfy the require-
5 ments of subsection (a) with respect to the deceased
6 individual, receive compensation in the total amount
7 of \$25,000, paid in equal shares to each surviving
8 child.

9 “(d) AFFECTED AREA.—For purposes of this section,
10 the term ‘affected area’ means, in the State of Missouri,
11 the ZIP Codes of 63031, 63033, 63034, 63042, 63045,
12 63074, 63114, 63135, 63138, 63044, 63140, 63145,
13 63147, 63102, 63304, 63134, 63043, 63341, 63368, and
14 63367.

15 “(e) SPECIFIED DISEASE.—For purposes of this sec-
16 tion, the term ‘specified disease’ means any of the fol-
17 lowing:

18 “(1) Any leukemia, other than chronic
19 lymphocytic leukemia, provided that the initial expo-
20 sure occurred after the age of 20 and the onset of
21 the disease was at least 2 years after first exposure.

22 “(2) Any of the following diseases, provided
23 that the onset was at least 2 years after the initial
24 exposure:

25 “(A) Multiple myeloma.

- 1 “(B) Lymphoma, other than Hodgkin’s
2 disease.
- 3 “(C) Type 1 or type 2 diabetes.
- 4 “(D) Systemic lupus erythematosus.
- 5 “(E) Multiple sclerosis.
- 6 “(F) Hashimoto’s disease.
- 7 “(G) Primary cancer of the—
- 8 “(i) thyroid;
- 9 “(ii) male or female breast;
- 10 “(iii) esophagus;
- 11 “(iv) stomach;
- 12 “(v) pharynx;
- 13 “(vi) small intestine;
- 14 “(vii) pancreas;
- 15 “(viii) bile ducts;
- 16 “(ix) gall bladder;
- 17 “(x) salivary gland;
- 18 “(xi) urinary bladder;
- 19 “(xii) brain;
- 20 “(xiii) colon;
- 21 “(xiv) ovary;
- 22 “(xv) liver, except if cirrhosis or hepa-
23 titis B is indicated;
- 24 “(xvi) lung;
- 25 “(xvii) bone; or

1 “(xviii) kidney.

2 “(f) PHYSICAL PRESENCE.—For purposes of this
3 section, the Attorney General shall not determine that a
4 claimant has satisfied the requirements of subsection (a)
5 unless demonstrated by submission of contemporaneous
6 written residential documentation and at least one addi-
7 tional employer-issued or government-issued document or
8 record that the claimant, for a period of at least 2 years
9 after January 1, 1949, was physically present in an af-
10 fected area.

11 “(g) DISEASE CONTRACTION IN AFFECTED
12 AREAS.—For purposes of this section, the Attorney Gen-
13 eral shall not determine that a claimant has satisfied the
14 requirements of subsection (a) unless demonstrated by
15 submission of contemporaneous written medical records or
16 reports created by or at the direction of a licensed medical
17 professional who provided contemporaneous medical care
18 to the claimant, that the claimant, after such period of
19 physical presence, contracted a specified disease.”.

20 **PART II—COMPENSATION FOR WORKERS**

21 **INVOLVED IN URANIUM MINING**

22 **SEC. 1099BB. SHORT TITLE.**

23 This part may be cited as the “Radiation Exposure
24 Compensation Act Amendments of 2023”.

1 **SEC. 1099CC. REFERENCES.**

2 Except as otherwise specifically provided, whenever in
 3 this part an amendment or repeal is expressed in terms
 4 of an amendment to or repeal of a section or other provi-
 5 sion of law, the reference shall be considered to be made
 6 to a section or other provision of the Radiation Exposure
 7 Compensation Act (Public Law 101–426; 42 U.S.C. 2210
 8 note).

9 **SEC. 1099DD. EXTENSION OF FUND.**

10 Section 3(d) is amended—

11 (1) by striking the first sentence and inserting
 12 “The Fund shall terminate 19 years after the date
 13 of the enactment of the Radiation Exposure Com-
 14 pensation Act Amendments of 2023.”; and

15 (2) by striking “2-year” and inserting “19-
 16 year”.

17 **SEC. 1099EE. CLAIMS RELATING TO ATMOSPHERIC TEST-**
 18 **ING.**

19 (a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST
 20 IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND
 21 IN THE PACIFIC.—Section 4(a)(1)(A) is amended—

22 (1) in clause (i)—

23 (A) in subclause (I), by striking “October
 24 31, 1958” and inserting “November 6, 1962”;

25 (B) in subclause (II)—

1 (i) by striking “in the affected area”
2 and inserting “in an affected area”; and

3 (ii) by striking “or” after the semi-
4 colon;

5 (C) by redesignating subclause (III) as
6 subclause (V); and

7 (D) by inserting after subclause (II) the
8 following:

9 “(III) was physically present in an af-
10 fected area for a period of at least 1 year
11 during the period beginning on September
12 24, 1944, and ending on November 6,
13 1962;

14 “(IV) was physically present in an af-
15 fected area—

16 “(aa) for a period of at least 1
17 year during the period beginning on
18 July 1, 1946, and ending on Novem-
19 ber 6, 1962; or

20 “(bb) for the period beginning on
21 April 25, 1962, and ending on No-
22 vember 6, 1962; or”; and

23 (2) in clause (ii)(I), by striking “physical pres-
24 ence described in subclause (I) or (II) of clause (i)
25 or onsite participation described in clause (i)(III)”

1 and inserting “physical presence described in sub-
 2 clause (I), (II), (III), or (IV) of clause (i) or onsite
 3 participation described in clause (i)(V)”.

4 (b) AMOUNTS FOR CLAIMS RELATED TO LEU-
 5 KEMIA.—Section 4(a)(1) is amended—

6 (1) in subparagraph (A), by striking “an
 7 amount” and inserting “the amount”; and

8 (2) by striking subparagraph (B) and inserting
 9 the following:

10 “(B) AMOUNT.—If the conditions de-
 11 scribed in subparagraph (C) are met, an indi-
 12 vidual who is described in subparagraph (A)
 13 shall receive \$150,000.”.

14 (c) CONDITIONS FOR CLAIMS RELATED TO LEU-
 15 KEMIA.—Section 4(a)(1)(C) is amended—

16 (1) by striking clause (i); and

17 (2) by redesignating clauses (ii) and (iii) as
 18 clauses (i) and (ii), respectively.

19 (d) SPECIFIED DISEASES CLAIMS RELATING TO
 20 TRINITY TEST IN NEW MEXICO AND TESTS AT THE NE-
 21 VADA SITE AND IN THE PACIFIC.—Section 4(a)(2) is
 22 amended—

23 (1) in subparagraph (A)—

24 (A) by striking “in the affected area” and
 25 inserting “in an affected area”;

1 (B) by striking “2 years” and inserting “1
2 year”; and

3 (C) by striking “October 31, 1958” and
4 inserting “November 6, 1962”;

5 (2) in subparagraph (B)—

6 (A) by striking “in the affected area” and
7 inserting “in an affected area”; and

8 (B) by striking “or” at the end;

9 (3) by redesignating subparagraph (C) as sub-
10 paragraph (E); and

11 (4) by inserting after subparagraph (B) the fol-
12 lowing:

13 “(C) was physically present in an affected
14 area for a period of at least 1 year during the
15 period beginning on September 24, 1944, and
16 ending on November 6, 1962;

17 “(D) was physically present in an affected
18 area—

19 “(i) for a period of at least 1 year
20 during the period beginning on July 1,
21 1946, and ending on November 6, 1962; or

22 “(ii) for the period beginning on April
23 25, 1962, and ending on November 6,
24 1962; or”.

1 (e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED
2 DISEASES.—Section 4(a)(2) is amended in the matter fol-
3 lowing subparagraph (E) (as redesignated by subsection
4 (d) of this section) by striking “\$50,000 (in the case of
5 an individual described in subparagraph (A) or (B)) or
6 \$75,000 (in the case of an individual described in subpara-
7 graph (C)),” and inserting “\$150,000”.

8 (f) MEDICAL BENEFITS.—Section 4(a) is amended
9 by adding at the end the following:

10 “(5) MEDICAL BENEFITS.—An individual re-
11 ceiving a payment under this section shall be eligible
12 to receive medical benefits in the same manner and
13 to the same extent as an individual eligible to receive
14 medical benefits under section 3629 of the Energy
15 Employees Occupational Illness Compensation Pro-
16 gram Act of 2000 (42 U.S.C. 7384t).”.

17 (g) DOWNWIND STATES.—Section 4(b)(1) is amend-
18 ed to read as follows:

19 “(1) ‘affected area’ means—

20 “(A) except as provided under subpara-
21 graphs (B) and (C), Arizona, Colorado, Idaho,
22 Montana, Nevada, New Mexico, Utah, and
23 Guam;

1 “(B) with respect to a claim by an indi-
2 vidual under subsection (a)(1)(A)(i)(III) or sub-
3 section (a)(2)(C), only New Mexico; and

4 “(C) with respect to a claim by an indi-
5 vidual under subsection (a)(1)(A)(i)(IV) or sub-
6 section (a)(2)(D), only Guam.”.

7 (h) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECI-
8 FIED DISEASE.—Section 4(b)(2) is amended by striking
9 “other than chronic lymphocytic leukemia” and inserting
10 “including chronic lymphocytic leukemia”.

11 **SEC. 1099FF. CLAIMS RELATING TO URANIUM MINING.**

12 (a) EMPLOYEES OF MINES AND MILLS.—Section
13 5(a)(1)(A)(i) is amended—

14 (1) by inserting “(I)” after “(i)”;

15 (2) by striking “December 31, 1971; and” and
16 inserting “December 31, 1990; or”; and

17 (3) by adding at the end the following:

18 “(II) was employed as a core driller in
19 a State referred to in subclause (I) during
20 the period described in such subclause;
21 and”.

22 (b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended
23 by inserting “or renal cancer or any other chronic renal
24 disease, including nephritis and kidney tubal tissue in-
25 jury” after “nonmalignant respiratory disease”.

1 (c) MILLERS, CORE DRILLERS, AND ORE TRANS-
2 PORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

3 (1) by inserting “, core driller,” after “was a
4 miller”;

5 (2) by inserting “, or was involved in remedi-
6 ation efforts at such a uranium mine or uranium
7 mill,” after “ore transporter”;

8 (3) by inserting “(I)” after “clause (i)”; and

9 (4) by striking all that follows “nonmalignant
10 respiratory disease” and inserting “or renal cancer
11 or any other chronic renal disease, including nephri-
12 tis and kidney tubal tissue injury; or”.

13 (d) COMBINED WORK HISTORIES.—Section
14 5(a)(1)(A)(ii) is further amended—

15 (1) by striking “or” at the end of subclause (I);
16 and

17 (2) by adding at the end the following:

18 “(III)(aa) does not meet the condi-
19 tions of subclause (I) or (II);

20 “(bb) worked, during the period de-
21 scribed in clause (i)(I), in two or more of
22 the following positions: miner, miller, core
23 driller, and ore transporter;

24 “(cc) meets the requirements of para-
25 graph (4) or (5), or both; and

1 “(dd) submits written medical docu-
2 mentation that the individual developed
3 lung cancer or a nonmalignant respiratory
4 disease or renal cancer or any other chron-
5 ic renal disease, including nephritis and
6 kidney tubal tissue injury after exposure to
7 radiation through work in one or more of
8 the positions referred to in item (bb);”.

9 (e) DATES OF OPERATION OF URANIUM MINE.—Sec-
10 tion 5(a)(2)(A) is amended by striking “December 31,
11 1971” and inserting “December 31, 1990”.

12 (f) SPECIAL RULES RELATING TO COMBINED WORK
13 HISTORIES.—Section 5(a) is amended by adding at the
14 end the following:

15 “(4) SPECIAL RULE RELATING TO COMBINED
16 WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST
17 ONE YEAR OF EXPERIENCE.—An individual meets
18 the requirements of this paragraph if the individual
19 worked in one or more of the positions referred to
20 in paragraph (1)(A)(ii)(III)(bb) for a period of at
21 least one year during the period described in para-
22 graph (1)(A)(i)(I).

23 “(5) SPECIAL RULE RELATING TO COMBINED
24 WORK HISTORIES FOR MINERS.—An individual
25 meets the requirements of this paragraph if the indi-

1 vidual, during the period described in paragraph
2 (1)(A)(i)(I), worked as a miner and was exposed to
3 such number of working level months that the Attor-
4 ney General determines, when combined with the ex-
5 posure of such individual to radiation through work
6 as a miller, core driller, or ore transporter during
7 the period described in paragraph (1)(A)(i)(I), re-
8 sults in such individual being exposed to a total level
9 of radiation that is greater or equal to the level of
10 exposure of an individual described in paragraph
11 (4).”.

12 (g) DEFINITION OF CORE DRILLER.—Section 5(b) is
13 amended—

14 (1) by striking “and” at the end of paragraph
15 (7);

16 (2) by striking the period at the end of para-
17 graph (8) and inserting “; and”; and

18 (3) by adding at the end the following:

19 “(9) the term ‘core driller’ means any indi-
20 vidual employed to engage in the act or process of
21 obtaining cylindrical rock samples of uranium or va-
22 nadium by means of a borehole drilling machine for
23 the purpose of mining uranium or vanadium.”.

1 **SEC. 1099GG. EXPANSION OF USE OF AFFIDAVITS IN DE-**
2 **TERMINATION OF CLAIMS; REGULATIONS.**

3 (a) AFFIDAVITS.—Section 6(b) is amended by adding
4 at the end the following:

5 “(3) AFFIDAVITS.—

6 “(A) EMPLOYMENT HISTORY.—For pur-
7 poses of this Act, the Attorney General shall ac-
8 cept a written affidavit or declaration as evi-
9 dence to substantiate the employment history of
10 an individual as a miner, miller, core driller, or
11 ore transporter if the affidavit—

12 “(i) is provided in addition to other
13 material that may be used to substantiate
14 the employment history of the individual;

15 “(ii) attests to the employment history
16 of the individual;

17 “(iii) is made subject to penalty for
18 perjury; and

19 “(iv) is made by a person other than
20 the individual filing the claim.

21 “(B) PHYSICAL PRESENCE IN AFFECTED
22 AREA.—For purposes of this Act, the Attorney
23 General shall accept a written affidavit or dec-
24 laration as evidence to substantiate an individ-
25 ual’s physical presence in an affected area dur-

1 ing a period described in section 4(a)(1)(A)(i)
2 or section 4(a)(2) if the affidavit—

3 “(i) is provided in addition to other
4 material that may be used to substantiate
5 the individual’s presence in an affected
6 area during that time period;

7 “(ii) attests to the individual’s pres-
8 ence in an affected area during that pe-
9 riod;

10 “(iii) is made subject to penalty for
11 perjury; and

12 “(iv) is made by a person other than
13 the individual filing the claim.

14 “(C) PARTICIPATION AT TESTING SITE.—
15 For purposes of this Act, the Attorney General
16 shall accept a written affidavit or declaration as
17 evidence to substantiate an individual’s partici-
18 pation onsite in a test involving the atmospheric
19 detonation of a nuclear device if the affidavit—

20 “(i) is provided in addition to other
21 material that may be used to substantiate
22 the individual’s participation onsite in a
23 test involving the atmospheric detonation
24 of a nuclear device;

1 “(ii) attests to the individual’s partici-
2 pation onsite in a test involving the atmos-
3 pheric detonation of a nuclear device;

4 “(iii) is made subject to penalty for
5 perjury; and

6 “(iv) is made by a person other than
7 the individual filing the claim.”.

8 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
9 Section 6 is amended—

10 (1) in subsection (b)(2)(C), by striking “section
11 4(a)(2)(C)” and inserting “section 4(a)(2)(E)”;

12 (2) in subsection (c)(2)—

13 (A) in subparagraph (A)—

14 (i) in the matter preceding clause (i),
15 by striking “subsection (a)(1), (a)(2)(A),
16 or (a)(2)(B) of section 4” and inserting
17 “subsection (a)(1), (a)(2)(A), (a)(2)(B),
18 (a)(2)(C), or (a)(2)(D) of section 4”; and

19 (ii) in clause (i), by striking “sub-
20 section (a)(1), (a)(2)(A), or (a)(2)(B) of
21 section 4” and inserting “subsection
22 (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or
23 (a)(2)(D) of section 4”; and

1 (B) in subparagraph (B), by striking “sec-
2 tion 4(a)(2)(C)” and inserting “section
3 4(a)(2)(E)”; and

4 (3) in subsection (e), by striking “subsection
5 (a)(1), (a)(2)(A), or (a)(2)(B) of section 4” and in-
6 serting “subsection (a)(1), (a)(2)(A), (a)(2)(B),
7 (a)(2)(C), or (a)(2)(D) of section 4”.

8 (c) REGULATIONS.—

9 (1) IN GENERAL.—Section 6(k) is amended by
10 adding at the end the following: “Not later than 180
11 days after the date of enactment of the Radiation
12 Exposure Compensation Act Amendments of 2023,
13 the Attorney General shall issue revised regulations
14 to carry out this Act.”.

15 (2) CONSIDERATIONS IN REVISIONS.—In
16 issuing revised regulations under section 6(k) of the
17 Radiation Exposure Compensation Act (Public Law
18 101–426; 42 U.S.C. 2210 note), as amended under
19 paragraph (1), the Attorney General shall ensure
20 that procedures with respect to the submission and
21 processing of claims under such Act take into ac-
22 count and make allowances for the law, tradition,
23 and customs of Indian tribes, including by accepting
24 as a record of proof of physical presence for a claim-
25 ant a grazing permit, a homesite lease, a record of

1 being a holder of a post office box, a letter from an
2 elected leader of an Indian tribe, or a record of any
3 recognized tribal association or organization.

4 **SEC. 1099HH. LIMITATION ON CLAIMS.**

5 (a) **EXTENSION OF FILING TIME.**—Section 8(a) is
6 amended—

7 (1) by striking “2 years” and inserting “19
8 years”; and

9 (2) by striking “2022” and inserting “2023”.

10 (b) **RESUBMITTAL OF CLAIMS.**—Section 8(b) is
11 amended to read as follows:

12 “(b) **RESUBMITTAL OF CLAIMS.**—

13 “(1) **DENIED CLAIMS.**—After the date of enact-
14 ment of the Radiation Exposure Compensation Act
15 Amendments of 2023, any claimant who has been
16 denied compensation under this Act may resubmit a
17 claim for consideration by the Attorney General in
18 accordance with this Act not more than three times.
19 Any resubmittal made before the date of the enact-
20 ment of the Radiation Exposure Compensation Act
21 Amendments of 2023 shall not be applied to the lim-
22 itation under the preceding sentence.

23 “(2) **PREVIOUSLY SUCCESSFUL CLAIMS.**—

24 “(A) **IN GENERAL.**—After the date of en-
25 actment of the Radiation Exposure Compensa-

1 tion Act Amendments of 2023, any claimant
2 who received compensation under this Act may
3 submit a request to the Attorney General for
4 additional compensation and benefits. Such re-
5 quest shall contain—

6 “(i) the claimant’s name, social secu-
7 rity number, and date of birth;

8 “(ii) the amount of award received
9 under this Act before the date of enact-
10 ment of the Radiation Exposure Com-
11 pensation Act Amendments of 2023;

12 “(iii) any additional benefits and com-
13 pensation sought through such request;
14 and

15 “(iv) any additional information re-
16 quired by the Attorney General.

17 “(B) ADDITIONAL COMPENSATION.—If the
18 claimant received compensation under this Act
19 before the date of enactment of the Radiation
20 Exposure Compensation Act Amendments of
21 2023 and submits a request under subpara-
22 graph (A), the Attorney General shall—

23 “(i) pay the claimant the amount that
24 is equal to any excess of—

1 “(I) the amount the claimant is
2 eligible to receive under this Act (as
3 amended by the Radiation Exposure
4 Compensation Act Amendments of
5 2023); minus

6 “(II) the aggregate amount paid
7 to the claimant under this Act before
8 the date of enactment of the Radi-
9 ation Exposure Compensation Act
10 Amendments of 2023; and

11 “(ii) in any case in which the claimant
12 was compensated under section 4, provide
13 the claimant with medical benefits under
14 section 4(a)(5).”.

15 **SEC. 1099II. GRANT PROGRAM ON EPIDEMIOLOGICAL IM-**
16 **PACTS OF URANIUM MINING AND MILLING.**

17 (a) DEFINITIONS.—In this section—

18 (1) the term “institution of higher education”
19 has the meaning given under section 101 of the
20 Higher Education Act of 1965 (20 U.S.C. 1001);

21 (2) the term “program” means the grant pro-
22 gram established under subsection (b); and

23 (3) the term “Secretary” means the Secretary
24 of Health and Human Services.

1 (b) ESTABLISHMENT.—The Secretary shall establish
2 a grant program relating to the epidemiological impacts
3 of uranium mining and milling. Grants awarded under the
4 program shall be used for the study of the epidemiological
5 impacts of uranium mining and milling among non-occu-
6 pationally exposed individuals, including family members
7 of uranium miners and millers.

8 (c) ADMINISTRATION.—The Secretary shall admin-
9 ister the program through the National Institute of Envi-
10 ronmental Health Sciences.

11 (d) ELIGIBILITY AND APPLICATION.—Any institution
12 of higher education or nonprofit private entity shall be eli-
13 gible to apply for a grant. To apply for a grant an eligible
14 institution or entity shall submit to the Secretary an appli-
15 cation at such time, in such manner, and containing or
16 accompanied by such information as the Secretary may
17 reasonably require.

18 (e) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to carry out this section
20 \$3,000,000 for each of fiscal years 2024 through 2026.

21 **SEC. 1099JJ. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS**

22 **COMPENSATION PROGRAM.**

23 (a) COVERED EMPLOYEES WITH CANCER.—Section
24 3621(9) of the Energy Employees Occupational Illness
25 Compensation Program Act of 2000 (42 U.S.C. 7384l(9))

1 is amended by striking subparagraph (A) and inserting
2 the following:

3 “(A) An individual with a specified cancer
4 who is a member of the Special Exposure Co-
5 hort, if and only if—

6 “(i) that individual contracted that
7 specified cancer after beginning employ-
8 ment at a Department of Energy facility
9 (in the case of a Department of Energy
10 employee or Department of Energy con-
11 tractor employee) or at an atomic weapons
12 employer facility (in the case of an atomic
13 weapons employee); or

14 “(ii) that individual—

15 “(I) contracted that specified
16 cancer after beginning employment in
17 a uranium mine or uranium mill de-
18 scribed under section 5(a)(1)(A)(i) of
19 the Radiation Exposure Compensation
20 Act (42 U.S.C. 2210 note) (including
21 any individual who was employed in
22 core drilling or the transport of ura-
23 nium ore or vanadium-uranium ore
24 from such mine or mill) located in
25 Colorado, New Mexico, Arizona, Wyo-

1 ming, South Dakota, Washington,
2 Utah, Idaho, North Dakota, Oregon,
3 Texas, or any State the Attorney Gen-
4 eral makes a determination under sec-
5 tion 5(a)(2) of that Act for inclusion
6 of eligibility under section 5(a)(1) of
7 that Act; and

8 “(II) was employed in a uranium
9 mine or uranium mill described under
10 subclause (I) (including any individual
11 who was employed in core drilling or
12 the transport of uranium ore or vana-
13 dium-uranium ore from such mine or
14 mill) at any time during the period
15 beginning on January 1, 1942, and
16 ending on December 31, 1990.”.

17 (b) MEMBERS OF SPECIAL EXPOSURE COHORT.—

18 Section 3626 of the Energy Employees Occupational Ill-
19 ness Compensation Program Act of 2000 (42 U.S.C.
20 7384q) is amended—

21 (1) in subsection (a), by striking paragraph (1)
22 and inserting the following:

23 “(1) The Advisory Board on Radiation and
24 Worker Health under section 3624 shall advise the
25 President whether there is a class of employees—

1 “(A) at any Department of Energy facility
2 who likely were exposed to radiation at that fa-
3 cility but for whom it is not feasible to estimate
4 with sufficient accuracy the radiation dose they
5 received; and

6 “(B) employed in a uranium mine or ura-
7 nium mill described under section 5(a)(1)(A)(i)
8 of the Radiation Exposure Compensation Act
9 (42 U.S.C. 2210 note) (including any individual
10 who was employed in core drilling or the trans-
11 port of uranium ore or vanadium-uranium ore
12 from such mine or mill) located in Colorado,
13 New Mexico, Arizona, Wyoming, South Dakota,
14 Washington, Utah, Idaho, North Dakota, Or-
15 egon, Texas, and any State the Attorney Gen-
16 eral makes a determination under section
17 5(a)(2) of that Act for inclusion of eligibility
18 under section 5(a)(1) of that Act, at any time
19 during the period beginning on January 1,
20 1942, and ending on December 31, 1990, who
21 likely were exposed to radiation at that mine or
22 mill but for whom it is not feasible to estimate
23 with sufficient accuracy the radiation dose they
24 received.”; and

1 (2) by striking subsection (b) and inserting the
2 following:

3 “(b) DESIGNATION OF ADDITIONAL MEMBERS.—

4 “(1) Subject to the provisions of section
5 3621(14)(C), the members of a class of employees at
6 a Department of Energy facility, or at an atomic
7 weapons employer facility, may be treated as mem-
8 bers of the Special Exposure Cohort for purposes of
9 the compensation program if the President, upon
10 recommendation of the Advisory Board on Radiation
11 and Worker Health, determines that—

12 “(A) it is not feasible to estimate with suf-
13 ficient accuracy the radiation dose that the
14 class received; and

15 “(B) there is a reasonable likelihood that
16 such radiation dose may have endangered the
17 health of members of the class.

18 “(2) Subject to the provisions of section
19 3621(14)(C), the members of a class of employees
20 employed in a uranium mine or uranium mill de-
21 scribed under section 5(a)(1)(A)(i) of the Radiation
22 Exposure Compensation Act (42 U.S.C. 2210 note)
23 (including any individual who was employed in core
24 drilling or the transport of uranium ore or vana-
25 dium-uranium ore from such mine or mill) located in

1 Colorado, New Mexico, Arizona, Wyoming, South
 2 Dakota, Washington, Utah, Idaho, North Dakota,
 3 Oregon, Texas, and any State the Attorney General
 4 makes a determination under section 5(a)(2) of that
 5 Act for inclusion of eligibility under section 5(a)(1)
 6 of that Act, at any time during the period beginning
 7 on January 1, 1942, and ending on December 31,
 8 1990, may be treated as members of the Special Ex-
 9 posure Cohort for purposes of the compensation pro-
 10 gram if the President, upon recommendation of the
 11 Advisory Board on Radiation and Worker Health,
 12 determines that—

13 “(A) it is not feasible to estimate with suf-
 14 ficient accuracy the radiation dose that the
 15 class received; and

16 “(B) there is a reasonable likelihood that
 17 such radiation dose may have endangered the
 18 health of members of the class.”.

19 **Subtitle J—Crypto Assets**

20 **SEC. 1099AAA. CRYPTO ASSET ANTI-MONEY LAUNDERING** 21 **EXAMINATION STANDARDS.**

22 Not later than 2 years after the date of enactment
 23 of this Act, the Secretary of the Treasury, in consultation
 24 with the Conference of State Bank Supervisors and Fed-
 25 eral functional regulators, as defined in section 1010.100

1 of title 31, Code of Federal Regulations, shall establish
2 a risk-focused examination and review process for finan-
3 cial institutions, as defined in that section, to assess the
4 following relating to crypto assets, as determined by the
5 Secretary:

6 (1) The adequacy of reporting obligations and
7 anti-money laundering programs under subsections
8 (g) and (h) of section 5318 of title 31, United States
9 Code, respectively as applied to those institutions.

10 (2) Compliance of those institutions with anti-
11 money laundering and countering the financing of
12 terrorism requirements under subchapter II of chap-
13 ter 53 of title 31, United States Code.

14 **SEC. 1099BBB. COMBATING ANONYMOUS CRYPTO ASSET**
15 **TRANSACTIONS.**

16 Not later than 1 year after the date of enactment
17 of this Act, the Secretary of the Treasury shall submit
18 a report and provide a briefing, as determined by the Sec-
19 retary, to the Committee on Banking, Housing and Urban
20 Affairs of the Senate and the Committee on Financial
21 Services of the House of Representatives that assess the
22 following issues:

23 (1) Categories of anonymity-enhancing tech-
24 nologies or services used in connection with crypto

1 assets, such as mixers and tumblers, in use as of the
2 date on which the report is submitted.

3 (2) As data are available, estimates of the mag-
4 nitude of transactions related to the categories in
5 paragraph (1) that are believed to be connected, di-
6 rectly or indirectly, to illicit finance, including crypto
7 asset transaction volumes associated with sanctioned
8 entities and entities subject to special measures pur-
9 suant to section 5318A of title 31, United States
10 Code, and a description of any limitations applicable
11 to the data used in such estimates.

12 (3) Categories of privacy-enhancing technologies
13 or services used in connection with crypto assets in
14 use as of the date on which the report is submitted.

15 (4) Legislative and regulatory approaches em-
16 ployed by other jurisdictions relating to the tech-
17 nologies and services described in paragraphs (1)
18 and (3).

19 (5) Recommendations for legislation or regula-
20 tion relating to the technologies and services de-
21 scribed in paragraphs (1) and (3).

1 **Subtitle K—Combating Cartels on**
2 **Social Media Act of 2023**

3 **SEC. 1099AAAA. SHORT TITLE.**

4 This subtitle may be cited as the “Combating Cartels
5 on Social Media Act of 2023”.

6 **SEC. 1099BBBB. DEFINITIONS.**

7 In this subtitle:

8 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
9 **TEES.**—The term “appropriate congressional com-
10 mittees” means—

11 (A) the Committee on Homeland Security
12 and Governmental Affairs and the Committee
13 on Foreign Relations of the Senate; and

14 (B) the Committee on Homeland Security
15 and the Committee on Foreign Affairs of the
16 House of Representatives.

17 (2) **COVERED OPERATOR.**—The term “covered
18 operator” means the operator, developer, or pub-
19 lisher of a covered service.

20 (3) **COVERED SERVICE.**—The term “covered
21 service” means—

22 (A) a social media platform;

23 (B) a mobile or desktop service with direct
24 or group messaging capabilities, but not includ-
25 ing text messaging services without other sub-

1 stantial social functionalities or electronic mail
2 services, that the Secretary of Homeland Secu-
3 rity determines is being or has been used by
4 transnational criminal organizations in connec-
5 tion with matters described in section 1093;
6 and

7 (C) a digital platform, or an electronic ap-
8 plication utilizing the digital platform, involving
9 real-time interactive communication between
10 multiple individuals, including multi-player
11 gaming services and immersive technology plat-
12 forms or applications, that the Secretary of
13 Homeland Security determines is being or has
14 been used by transnational criminal organiza-
15 tions in connection with matters described in
16 section 1093.

17 (4) CRIMINAL ENTERPRISE.—The term “crimi-
18 nal enterprise” has the meaning given the term
19 “continuing criminal enterprise” in section 408 of
20 the Controlled Substances Act (21 U.S.C. 848).

21 (5) ILLICIT ACTIVITIES.—The term “illicit ac-
22 tivities” means the following criminal activities that
23 transcend national borders:

24 (A) A violation of section 401 of the Con-
25 trolled Substances Act (21 U.S.C. 841).

1 (B) Narcotics trafficking, as defined in
2 section 808 of the Foreign Narcotics Kingpin
3 Designation Act (21 U.S.C. 1907).

4 (C) Trafficking of weapons, as defined in
5 section 922 of title 18, United States Code.

6 (D) Migrant smuggling, defined as a viola-
7 tion of section 274(a)(1)(A)(ii) of the Immigra-
8 tion and Nationality Act (8 U.S.C.
9 1324(a)(1)(A)(ii)).

10 (E) Human trafficking, defined as—

11 (i) a violation of section 1590, 1591,
12 or 1592 of title 18, United States Code; or

13 (ii) engaging in severe forms of traf-
14 ficking in persons, as defined in section
15 103 of the Victims of Trafficking and Vio-
16 lence Protection Act of 2000 (22 U.S.C.
17 7102).

18 (F) Cyber crime, defined as a violation of
19 section 1030 of title 18, United States Code.

20 (G) A violation of any provision that is
21 subject to intellectual property enforcement, as
22 defined in section 302 of the Prioritizing Re-
23 sources and Organization for Intellectual Prop-
24 erty Act of 2008 (15 U.S.C. 8112).

1 (H) Bulk cash smuggling of currency, de-
2 fined as a violation of section 5332 of title 31,
3 United States Code.

4 (I) Laundering the proceeds of the crimi-
5 nal activities described in subparagraphs (A)
6 through (H).

7 (6) **TRANSNATIONAL CRIMINAL ORGANIZA-**
8 **TION.**—The term “transnational criminal organiza-
9 tion” means groups, networks, and associated indi-
10 viduals who operate transnationally for the purposes
11 of obtaining power, influence, or monetary or com-
12 mercial gain, wholly or in part by certain illegal
13 means, while advancing their activities through a
14 pattern of crime, corruption, or violence, and while
15 protecting their illegal activities through a
16 transnational organizational structure and the ex-
17 ploitation of public corruption or transnational logis-
18 tics, financial, or communication mechanisms.

19 **SEC. 1099CCCC. ASSESSMENT OF ILLICIT USAGE.**

20 Not later than 180 days after the date of enactment
21 of this Act, the Secretary of Homeland Security and the
22 Secretary of State shall submit to the appropriate congres-
23 sional committees a joint assessment describing—

24 (1) the use of covered services by transnational
25 criminal organizations, or criminal enterprises acting

1 on behalf of transnational criminal organizations, to
2 engage in recruitment efforts, including the recruit-
3 ment of individuals, including individuals under the
4 age of 18, located in the United States to engage in
5 or provide support with respect to illicit activities oc-
6 curring in the United States, Mexico, or otherwise in
7 proximity to an international boundary of the United
8 States;

9 (2) the use of covered services by transnational
10 criminal organizations to engage in illicit activities
11 or conduct in support of illicit activities, including—

12 (A) smuggling or trafficking involving nar-
13 cotics, other controlled substances, precursors
14 thereof, or other items prohibited under the
15 laws of the United States, Mexico, or another
16 relevant jurisdiction, including firearms;

17 (B) human smuggling or trafficking, in-
18 cluding the exploitation of children; and

19 (C) transportation of bulk currency or
20 monetary instruments in furtherance of smug-
21 gling activity; and

22 (3) the existing efforts of the Secretary of
23 Homeland Security, the Secretary of State, and rel-
24 evant government and law enforcement entities to
25 counter, monitor, or otherwise respond to the usage

1 of covered services described in paragraphs (1) and
2 (2).

3 **SEC. 1099DDDD. STRATEGY TO COMBAT CARTEL RECRUIT-**
4 **MENT ON SOCIAL MEDIA AND ONLINE PLAT-**
5 **FORMS.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 date of enactment of this Act, the Secretary of Homeland
8 Security and the Secretary of State shall submit to the
9 appropriate congressional committees a joint strategy, to
10 be known as the National Strategy to Combat Illicit Re-
11 cruitment Activity by Transnational Criminal Organiza-
12 tions on Social Media and Online Platforms, to combat
13 the use of covered services by transnational criminal orga-
14 nizations, or criminal enterprises acting on behalf of
15 transnational criminal organizations, to recruit individuals
16 located in the United States to engage in or provide sup-
17 port with respect to illicit activities occurring in the
18 United States, Mexico, or otherwise in proximity to an
19 international boundary of the United States.

20 (b) ELEMENTS.—

21 (1) IN GENERAL.—The strategy required under
22 subsection (a) shall, at a minimum, include the fol-
23 lowing:

24 (A) A proposal to improve cooperation and
25 thereafter maintain cooperation between the

1 Secretary of Homeland Security, the Secretary
2 of State, and relevant law enforcement entities
3 with respect to the matters described in sub-
4 section (a).

5 (B) Recommendations to implement a
6 process for the voluntary reporting of informa-
7 tion regarding the recruitment efforts of
8 transnational criminal organizations in the
9 United States involving covered services.

10 (C) A proposal to improve
11 intragovernmental coordination with respect to
12 the matters described in subsection (a), includ-
13 ing between the Department of Homeland Secu-
14 rity, the Department of State, and State, Trib-
15 al, and local governments.

16 (D) A proposal to improve coordination
17 within the Department of Homeland Security
18 and the Department of State and between the
19 components of those Departments with respect
20 to the matters described in subsection (a).

21 (E) Activities to facilitate increased intel-
22 ligence analysis for law enforcement purposes of
23 efforts of transnational criminal organizations
24 to utilize covered services for recruitment to en-

1 gage in or provide support with respect to illicit
2 activities.

3 (F) Activities to foster international part-
4 nerships and enhance collaboration with foreign
5 governments and, as applicable, multilateral in-
6 stitutions with respect to the matters described
7 in subsection (a).

8 (G) Activities to specifically increase en-
9 gagement and outreach with youth in border
10 communities, including regarding the recruit-
11 ment tactics of transnational criminal organiza-
12 tions and the consequences of participation in
13 illicit activities.

14 (H) A detailed description of the measures
15 used to ensure—

16 (i) law enforcement and intelligence
17 activities focus on the recruitment activi-
18 ties of transitional criminal organizations
19 not individuals the transnational criminal
20 organizations attempt to or successfully re-
21 cruit; and

22 (ii) the privacy rights, civil rights, and
23 civil liberties protections in carrying out
24 the activities described in clause (i), with a
25 particular focus on the protections in place

1 to protect minors and constitutionally pro-
2 tected activities.

3 (2) LIMITATION.—The strategy required under
4 subsection (a) shall not include legislative rec-
5 ommendations or elements predicated on the passage
6 of legislation that is not enacted as of the date on
7 which the strategy is submitted under subsection
8 (a).

9 (c) CONSULTATION.—In drafting and implementing
10 the strategy required under subsection (a), the Secretary
11 of Homeland Security and the Secretary of State shall,
12 at a minimum, consult and engage with—

13 (1) the heads of relevant components of the De-
14 partment of Homeland Security, including—

15 (A) the Under Secretary for Intelligence
16 and Analysis;

17 (B) the Under Secretary for Strategy, Pol-
18 icy, and Plans;

19 (C) the Under Secretary for Science and
20 Technology;

21 (D) the Commissioner of U.S. Customs
22 and Border Protection;

23 (E) the Director of U.S. Immigration and
24 Customs Enforcement;

1 (F) the Officer for Civil Rights and Civil
2 Liberties;

3 (G) the Privacy Officer; and

4 (H) the Assistant Secretary of the Office
5 for State and Local Law Enforcement;

6 (2) the heads of relevant components of the De-
7 partment of State, including—

8 (A) the Assistant Secretary for Inter-
9 national Narcotics and Law Enforcement Af-
10 fairs;

11 (B) the Assistant Secretary for Western
12 Hemisphere Affairs; and

13 (C) the Coordinator of the Global Engage-
14 ment Center;

15 (3) the Attorney General;

16 (4) the Secretary of Health and Human Serv-
17 ices; and

18 (5) the Secretary of Education; and

19 (6) as selected by the Secretary of Homeland
20 Security, or his or her designee in the Office of Pub-
21 lic Engagement, representatives of border commu-
22 nities, including representatives of—

23 (A) State, Tribal, and local governments,
24 including school districts and local law enforce-
25 ment; and

1 (B) nongovernmental experts in the fields
2 of—

3 (i) civil rights and civil liberties;

4 (ii) online privacy;

5 (iii) humanitarian assistance for mi-
6 grants; and

7 (iv) youth outreach and rehabilitation.

8 (d) IMPLEMENTATION.—

9 (1) IN GENERAL.—Not later than 90 days after
10 the date on which the strategy required under sub-
11 section (a) is submitted to the appropriate congres-
12 sional committees, the Secretary of Homeland Secu-
13 rity and the Secretary of State shall commence im-
14 plementation of the strategy.

15 (2) REPORT.—

16 (A) IN GENERAL.—Not later than 180
17 days after the date on which the strategy re-
18 quired under subsection (a) is implemented
19 under paragraph (1), and semiannually there-
20 after for 5 years, the Secretary of Homeland
21 Security and the Secretary of State shall sub-
22 mit to the appropriate congressional committees
23 a joint report describing the efforts of the Sec-
24 retary of Homeland Security and the Secretary
25 of State to implement the strategy required

1 under subsection (a) and the progress of those
2 efforts, which shall include a description of—

3 (i) the recommendations, and cor-
4 responding implementation of those rec-
5 ommendations, with respect to the matters
6 described in subsection (b)(1)(B);

7 (ii) the interagency posture with re-
8 spect to the matters covered by the strat-
9 egy required under subsection (a), which
10 shall include a description of collaboration
11 between the Secretary of Homeland Secu-
12 rity, the Secretary of State, other Federal
13 entities, State, local, and Tribal entities,
14 and foreign governments; and

15 (iii) the threat landscape, including
16 new developments related to the United
17 States recruitment efforts of transnational
18 criminal organizations and the use by
19 those organizations of new or emergent
20 covered services and recruitment methods.

21 (B) FORM.—Each report required under
22 subparagraph (A) shall be submitted in unclas-
23 sified form, but may contain a classified annex.

24 (3) CIVIL RIGHTS, CIVIL LIBERTIES, AND PRI-
25 VACY ASSESSMENT.—Not later than 2 years after

1 the date on which the strategy required under sub-
2 section (a) is implemented under paragraph (1), the
3 Office for Civil Rights and Civil Liberties and the
4 Privacy Office of the Department of Homeland Se-
5 curity shall submit to the appropriate congressional
6 committees a joint report that includes—

7 (A) a detailed assessment of the measures
8 used to ensure the protection of civil rights,
9 civil liberties, and privacy rights in carrying out
10 this section; and

11 (B) recommendations to improve the im-
12 plementation of the strategy required under
13 subsection (a).

14 (4) RULEMAKING.—Prior to implementation of
15 the strategy required under subsection (a) at the
16 Department of Homeland Security, the Secretary of
17 Homeland Security shall issue rules to carry out this
18 section in accordance with section 553 of title 5,
19 United States Code.

20 **SEC. 1099EEEE. RULE OF CONSTRUCTION.**

21 Nothing in this subtitle shall be construed to expand
22 the statutory law enforcement or regulatory authority of
23 the Department of Homeland Security or the Department
24 of State.

1 **SEC. 1099FFFF. NO ADDITIONAL FUNDS.**

2 No additional funds are authorized to be appro-
3 priated for the purpose of carrying out this subtitle.

4 **TITLE XI—CONNECTING**
5 **OCEANIA’S NATIONS WITH**
6 **VANGUARD EXERCISES AND**
7 **NATIONAL EMPOWERMENT**

8 **SEC. 1101. SHORT TITLE; TABLE OF CONTENTS.**

9 (a) **SHORT TITLE.**—This title may be cited as the
10 “Connecting Oceania’s Nations with Vanguard Exercises
11 and National Empowerment” or the “CONVENE Act of
12 2023”.

13 (b) **TABLE OF CONTENTS.**—The table of contents for
14 this title is as follows:

TITLE XI—CONNECTING OCEANIA’S NATIONS WITH VANGUARD
EXERCISES AND NATIONAL EMPOWERMENT

Sec. 1101. Short title; table of contents.

Sec. 1102. Definitions.

Sec. 1103. National security councils of specified countries.

15 **SEC. 1102. DEFINITIONS.**

16 In this title:

17 (1) **APPROPRIATE COMMITTEES OF CON-**
18 **GRESS.**—The term “appropriate committees of Con-
19 gress” means—

20 (A) the Committee on Foreign Relations
21 and the Committee on Armed Services of the
22 Senate; and

1 (B) the Committees on Foreign Affairs
2 and the Committee on Armed Services of the
3 House of Representatives.

4 (2) CONGRESSIONAL DEFENSE COMMITTEES.—
5 The term “congressional defense committees” has
6 the meaning given such term in section 101(a) of
7 title 10, United States Code.

8 (3) NATIONAL SECURITY COUNCIL.—The term
9 “national security council” means, with respect to a
10 specified country, an intergovernmental body under
11 the jurisdiction of the freely elected government of
12 the specified country that acts as the primary co-
13 ordinating entity for security cooperation, disaster
14 response, and the activities described section
15 6103(f).

16 (4) SPECIFIED COUNTRY.—The term “specified
17 country” means—

18 (A) the Federated States of Micronesia;

19 (B) the Republic of the Marshall Islands;

20 and

21 (C) the Republic of Palau.

22 **SEC. 1103. NATIONAL SECURITY COUNCILS OF SPECIFIED**
23 **COUNTRIES.**

24 (a) IN GENERAL.—The Secretary of State, in con-
25 sultation with other relevant Federal departments and

1 agencies, as appropriate, may consult and engage with
2 each specified country to advise and provide assistance to
3 a national security council (including by developing a na-
4 tional security council, if appropriate), or to identify a
5 similar coordinating body for national security matters,
6 comprised of citizens of the specified country—

7 (1) that enables the specified country—

8 (A) to better coordinate with the United
9 States Government, including the Armed
10 Forces, as appropriate;

11 (B) to increase cohesion on activities, in-
12 cluding emergency humanitarian response, law
13 enforcement, and maritime security activities;
14 and

15 (C) to provide trained professionals to
16 serve as members of the committees of the
17 specified country established under the applica-
18 ble Compact of Free Association; and

19 (2) for the purpose of enhancing resilience ca-
20 pabilities and protecting the people, infrastructure,
21 and territory of the specified country from malign
22 actions.

23 (b) COMPOSITION.—The Secretary of State, respect-
24 ing the unique needs of each specified country, may seek
25 to ensure that the national security council, or other iden-

1 tified coordinating body, of the specified country is com-
2 posed of sufficient staff and members to enable the activi-
3 ties described in subsection (f).

4 (c) ACCESS TO SENSITIVE INFORMATION.—The Sec-
5 retary of State, with the concurrence of the Director of
6 National Intelligence, may establish, as appropriate, for
7 use by the members and staff of the national security
8 council, or other identified coordinating body, of each
9 specified country standards and a process for vetting and
10 sharing sensitive information.

11 (d) STANDARDS FOR EQUIPMENT AND SERVICES.—
12 The Secretary of State may work with the national secu-
13 rity council, or other identified coordinating body, of each
14 specified country to ensure that—

15 (1) the equipment and services used by the na-
16 tional security council or other identified coordi-
17 nating body are compliant with security standards so
18 as to minimize the risk of cyberattacks or espionage;

19 (2) the national security council or other identi-
20 fied coordinating body takes all reasonable efforts
21 not to procure or use systems, equipment, or soft-
22 ware that originates from any entity identified under
23 section 1260H of the William M. (Mac) Thornberry
24 National Defense Authorization Act for Fiscal Year

1 2021 (Public Law 116–283; 134 Stat. 3965; 10
2 U.S.C. 113 note); and

3 (3) to the extent practicable, the equipment and
4 services used by the national security council or
5 other identified coordinating body are interoperable
6 with the equipment and services used by the national
7 security councils, or other identified coordinating
8 bodies, of the other specified countries.

9 (e) REPORT ON IMPLEMENTATION.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, and an-
12 nually thereafter for two years, the Secretary of
13 State shall submit to the appropriate committees of
14 Congress a report that includes—

15 (A) an assessment as to whether a national
16 security council or a similar formal coordinating
17 body is helping or would help achieve the objec-
18 tives described in subsection (a) at acceptable
19 financial and opportunity cost;

20 (B) a description of all actions taken by
21 the United States Government to assist in the
22 identification or maintenance of a national se-
23 curity council, or other identified coordinating
24 body, in each specified country;

1 (C) with respect to each specified country,
2 an assessment as to whether—

3 (i) the specified country has appro-
4 priately staffed its national security council
5 or other identified coordinating body; and

6 (ii) the extent to which the national
7 security council, or other identified coordi-
8 nating body, of the specified country is ca-
9 pable of carrying out the activities de-
10 scribed in subsection (f);

11 (D) an assessment of—

12 (i) any challenge to cooperation and
13 coordination with the national security
14 council, or other identified coordinating
15 body, of any specified country;

16 (ii) current efforts by the Secretary of
17 State to coordinate with the specified coun-
18 tries on the activities described in sub-
19 section (f); and

20 (iii) existing governmental entities
21 within each specified country that are ca-
22 pable of supporting such activities;

23 (E) a description of any challenge with re-
24 spect to—

1 (i) the implementation of the national
2 security council, or other identified coordi-
3 nating body, of any specified country; and

4 (ii) the implementation of subsections
5 (a) through (d);

6 (F) an assessment of any attempt or cam-
7 paign by a malign actor to influence the polit-
8 ical, security, or economic policy of a specified
9 country, a member of a national security coun-
10 cil or other identified coordinating body, or an
11 immediate family member of such a member;
12 and

13 (G) any other matter the Secretary of
14 State considers relevant.

15 (2) FORM.—Each report required by paragraph
16 (1) may be submitted in unclassified form and may
17 include a classified annex.

18 (f) ACTIVITIES DESCRIBED.—The activities described
19 in this subsection are the following:

20 (1) HOMELAND SECURITY ACTIVITIES.—

21 (A) Coordination of—

22 (i) the prosecution and investigation
23 of transnational criminal enterprises;

24 (ii) responses to national emergencies,
25 such as natural disasters;

- 1 (iii) counterintelligence and counter-
2 coercion responses to foreign threats; and
3 (iv) efforts to combat illegal, unre-
4 ported, or unregulated fishing.

5 (B) Coordination with United States Gov-
6 ernment officials on humanitarian response,
7 military exercises, law enforcement, and other
8 issues of security concern.

9 (C) Identification and development of an
10 existing governmental entity to support home-
11 land defense and civil support activities.

12 **TITLE XII—CIVILIAN** 13 **PERSONNEL MATTERS**

14 **SEC. 1201. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE** 15 **ANNUAL LIMITATION ON PREMIUM PAY AND** 16 **AGGREGATE LIMITATION ON PAY FOR FED-** 17 **ERAL CIVILIAN EMPLOYEES WORKING OVER-** 18 **SEAS.**

19 Subsection (a) of section 1101 of the Duncan Hunter
20 National Defense Authorization Act for Fiscal Year 2009
21 (Public Law 110–417; 122 Stat. 4615), as most recently
22 amended by section 1102 of the James M. Inhofe National
23 Defense Authorization Act for Fiscal Year 2023 (Public
24 Law 117–263), is further amended by striking “through
25 2023” and inserting “through 2024”.

1 **SEC. 1202. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
2 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
3 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
4 **FICIAL DUTY IN A COMBAT ZONE.**

5 Paragraph (2) of section 1603(a) of the Emergency
6 Supplemental Appropriations Act for Defense, the Global
7 War on Terror, and Hurricane Recovery, 2006 (Public
8 Law 109–234; 120 Stat. 443), as added by section 1102
9 of the Duncan Hunter National Defense Authorization
10 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
11 4616) and as most recently amended by section 1103 of
12 the James M. Inhofe National Defense Authorization Act
13 for Fiscal Year 2023 (Public Law 117–263), is further
14 amended by striking “2024” and inserting “2025”.

15 **SEC. 1203. EXCLUSION OF POSITIONS IN NON-**
16 **APPROPRIATED FUND INSTRUMENTALITIES**
17 **FROM LIMITATIONS ON DUAL PAY.**

18 Section 5531(2) of title 5, United States Code, is
19 amended by striking “Government corporation and” and
20 inserting “Government corporation, but excluding”.

21 **SEC. 1204. EXCEPTION TO LIMITATION ON NUMBER OF SEN-**
22 **IOR EXECUTIVE SERVICE POSITIONS FOR**
23 **THE DEPARTMENT OF DEFENSE.**

24 Section 1109(a) of the National Defense Authoriza-
25 tion Act for Fiscal Year 2017 (Public Law 114–328; 130

1 Stat. 2449; 5 U.S.C. 3133 note) is amended by adding
 2 at the end the following new paragraph:

3 “(3) EXCEPTION.—The limitation under this
 4 subsection shall not apply to positions described in
 5 this subsection that are fully funded through
 6 amounts appropriated to an agency other than the
 7 Department of Defense.”.

8 **SEC. 1205. REMOVAL OF WASHINGTON HEADQUARTERS**
 9 **SERVICES DIRECT SUPPORT FROM PER-**
 10 **SONNEL LIMITATION ON THE OFFICE OF THE**
 11 **SECRETARY OF DEFENSE.**

12 Section 143(b) of title 10, United States Code, is
 13 amended by striking “(including Direct Support Activities
 14 of that Office and the Washington Headquarters Services
 15 of the Department of Defense)”.

16 **SEC. 1206. CONSOLIDATION OF DIRECT HIRE AUTHORITIES**
 17 **FOR CANDIDATES WITH SPECIFIED DEGREES**
 18 **AT SCIENCE AND TECHNOLOGY REINVEN-**
 19 **TION LABORATORIES.**

20 Section 4091 of title 10, United States Code, is
 21 amended—

22 (1) in subsection (a)(1), by striking “bachelor’s
 23 degree” and inserting “bachelor’s or advanced de-
 24 gree”;

25 (2) in subsection (c)—

1 (A) in the subsection heading, by striking
2 “CALENDAR YEAR” and inserting “FISCAL
3 YEAR” ;

4 (B) in the matter preceding paragraph (1),
5 by striking “calendar year” and inserting “fis-
6 cal year”;

7 (C) in paragraph (1), by striking “6 per-
8 cent” and inserting “11 percent”; and

9 (D) in paragraphs (1), (2), and (3), by
10 striking “the fiscal year last ending before the
11 start of such calendar year” and inserting “the
12 preceding fiscal year”;

13 (3) by striking subsection (f); and

14 (4) by redesignating subsection (g) as sub-
15 section (f).

16 **SEC. 1207. EXPANSION AND EXTENSION OF DIRECT HIRE**
17 **AUTHORITY FOR CERTAIN PERSONNEL OF**
18 **THE DEPARTMENT OF DEFENSE.**

19 Section 9905 of title 5, United States Code, is
20 amended—

21 (1) in subsection (a), by adding at the end the
22 following new paragraphs:

23 “(12) Any position in support of aircraft oper-
24 ations for which the Secretary determines there is a
25 critical hiring need and shortage of candidates.

1 “(13) Any position in support of the safety of
2 the public, law enforcement, or first response for
3 which the Secretary determines there is a critical
4 hiring need and shortage of candidates.

5 “(14) Any position in support of the Office of
6 the Inspector General of the Department relating to
7 oversight of the conflict in Ukraine for which the
8 Secretary determines there is a critical hiring need
9 and shortage of candidates.”; and

10 (2) in subsection (b)(1), by striking “September
11 30, 2025” and inserting “September 30, 2030”.

12 **SEC. 1208. EXTENSION OF DIRECT HIRE AUTHORITY FOR**
13 **THE DEPARTMENT OF DEFENSE FOR POST-**
14 **SECONDARY STUDENTS AND RECENT GRAD-**
15 **UATES.**

16 Section 1106(d) of the National Defense Authoriza-
17 tion Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.)
18 is amended by striking “September 30, 2025” and insert-
19 ing “September 30, 2030”.

20 **SEC. 1209. EXTENSION OF DIRECT HIRE AUTHORITY FOR**
21 **DOMESTIC INDUSTRIAL BASE FACILITIES**
22 **AND MAJOR RANGE AND TEST FACILITIES**
23 **BASE.**

24 Section 1125(a) of the National Defense Authoriza-
25 tion Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.;

1 Public Law 114–328) is amended by striking “through
2 2025,” and inserting “through 2028,”.

3 **SEC. 1210. AUTHORITY TO EMPLOY CIVILIAN FACULTY**
4 **MEMBERS AT SPACE FORCE SCHOOLS.**

5 (a) IN GENERAL.—Section 9371 of title 10, United
6 States Code, is amended—

7 (1) in the section heading, by inserting “**and**
8 **Space Delta 13**” after “**Air University**”

9 (2) in subsection (a), by inserting “or of the
10 Space Delta 13” after “Air University”; and

11 (3) in subsection (c)—

12 (A) in paragraphs (1), by inserting “or of
13 the Space Delta 13” after “Air University”;
14 and

15 (B) in paragraph (2), by inserting “or of
16 the Space Delta 13” after “Air University”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of chapter 947 of such title is amended
19 by striking the item relating to section 9371 and inserting
20 the following new item:

“9371. Air University and Space Delta 13: civilian faculty members.”.

1 **SEC. 1211. REPORT AND SUNSET RELATING TO INAPPLICA-**
2 **BILITY OF CERTIFICATION OF EXECUTIVE**
3 **QUALIFICATIONS BY QUALIFICATION REVIEW**
4 **BOARDS OF OFFICE OF PERSONNEL MANAGE-**
5 **MENT.**

6 Section 1109 of the John S. McCain National De-
7 fense Authorization Act for Fiscal Year 2019 (5 U.S.C.
8 3393 note) is amended—

9 (1) in subsection (d)—

10 (A) in paragraph (1), in the matter pre-
11 ceding subparagraph (A), by striking “para-
12 graph (3)” and inserting “paragraph (4)”;

13 (B) in paragraph (2), in the matter pre-
14 ceding subparagraph (A), by striking “para-
15 graph (3)” and inserting “paragraph (4)”;

16 (C) by redesignating paragraph (3) as
17 paragraph (4); and

18 (D) by inserting after paragraph (2) the
19 following new paragraph (3):

20 “(3) **ADDITIONAL REPORT.**—Not later than De-
21 cember 1, 2024, the Secretary shall submit to the
22 committees of Congress specified in paragraph (4)
23 and the Comptroller General of the United States a
24 report on the use of the authority provided in this
25 section. The report shall include the following:

1 “(A) The number and type of appoint-
2 ments made under this section between August
3 13, 2018, and the date of the report.

4 “(B) Data on and an assessment of wheth-
5 er appointments under the authority in this sec-
6 tion reduced the time to hire when compared
7 with the time to hire under the review system
8 of the Office of Personnel Management in use
9 as of the date of the report.

10 “(C) An assessment of the utility of the
11 appointment authority and process under this
12 section.

13 “(D) An assessment of whether the ap-
14 pointments made under this section resulted in
15 higher quality new executives for the Senior Ex-
16 ecutive Service of the Department when com-
17 pared with the executives produced in the De-
18 partment under the review system in use be-
19 tween August 13, 2013, and August 13, 2018.

20 “(E) Any recommendation for the improve-
21 ment of the selection and qualification process
22 for the Senior Executive Service of the Depart-
23 ment that the Secretary considers necessary in
24 order to attract and hire highly qualified can-

1 candidates for service in that Senior Executive
2 Service.”; and

3 (2) in subsection (e), by striking “August 13,
4 2023” and inserting “September 30, 2025”.

5 **SEC. 1212. EXTENSION OF DATE OF FIRST EMPLOYMENT**
6 **FOR ACQUISITION OF COMPETITIVE STATUS**
7 **FOR EMPLOYEES OF INSPECTORS GENERAL**
8 **FOR OVERSEAS CONTINGENCY OPERATIONS.**

9 Section 419(d)(5)(B) of title 5, United States Code,
10 is amended by striking “2 years” and inserting “5 years”.

11 **SEC. 1213. EXPANSION OF NONCOMPETITIVE APPOINT-**
12 **MENT ELIGIBILITY TO SPOUSES OF DEPART-**
13 **MENT OF DEFENSE CIVILIANS.**

14 (a) IN GENERAL.—Section 3330d of title 5, United
15 States Code, is amended—

16 (1) in the section heading, by inserting “**and**
17 **Department of Defense civilian**” after
18 “**military**”;

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

21 “(4) The term ‘spouse of an employee of the
22 Department of Defense’ means an individual who is
23 married to an employee of the Department of De-
24 fense who is transferred in the interest of the Gov-
25 ernment from one official station within the Depart-

1 ment to another within the Department (that is out-
 2 side of normal commuting distance) for permanent
 3 duty.”; and

4 (3) in subsection (b)—

5 (A) in paragraph (1), by striking “or” at
 6 the end;

7 (B) in paragraph (2), by striking the pe-
 8 riod at the end and inserting “; or”; and

9 (C) by adding at the end the following:

10 “(3) a spouse of an employee of the Depart-
 11 ment of Defense.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENT.—

13 The table of sections for subchapter I of chapter 33 of
 14 title 5, United States Code, is amended by striking the
 15 item relating to section 3330d and inserting the following:

“3330d. Appointment of military and Department of Defense civilian spouses.”.

16 (c) OPM LIMITATION AND REPORTS.—

17 (1) RELOCATING SPOUSES.—With respect to
 18 the noncompetitive appointment of a relocating
 19 spouse of an employee of the Department of Defense
 20 under paragraph (3) of section 3330d(b) of title 5,
 21 United States Code, as added by subsection (a), the
 22 Director of the Office of Personnel Management
 23 shall—

24 (A) monitor the number of those appoint-
 25 ments;

1 (B) require the head of each agency with
2 the authority to make those appointments
3 under that provision to submit to the Director
4 an annual report on those appointments, includ-
5 ing information on the number of individuals so
6 appointed, the types of positions filled, and the
7 effectiveness of the authority for those appoint-
8 ments; and

9 (C) not later than 18 months after the
10 date of enactment of this Act, submit to the
11 Committee on Homeland Security and Govern-
12 mental Affairs of the Senate and the Committee
13 on Oversight and Accountability of the House
14 of Representatives a report on the use and ef-
15 fectiveness of the authority described in sub-
16 paragraph (B).

17 (2) NON-RELOCATING SPOUSES.—With respect
18 to the noncompetitive appointment of a spouse of an
19 employee of the Department of Defense other than
20 a relocating spouse described in paragraph (1), the
21 Director of the Office of Personnel Management—

22 (A) shall treat the spouse as a relocating
23 spouse under paragraph (1); and

24 (B) may limit the number of those ap-
25 pointments.

1 (d) SUNSET.—Effective on December 31, 2028—

2 (1) the authority provided by this section, and
3 the amendments made by this section, shall expire;
4 and

5 (2) the provisions of section 3330d of title 5,
6 United States Code, amended or repealed by this
7 section are restored or revived as if this section had
8 not been enacted.

9 **SEC. 1214. ELIMINATION OF GOVERNMENT ACCOUNT-**
10 **ABILITY OFFICE REVIEW REQUIREMENT RE-**
11 **LATING TO DEPARTMENT OF DEFENSE PER-**
12 **SONNEL AUTHORITIES.**

13 Section 9902(h) of title 5, United States Code, is
14 amended—

15 (1) in paragraph (1)(B), by striking “and the
16 Comptroller General,”;

17 (2) by striking paragraph (2); and

18 (3) by redesignating paragraph (3) as para-
19 graph (2).

20 **SEC. 1215. AMENDMENTS TO THE JOHN S. MCCAIN STRA-**
21 **TEGIC DEFENSE FELLOWS PROGRAM.**

22 (a) SELECTION OF PARTICIPANTS.—Subsection
23 (d)(2) of section 932 of the John S. McCain National De-
24 fense Authorization Act for Fiscal Year 2019 (10 U.S.C.

1 1580 note prec.; Public Law 115–232) is amended to read
2 as follows:

3 “(2) GEOGRAPHICAL REPRESENTATION.—Out
4 of the total number of individuals selected to partici-
5 pate in the fellows program in any year, not more
6 than 20 percent may be from any of the following
7 geographic regions:

8 “(A) The Northeast United States.

9 “(B) The Southeast United States.

10 “(C) The Midwest United States.

11 “(D) The Southwest United States.

12 “(E) The Western United States.

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

15 (b) APPOINTMENT AND CAREER DEVELOPMENT.—

16 Such section is further amended—

17 (1) in subsection (d)(3)—

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

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

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

24 “(e) APPOINTMENT DURING PARTICIPATION IN FEL-
25 LOWS PROGRAM.—

1 “(1) IN GENERAL.—The Secretary of Defense
2 shall appoint each individual who participates in the
3 fellows program to an excepted service position in an
4 element of the Department.

5 “(2) PLACEMENT OPPORTUNITIES.—Each year,
6 the head of each element of the Department shall
7 submit to the Secretary an identification of place-
8 ment opportunities for participants in the fellows
9 program. Such placement opportunities shall provide
10 for leadership development and potential commence-
11 ment of a career track toward a position of senior
12 leadership in the Department.

13 “(3) QUALIFICATION REQUIREMENTS.—The
14 Secretary, in coordination with the heads of ele-
15 ments of the Department, shall establish qualifica-
16 tion requirements for the appointment of partici-
17 pants under paragraph (1).

18 “(4) MATCHING QUALIFICATIONS, SKILLS, AND
19 REQUIREMENTS.—In making appointments under
20 paragraph (1), the Secretary shall seek to best
21 match the qualifications and skills of the partici-
22 pants with the requirements for positions available
23 for appointment.

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

1 Secretary may extend a term of appointment up to
2 one additional year.

3 “(6) GRADE.—The Secretary shall appoint an
4 individual under paragraph (1) to a position at the
5 level of GS–10, GS–11, or GS–12 of the General
6 Schedule based on the directly related qualifications,
7 skills, and professional experience of the individual.

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

17 “(8) ELEMENT OF THE DEPARTMENT DE-
18 FINED.—In this subsection, the term ‘element of the
19 Department’ means an element of the Department
20 specified in section 111(b) of title 10, United States
21 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 ongo-
6 ing mentorship support through appropriate
7 personnel from entities within the Department;
8 and

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

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

18 **SEC. 1216. CIVILIAN CYBERSECURITY RESERVE PILOT**
19 **PROJECT.**

20 (a) DEFINITION.—In this section, the term “tem-
21 porary position” means a position in the competitive or
22 excepted service for a period of 180 days or less.

23 (b) PILOT PROJECT.—

1 (1) IN GENERAL.—The Secretary of the Army
2 shall carry out a pilot project to establish a Civilian
3 Cybersecurity Reserve.

4 (2) PURPOSE.—The purpose of the Civilian Cy-
5 bersecurity Reserve is to enable the Army to provide
6 manpower to the United States Cyber Command to
7 effectively—

8 (A) preempt, defeat, deter, or respond to
9 malicious cyber activity;

10 (B) conduct cyberspace operations;

11 (C) secure information and systems of the
12 Department of Defense against malicious cyber
13 activity; and

14 (D) assist in solving cyber workforce-re-
15 lated challenges.

16 (3) HIRING AUTHORITY.—In carrying out this
17 section, the Secretary may use any authority other-
18 wise available to the Secretary for the recruitment,
19 employment, and retention of civilian personnel with-
20 in the Department, including authority under section
21 1599f of title 10, United States Code.

22 (4) EMPLOYMENT PROTECTIONS.—The Sec-
23 retary of Labor shall prescribe such regulations as
24 necessary to ensure the reemployment, continuation
25 of benefits, and non-discrimination in reemployment

1 of individuals appointed under this section, provided
2 that such regulations shall include, at a minimum,
3 those rights and obligations set forth under chapter
4 43 of title 38, United States Code.

5 (5) STATUS IN RESERVE.—During the period
6 beginning on the date on which an individual is re-
7 cruited to serve in the Civilian Cybersecurity Reserve
8 and ending on the date on which the individual is
9 appointed under this section, and during any period
10 in between any such appointments, the individual
11 shall not be considered a Federal employee.

12 (c) ELIGIBILITY; APPLICATION AND SELECTION.—

13 (1) IN GENERAL.—Under the pilot project re-
14 quired under subsection (b)(1), the Secretary of the
15 Army shall establish criteria for—

16 (A) individuals to be eligible for the Civil-
17 ian Cybersecurity Reserve; and

18 (B) the application and selection processes
19 for the Civilian Cybersecurity Reserve.

20 (2) REQUIREMENTS FOR INDIVIDUALS.—The
21 criteria established under paragraph (1)(A) with re-
22 spect to an individual shall include—

23 (A) if the individual has previously served
24 as a member of the Civilian Cybersecurity Re-
25 serve, that the previous appointment ended not

1 less than 60 days before the individual may be
2 appointed for a subsequent temporary position
3 in the Civilian Cybersecurity Reserve; and

4 (B) cybersecurity expertise.

5 (3) PRESCREENING.—The Secretary shall—

6 (A) conduct a prescreening of each indi-
7 vidual prior to appointment under this section
8 for any topic or product that would create a
9 conflict of interest; and

10 (B) require each individual appointed
11 under this section to notify the Secretary if a
12 potential conflict of interest arises during the
13 appointment.

14 (4) AGREEMENT REQUIRED.—An individual
15 may become a member of the Civilian Cybersecurity
16 Reserve only if the individual enters into an agree-
17 ment with the Secretary to become such a member,
18 which shall set forth the rights and obligations of
19 the individual and the Army.

20 (5) EXCEPTION FOR CONTINUING MILITARY
21 SERVICE COMMITMENTS.—A member of the Selected
22 Reserve under section 10143 of title 10, United
23 States Code, may not be a member of the Civilian
24 Cybersecurity Reserve.

1 (6) PROHIBITION.—Any individual who is an
2 employee of the executive branch may not be re-
3 cruited or appointed to serve in the Civilian Cyberse-
4 curity Reserve.

5 (d) SECURITY CLEARANCES.—

6 (1) IN GENERAL.—The Secretary of the Army
7 shall ensure that all members of the Civilian Cyber-
8 security Reserve undergo the appropriate personnel
9 vetting and adjudication commensurate with the du-
10 ties of the position, including a determination of eli-
11 gibility for access to classified information where a
12 security clearance is necessary, according to applica-
13 ble policy and authorities.

14 (2) COST OF SPONSORING CLEARANCES.—If a
15 member of the Civilian Cybersecurity Reserve re-
16 quires a security clearance in order to carry out the
17 duties of the member, the Army shall be responsible
18 for the cost of sponsoring the security clearance of
19 the member.

20 (e) IMPLEMENTATION PLAN.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date on which the Secretary of Defense
23 submits to the Committee on Armed Services of the
24 Senate and the Committee on Armed Services of the
25 House of Representatives the report required under

1 section 1540(d)(2) of the James M. Inhofe National
2 Defense Authorization Act for Fiscal Year 2023
3 (Public Law 117–263) on the feasibility and advis-
4 ability of creating and maintaining a civilian cyber-
5 security reserve corps, the Secretary of the Army
6 shall—

7 (A) submit to the congressional defense
8 committees an implementation plan for the pilot
9 project required under subsection (b)(1); and

10 (B) provide to the congressional defense
11 committees a briefing on the implementation
12 plan.

13 (2) PROHIBITION.—The Secretary of the Army
14 may not take any action to begin implementation of
15 the pilot project required under subsection (b)(1)
16 until the Secretary fulfills the requirements under
17 paragraph (1).

18 (f) PROJECT GUIDANCE.—Not later than two years
19 after the date of the enactment of this Act, the Secretary
20 of the Army shall, in consultation with the Office of Per-
21 sonnel Management and the Office of Government Ethics,
22 issue guidance establishing and implementing the pilot
23 project required under subsection (b)(1).

24 (g) BRIEFINGS AND REPORT.—

1 (1) BRIEFINGS.—Not later than one year after
2 the date on which the guidance required under sub-
3 section (f) is issued, and every year thereafter until
4 the date on which the pilot project required under
5 subsection (b)(1) terminates under subsection (i),
6 the Secretary of the Army shall provide to the con-
7 gressional defense committees a briefing on activities
8 carried out under the pilot project, including—

9 (A) participation in the Civilian Cybersecu-
10 rity Reserve, including the number of partici-
11 pants, the diversity of participants, and any
12 barriers to recruitment or retention of mem-
13 bers;

14 (B) an evaluation of the ethical require-
15 ments of the pilot project;

16 (C) whether the Civilian Cybersecurity Re-
17 serve has been effective in providing additional
18 capacity to the Army; and

19 (D) an evaluation of the eligibility require-
20 ments for the pilot project.

21 (2) REPORT.—Not earlier than 180 days and
22 not later than 90 days before the date on which the
23 pilot project required under subsection (b)(1) termi-
24 nates under subsection (i), the Secretary shall sub-
25 mit to the congressional defense committees a report

1 and provide a briefing on recommendations relating
2 to the pilot project, including recommendations
3 for—

4 (A) whether the pilot project should be
5 modified, extended in duration, or established
6 as a permanent program, and if so, an appro-
7 priate scope for the program;

8 (B) how to attract participants, ensure a
9 diversity of participants, and address any bar-
10 riers to recruitment or retention of members of
11 the Civilian Cybersecurity Reserve;

12 (C) the ethical requirements of the pilot
13 project and the effectiveness of mitigation ef-
14 forts to address any conflict of interest con-
15 cerns; and

16 (D) an evaluation of the eligibility require-
17 ments for the pilot project.

18 (h) EVALUATION.—Not later than three years after
19 the pilot project required under subsection (b)(1) is estab-
20 lished, the Comptroller General of the United States
21 shall—

22 (1) conduct a study evaluating the pilot project;

23 and

24 (2) submit to Congress—

1 (A) a report on the results of the study;
2 and

3 (B) a recommendation with respect to
4 whether the pilot project should be modified.

5 (i) SUNSET.—The pilot project required under sub-
6 section (b)(1) shall terminate on the date that is four
7 years after the date on which the pilot project is estab-
8 lished.

9 **TITLE XIII—MATTERS RELATING**
10 **TO FOREIGN NATIONS**
11 **Subtitle A—Assistance and**
12 **Training**

13 **SEC. 1301. MIDDLE EAST INTEGRATED MARITIME DOMAIN**
14 **AWARENESS AND INTERDICTION CAPA-**
15 **BILITY.**

16 (a) IN GENERAL.—The Secretary of Defense, using
17 existing authorities, shall seek to build upon the incorpora-
18 tion of Israel into the area of responsibility of the United
19 States Central Command to develop a Middle East inte-
20 grated maritime domain awareness and interdiction capa-
21 bility for the purpose of protecting the people, infrastruc-
22 ture, and territory of such countries from—

23 (1) manned and unmanned naval systems, un-
24 dersea warfare capabilities, and anti-ship missiles of
25 Iran and groups affiliated with Iran; and

1 (2) violent extremist organizations, criminal
2 networks, and piracy activities that threaten lawful
3 commerce in the waterways within the area of re-
4 sponsibility of the United States Naval Forces Cen-
5 tral Command.

6 (b) STRATEGY.—

7 (1) IN GENERAL.—Not later than 60 days after
8 the date of the enactment of this Act, the Secretary
9 of Defense, in coordination with the Secretary of
10 State, shall submit to the appropriate committees of
11 Congress a strategy for the cooperation described in
12 subsection (a).

13 (2) MATTERS TO BE INCLUDED.—The strategy
14 required by paragraph (1) shall include the fol-
15 lowing:

16 (A) An assessment of the threats posed to
17 ally or partner countries in the Middle East
18 by—

19 (i) manned and unmanned naval sys-
20 tems, undersea warfare capabilities, and
21 anti-ship missiles of Iran and groups affili-
22 ated with Iran; and

23 (ii) violent extremist organizations,
24 criminal networks, and piracy activities
25 that threaten lawful commerce in the wa-

1 terways within the area of responsibility of
2 the United States Naval Forces Central
3 Command.

4 (B) A description of existing multilateral
5 maritime partnerships currently led by the
6 United States Naval Forces Central Command,
7 including the Combined Maritime Forces (in-
8 cluding its associated Task Forces 150, 151,
9 152, and 153), the International Maritime Se-
10 curity Construct, and the Navy's Task Force
11 59, and a discussion of the role of such partner-
12 ships in building an integrated maritime secu-
13 rity capability.

14 (C) A description of progress made in ad-
15 vancing the integration of Israel into the exist-
16 ing multilateral maritime partnerships de-
17 scribed in subparagraph (B).

18 (D) A description of efforts among coun-
19 tries in the Middle East to coordinate intel-
20 ligence, reconnaissance, and surveillance capa-
21 bilities and indicators and warnings with re-
22 spect to the threats described in subparagraph
23 (A), and a description of any impediment to op-
24 timizing such efforts.

1 (E) A description of the current Depart-
2 ment of Defense systems that, in coordination
3 with ally and partner countries in the Middle
4 East—

5 (i) provide awareness of and defend
6 against such threats; and

7 (ii) address current capability gaps.

8 (F) An explanation of the manner in which
9 an integrated maritime domain awareness and
10 interdiction architecture would improve collec-
11 tive security in the Middle East.

12 (G) A description of existing and planned
13 efforts to engage ally and partner countries in
14 the Middle East in establishing such an archi-
15 tecture.

16 (H) An identification of the elements of
17 such an architecture that may be acquired and
18 operated by ally and partner countries in the
19 Middle East, and a list of such elements for
20 each such ally and partner.

21 (I) An identification of the elements of
22 such an architecture that may only be provided
23 and operated by members of the United States
24 Armed Forces.

1 (J) An identification of any challenge to
2 optimizing such an architecture in the Middle
3 East.

4 (K) An assessment of progress and key
5 challenges in the implementation of the strategy
6 required by paragraph (1) using the metrics
7 identified in accordance with paragraph (3).

8 (L) Recommendations for improvements in
9 the implementation of such strategy based on
10 such metrics.

11 (M) An assessment of any capabilities or
12 lessons from the Navy's Task Force 59 that
13 may be leveraged to support an integrated mar-
14itime domain awareness and interdiction capa-
15 bility in the Middle East.

16 (N) Any other matter the Secretary of De-
17 fense considers relevant.

18 (3) METRICS.—The Secretary of Defense shall
19 identify metrics to assess progress in the implemen-
20 tation of the strategy required by paragraph (1).

21 (4) FORMAT.—The strategy required by para-
22 graph (1) shall be submitted in unclassified form but
23 may include a classified annex.

24 (c) FEASIBILITY STUDY.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall conduct a study on the feasibility and advis-
3 ability of establishing an integrated maritime do-
4 main awareness and interdiction capability to pro-
5 tect the people, infrastructure, and territory of ally
6 and partner countries in the Middle East from—

7 (A) manned and unmanned naval systems,
8 undersea warfare capabilities, and anti-ship
9 missiles of Iran and groups affiliated with Iran;
10 and

11 (B) violent extremist organizations, crimi-
12 nal networks, and piracy activities that threaten
13 lawful commerce in the waterways of the Middle
14 East.

15 (2) ELEMENTS.—The study required by para-
16 graph (1) shall include—

17 (A) an assessment of funds that could be
18 contributed by ally and partner countries of the
19 United States; and

20 (B) a cost estimate of establishing such an
21 integrated maritime domain awareness and
22 interdiction capability.

23 (3) REPORT.—Not later than 90 days after the
24 date of the enactment of this Act, the Secretary of
25 Defense shall submit to the appropriate committees

1 of Congress a report on the results of the study con-
2 ducted under paragraph (1).

3 (d) PROTECTION OF SENSITIVE INFORMATION.—Any
4 activity carried out under this section shall be conducted
5 in a manner that appropriately protects sensitive informa-
6 tion and the national security interests of the United
7 States.

8 (e) APPROPRIATE COMMITTEES OF CONGRESS DE-
9 FINED.—In this section, the term “appropriate commit-
10 tees of Congress” means—

11 (1) the Committee on Armed Services, the
12 Committee on Appropriations, and the Committee on
13 Foreign Relations of the Senate; and

14 (2) the Committee on Armed Services, the
15 Committee on Appropriations, and the Committee on
16 Foreign Affairs of the House of Representatives.

17 **SEC. 1302. AUTHORITY TO PROVIDE MISSION TRAINING**
18 **THROUGH DISTRIBUTED SIMULATION.**

19 (a) AUTHORITY FOR TRAINING AND DISTRIBUTION.—To enhance the interoperability and integration
20 between the United States Armed Forces and the military
21 forces of friendly foreign countries, the Secretary of De-
22 fense, with the concurrence of the Secretary of State, is
23 authorized—
24

1 (1) to provide to military personnel of a friendly
2 foreign government persistent advanced networked
3 training and exercise activities (in this section re-
4 ferred to as “mission training through distributed
5 simulation”); and

6 (2) to provide information technology, including
7 hardware and computer software developed for mis-
8 sion training through distributed simulation activi-
9 ties.

10 (b) SCOPE OF MISSION TRAINING.—Mission training
11 through distributed simulation provided under subsection
12 (a) may include advanced distributed network training
13 events and computer-assisted exercises.

14 (c) APPLICABILITY OF EXPORT CONTROL AUTHORI-
15 TIES.—The provision of mission training through distrib-
16 uted simulation and information technology under this
17 section shall be subject to the Arms Export Control Act
18 (22 U.S.C. 2751 et seq.) and any other export control au-
19 thority under law relating to the transfer of military tech-
20 nology to foreign countries.

21 (d) GUIDANCE ON USE OF AUTHORITY.—Not later
22 than 60 days after the date of the enactment of this Act,
23 the Secretary of Defense shall develop and issue guidance
24 on the procedures for the use of the authority provided
25 in this section.

1 (e) REPORT.—

2 (1) IN GENERAL.—Not later than 120 days
3 after the date of the enactment of this Act, the Sec-
4 retary of Defense shall submit to the appropriate
5 committees of Congress a report on the use of mis-
6 sion training through distributed simulation by mili-
7 tary personnel of friendly foreign countries.

8 (2) ELEMENTS.—The report required by para-
9 graph (1) shall include the following:

10 (A) A description of ongoing mission train-
11 ing through distributed simulation activities be-
12 tween the United States Armed Forces and the
13 military forces of friendly foreign countries.

14 (B) A description of the current capabili-
15 ties of the military forces of friendly foreign
16 countries to support mission training through
17 distributed simulation activities with the United
18 States Armed Forces.

19 (C) A description of the manner in which
20 the Department intends to use mission training
21 through distributed simulation activities to sup-
22 port implementation of the National Defense
23 Strategy, including in areas of responsibility of
24 the United States European Command and the
25 United States Indo-Pacific Command.

1 (D) Any recommendation of the Secretary
 2 of Defense for legislative proposals or policy
 3 guidance regarding the use of mission training
 4 through distributed simulation activities.

5 (3) APPROPRIATE COMMITTEES OF CONGRESS
 6 DEFINED.—In this subsection, the term “appro-
 7 priate committees of Congress” means—

8 (A) the Committee on Armed Services, the
 9 Committee on Appropriations, and the Com-
 10 mittee on Foreign Relations of the Senate; and

11 (B) the Committee on Armed Services, the
 12 Committee on Appropriations, and the Com-
 13 mittee on Foreign Affairs of the House of Rep-
 14 resentatives.

15 (f) SUNSET.—The authority provided in this section
 16 shall terminate on December 31, 2025.

17 **SEC. 1303. INCREASE IN SMALL-SCALE CONSTRUCTION**
 18 **LIMIT AND MODIFICATION OF AUTHORITY TO**
 19 **BUILD CAPACITY.**

20 (a) DEFINITION OF SMALL-SCALE CONSTRUCTION.—
 21 Section 301(8) of title 10, United States Code, is amended
 22 by striking “\$1,500,000” and inserting “\$2,000,000”.

23 (b) MODIFICATION OF AUTHORITY TO BUILD CAPAC-
 24 ITY.—

1 (1) IN GENERAL.—Subsection (a) of section
2 333 of title 10, United States Code, is amended—

3 (A) in paragraph (3), by inserting “or
4 other counter-illicit trafficking operations” be-
5 fore the period at the end; and

6 (B) by adding at the end the following new
7 paragraph:

8 “(10) Foreign internal defense operations.”.

9 (2) INCREASE IN THRESHOLD FOR SMALL-
10 SCALE CONSTRUCTION PROJECTS REQUIRING ADDI-
11 TIONAL DOCUMENTATION.—Subsection (e)(8) of
12 such section is amended by striking “\$750,000” and
13 inserting “\$1,000,000”.

14 (3) EQUIPMENT DISPOSITION.—Such section is
15 further amended by adding at the end the following
16 new subsection:

17 “(h) EQUIPMENT DISPOSITION.—The Secretary of
18 Defense may treat as stocks of the Department of De-
19 fense—

20 “(1) equipment procured to carry out a pro-
21 gram pursuant to subsection (a) that has not yet
22 been transferred to a foreign country and is no
23 longer needed to support such program or any other
24 program carried out pursuant to such subsection;
25 and

1 “(2) equipment that has been transferred to a
2 foreign country to carry out a program pursuant to
3 subsection (a) and is returned by the foreign country
4 to the United States.”.

5 (4) INTERNATIONAL AGREEMENTS.—Such sec-
6 tion is further amended by adding at the end the fol-
7 lowing new subsection:

8 “(i) INTERNATIONAL AGREEMENTS.—

9 “(1) IN GENERAL.—The Secretary of Defense,
10 with the concurrence of the Secretary of State,
11 may—

12 “(A) allow a foreign country to provide
13 sole-source direction for assistance in support of
14 a program carried out pursuant to subsection
15 (a); and

16 “(B) enter into an agreement with a for-
17 eign country to provide such sole-source direc-
18 tion.

19 “(2) NOTIFICATION.—Not later than 72 hours
20 after the Secretary of Defense enters into an agree-
21 ment under paragraph (1), the Secretary shall sub-
22 mit to the congressional defense committees a writ-
23 ten notification that includes the following:

24 “(A) A description of the parameters of
25 the agreement, including types of support, ob-

1 jectives, and duration of support and coopera-
2 tion under the agreement.

3 “(B) A description and justification of any
4 anticipated use of sole-source direction pursu-
5 ant to such agreement.

6 “(C) A determination as to whether the
7 anticipated costs to incurred under the agree-
8 ment are fair and reasonable.

9 “(D) A certification that the agreement is
10 in the national security interests of the United
11 States.

12 “(E) Any other matter relating to the
13 agreement, as determined by the Secretary of
14 Defense.”.

15 (5) FOREIGN INTERNAL DEFENSE DEFINED.—
16 Such section is further amended by adding at the
17 end of the following new subsection:

18 “(j) FOREIGN INTERNAL DEFENSE DEFINED.—In
19 this section, the term ‘foreign internal defense’ has the
20 meaning given such term in the publication of the Chair-
21 man of the Joint Chiefs of Staff entitled ‘Joint Publication
22 3–22 Foreign Internal Defense’ issued on August 17,
23 2018 and validated on February 2, 2021.”.

1 **SEC. 1304. EXTENSION OF LEGAL INSTITUTIONAL CAPAC-**
2 **ITY BUILDING INITIATIVE FOR FOREIGN DE-**
3 **FENSE INSTITUTIONS.**

4 Section 1210(e) of the National Defense Authoriza-
5 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
6 Stat. 1626) is amended by striking “December 31, 2024”
7 and inserting “December 31, 2028”.

8 **SEC. 1305. EXTENSION AND MODIFICATION OF AUTHORITY**
9 **FOR REIMBURSEMENT OF CERTAIN COALI-**
10 **TION NATIONS FOR SUPPORT PROVIDED TO**
11 **UNITED STATES MILITARY OPERATIONS.**

12 (a) **EXTENSION.**—Subsection (a) of section 1233 of
13 the National Defense Authorization Act for Fiscal Year
14 2008 (Public Law 110–181; 122 Stat. 393) is amended
15 by striking “beginning on October 1, 2022, and ending
16 on December 31, 2023” and inserting “beginning on Octo-
17 ber 1, 2023, and ending on December 31, 2024”.

18 (b) **MODIFICATION TO LIMITATION.**—Subsection
19 (d)(1) of such section is amended—

20 (1) by striking “beginning on October 1, 2022,
21 and ending on December 31, 2023” and inserting
22 “beginning on October 1, 2023, and ending on De-
23 cember 31, 2024”; and

24 (2) by striking “\$30,000,000” and inserting
25 “\$15,000,000”.

1 **SEC. 1306. EXTENSION OF AUTHORITY FOR DEPARTMENT**
2 **OF DEFENSE SUPPORT FOR STABILIZATION**
3 **ACTIVITIES IN NATIONAL SECURITY INTER-**
4 **EST OF THE UNITED STATES.**

5 Section 1210A(h) of the National Defense Authoriza-
6 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
7 Stat. 1626) is amended by striking “December 31, 2023”
8 and inserting “December 31, 2025”.

9 **SEC. 1307. EXTENSION OF CROSS SERVICING AGREEMENTS**
10 **FOR LOAN OF PERSONNEL PROTECTION AND**
11 **PERSONNEL SURVIVABILITY EQUIPMENT IN**
12 **COALITION OPERATIONS.**

13 Section 1207(f) of the Carl Levin and Howard P.
14 “Buck” McKeon National Defense Authorization Act for
15 Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2342
16 note) is amended by striking “December 31, 2024” and
17 inserting “December 31, 2029”.

18 **SEC. 1308. LIMITATION ON AVAILABILITY OF FUNDS FOR**
19 **INTERNATIONAL SECURITY COOPERATION**
20 **PROGRAM.**

21 Of the funds authorized to be appropriated by this
22 Act for fiscal year 2024 for operation and maintenance,
23 Defense-wide, and available for the Defense Security Co-
24 operation Agency for the International Security Coopera-
25 tion Program, not more than 75 percent may be obligated
26 or expended until the Secretary of Defense submits the

1 security cooperation strategy for each covered combatant
2 command required by section 1206 of the National De-
3 fense Authorization Act for Fiscal Year 2022 (Public Law
4 117–81; 135 Stat. 1960).

5 **SEC. 1309. MODIFICATION OF DEPARTMENT OF DEFENSE**
6 **SECURITY COOPERATION WORKFORCE DE-**
7 **VELOPMENT.**

8 Section 384 of title 10, United States Code, is
9 amended—

10 (1) in subsection (d)—

11 (A) by striking “The Program” and insert-
12 ing the following:

13 “(1) IN GENERAL.—The Program”; and

14 (B) by adding at the end the following new
15 paragraphs:

16 “(2) MANAGING ENTITY.—

17 “(A) DESIGNATION.—The Secretary of De-
18 fense, acting through the Under Secretary of
19 Defense for Policy and the Director of the De-
20 fense Security Cooperation Agency, shall des-
21 ignate an entity within the Department of De-
22 fense to serve as the lead entity for managing
23 the implementation of the Program.

24 “(B) DUTIES.—The entity designated
25 under subparagraph (A) shall carry out the

1 management and implementation of the Pro-
2 gram, consistent with objectives formulated by
3 the Secretary of Defense, which shall include
4 the following:

5 “(i) Providing for comprehensive
6 tracking of and accounting for all Depart-
7 ment of Defense employees engaged in the
8 security cooperation enterprise.

9 “(ii) Providing training requirements
10 specified at the requisite proficiency levels
11 for each position.

12 “(C) REPORTING.—The Secretary of De-
13 fense shall ensure that, not less frequently than
14 annually, each military department, combatant
15 command, defense agency, and any other entity
16 involved in managing the security cooperation
17 workforce submits to the entity designated
18 under subparagraph (A) a report containing in-
19 formation necessary for the management and
20 career development of the security cooperation
21 workforce, as determined by the Director of the
22 Defense Security Cooperation Agency.

23 “(3) SECURITY COOPERATION WORKFORCE
24 MANAGEMENT INFORMATION SYSTEM.—The Sec-
25 retary of Defense, acting through the Director of the

1 Defense Security Cooperation Agency, shall pre-
2 scribe regulations to ensure that each military de-
3 partment, combatant command, and defense agency
4 provides standardized information and data to the
5 Secretary on persons serving in positions within the
6 security cooperation workforce.”;

7 (2) in subsection (e), by adding at the end the
8 following new paragraph:

9 “(4) UPDATED GUIDANCE.—

10 “(A) IN GENERAL.—Not later than 270
11 days after the date of the enactment of this
12 paragraph, and biannually thereafter through
13 fiscal year 2028, the Secretary of Defense, in
14 coordination with the Secretary of State, shall
15 issue updated guidance for the execution and
16 administration of the Program.

17 “(B) SCOPE.—The updated guidance re-
18 quired by subparagraph (A) shall—

19 “(i) fulfill each requirement set forth
20 in paragraph (3), as appropriate; and

21 “(ii) include an identification of the
22 manner in which the Department of De-
23 fense shall ensure that personnel assigned
24 to security cooperation offices within em-
25 bassies of the United States are trained

1 and managed to a level of proficiency that
2 is at least equal to the level of proficiency
3 provided to the attaché workforce by the
4 Defense Attaché Service.”;

5 (3) by redesignating subsections (f) through (h)
6 as subsections (h) through (j), respectively; and

7 (4) by inserting after subsection (e) the fol-
8 lowing new subsections (f) and (g):

9 “(f) FOREIGN MILITARY SALES CENTER OF EXCEL-
10 LENCE.—

11 “(1) ESTABLISHMENT.—The Secretary of De-
12 fense shall direct an existing schoolhouse within the
13 Department of Defense to serve as a Foreign Mi-
14 litary Sales Center of Excellence to improve the train-
15 ing and education of personnel engaged in foreign
16 military sales planning and execution.

17 “(2) OBJECTIVES.—The objectives of the For-
18 eign Military Sales Center of Excellence shall in-
19 clude—

20 “(A) conducting research on and pro-
21 moting best practices for ensuring that foreign
22 military sales are timely and effective; and

23 “(B) enhancing existing curricula for the
24 purpose of ensuring that the foreign military

1 sales workforce is fully trained and prepared to
2 execute the foreign military sales program.

3 “(g) DEFENSE SECURITY COOPERATION UNIVER-
4 SITY.—

5 “(1) CHARTER.—The Secretary of Defense
6 shall develop and promulgate a charter for the oper-
7 ation of the Defense Security Cooperation Univer-
8 sity.

9 “(2) MISSION.—The charter required by para-
10 graph (1) shall set forth the mission, and associated
11 structures and organizations, of the Defense Secu-
12 rity Cooperation University, which shall include—

13 “(A) management and implementation of
14 international military training and education se-
15 curity cooperation programs and authorities ex-
16 ecuted by the Department of Defense;

17 “(B) management and provision of institu-
18 tional capacity-building services executed by the
19 Department of Defense; and

20 “(C) advancement of the profession of se-
21 curity cooperation through research, data collec-
22 tion, analysis, publication, and learning.

23 “(3) COOPERATIVE RESEARCH AND DEVELOP-
24 MENT ARRANGEMENTS.—

1 “(A) IN GENERAL.—In engaging in re-
2 search and development projects pursuant to
3 subsection (a) of section 4001 of this title by a
4 contract, cooperative agreement, or grant pur-
5 suant to subsection (b)(1) of such section, the
6 Secretary of Defense may enter into such con-
7 tract or cooperative agreement, or award such
8 grant, through the Defense Security Coopera-
9 tion University.

10 “(B) TREATMENT AS GOVERNMENT-OPER-
11 ATED FEDERAL LABORATORY.—The Defense
12 Security Cooperation University shall be consid-
13 ered a Government-operated Federal laboratory
14 for purposes of section 12 of the Stevenson-
15 Wydler Technology Innovation Act of 1980 (15
16 U.S.C. 3710a).

17 “(4) ACCEPTANCE OF RESEARCH GRANTS.—

18 “(A) IN GENERAL.—The Secretary of De-
19 fense, through the Under Secretary of Defense
20 for Policy, may authorize the President of the
21 Defense Security Cooperation University to ac-
22 cept qualifying research grants. Any such grant
23 may only be accepted if the work under the
24 grant is to be carried out by a professor or in-
25 structor of the Defense Security Cooperation

1 University for a scientific, literary, or edu-
2 cational purpose.

3 “(B) QUALIFYING GRANTS.—A qualifying
4 research grant under this paragraph is a grant
5 that is awarded on a competitive basis by an
6 entity described in subparagraph (C) for a re-
7 search project with a scientific, literary, or edu-
8 cational purpose.

9 “(C) ENTITIES FROM WHICH GRANTS MAY
10 BE ACCEPTED.—A grant may be accepted
11 under this paragraph only from a corporation,
12 fund, foundation, educational institution, or
13 similar entity that is organized and operated
14 primarily for scientific, literary, or educational
15 purposes.

16 “(D) ADMINISTRATION OF GRANT
17 FUNDS.—The Director of the Defense Security
18 Cooperation Agency shall establish an account
19 for administering funds received as research
20 grants under this section. The President of the
21 Defense Security Cooperation University shall
22 use the funds in the account in accordance with
23 applicable provisions of the regulations and the
24 terms and condition of the grants received.

1 “(E) RELATED EXPENSES.—Subject to
2 such limitations as may be provided in appro-
3 priations Acts, appropriations available for the
4 Defense Security Cooperation University may
5 be used to pay expenses incurred by the De-
6 fense Security Cooperation University in apply-
7 ing for, and otherwise pursuing, the award of
8 qualifying research grants.

9 “(F) REGULATIONS.—The Secretary of
10 Defense, through the Under Secretary of De-
11 fense for Policy, shall prescribe regulations for
12 the administration of this section.”.

13 **SEC. 1310. MODIFICATION OF AUTHORITY TO PROVIDE**
14 **SUPPORT TO CERTAIN GOVERNMENTS FOR**
15 **BORDER SECURITY OPERATIONS.**

16 Section 1226(a)(1) of the National Defense Author-
17 ization Act for Fiscal Year 2016 (22 U.S.C. 2151 note)
18 is amended by adding at the end the following:

19 “(G) To the Government of Tajikistan for
20 purposes of supporting and enhancing efforts of
21 the armed forces of Tajikistan to increase secu-
22 rity and sustain increased security along the
23 border of Tajikistan and Afghanistan.

24 “(H) To the Government of Uzbekistan for
25 purposes of supporting and enhancing efforts of

1 the armed forces of Uzbekistan to increase se-
2 curity and sustain increased security along the
3 border of Uzbekistan and Afghanistan.

4 “(I) To the Government of Turkmenistan
5 for purposes of supporting and enhancing ef-
6 forts of the armed forces of Turkmenistan to
7 increase security and sustain increased security
8 along the border of Turkmenistan and Afghani-
9 stan.”.

10 **SEC. 1311. MODIFICATION OF DEFENSE OPERATIONAL RE-**
11 **SILIENCE INTERNATIONAL COOPERATION**
12 **PILOT PROGRAM.**

13 Section 1212 of the James M. Inhofe National De-
14 fense Authorization Act for Fiscal Year 2023 (Public Law
15 117–263; 136 Stat. 2834; 10 U.S.C. 311 note) is amend-
16 ed—

17 (1) in subsection (a), by striking “military
18 forces” and inserting “national security forces”;

19 (2) in subsection (c)—

20 (A) in paragraph (1)—

21 (i) in subparagraph (A), by striking
22 “military-to-military relationships” and in-
23 sserting “relationships with the national se-
24 curity forces of partner countries”; and

1 (ii) in subparagraph (C), by striking
 2 “military forces” and inserting “national
 3 security forces”; and

4 (B) by adding at the end the following new
 5 paragraph:

6 “(4) SUSTAINMENT AND NON-LETHAL ASSIST-
 7 ANCE.—A program under subsection (a) may include
 8 the provision of sustainment and non-lethal assist-
 9 ance, including training, defense services, supplies
 10 (including consumables), and small-scale construc-
 11 tion (as such terms are defined in section 301 of
 12 title 10, United States Code).”;

13 (3) in subsection (e)(3)(A), by striking “mili-
 14 tary force” and inserting “national security forces”;
 15 and

16 (4) by adding at the end the following new sub-
 17 section:

18 “(g) NATIONAL SECURITY FORCES DEFINED.—In
 19 this section, the term ‘national security forces’ has the
 20 meaning given the term in section 301 of title 10, United
 21 States Code.”.

22 **SEC. 1312. ASSISTANCE TO ISRAEL FOR AERIAL REFUEL-**
 23 **ING.**

24 (a) TRAINING ISRAELI PILOTS TO OPERATE KC-46
 25 AIRCRAFT.—

1 (1) IN GENERAL.—The Secretary of the Air
2 Force shall—

3 (A) make available sufficient resources and
4 accommodations within the United States to
5 train members of the Israeli Air Force on the
6 operation of KC-46 aircraft;

7 (B) conduct training for members of the
8 Israeli Air Force, including—

9 (i) training for pilots and crew on the
10 operation of the KC-46 aircraft in accord-
11 ance with standards considered sufficient
12 to conduct coalition operations of the
13 United States Air Force and the Israeli
14 Air Force; and

15 (ii) training for ground personnel on
16 the maintenance and sustainment require-
17 ments of the KC-46 aircraft considered
18 sufficient for such operations; and

19 (C) conduct the timing of such training so
20 as to ensure that the first group of trainee
21 members of the Israeli Air Force is anticipated
22 to complete the training not later than 2 weeks
23 after the date on which the first KC-46 aircraft
24 is delivered to Israel.

1 (2) UNITED STATES AIR FORCE MILITARY PER-
2 SONNEL EXCHANGE PROGRAM.—The Secretary of
3 Defense shall, with respect to members of the Israeli
4 Air Force associated with the operation of KC-46
5 aircraft—

6 (A) before the completion of the training
7 required by paragraph (1)(B), authorize the
8 participation of such members of the Israeli Air
9 Force in the United States Air Force Military
10 Personnel Exchange Program;

11 (B) make available billets in the United
12 States Air Force Military Personnel Exchange
13 Program necessary for such members of the
14 Israeli Air Force to participate in such pro-
15 gram; and

16 (C) to the extent practicable, ensure that
17 such members of the Israeli Air Force are able
18 to participate in the United States Air Force
19 Military Personnel Exchange Program imme-
20 diately after such members complete such train-
21 ing.

22 (3) TERMINATION.—This subsection shall cease
23 to have effect on the date that is ten years after the
24 date of the enactment of this Act.

1 (b) BRIEFING.—Not later than 90 days after the date
2 of the enactment of this Act, the Secretary of Defense
3 shall provide to the Committees on Armed Services of the
4 Senate and the House of Representatives a briefing that
5 includes the following:

6 (1) An assessment of—

7 (A) the current operational requirements
8 of the Government of Israel for aerial refueling;
9 and

10 (B) any gaps in current or near-term capa-
11 bilities.

12 (2) The estimated date of delivery to Israel of
13 KC-46 aircraft procured by the Government of
14 Israel.

15 (3) A detailed description of—

16 (A) any actions the United States Govern-
17 ment is taking to expedite the delivery to Israel
18 of KC-46 aircraft procured by the Government
19 of Israel, while minimizing adverse impacts to
20 United States defense readiness, including stra-
21 tegic forces readiness;

22 (B) any additional actions the United
23 States Government could take to expedite such
24 delivery; and

1 (C) additional authorities Congress could
2 provide to help expedite such delivery.

3 (4) A description of the availability of any
4 United States aerial refueling tanker aircraft that is
5 retired or is expected to be retired during the two-
6 year period beginning on the date of the enactment
7 of this Act that could be provided to Israel.

8 (c) FORWARD DEPLOYMENT OF UNITED STATES
9 KC-46 AIRCRAFT TO ISRAEL.—

10 (1) BRIEFING.—Not later than 90 days after
11 the date of the enactment of this Act, the Secretary
12 of Defense shall provide to the Committees on
13 Armed Services of the Senate and the House of Rep-
14 resentatives a briefing that describes the capacity of
15 and requirements for the United States Air Force to
16 forward deploy KC-46 aircraft to Israel on a rota-
17 tional basis until the date on which a KC-46 air-
18 craft procured by the Government of Israel is com-
19 missioned into the Israeli Air Force and achieves full
20 combat capability.

21 (2) ROTATIONAL FORCES.—

22 (A) IN GENERAL.—Subject to subpara-
23 graphs (B) and (C), the Secretary of Defense
24 shall, consistent with maintaining United States
25 defense readiness, rotationally deploy one or

1 more KC-46 aircraft to Israel until the earlier
2 of—

3 (i) the date on which a KC-46 air-
4 craft procured by the military forces of
5 Israel is commissioned into such military
6 forces and achieves full combat capability;
7 or

8 (ii) five years after the date of the en-
9 actment of this Act.

10 (B) LIMITATION.—The Secretary of De-
11 fense may only carry out a rotational deploy-
12 ment under subparagraph (A) if the Govern-
13 ment of Israel consents to the deployment.

14 (C) PRESENCE.—The Secretary of Defense
15 shall consult with the Government of Israel to
16 determine the length of rotational deployments
17 of United States KC-46 aircraft to Israel until
18 the applicable date under subparagraph (A).

19 **SEC. 1313. REPORT ON COORDINATION WITH PRIVATE EN-**
20 **TITIES AND STATE GOVERNMENTS WITH RE-**
21 **SPECT TO THE STATE PARTNERSHIP PRO-**
22 **GRAM.**

23 (a) IN GENERAL.— The Secretary of Defense shall
24 submit to Congress a report on the feasibility of coordi-
25 nating with private entities and State governments to pro-

1 vide resources and personnel to support technical ex-
2 changes under the Department of Defense State Partner-
3 ship Program established under section 341 of title 10,
4 United States Code.

5 (b) ELEMENTS.—The report required by subsection
6 (a) shall include the following:

7 (1) An analysis of the limitations of the State
8 Partnership Program.

9 (2) The types of personnel and expertise that
10 could be helpful to partner country participants in
11 the State Partnership Program.

12 (3) Any authority needed to leverage such ex-
13 pertise from private entities and State governments,
14 as applicable.

15 **Subtitle B—Matters Relating to** 16 **Syria, Iraq, and Iran**

17 **SEC. 1321. EXTENSION AND MODIFICATION OF AUTHORITY** 18 **TO PROVIDE ASSISTANCE TO VETTED SYRIAN** 19 **GROUPS AND INDIVIDUALS.**

20 (a) EXTENSION.—Subsection (a) of section 1209 of
21 the Carl Levin and Howard P. “Buck” McKeon National
22 Defense Authorization Act for Fiscal Year 2015 (Public
23 Law 113–291; 128 Stat. 3541) is amended, in the matter
24 preceding paragraph (1), by striking “December 31,
25 2023” and inserting “December 31, 2024”.

1 (b) LIMITATION ON COST OF CONSTRUCTION AND
2 REPAIR PROJECTS.—Subsection (l)(3) of such section is
3 amended—

4 (1) in subparagraph (A), by striking “The
5 President” and all that follows through “if the
6 President” and inserting “The Secretary of Defense
7 may waive the limitations under paragraph (1) for
8 the purposes of providing support under subsection
9 (a)(4) if the Secretary”;

10 (2) by striking subparagraph (B);

11 (3) in subparagraph (C), by striking “as re-
12 quired by subparagraph (B)(ii)(I)”;

13 (4) in subparagraph (D), by striking “Decem-
14 ber 31, 2023” and inserting “December 31, 2024”;
15 and

16 (5) by redesignating subparagraphs (C) and
17 (D) as subparagraphs (B) and (C), respectively.

18 **SEC. 1322. EXTENSION OF AUTHORITY TO SUPPORT OPER-**
19 **ATIONS AND ACTIVITIES OF THE OFFICE OF**
20 **SECURITY COOPERATION IN IRAQ.**

21 (a) LIMITATION ON AMOUNT.—Subsection (c) of sec-
22 tion 1215 of the National Defense Authorization Act for
23 Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

24 (1) by striking “fiscal year 2023” and inserting
25 “fiscal year 2024”; and

1 (2) by striking “\$25,000,000” and inserting
2 “\$18,000,000”.

3 (b) SOURCE OF FUNDS.—Subsection (d) of such sec-
4 tion is amended by striking “fiscal year 2023” and insert-
5 ing “fiscal year 2024”.

6 **SEC. 1323. EXTENSION AND MODIFICATION OF AUTHORITY**
7 **TO PROVIDE ASSISTANCE TO COUNTER THE**
8 **ISLAMIC STATE OF IRAQ AND SYRIA.**

9 (a) IN GENERAL.—Subsection (a) of section 1236 of
10 the Carl Levin and Howard P. “Buck” McKeon National
11 Defense Authorization Act for Fiscal Year 2015 (Public
12 Law 113–291; 128 Stat. 3559) is amended, in the matter
13 preceding paragraph (1)—

14 (1) by inserting “equipment and training to
15 counter threats from unmanned aerial systems,” be-
16 fore “and sustainment”; and

17 (2) by striking “December 31, 2023” and in-
18 serting “December 31, 2024”.

19 (b) FUNDING.—Subsection (g) of such section is
20 amended by striking “Overseas Contingency Operations
21 for fiscal year 2023, there are authorized to be appro-
22 priated \$358,000,000” and inserting “fiscal year 2024,
23 there is authorized to be appropriated \$241,950,000”.

24 (c) FOREIGN CONTRIBUTIONS.—Subsection (h) of
25 such section is amended—

1 (1) by striking “The Secretary” and inserting
2 the following:

3 “(1) IN GENERAL.—The Secretary”; and

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

6 “(2) USE OF CONTRIBUTIONS.—The limitations
7 on costs under subsections (a) and (m) shall not
8 apply with respect to the expenditure of foreign con-
9 tributions in excess of such limitations.”.

10 (d) WAIVER AUTHORITY.—Subsection (o) of such
11 section is amended—

12 (1) in paragraph (1), by striking “The Presi-
13 dent” and all that follows through “if the President”
14 and inserting “The Secretary of Defense may waive
15 the limitations on costs under subsection (a) or (m)
16 if the Secretary”;

17 (2) by striking paragraph (3);

18 (3) in paragraph (4), by striking “as required
19 by paragraph (3)(B)(i)”;

20 (4) in paragraph (5), by striking “December
21 31, 2023” and inserting “December 31, 2024”; and

22 (5) by redesignating paragraphs (4) and (5) as
23 paragraphs (3) and (4), respectively.

24 (e) NOTIFICATION OF PROVISION OF COUNTER UN-
25 MANNED AERIAL SYSTEMS TRAINING AND ASSISTANCE.—

1 Such section is further amended by adding at the end the
2 following new subsection:

3 “(p) NOTIFICATION OF PROVISION OF COUNTER UN-
4 MANNED AERIAL SYSTEMS TRAINING AND ASSISTANCE.—

5 “(1) IN GENERAL.—Not later than 30 days
6 after providing assistance under this section for
7 countering threats from unmanned aerial systems,
8 the Secretary of Defense shall notify the appropriate
9 congressional committees of such provision of assist-
10 ance.

11 “(2) ELEMENTS.—The notification required by
12 paragraph (1) shall include the following:

13 “(A) An identification of the military
14 forces being provided such assistance.

15 “(B) A description of the type of such as-
16 sistance, including the types of training and
17 equipment, being provided.”.

18 **SEC. 1324. BRIEFING ON NUCLEAR CAPABILITY OF IRAN.**

19 Not later than 60 days after the date of the enact-
20 ment of this Act, the Secretary of Defense shall provide
21 the Committees on Armed Services of the Senate and the
22 House of Representatives with—

23 (1) a briefing on—

24 (A) threats to global security posed by the
25 nuclear weapon capability of Iran; and

1 (B) progress made by Iran in enriching
2 uranium at levels proximate to or exceeding
3 weapons grade; and

4 (2) recommendations for actions the United
5 States may take to ensure that Iran does not ac-
6 quire a nuclear weapon capability.

7 **SEC. 1325. MODIFICATION OF ESTABLISHMENT OF COORDI-**
8 **NATOR FOR DETAINED ISIS MEMBERS AND**
9 **RELEVANT POPULATIONS IN SYRIA.**

10 (a) DEFINITIONS.—In this section:

11 (1) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—The term “appropriate committees of Con-
13 gress” means—

14 (A) the Committee on Armed Services, the
15 Committee on Foreign Relations, the Com-
16 mittee on the Judiciary, the Committee on
17 Banking, Housing, and Urban Affairs, the Se-
18 lect Committee on Intelligence, and the Com-
19 mittee on Appropriations of the Senate; and

20 (B) the Committee on Armed Services, the
21 Committee on Foreign Affairs, the Committee
22 on the Judiciary, the Committee on Financial
23 Services, the Permanent Select Committee on
24 Intelligence, and the Committee on Appropria-
25 tions of the House of Representatives.

1 (2) ISIS MEMBER.—The term “ISIS member”
2 means a person who was part of, or substantially
3 supported, the Islamic State in Iraq and Syria.

4 (3) SENIOR COORDINATOR.—The term “Senior
5 Coordinator” means the coordinator for detained
6 ISIS members and relevant displaced populations in
7 Syria designated under subsection (a) of section
8 1224 of the National Defense Authorization Act for
9 Fiscal Year 2020 (Public Law 116–92; 133 Stat.
10 1642), as amended by subsection (d).

11 (b) SENSE OF CONGRESS.—

12 It is the sense of Congress that—

13 (A) ISIS detainees held by the Syrian
14 Democratic Forces and ISIS-affiliated individ-
15 uals located within displaced persons camps in
16 Syria pose a significant and growing humani-
17 tarian challenge and security threat to the re-
18 gion;

19 (B) the vast majority of individuals held in
20 displaced persons camps in Syria are women
21 and children, approximately 50 percent of
22 whom are under the age of 12 at the al-Hol
23 camp, and they face significant threats of vio-
24 lence and radicalization, as well as lacking ac-

1 cess to adequate sanitation and health care fa-
2 cilities;

3 (C) there is an urgent need to seek a sus-
4 tainable solution to such camps through repa-
5 triation and reintegration of the inhabitants;

6 (D) the United States should work closely
7 with international allies and partners to facili-
8 tate the repatriation and reintegration efforts
9 required to provide a long-term solution for
10 such camps and prevent the resurgence of ISIS;
11 and

12 (E) if left unaddressed, such camps will
13 continue to be drivers of instability that jeop-
14 ardize the long-term prospects for peace and
15 stability in the region.

16 (c) STATEMENT OF POLICY.—It is the policy of the
17 United States that—

18 (1) ISIS-affiliated individuals located within
19 displacement camps in Syria, and other inhabitants
20 of displacement camps in Syria, be repatriated and,
21 where appropriate, prosecuted, or where possible, re-
22 integrated into their country of origin, consistent
23 with all relevant domestic laws and applicable inter-
24 national laws prohibiting refoulement; and

1 (2) the camps will be closed as soon as is prac-
2 ticable.

3 (d) MODIFICATION OF ESTABLISHMENT OF COORDI-
4 NATOR FOR DETAINED ISIS MEMBERS AND RELEVANT
5 DISPLACED POPULATIONS IN SYRIA.—Section 1224 of the
6 National Defense Authorization Act for Fiscal Year 2020
7 (Public Law 116–92; 133 Stat. 1642) is amended—

8 (1) by striking subsection (a);

9 (2) by amending subsection (b) to read as fol-
10 lows:

11 “(a) DESIGNATION.—

12 “(1) IN GENERAL.—The President, in consulta-
13 tion with the Secretary of Defense, the Secretary of
14 State, the Director of National Intelligence, the Sec-
15 retary of the Treasury, the Administrator of the
16 United States Agency for International Develop-
17 ment, and the Attorney General, shall designate an
18 existing official to serve within the executive branch
19 as senior-level coordinator to coordinate, in conjunc-
20 tion with other relevant agencies, matters related to
21 ISIS members who are in the custody of the Syrian
22 Democratic Forces and other relevant displaced pop-
23 ulations in Syria, including—

24 “(A) by engaging foreign partners to sup-
25 port the repatriation and disposition of such in-

1 dividuals, including by encouraging foreign
2 partners to repatriate, transfer, investigate, and
3 prosecute such ISIS members, and share infor-
4 mation;

5 “(B) coordination of all multilateral and
6 international engagements led by the Depart-
7 ment of State and other agencies that are re-
8 lated to the current and future handling, deten-
9 tion, and prosecution of such ISIS members;

10 “(C) the funding and coordination of the
11 provision of technical and other assistance to
12 foreign countries to aid in the successful inves-
13 tigation and prosecution of such ISIS members,
14 as appropriate, in accordance with relevant do-
15 mestic laws, international humanitarian law,
16 and other internationally recognized human
17 rights and rule of law standards;

18 “(D) coordination of all multilateral and
19 international engagements related to humani-
20 tarian access and provision of basic services to,
21 and freedom of movement and security and safe
22 return of, displaced persons at camps or facili-
23 ties in Syria that hold family members of such
24 ISIS members;

1 “(E) coordination with relevant agencies
2 on matters described in this section; and

3 “(F) any other matter the President con-
4 siders relevant.

5 “(2) RULE OF CONSTRUCTION.—If, on the date
6 of the enactment of the National Defense Authoriza-
7 tion Act for Fiscal Year 2024, an individual has al-
8 ready been designated, consistent with the require-
9 ments and responsibilities described in paragraph
10 (1), the requirements under that paragraph shall be
11 considered to be satisfied with respect to such indi-
12 vidual until the date on which such individual no
13 longer serves as the Senior Coordinator.”;

14 (3) in subsection (c), by striking “subsection
15 (b)” and inserting “subsection (a)”;

16 (4) in subsection (d), by striking “subsection
17 (b)” and inserting “subsection (a)”;

18 (5) in subsection (e), by striking “January 31,
19 2021” and inserting “January 31, 2025”;

20 (6) in subsection (f)—

21 (A) by redesignating paragraph (2) as
22 paragraph (3);

23 (B) by inserting after paragraph (1) the
24 following new paragraph (2):

1 “(2) SENIOR COORDINATOR.—The term ‘Senior
2 Coordinator’ means the individual designated under
3 subsection (a).”; and

4 (C) by adding at the end the following new
5 paragraph:

6 “(4) RELEVANT AGENCIES.—The term ‘relevant
7 agencies’ means—

8 “(A) the Department of State;

9 “(B) the Department of Defense;

10 “(C) the Department of the Treasury;

11 “(D) the Department of Justice;

12 “(E) the United States Agency for Inter-
13 national Development;

14 “(F) the Office of the Director of National
15 Intelligence; and

16 “(G) any other agency the President con-
17 siders relevant.”; and

18 (7) by redesignating subsections (e) through (f)
19 as subsections (b) through (e), respectively.

20 (e) STRATEGY ON ISIS-RELATED DETAINEE AND
21 DISPLACEMENT CAMPS IN SYRIA.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of State, in coordination with the Secretary of
25 Defense, the Director of National Intelligence, the

1 Secretary of the Treasury, the Administrator of the
2 United States Agency for International Develop-
3 ment, and the Attorney General, shall submit to the
4 appropriate committees of Congress an interagency
5 strategy with respect to ISIS-affiliated individuals
6 and ISIS-related detainee and other displaced per-
7 sons camps in Syria.

8 (2) ELEMENTS.—The strategy required by
9 paragraph (1) shall include—

10 (A) methods to address—

11 (i) disengagement from and preven-
12 tion of recruitment into violence, violent
13 extremism, and other illicit activity in such
14 camps;

15 (ii) efforts to encourage and facilitate
16 repatriation and, as appropriate, investiga-
17 tion and prosecution of foreign nationals
18 from such camps, consistent with all rel-
19 evant domestic and applicable international
20 laws;

21 (iii) the return and reintegration of
22 displaced Syrian and Iraqi women and
23 children into their communities of origin;

24 (iv) international engagement to de-
25 velop processes for repatriation and re-

1 integration of foreign nationals from such
2 camps;

3 (v) contingency plans for the reloca-
4 tion of detained and displaced persons who
5 are not able to be repatriated from such
6 camps;

7 (vi) efforts to improve the humani-
8 tarian conditions in such camps, including
9 through the delivery of medicine, psycho-
10 social support, clothing, education, and im-
11 proved housing; and

12 (vii) assessed humanitarian and secu-
13 rity needs of all camps and detainment fa-
14 cilities based on prioritization of such
15 camps and facilities most at risk of hu-
16 manitarian crises, external attacks, or in-
17 ternal violence;

18 (B) an assessment of—

19 (i) rehabilitation centers in northeast
20 Syria, including humanitarian conditions
21 and processes for admittance and efforts to
22 improve both humanitarian conditions and
23 admittance processes for such centers and
24 camps, as well as on the prevention of
25 youth radicalization; and

1 (ii) processes for being sent to, and
2 resources directed towards, rehabilitation
3 centers and programs in countries that re-
4 ceive returned ISIS affiliated individuals,
5 with a focus on the prevention of
6 radicalization of minor children;

7 (C) a plan to improve, in such camps—

8 (i) security conditions, including by
9 training of personnel and through con-
10 struction; and

11 (ii) humanitarian conditions;

12 (D) a framework for measuring progress of
13 humanitarian, security, and repatriation efforts
14 with the goal of closing such camps; and

15 (E) any other matter the Secretary of
16 State considers appropriate.

17 (3) FORM.—The strategy required by para-
18 graph (1) shall be submitted in unclassified form but
19 may include a classified annex that is transmitted
20 separately.

21 (f) ANNUAL INTERAGENCY REPORT.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, and not
24 less frequently than annually thereafter through
25 January 31, 2025, the Senior Coordinator, in co-

1 ordination with the relevant agencies, shall submit to
2 the appropriate committees of Congress a detailed
3 report that includes the following:

4 (A) A detailed description of the facilities
5 and camps where detained ISIS members, and
6 families with perceived ISIS affiliation, are
7 being held and housed, including—

8 (i) a description of the security and
9 management of such facilities and camps;

10 (ii) an assessment of resources re-
11 quired for the security of such facilities
12 and camps;

13 (iii) an assessment of the adherence
14 by the operators of such facilities and
15 camps to international humanitarian law
16 standards; and

17 (iv) an assessment of children held
18 within such facilities and camps that may
19 be used as part of smuggling operations to
20 evade security at the facilities and camps.

21 (B) A description of all efforts undertaken
22 by, and the resources needed for, the United
23 States Government to address deficits in the
24 humanitarian environment and security of such
25 facilities and camps.

1 (C) A description of all multilateral and
2 international engagements related to humani-
3 tarian access and provision of basic services to,
4 and freedom of movement and security and safe
5 return of, displaced persons at camps or facili-
6 ties in Iraq, Syria, and any other area affected
7 by ISIS activity, including a description of—

8 (i) support for efforts by the Syrian
9 Democratic Forces to facilitate the return
10 and reintegration of displaced people from
11 Iraq and Syria;

12 (ii) repatriation efforts with respect to
13 displaced women and children and male
14 children aging into adults while held in
15 these facilities and camps;

16 (iii) any current or future potential
17 threat to United States national security
18 interests posed by detained ISIS members
19 or displaced families, including an analysis
20 of the al-Hol camp and annexes; and

21 (iv) United States Government plans
22 and strategies to respond to any threat
23 identified under clause (iii).

1 (D) The number of individuals repatriated
2 from the custody of the Syrian Democratic
3 Forces.

4 (E) An analysis of factors on the ground
5 in Syria and Iraq that may result in the unin-
6 tended release of detained or displaced ISIS
7 members, and an assessment of any measures
8 available to mitigate such releases.

9 (F) A detailed description of efforts to en-
10 courage the final disposition and security of de-
11 tained or displaced ISIS members with other
12 countries and international organizations.

13 (G) A description of foreign repatriation
14 and rehabilitation programs deemed successful
15 systems to model, and an analysis of the long-
16 term results of such programs.

17 (H) A description of the manner in which
18 the United States Government communicates
19 regarding repatriation and disposition efforts
20 with the families of United States citizens be-
21 lieved to have been victims of a criminal act by
22 a detained or displaced ISIS member, in ac-
23 cordance with section 503(c) of the Victims'
24 Rights and Restitution Act of 1990 (34 U.S.C.

1 20141(c)) and section 3771 of title 18, United
2 States Code.

3 (I) An analysis of all efforts between the
4 United States and partner countries within the
5 Global Coalition to Defeat ISIS or other coun-
6 tries to share related information that may aid
7 in resolving the final disposition of ISIS mem-
8 bers, and any obstacles that may hinder such
9 efforts.

10 (J) Any other matter the Coordinator con-
11 siders appropriate.

12 (2) FORM.—The report required by paragraph
13 (1) shall be submitted in unclassified form but may
14 include a classified annex that is transmitted sepa-
15 rately.

16 (g) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion, or an amendment made by this section, may be con-
18 strued—

19 (1) to limit the authority of any Federal agency
20 to independently carry out the authorized functions
21 of such agency; or

22 (2) to impair or otherwise affect the activities
23 performed by that agency as granted by law.

1 **Subtitle C—Matters Relating to Eu-**
2 **rope and the Russian Federa-**
3 **tion**

4 **SEC. 1331. EXTENSION AND MODIFICATION OF UKRAINE SE-**
5 **URITY ASSISTANCE INITIATIVE.**

6 (a) FUNDING.—Subsection (f) of section 1250 of the
7 National Defense Authorization Act for Fiscal Year 2016
8 (Public Law 114–92; 129 Stat. 1068) is amended—

9 (1) in the matter preceding paragraph (1), by
10 striking “for overseas contingency operations”; and

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

13 “(9) For fiscal year 2024, \$300,000,000.”.

14 (b) TERMINATION OF AUTHORITY.—Subsection (h)
15 of such section is amended by striking “December 31,
16 2024” and inserting “December 31, 2027”.

17 **SEC. 1332. EXTENSION AND MODIFICATION OF TRAINING**
18 **FOR EASTERN EUROPEAN NATIONAL SECU-**
19 **RITY FORCES IN THE COURSE OF MULTILAT-**
20 **ERAL EXERCISES.**

21 Section 1251 of the National Defense Authorization
22 Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amend-
23 ed—

24 (1) in subsection (c)(1), by adding at the end
25 the following new subparagraph:

1 “(C) The Republic of Kosovo.”; and

2 (2) in subsection (h)—

3 (A) in the first sentence, by striking “De-
4 cember 31, 2024” and inserting “December 31,
5 2026”; and

6 (B) in the second sentence, by striking
7 “December 31, 2024.” and inserting “Decem-
8 ber 31, 2026”.

9 **SEC. 1333. EXTENSION OF PROHIBITION ON AVAILABILITY**
10 **OF FUNDS RELATING TO SOVEREIGNTY OF**
11 **THE RUSSIAN FEDERATION OVER INTER-**
12 **NATIONALLY RECOGNIZED TERRITORY OF**
13 **UKRAINE.**

14 Section 1245(a) of the James M. Inhofe National De-
15 fense Authorization Act for Fiscal Year 2023 (Public Law
16 117–263) is amended by striking “None of the funds” and
17 all that follows through “2023” and inserting “None of
18 the funds authorized to be appropriated for fiscal year
19 2023 or 2024”.

20 **SEC. 1334. EXTENSION AND MODIFICATION OF TEMPORARY**
21 **AUTHORIZATIONS RELATED TO UKRAINE**
22 **AND OTHER MATTERS.**

23 Section 1244 of the James M. Inhofe National De-
24 fense Authorization Act for Fiscal Year 2023 (Public Law
25 117–263) is amended—

1 (1) in subsection (a)(7), by striking “September
2 30, 2024” and inserting “September 30, 2025”; and

3 (2) in subsection (c)(1)—

4 (A) in the matter preceding subparagraph
5 (A), by inserting “or fiscal year 2024” after
6 “fiscal year 2023”;

7 (B) in subparagraph (P), by striking “;
8 and” and inserting a semicolon;

9 (C) in subparagraph (Q), by striking the
10 period at the end and inserting “; and”; and

11 (D) by inserting at the end the following
12 new subparagraphs:

13 “(R) 3,300 Tomahawk Cruise Missiles;

14 “(S) 1,100 Precision Strike Missiles
15 (PrSM);

16 “(T) 550 Mark 48 Torpedoes;

17 “(U) 1,650 RIM-162 Evolved Sea Spar-
18 row Missiles (ESSM);

19 “(V) 1,980 RIM-116 Rolling Airframe
20 Missiles (RAM); and

21 “(W) 11,550 Small Diameter Bomb IIs
22 (SDB-II).”.

1 **SEC. 1335. PRIORITIZATION FOR BASING, TRAINING, AND**
2 **EXERCISES IN NORTH ATLANTIC TREATY OR-**
3 **GANIZATION MEMBER COUNTRIES.**

4 (a) IN GENERAL.—Subject to subsection (b), when
5 considering decisions related to United States military
6 basing, training, and exercises, the Secretary of Defense
7 shall prioritize those North Atlantic Treaty Organization
8 member countries that have achieved defense spending of
9 not less than 2 percent of their gross domestic product
10 by 2024.

11 (b) WAIVER.—The Secretary of Defense may waive
12 subsection (a) if the Secretary submits a certification to
13 the congressional defense committees that a waiver is in
14 the national security interests of the United States.

15 **SEC. 1336. STUDY AND REPORT ON LESSONS LEARNED RE-**
16 **GARDING INFORMATION OPERATIONS AND**
17 **DETERRENCE.**

18 (a) STUDY.—

19 (1) IN GENERAL.—The Secretary of Defense
20 shall seek to enter into a contract or other agree-
21 ment with an eligible entity to conduct an inde-
22 pendent study on lessons learned from information
23 operations conducted by the United States, Ukraine,
24 the Russian Federation, and member countries of
25 the North Atlantic Treaty Organization during the

1 lead-up to the Russian Federation’s full-scale inva-
2 sion of Ukraine in 2022 and throughout the conflict.

3 (2) ELEMENT.—The study required by para-
4 graph (1) shall include recommendations for im-
5 provements to United States information operations
6 to enhance effectiveness, as well as recommendations
7 on how information operations may be improved to
8 support the maintenance of deterrence.

9 (b) REPORT.—

10 (1) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, Sec-
12 retary of Defense shall submit to the Committees on
13 Armed Services of the Senate and the House of Rep-
14 resentatives a report on the results of the study in
15 its entirety, along with any such comments as the
16 Secretary considers relevant.

17 (2) FORM.—The report required by paragraph
18 (1) shall be submitted in unclassified form but may
19 include a classified annex.

20 (c) ELIGIBLE ENTITY DEFINED.—In this section, the
21 term “eligible entity”—

22 (1) means an entity independent of the Depart-
23 ment of Defense that is not under the direction or
24 control of the Secretary of Defense; and

1 (2) an independent, nongovernmental institute
2 described in section 501(c)(3) of the Internal Rev-
3 enue Code of 1986 and exempt from tax under sec-
4 tion 501(a) of such Code that has recognized creden-
5 tials and expertise in national security and military
6 affairs appropriate for the assessment.

7 **SEC. 1337. REPORT ON PROGRESS ON MULTI-YEAR STRAT-**
8 **EGY AND PLAN FOR THE BALTIC SECURITY**
9 **INITIATIVE.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of the enactment of this Act, the Secretary of De-
12 fense, in consultation with the Secretary of State, shall
13 submit to the congressional defense committees a report
14 on the progress made in the implementation of the multi-
15 year strategy and spending plan set forth in the June
16 2021 report of the Department of Defense entitled “Re-
17 port to Congress on the Baltic Security Initiative”.

18 (b) ELEMENTS.—The report required by subsection
19 (a) shall include the following:

20 (1) An identification of any significant change
21 to the goals, objectives, and milestones identified in
22 the June 2021 report described in subsection (a), in
23 light of the radically changed security environment
24 in the Baltic region after the full-scale invasion of
25 Ukraine by the Russian Federation on February 24,

1 2022, and with consideration to enhancing the deter-
2 rence and defense posture of the North Atlantic
3 Treaty Organization in the Baltic region, including
4 through the implementation of the regional defense
5 plans of the North Atlantic Treaty Organization.

6 (2) An update on the Department of Defense
7 funding allocated for such strategy and spending
8 plan for fiscal years 2022 and 2023 and projected
9 funding requirements for fiscal years 2024, 2025,
10 and 2026 for each goal identified in such report.

11 (3) An update on the host country funding allo-
12 cated and planned for each such goal.

13 (4) An assessment of the progress made in the
14 implementation of the recommendations set forth in
15 the fiscal year 2020 Baltic Defense Assessment, and
16 reaffirmed in the June 2021 report described in sub-
17 section (a), that each Baltic country should—

18 (A) increase its defense budget;

19 (B) focus on and budget for sustainment
20 of capabilities in defense planning; and

21 (C) consider combined units for expensive
22 capabilities such as air defense, rocket artillery,
23 and engineer assets.

1 **SEC. 1338. SENSE OF THE SENATE ON THE NORTH ATLAN-**
2 **TIC TREATY ORGANIZATION.**

3 It is the sense of the Senate that—

4 (1) the success of the North Atlantic Treaty
5 Organization is critical to advancing United States
6 national security objectives in Europe, the Indo-Pa-
7 cific region, and around the world;

8 (2) the North Atlantic Treaty Organization re-
9 mains the strongest and most successful military al-
10 liance in the world, founded on a commitment by its
11 members to uphold the principles of democracy, indi-
12 vidual liberty, and the rule of law;

13 (3) the United States reaffirms its ironclad
14 commitment—

15 (A) to the North Atlantic Treaty Organiza-
16 tion as the foundation of transatlantic security;
17 and

18 (B) to upholding its obligations under the
19 North Atlantic Treaty, including Article 5;

20 (4) the unprovoked and illegal invasion of
21 Ukraine by the Russian Federation has upended se-
22 curity in Europe and requires the full attention of
23 the transatlantic alliance;

24 (5) welcoming Finland as the 31st member of
25 the North Atlantic Treaty Organization has made
26 the North Atlantic Treaty Organization Alliance

1 stronger and the remaining North Atlantic Treaty
2 Organization member countries should swiftly ratify
3 the accession protocols of Sweden so as to bolster
4 the collective security of the North Atlantic Treaty
5 Organization by increasing the security and stability
6 of the Baltic Sea region and Northern Europe;

7 (6) the North Atlantic Treaty Organization
8 member countries that have not yet met the two-per-
9 cent defense spending pledge, as agreed to at the
10 2014 Wales Summit, should endeavor to meet the
11 timeline as expeditiously as possible, but certainly
12 within the five-year period beginning on the date of
13 the enactment of this Act;

14 (7) the United States and North Atlantic Trea-
15 ty Organization allies and partners should continue
16 efforts to identify, synchronize, and deliver needed
17 assistance to Ukraine as Ukraine continues the fight
18 against the illegal and unjust war of the Russian
19 Federation;

20 (8) the Strategic Concept, agreed to by all
21 North Atlantic Treaty Organization member coun-
22 tries at the Madrid Summit in 2022, outlined the
23 focus of the North Atlantic Treaty Organization for
24 the upcoming decade, and North Atlantic Treaty Or-
25 ganization allies should continue to implement the

1 strategies outlined, including by making efforts to
2 address the challenges posed by the coercive policies
3 of the People’s Republic of China that undermine
4 the interests, security, and shared values of the
5 North Atlantic Treaty Organization Alliance;

6 (9) the United States and North Atlantic Trea-
7 ty Organization allies should continue long-term ef-
8 forts—

9 (A) to improve interoperability among the
10 military forces of member countries of the
11 North Atlantic Treaty Organization so as to en-
12 hance collective operations, including the divest-
13 ment of Soviet-era capabilities;

14 (B) to enhance security sector cooperation
15 and explore opportunities to reinforce civil sec-
16 tor preparedness and resilience measures that
17 may be likely targets of malign influence cam-
18 paigns;

19 (C) to mitigate the impact of hybrid war-
20 fare operations, particularly those in the infor-
21 mation and cyber domains; and

22 (D) to expand joint research and develop-
23 ment initiatives with a focus on emerging tech-
24 nologies such as quantum computing, artificial
25 intelligence, and machine learning, including

1 through the work of the Defence Innovation Ac-
2 celerator for the North Atlantic initiative (com-
3 monly known as “DIANA”);

4 (10) the European Deterrence Initiative re-
5 mains critically important and has demonstrated its
6 unique value to the United States and North Atlan-
7 tic Treaty Organization allies during the current
8 Russian Federation-created war against Ukraine;

9 (11) the United States should continue to work
10 with North Atlantic Treaty Organization allies, and
11 other allies and partners, to build permanent mecha-
12 nisms to strengthen supply chains, enhance supply
13 chain security, and fill supply chain gaps;

14 (12) the United States should prioritize collabo-
15 ration with North Atlantic Treaty Organization al-
16 lies to secure enduring and robust critical munitions
17 supply chains so as to increase military readiness;

18 (13) the United States and the North Atlantic
19 Treaty Organization should expand cooperation ef-
20 forts on cybersecurity issues to prevent adversaries
21 and criminals from compromising critical systems
22 and infrastructure; and

23 (14) it is in the interest of the United States
24 that the North Atlantic Treaty Organization adopt
25 a robust strategy toward the Black Sea, and the

1 United States should also consider working with in-
2 terested partner countries to advance a coordinated
3 strategy inclusive of diverse elements of transatlantic
4 security architecture in the Black Sea region.

5 **SEC. 1339. SENSE OF THE SENATE ON DEFENCE INNOVA-**
6 **TION ACCELERATOR FOR THE NORTH ATLAN-**
7 **TIC (DIANA) IN THE NORTH ATLANTIC TREA-**
8 **TY ORGANIZATION.**

9 It is the sense of the Senate that—

10 (1) the new initiative within the North Atlantic
11 Treaty Organization (NATO) to establish a new re-
12 search and development initiative, known as the
13 Defence Innovation Accelerator for the North Atlan-
14 tic (DIANA), is an important step in aligning the
15 industry and academic innovation communities of
16 the NATO member states towards common goals for
17 identifying, experimenting, and transitioning critical
18 technologies of importance to NATO;

19 (2) DIANA will spur increased defense research
20 and development funding to rapidly adapt to a new
21 era of strategic competition by bringing defense per-
22 sonnel together with NATO's leading entrepreneurs
23 and academic researchers;

24 (3) DIANA will also increase opportunities for
25 engagement on NATO's priority technology areas,

1 including artificial intelligence, data, autonomy,
2 quantum-enabled technologies, biotechnology,
3 hypersonic technologies, space, novel materials and
4 manufacturing, and energy and propulsion; and

5 (4) through DIANA, NATO allies will foster in-
6 novative ecosystems and develop talent for dual use
7 technologies to maintain NATO's strategic advan-
8 tage.

9 **SEC. 1340. SENSE OF THE SENATE REGARDING THE ARM-**
10 **ING OF UKRAINE.**

11 It is the sense of the Senate that Ukraine would de-
12 rive military benefit from the provision of munitions such
13 as the dual-purpose improved conventional munition
14 (DPICM). Such weapons could be fired from systems in
15 the existing Ukrainian inventory and would enhance
16 Ukraine's stockpile of available munitions and would bol-
17 ster Ukraine's efforts to end Russia's illegal and unjust
18 war. The Department of Defense, in concert with the other
19 members of the Ukraine Defense Contract Group, should
20 continue to support Ukraine's brave fight to defeat the
21 invasion of the Russian Federation. The Department of
22 Defense, in close coordination with the State Department,
23 should assess the feasibility and advisability of providing
24 such munitions, including giving appropriate attention to
25 humanitarian considerations, including supporting

1 Ukraine’s effort to end the widespread suffering of the
2 Ukrainian people by bringing Russia’s war of choice to
3 an end as soon as possible on terms favorable to Ukraine,
4 as well as the views of other members of the Ukraine De-
5 fense Contract Group.

6 **Subtitle D—Matters Relating to the**
7 **Indo-Pacific Region**

8 **SEC. 1341. INDO-PACIFIC CAMPAIGNING INITIATIVE.**

9 (a) IN GENERAL.—The Secretary of Defense shall es-
10 tablish, and the Commander of the United States Indo-
11 Pacific Command shall carry out, an Indo-Pacific Cam-
12 paigning Initiative (in this section referred to as the “Ini-
13 tiative”) for purposes of—

14 (1) strengthening United States alliances and
15 partnerships with foreign military partners in the
16 Indo-Pacific region;

17 (2) deterring military aggression by potential
18 adversaries against the United States and allies and
19 partners of the United States;

20 (3) dissuading strategic competitors from seek-
21 ing to achieve their objectives through the conduct
22 of military activities below the threshold of tradi-
23 tional armed conflict;

1 (4) improving the understanding of the United
2 States Armed Forces with respect to the operating
3 environment in the Indo-Pacific region;

4 (5) shaping the perception of potential adver-
5 saries with respect to United States military capa-
6 bilities and the military capabilities of allies and
7 partners of the United States in the Indo-Pacific re-
8 gion; and

9 (6) improving the ability of the United States
10 Armed Forces to coordinate and operate with for-
11 eign military partners in the Indo-Pacific region.

12 (b) BRIEFING AND REPORT.—

13 (1) BRIEFING.—Not later than March 1, 2024,
14 the Secretary shall provide the congressional defense
15 committees with a briefing that describes ongoing
16 and planned campaigning activities in the Indo-Pa-
17 cific region for fiscal year 2024.

18 (2) REPORT.—Not later than December 1,
19 2024, the Secretary shall submit to the congress-
20 sional defense committees a report that—

21 (A) summarizes the campaigning activities
22 conducted in the Indo-Pacific region during fis-
23 cal year 2024; and

24 (B) includes—

- 1 (i) a value assessment of each such
2 activity;
- 3 (ii) lessons learned in carrying out
4 such activities;
- 5 (iii) any identified resource or author-
6 ity gap that has negatively impacted the
7 implementation of the Initiative; and
- 8 (iv) proposed plans for additional
9 campaigning activities in the Indo-Pacific
10 region to fulfill the purposes described in
11 subsection (a).

12 (c) CAMPAIGNING DEFINED.—In this section, the
13 term “campaigning”—

14 (1) means the conduct and sequencing of logi-
15 cally linked military activities to achieve strategy-
16 aligned objectives, including modifying the security
17 environment over time to the benefit of the United
18 States and the allies and partners of the United
19 States while limiting, frustrating, and disrupting
20 competitor activities; and

21 (2) includes deliberately planned military activi-
22 ties in the Indo-Pacific region involving bilateral and
23 multilateral engagements with foreign partners,
24 training, exercises, demonstrations, experiments, and

1 other activities to achieve the objectives described in
2 subsection (a).

3 **SEC. 1342. TRAINING, ADVISING, AND INSTITUTIONAL CA-**
4 **PACITY-BUILDING PROGRAM FOR MILITARY**
5 **FORCES OF TAIWAN.**

6 (a) **ESTABLISHMENT.**—Consistent with the Taiwan
7 Relations Act (22 U.S.C. 3301 et seq.) and the Taiwan
8 Enhanced Resilience Act (subtitle A of title LV of Public
9 Law 117–263), the Secretary of Defense, with the concur-
10 rence of the Secretary of State and in consultation with
11 appropriate officials of Taiwan, shall establish a com-
12 prehensive training, advising, and institutional capacity-
13 building program for the military forces of Taiwan using
14 the authorities provided in chapter 16 of title 10, United
15 States Code, and other applicable statutory authorities
16 available to the Secretary of Defense.

17 (b) **PURPOSES.**—The purposes of the program estab-
18 lished under subsection (a) shall be—

19 (1) to enable a layered defense of Taiwan by
20 the military forces of Taiwan, including in support
21 of the use of an asymmetric defense strategy;

22 (2) to enhance interoperability between the
23 United States Armed Forces and the military forces
24 of Taiwan;

1 (3) to encourage information sharing between
2 the United States Armed Forces and the military
3 forces of Taiwan;

4 (4) to promote joint force employment; and

5 (5) to improve professional military education
6 and the civilian control of the military.

7 (c) ELEMENTS.—The program established under
8 subsection (a) shall include efforts to improve—

9 (1) the tactical proficiency of the military forces
10 of Taiwan;

11 (2) the operational employment of the military
12 forces of Taiwan to conduct a layered defense of
13 Taiwan, including in support of an asymmetric de-
14 fense strategy;

15 (3) the employment of joint military capabilities
16 by the military forces of Taiwan, including through
17 joint military training, exercises, and planning;

18 (4) the reform and integration of the reserve
19 military forces of Taiwan;

20 (5) the use of defense articles and services
21 transferred from the United States to Taiwan;

22 (6) the integration of the military forces of Tai-
23 wan with relevant civilian agencies, including the
24 All-Out Defense Mobilization Agency;

1 (7) the ability of Taiwan to participate in bilat-
2 eral and multilateral military exercises, as appro-
3 priate;

4 (8) the defensive cyber capabilities and prac-
5 tices of the Ministry of National Defense of Taiwan;
6 and

7 (9) any other matter the Secretary of Defense
8 considers relevant.

9 (d) DECONFLICTION, COORDINATION, AND CONCUR-
10 RENCE.—The Secretary of Defense shall deconflict, co-
11 ordinate, and seek the concurrence of the Secretary of
12 State and the heads of other relevant departments and
13 agencies with respect to activities carried out under the
14 program required by subsection (a), in accordance with
15 the requirements of the authorities provided in chapter 16
16 of title 10, United States Code, and other applicable statu-
17 tory authorities available to the Secretary of Defense.

18 (e) REPORTING.—As part of each annual report on
19 Taiwan defensive military capabilities and intelligence
20 support required by section 1248 of the National Defense
21 Authorization Act for Fiscal Year 2022 (Public Law 117–
22 81; 135 Stat. 1988), the Secretary of Defense shall pro-
23 vide—

24 (1) an update on efforts made to address each
25 element under subsection (c); and

1 (2) an identification of any authority or re-
2 source shortfall that inhibits such efforts.

3 **SEC. 1343. INDO-PACIFIC MARITIME DOMAIN AWARENESS**
4 **INITIATIVE.**

5 (a) ESTABLISHMENT.—Not later than 90 days after
6 the date of the enactment of this Act, the Secretary of
7 Defense, in coordination with the Secretary of State, shall
8 seek to establish an initiative with allies and partners of
9 the United States, including Australia, Japan, and India,
10 to be known as the “Indo-Pacific Maritime Domain
11 Awareness Initiative” (in this section referred to as the
12 “Initiative”), to bolster maritime domain awareness in the
13 Indo-Pacific region.

14 (b) USE OF AUTHORITIES.—In carrying out the Ini-
15 tiative, the Secretary of Defense may use the authorities
16 provided in chapter 16 of title 10, United States Code,
17 and other applicable statutory authorities available to the
18 Secretary of Defense.

19 (c) PURPOSES.—The purposes of the Initiative are as
20 follows:

21 (1) To enhance the ability of allies and partners
22 of the United States in the Indo-Pacific region to
23 fully monitor the maritime domain of such region.

24 (2) To leverage emerging technologies to sup-
25 port maritime domain awareness objectives.

1 (3) To provide a comprehensive understanding
2 of the maritime domain in the Indo-Pacific region,
3 including by facilitating information sharing among
4 such allies and partners.

5 (d) REPORT.—Not later than March 1, 2024, the
6 Secretary of Defense shall submit to the congressional de-
7 fense committees a report that outlines ongoing and
8 planned activities of the Initiative, and the resources need-
9 ed to carry out the such activities, for fiscal year 2025.

10 **SEC. 1344. EXTENSION OF PACIFIC DETERRENCE INITIA-**
11 **TIVE.**

12 (a) EXTENSION.—Subsection (c) of section 1251 of
13 the William M. (Mac) Thornberry National Defense Au-
14 thorization Act for Fiscal Year 2021 (10 U.S.C. 113 note)
15 is amended—

16 (1) by striking “the National Defense Author-
17 ization Act for Fiscal Year 2023” and inserting “the
18 National Defense Authorization Act for Fiscal Year
19 2024”; and

20 (2) by striking “fiscal year 2023” and inserting
21 “fiscal year 2024”.

22 (b) REPORT ON RESOURCING UNITED STATES DE-
23 FENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION
24 AND STUDY ON COMPETITIVE STRATEGIES.—Subsection
25 (d)(1)(A) of such section is amended by striking “fiscal

1 years 2023 and 2024” and inserting “fiscal years 2024
2 and 2025”.

3 **SEC. 1345. EXTENSION OF AUTHORITY TO TRANSFER**
4 **FUNDS FOR BIEN HOA DIOXIN CLEANUP.**

5 Section 1253(b) of the William M. (Mac) Thornberry
6 National Defense Authorization Act for Fiscal Year 2021
7 (Public Law 116–283; 134 Stat. 3955) is amended by
8 striking “fiscal year 2023” and inserting “fiscal year
9 2024”.

10 **SEC. 1346. EXTENSION AND MODIFICATION OF PILOT PRO-**
11 **GRAM TO IMPROVE CYBER COOPERATION**
12 **WITH FOREIGN MILITARY PARTNERS IN**
13 **SOUTHEAST ASIA.**

14 (a) IN GENERAL.—Subsection (a) of section 1256 of
15 the William M. (Mac) Thornberry National Defense Au-
16 thorization Act for Fiscal Year 2021 (Public Law 116–
17 283; 134 Stat. 3956; 10 U.S.C. 333 note) is amended—

18 (1) in the matter preceding paragraph (1), by
19 striking “in Vietnam, Thailand, and Indonesia” and
20 inserting “with covered foreign military partners”;

21 (2) in paragraph (1), by striking “Vietnam,
22 Thailand, and Indonesia” and inserting “covered
23 foreign military partners”; and

1 (3) in paragraph (2), by striking “Vietnam,
2 Thailand, and Indonesia on” and inserting “covered
3 foreign military partners on defensive”.

4 (b) ELEMENTS.—Subsection (b) of such section is
5 amended—

6 (1) in paragraph (1), by striking “Vietnam,
7 Thailand, and Indonesia” and inserting “covered
8 foreign military partners”; and

9 (2) in paragraph (2), by striking “Vietnam,
10 Thailand, and Indonesia” and inserting “covered
11 foreign military partners”.

12 (c) REPORTS.—Subsection (c)(2)(B) of such title is
13 amended by striking “Vietnam, Thailand, and Indonesia”
14 and inserting “covered foreign military partners”.

15 (d) CERTIFICATION.—Subsection (d) of such section
16 is amended—

17 (1) by inserting “with any covered foreign mili-
18 tary partner” after “scheduled to commence”; and

19 (2) by striking “Vietnam, Indonesia, or Thai-
20 land” and inserting “the covered foreign military
21 partner”.

22 (e) EXTENSION.—Subsection (e) of such section is
23 amended by striking “December 31, 2024” and inserting
24 “December 31, 2029”.

1 (f) DEFINITIONS.—Subsection (f) of such section is
2 amended to read as follows:

3 “(f) DEFINITIONS.—In this section:

4 “(1) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term ‘appropriate committees of Con-
6 gress’ means—

7 “(A) the Committee on Armed Services
8 and the Committee on Foreign Relations of the
9 Senate; and

10 “(B) the Committee on Armed Services
11 and the Committee on Foreign Affairs of the
12 House of Representatives.

13 “(2) COVERED FOREIGN MILITARY PARTNER.—
14 The term ‘covered foreign military partner’ means
15 the following:

16 “(A) Vietnam.

17 “(B) Thailand.

18 “(C) Indonesia.

19 “(D) The Philippines.

20 “(E) Malaysia.”.

21 (g) CONFORMING AMENDMENTS.—

22 (1) Section 1256 of the William M. (Mac)
23 Thornberry National Defense Authorization Act for
24 Fiscal Year 2021 (Public Law 116–283; 134 Stat.
25 3956; 10 U.S.C. 333 note) is amended, in the sec-

1 tion heading, by striking “**VIETNAM, THAILAND,**
 2 **AND INDONESIA**” and inserting “**COVERED FOR-**
 3 **EIGN MILITARY PARTNERS IN SOUTHEAST**
 4 **ASIA**”.

5 (2) The table of contents for the William M.
 6 (Mac) Thornberry National Defense Authorization
 7 Act for Fiscal Year 2021 (Public Law 116–283; 134
 8 Stat. 3388) is amended by striking the item relating
 9 to section 1256 and inserting the following:

“Sec. 1256. Pilot program to improve cyber cooperation with covered foreign
 military partners in Southeast Asia.”.

10 (3) The table of contents for title XII of the
 11 William M. (Mac) Thornberry National Defense Au-
 12 thorization Act for Fiscal Year 2021 (Public Law
 13 116–283; 134 Stat. 3905) is amended by striking
 14 the item relating to section 1256 and inserting the
 15 following:

“Sec. 1256. Pilot program to improve cyber cooperation with covered foreign
 military partners in Southeast Asia.”.

16 **SEC. 1347. EXTENSION AND MODIFICATION OF CERTAIN**
 17 **TEMPORARY AUTHORIZATIONS.**

18 (a) **IN GENERAL.**—Section 1244 of the James M.
 19 Inhofe National Defense Authorization Act for Fiscal Year
 20 2023 (Public Law 117–263; 136 Stat. 2844) is amend-
 21 ed—

22 (1) in the section heading, by striking “**OTHER**
 23 **MATTERS**” and inserting “**TAIWAN**”; and

- 1 (2) in subsection (a)—
- 2 (A) in paragraph (1)—
- 3 (i) in subparagraph (B), by inserting
- 4 “or the Government of Taiwan” after “the
- 5 Government of Ukraine”; and
- 6 (ii) in subparagraph (C), by inserting
- 7 “or the Government of Taiwan” after “the
- 8 Government of Ukraine”;
- 9 (B) in paragraph (5)—
- 10 (i) by striking subparagraph (A) and
- 11 inserting the following:
- 12 “(A) the replacement of defense articles
- 13 from stocks of the Department of Defense pro-
- 14 vided to—
- 15 “(i) the Government of Ukraine;
- 16 “(ii) foreign countries that have pro-
- 17 vided support to Ukraine at the request of
- 18 the United States;
- 19 “(iii) the Government of Taiwan; or
- 20 “(iv) foreign countries that have pro-
- 21 vided support to Taiwan at the request of
- 22 the United States; or”;
- 23 (ii) in subparagraph (B), by inserting
- 24 “or the Government of Taiwan” before the
- 25 period at the end;

1 (C) in paragraph (7), by striking “Sep-
2 tember 30, 2024” and inserting “September 30,
3 2028”;

4 (D) by redesignating paragraph (7) as
5 paragraph (8); and

6 (E) by inserting after paragraph (6) the
7 following new paragraph (7):

8 “(7) NOTIFICATION.—Not later than 7 days
9 after the exercise of authority under subsection (a)
10 the Secretary of Defense shall notify the congress-
11 sional defense committees of the specific authority
12 exercises, the relevant contract, and the estimated
13 reductions in schedule.”.

14 (b) CLERICAL AMENDMENTS.—

15 (1) The table of contents at the beginning of
16 the James M. Inhofe National Defense Authoriza-
17 tion Act for Fiscal Year 2023 (Public Law 117–263;
18 136 Stat. 2395) is amended by striking the item re-
19 lating to section 1244 and inserting the following:

“Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.”.

20 (2) The table of contents at the beginning of
21 title XII of the James M. Inhofe National Defense
22 Authorization Act for Fiscal Year 2023 (Public Law
23 117–263; 136 Stat. 2820) is amended by striking

1 the item relating to section 1244 and inserting the
2 following:

“Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.”.

3 **SEC. 1348. PLAN FOR ENHANCED SECURITY COOPERATION**
4 **WITH JAPAN.**

5 (a) IN GENERAL.—Not later than June 1, 2024, the
6 Secretary of Defense, in coordination with the Secretary
7 of State, shall submit to the appropriate committees of
8 Congress a plan for enhancing United States security co-
9 operation with Japan.

10 (b) ELEMENTS.—The plan required by subsection (a)
11 shall include the following:

12 (1) A plan for—

13 (A) increased bilateral training, exercises,
14 combined patrols, and other activities between
15 the United States Armed Forces and the Self-
16 Defense Forces of Japan;

17 (B) increasing multilateral military-to-mili-
18 tary engagements involving the United States
19 Armed Forces, the Self-Defense Forces of
20 Japan, and the military forces of other regional
21 allies and partners, including Australia, India,
22 the Republic of Korea, and the Philippines, as
23 appropriate;

1 (C) increased sharing of intelligence and
2 other information, including the adoption of en-
3 hanced security protocols;

4 (D) current mechanisms, processes, and
5 plans to coordinate and engage with the Joint
6 Headquarters of the Self-Defense Forces of
7 Japan; and

8 (E) enhancing cooperation on advanced
9 technology initiatives, including artificial intel-
10 ligence, cyber, space, undersea, hypersonic, and
11 related technologies.

12 (2) An analysis of the feasibility and advis-
13 ability of—

14 (A) increasing combined planning efforts
15 between the United States and Japan to ad-
16 dress potential regional contingencies;

17 (B) modifying United States command
18 structures in Japan—

19 (i) to coordinate all United States
20 military activities and operations in Japan;

21 (ii) to complement similar changes by
22 the Self-Defense Forces of Japan; and

23 (iii) to facilitate integrated planning
24 and implementation of combined activities;
25 and

1 (C) additional modifications to the force
2 posture of the United States Armed Forces in
3 Japan, including the establishment of additional
4 main operating locations, cooperative security
5 locations, contingency locations, and other for-
6 ward operating sites.

7 (3) An identification of challenges to the imple-
8 mentation of the plan required by subsection (a) and
9 any recommended legislative changes, resourcing re-
10 quirements, bilateral agreements, or other measures
11 that would facilitate the implementation of such
12 plan.

13 (c) FORM.—The plan required by subsection (a) shall
14 be submitted in unclassified form but may include a classi-
15 fied annex.

16 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
17 FINED.—In this section, the term “appropriate commit-
18 tees of Congress” means—

19 (1) the Committee on Foreign Relations and
20 the Committee on Armed Services of the Senate; and

21 (2) the Committee on Foreign Affairs and the
22 Committee on Armed Services of the House of Rep-
23 resentatives.

1 **SEC. 1349. PLAN FOR IMPROVEMENTS TO CERTAIN OPER-**
2 **ATING LOCATIONS IN INDO-PACIFIC REGION.**

3 (a) IDENTIFICATION OF OPERATING LOCATIONS.—

4 (1) IN GENERAL.—The Secretary of Defense
5 shall conduct a classified survey to identify each
6 United States operating location within the area of
7 responsibility of the United States Indo-Pacific Com-
8 mand, including in the First, Second, and Third Is-
9 land Chains, that—

10 (A) may be used to respond militarily to
11 aggression by the People’s Republic of China;
12 and

13 (B) is considered to not be sufficiently ca-
14 pable of mitigating damage to aircraft of the
15 United States Armed Forces in the event of a
16 missile, aerial drone, or other form of attack by
17 the People’s Republic of China.

18 (2) REPORT.—Not later than 120 days after
19 the date of the enactment of this Act, the Secretary
20 shall submit to the congressional defense committees
21 a report on the results of the survey under para-
22 graph (1).

23 (b) PLAN.—Not later than 60 days after the date on
24 which the report required by paragraph (2) of subsection
25 (a) is submitted, the Secretary shall submit to the congres-
26 sional defense committees a plan—

1 (1) to implement improvements, as appropriate,
2 to operating locations identified under that sub-
3 section so as to increase the survivability of aircraft
4 of the United States Armed Forces in the event of
5 a missile, aerial drone, or other form of attack b3y
6 the People’s Republic of China; and

7 (2) that includes an articulation of other means
8 for increasing survivability of such aircraft in the
9 event of such an attack, including dispersal and de-
10 ception.

11 (c) FORM.—The report and plan required by this sec-
12 tion shall be submitted in classified form.

13 **SEC. 1350. STRATEGY FOR IMPROVING POSTURE OF**
14 **GROUND-BASED THEATER-RANGE MISSILES**
15 **IN INDO-PACIFIC REGION.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary of Defense
18 shall submit to the congressional defense committees a
19 strategy for improving the posture of ground-based the-
20 ater-range missile capabilities in the Indo-Pacific region.

21 (b) ELEMENTS.—The strategy required by subsection
22 (a) shall include the following:

23 (1) An assessment of gaps in conventional
24 ground-based theater-range precision strike capabili-

1 ties in the area of responsibility of the United States
2 Indo-Pacific Command.

3 (2) An identification of military requirements
4 for conventional ground-based theater-range missile
5 systems, including range, propulsion, payload,
6 launch platform, weapon effects, and other oper-
7 ationally relevant factors in the Indo-Pacific region.

8 (3) An identification of prospective basing loca-
9 tions in the area of responsibility of the United
10 States Indo-Pacific Command, including an articula-
11 tion of the bilateral agreements necessary to support
12 such deployments.

13 (4) A description of operational concepts for
14 employment, including integration with short-range
15 and multi-domain fires, in denial operations in the
16 Western Pacific.

17 (5) An identification of prospective foreign
18 partners and institutional mechanisms for co-devel-
19 opment and co-production of new theater-range con-
20 ventional missiles.

21 (6) An assessment of the cost and schedule of
22 developmental ground-based theater-range missiles
23 programs, including any potential cost-sharing ar-
24 rangements with foreign partners through existing
25 institutional mechanisms.

1 evaluation projects with the Department of Defense,
2 with priority given to projects in the areas of—

3 (A) artificial intelligence;

4 (B) undersea domain awareness;

5 (C) air combat and support;

6 (D) munitions; and

7 (E) mobility.

8 (2) Eligibility to enter into reciprocal agree-
9 ments with the Department of Defense for the coop-
10 erative provision of training on a bilateral or multi-
11 lateral basis in support of programs for the purpose
12 of building capacity in the areas of—

13 (A) counterterrorism operations;

14 (B) counter-weapons of mass destruction
15 operations;

16 (C) counter-illicit drug trafficking oper-
17 ations;

18 (D) counter-transnational organized crime
19 operations;

20 (E) maritime and border security oper-
21 ations;

22 (F) military intelligence operations;

23 (G) air domain awareness operations; and

24 (H) cyberspace security and defensive
25 cyberspace operations.

1 States Cyber Command and the Commander of the United
2 States Indo-Pacific Command, shall seek to engage with
3 appropriate officials of Taiwan for the purpose of expand-
4 ing cooperation on military cybersecurity activities using
5 the authorities under chapter 16 of title 10, United States
6 Code, and other applicable statutory authorities available
7 to the Secretary of Defense.

8 (b) COOPERATION EFFORTS.—In expanding the co-
9 operation of military cybersecurity activities between the
10 Department of Defense and the military forces of Taiwan
11 under subsection (a), the Secretary of Defense may carry
12 out efforts—

13 (1) to actively defend military networks, infra-
14 structure, and systems;

15 (2) to eradicate malicious cyber activity that
16 has compromised such networks, infrastructure, and
17 systems;

18 (3) to leverage United States commercial and
19 military cybersecurity technology and services to
20 harden and defend such networks, infrastructure,
21 and systems; and

22 (4) to conduct combined cybersecurity training
23 activities and exercises.

24 (c) BRIEFINGS.—

1 (1) REQUIREMENT.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense, in coordination with the Secretary
4 of State, shall provide to the appropriate committees
5 of Congress a briefing on the implementation of this
6 section.

7 (2) CONTENTS.—The briefing under paragraph
8 (1) shall include the following:

9 (A) A description of the feasibility and ad-
10 visability of expanding the cooperation on mili-
11 tary cybersecurity activities between the De-
12 partment of Defense and the military forces of
13 Taiwan.

14 (B) An identification of any challenges and
15 resources that need to be addressed so as to ex-
16 pand such cooperation.

17 (C) An overview of efforts undertaken pur-
18 suant to this section.

19 (D) Any other matter the Secretary con-
20 siders relevant.

21 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
22 FINED.—In this section, the term “appropriate commit-
23 tees of Congress” means—

24 (1) the Committee on Armed Services and the
25 Committee on Foreign Relations of the Senate; and

1 (2) the Committee on Armed Services and the
2 Committee on Foreign Affairs of the House of Rep-
3 resentatives.

4 **SEC. 1353. DESIGNATION OF SENIOR OFFICIAL FOR DE-**
5 **PARTMENT OF DEFENSE ACTIVITIES RELAT-**
6 **ING TO, AND IMPLEMENTATION PLAN FOR,**
7 **SECURITY PARTNERSHIP AMONG AUSTRALIA,**
8 **THE UNITED KINGDOM, AND THE UNITED**
9 **STATES.**

10 (a) DESIGNATION OF SENIOR OFFICIAL.—Not later
11 than 90 days after the date of the enactment of this Act,
12 the Secretary of Defense shall designate a senior civilian
13 official of the Department of Defense who shall be respon-
14 sible for overseeing Department of Defense activities relat-
15 ing to the security partnership among Australia, the
16 United Kingdom, and the United States (commonly known
17 as the “AUKUS partnership”).

18 (b) PLAN.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the date of the enactment of this Act, the Secretary
21 of Defense, in coordination with the Administrator
22 for Nuclear Security and the Secretary of State,
23 shall submit to the appropriate committees of Con-
24 gress an implementation plan outlining Department
25 efforts relating to the AUKUS partnership.

1 (2) ELEMENTS.—The plan required by para-
2 graph (1) shall include the following:

3 (A) Timelines and major anticipated mile-
4 stones for the implementation of the AUKUS
5 partnership.

6 (B) An identification of dependencies of
7 such milestones on defense requirements that
8 are—

9 (i) unrelated to the AUKUS partner-
10 ship; and

11 (ii) solely within the decisionmaking
12 responsibility of Australia or the United
13 Kingdom.

14 (C) Recommendations for adjustments to
15 statutory and regulatory export authorities or
16 frameworks, including technology transfer and
17 protection, necessary to efficiently implement
18 the AUKUS partnership.

19 (D) A consideration of the implications of
20 the plan on the industrial base with respect
21 to—

22 (i) the expansion of existing United
23 States submarine construction capacity to
24 fulfill United States, United Kingdom, and
25 Australia requirements;

1 (ii) acceleration of the restoration of
2 United States capabilities for producing
3 highly enriched uranium to fuel submarine
4 reactors;

5 (iii) stabilization of commodity mar-
6 kets and expanding supplies of high-grade
7 steel, construction materials, and other re-
8 sources required for improving shipyard
9 condition and expanding throughput capac-
10 ity; and

11 (iv) coordination and synchronization
12 of industrial sourcing opportunities among
13 Australia, the United Kingdom, and the
14 United States.

15 (E) A description of resourcing and per-
16 sonnel requirements, including the hiring of ad-
17 ditional foreign disclosure officers.

18 (F) A plan for improving information shar-
19 ing, including—

20 (i) recommendations for modifications
21 to foreign disclosure policies and processes;

22 (ii) the promulgation of written infor-
23 mation-sharing guidelines or policies to im-
24 prove information sharing under the
25 AUKUS partnership;

1 (iii) the establishment of an informa-
2 tion handling caveat specific to the
3 AUKUS partnership; and

4 (iv) the reduction in use of the Not
5 Releasable to Foreign Nations (NOFORN)
6 information handling caveat.

7 (G) Processes for the protection of pri-
8 vately held intellectual property, including pat-
9 ents.

10 (H) A plan to leverage, for the AUKUS
11 partnership, any relevant existing cybersecurity
12 or technology partnership or cooperation activ-
13 ity between the United States and the United
14 Kingdom or between the United States and
15 Australia.

16 (I) Recommended updates to other statu-
17 tory, regulatory, policy, or process frameworks.

18 (J) Any other matter the Secretary of De-
19 fense considers appropriate.

20 (c) SEMIANNUAL UPDATES.—Not later than 60 days
21 after the date on which the plan required by subsection
22 (b) is submitted, and semiannually thereafter on April 1
23 and October 1 each year through 2029, the senior civilian
24 official designated under subsection (a) shall provide the
25 congressional defense committees with a briefing on the

1 status of all Department activities to implement the
2 AUKUS partnership.

3 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
4 FINED.—In this section, the term “appropriate commit-
5 tees of Congress” means—

6 (1) the Committee on Armed Services, the
7 Committee on Foreign Relations, and the Committee
8 on Appropriations of the Senate; and

9 (2) the Committees on Armed Services, the
10 Committee on Foreign Affairs, and the Committee
11 on Appropriations of the House of Representatives.

12 **SEC. 1354. REPORT AND NOTIFICATION RELATING TO**
13 **TRANSFER OF OPERATIONAL CONTROL ON**
14 **KOREAN PENINSULA.**

15 (a) REPORT.—Not later than 180 days after the date
16 of the enactment of this Act, the Secretary of Defense,
17 in coordination with the Secretary of State, shall submit
18 to the appropriate committees of Congress a report that—

19 (1) describes the conditions under which the
20 military forces of the Republic of Korea would be
21 prepared to assume wartime operational control of
22 the United States and Republic of Korea Combined
23 Forces Command; and

24 (2) includes an assessment of the extent to
25 which the military forces of the Republic of Korea

1 meet such conditions as of the date on which the re-
2 port is submitted.

3 (b) NOTIFICATION.—

4 (1) IN GENERAL.—Not later than 30 days be-
5 fore the date on which wartime operational control
6 of the United States and Republic of Korea Com-
7 bined Forces Command is transferred to the Repub-
8 lic of Korea, the Secretary of Defense, in coordina-
9 tion with the Secretary of State, shall notify the ap-
10 propriate committees of Congress of such transfer.

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

13 (A) An assessment of the extent to which
14 the military forces of the Republic of Korea
15 meet the conditions described in the report sub-
16 mitted under subsection (a), including with re-
17 spect to the acquisition by the Republic of
18 Korea of necessary military capabilities to
19 counter the capabilities of the Democratic Peo-
20 ple's Republic of Korea.

21 (B) A description of the command relation-
22 ship among the United Nations Command, the
23 United States and Republic of Korea Combined
24 Forces Command, the United States Forces

1 Korea, and the military forces of the Republic
2 of Korea.

3 (C) An assessment of the extent to which
4 such transfer impacts the security of the United
5 States, the Republic of Korea, and other re-
6 gional allies and partners.

7 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
8 FINED.—In this section, the term “appropriate commit-
9 tees of Congress” means—

10 (1) the Committee on Armed Services and the
11 Committee on Foreign Relations of the Senate; and

12 (2) the Committee on Armed Services and the
13 Committee on Foreign Affairs of the House of Rep-
14 resentatives.

15 **SEC. 1355. REPORT ON RANGE OF CONSEQUENCES OF WAR**
16 **WITH THE PEOPLE’S REPUBLIC OF CHINA.**

17 (a) IN GENERAL.—Not later than December 1, 2024,
18 the Director of the Office of Net Assessment shall submit
19 to the congressional defense committees a report on the
20 range of geopolitical and economic consequences of a
21 United States-People’s Republic of China conflict in 2030.

22 (b) ELEMENTS.—The report required by subsection
23 (a) shall—

24 (1) account for potential—

1 (A) attacks within the homelands of the
2 United States and the People's Republic of
3 China, including cyber threats and the potential
4 disruption of critical infrastructure;

5 (B) impacts on the United States Armed
6 Forces and the military forces of United States
7 allies and partners, including loss of life, capa-
8 bilities, United States force posture, and United
9 States alliances in the Indo-Pacific region;

10 (C) impacts on the military forces of the
11 People's Republic of China, including loss of life
12 and capabilities;

13 (D) impacts on the civilian populations of
14 Japan, Taiwan, Australia, and other countries
15 in the Indo-Pacific region;

16 (E) disruption of the global economy; and

17 (F) any other matter the Director of the
18 Office of Net Assessment considers relevant;
19 and

20 (2) include a review of previous attempts in his-
21 tory to forecast the consequences and costs of war.

22 (c) FORM.—The report required by subsection (a)
23 shall be submitted in unclassified form but may include
24 a classified annex.

1 (d) BRIEFING.—Not less than 14 days before the
2 date on which the report required by subsection (a) is sub-
3 mitted, the Director of the Office of Net Assessment shall
4 provide a briefing to the congressional defense committees
5 on the conclusions of the report.

6 **SEC. 1356. STUDY AND REPORT ON COMMAND STRUCTURE**
7 **AND FORCE POSTURE OF UNITED STATES**
8 **ARMED FORCES IN INDO-PACIFIC REGION.**

9 (a) STUDY.—

10 (1) IN GENERAL.—The Secretary of Defense
11 shall seek to enter into an agreement with a feder-
12 ally funded research and development center to con-
13 duct an independent study for the purpose of im-
14 proving the current command structure and force
15 posture of the United States Armed Forces in the
16 area of responsibility of the United States Indo-Pa-
17 cific Command.

18 (2) REPORT TO SECRETARY.—

19 (A) IN GENERAL.—Not later than 180
20 days after the date of the enactment of this
21 Act, the federally funded research and develop-
22 ment center selected to conduct the study re-
23 quired by paragraph (1) shall submit to the
24 Secretary a report on the findings of the study.

1 (B) ELEMENTS.—The report required by
2 subparagraph (A) shall include the following:

3 (i) An assessment of—

4 (I) the current command struc-
5 ture of the United States Armed
6 Forces in the area of responsibility of
7 the United States Indo-Pacific Com-
8 mand;

9 (II) the current force posture,
10 basing, access, and overflight agree-
11 ments of the United States Armed
12 Forces in such area of responsibility;
13 and

14 (III) any operational or command
15 and control challenge resulting from
16 the geography, current force posture
17 of the United States Armed Forces,
18 or current command structure of the
19 United States Armed Forces in the
20 area of responsibility of the United
21 States Indo-Pacific Command.

22 (ii) Any recommendation for—

23 (I) adjustments to the force pos-
24 ture of the United States Armed
25 Forces in such area of responsibility,

1 including an identification of any ad-
2 ditional basing, access, and overflight
3 agreement that may be necessary in
4 response to the changing security en-
5 vironment in such area of responsi-
6 bility;

7 (II) modifying the current orga-
8 nizational and command structure of
9 the United States Indo-Pacific Com-
10 mand, including United States Forces
11 Japan and United States Forces
12 Korea, in response to such changing
13 security environment; or

14 (III) improving the ability to bet-
15 ter coordinate with allies and partners
16 during peacetime and conflict.

17 (b) REPORT TO CONGRESS.—

18 (1) IN GENERAL.—Not later than February 1,
19 2025, the Secretary shall submit to the congres-
20 sional defense committees an unaltered copy of the
21 report submitted to the Secretary under subsection
22 (a)(2), together with the views of the Secretary on
23 the findings set forth in such report and any cor-
24 responding recommendation.

1 (2) FORM.—The report required by paragraph
2 (1) shall be submitted in unclassified form but may
3 contain a classified annex.

4 (3) PUBLIC AVAILABILITY.—The Secretary
5 shall make available to the public the unclassified
6 form of the report required by paragraph (1).

7 **SEC. 1357. STUDIES ON DEFENSE BUDGET TRANSPARENCY**
8 **OF THE PEOPLE’S REPUBLIC OF CHINA AND**
9 **THE UNITED STATES.**

10 (a) STUDIES REQUIRED.—

11 (1) DEFENSE INTELLIGENCE AGENCY STUDY.—
12 Not later than 180 days after the date of the enact-
13 ment of this Act, the Secretary of Defense, acting
14 through the Director of the Defense Intelligence
15 Agency, shall—

16 (A) complete a study on the defense budg-
17 et of the People’s Republic of China;

18 (B) submit to the Committees on Armed
19 Services of the Senate and the House of Rep-
20 resentatives a report on the results of the
21 study; and

22 (C) make the results of the study available
23 to the public on the internet website of the De-
24 partment of Defense.

1 (2) SECRETARY OF DEFENSE STUDY.—Not
2 later than 90 days after the date on which the study
3 required by paragraph (1) is submitted, the Sec-
4 retary of Defense shall—

5 (A) complete a comparative study on the
6 defense budgets of the People’s Republic of
7 China and the United States;

8 (B) submit to the Committees on Armed
9 Services of the Senate and the House of Rep-
10 resentatives a report on the results of the
11 study; and

12 (C) make the results of the study available
13 to the public on the internet website of the De-
14 partment of Defense.

15 (3) METHODOLOGY.—The studies required by
16 paragraphs (1) and (2) shall each employ a robust
17 methodology that—

18 (A) does not depend on the official pro-
19 nouncements of the Government of the People’s
20 Republic of China or the Chinese Communist
21 Party;

22 (B) takes into account the military-civil fu-
23 sion present in the People’s Republic of China;
24 and

1 (C) employs the building-block method of
2 analysis or a similar method of analysis, as ap-
3 propriate.

4 (4) OBJECTIVE.—The objective of the studies
5 required by paragraphs (1) and (2) shall be to pro-
6 vide the people of the United States with an accu-
7 rate comparison of the defense spending of the Peo-
8 ple’s Republic of China and the United States.

9 (b) ELEMENTS.—At a minimum, the studies required
10 by this section shall do the following:

11 (1) Determine the amounts invested by each
12 subject country across functional categories for
13 spending, including—

14 (A) defense-related research and develop-
15 ment;

16 (B) weapons procurement from domestic
17 and foreign sources;

18 (C) operations and maintenance;

19 (D) pay and benefits;

20 (E) military pensions; and

21 (F) any other category the Secretary con-
22 siders relevant.

23 (2) Consider the effects of purchasing power
24 parity and market exchange rates, particularly on
25 nontraded goods.

1 (3) Estimate the magnitude of omitted spend-
2 ing from official defense budget information and ac-
3 count for such spending in the comparison.

4 (4) Exclude spending related to veterans' bene-
5 fits, other than military pensions provided to vet-
6 erans.

7 (c) CONSIDERATIONS.—The studies required by this
8 section may take into consideration the following:

9 (1) The effects of state-owned enterprises on
10 the defense expenditures of the People's Republic of
11 China.

12 (2) The role of differing acquisition policies and
13 structures with respect to the defense expenditures
14 of each subject country.

15 (3) Any other matter relevant to evaluating the
16 resources dedicated to the defense spending or the
17 various military-related outlays of the People's Re-
18 public of China.

19 (d) FORM.—The studies required by this section shall
20 be submitted in unclassified form, free of handling restric-
21 tions, but may include classified annexes.

1 **SEC. 1358. BRIEFING ON PROVISION OF SECURITY ASSIST-**
2 **ANCE BY THE PEOPLE’S REPUBLIC OF CHINA**
3 **AND SUMMARY OF DEPARTMENT OF DE-**
4 **FENSE MITIGATION ACTIVITIES.**

5 (a) BRIEFING.—Not later than March 1, 2024, the
6 Secretary of Defense, in coordination with the Secretary
7 of State, shall provide to the appropriate committees of
8 Congress a briefing that describes the provision of security
9 assistance and training by the People’s Republic of China
10 to foreign military forces for the purpose of achieving the
11 national objectives of the People’s Republic of China.

12 (b) SUMMARY OF MITIGATION ACTIVITIES.—As part
13 of the first report submitted under section 1206(c)(2) of
14 the National Defense Authorization Act for Fiscal Year
15 2022 (Public Law 117–81; 135 Stat. 1960; 10 U.S.C. 301
16 note) after the date of the enactment of this Act, the Sec-
17 retary of Defense shall submit to the appropriate commit-
18 tees of Congress a summary of Department of Defense
19 activities designed to mitigate the provision of security as-
20 sistance and training referred to in subsection (a), includ-
21 ing such activities that—

22 (1) strengthen United States alliances and part-
23 nerships with foreign military partners;

24 (2) identify countries or governments to which
25 the People’s Republic of China provides such secu-
26 rity assistance or military training;

1 (3) dissuade countries and governments from
2 relying on the People’s Republic of China as a part-
3 ner for such security assistance and military train-
4 ing;

5 (4) identify any manner in which the United
6 States, or close allies of the United States, may en-
7 gage with countries and governments to be the pre-
8 ferred partner for security assistance and military
9 training; and

10 (5) improve the ability of the United States
11 Armed Forces to coordinate and operate with allies
12 and partners for purposes of mitigating the provi-
13 sion of security assistance and military training by
14 the People’s Republic of China.

15 (c) APPROPRIATE COMMITTEES OF CONGRESS.—In
16 this section, the term “appropriate committees of Con-
17 gress” means—

18 (1) the Committee on Foreign Relations and
19 the Committee on Armed Services of the Senate; and

20 (2) the Committee on Foreign Affairs and the
21 Committee on Armed Services of the House of Rep-
22 resentatives.

1 **SEC. 1359. SEMIANNUAL BRIEFINGS ON BILATERAL AGREE-**
2 **MENTS SUPPORTING UNITED STATES MILI-**
3 **TARY POSTURE IN THE INDO-PACIFIC RE-**
4 **GION.**

5 (a) **IN GENERAL.**—Not later than 30 days after the
6 date of the enactment of this Act, and every 180 days
7 thereafter through fiscal year 2027, the Secretary of De-
8 fense, in coordination with the Secretary of State, shall
9 provide the appropriate committees of Congress with a
10 briefing on bilateral agreements supporting the United
11 States military posture in the Indo-Pacific region.

12 (b) **ELEMENTS.**—Each briefing required by sub-
13 section (a) shall include the following:

14 (1) An update on notable changes to elements
15 described in section 1262(b) of the James M. Inhofe
16 National Defense Authorization Act for Fiscal Year
17 2023 (Public Law 117–263; 136 Stat. 2857).

18 (2) An assessment of the impact on United
19 States military operations if any individual or com-
20 bination of allies and partners were to deny contin-
21 ued access, basing, or overflight rights, including
22 with respect to—

- 23 (A) forward presence;
24 (B) agile basing;
25 (C) pre-positioned materials; or
26 (D) fueling and resupply.

1 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
2 FINED.—In this section, the term “appropriate commit-
3 tees of Congress” means—

4 (1) the Committee on Armed Services, the
5 Committee on Appropriations, and the Committee on
6 Foreign Relations of the Senate; and

7 (2) the Committee on Armed Services, the
8 Committee on Appropriations, and the Committee on
9 Foreign Affairs of the House of Representatives.

10 **SEC. 1360. SEMIANNUAL BRIEFINGS ON MILITARY OF THE**
11 **PEOPLE’S REPUBLIC OF CHINA.**

12 (a) IN GENERAL.—Not later than 60 days after the
13 date of the enactment of this Act, and not less frequently
14 than every 180 days thereafter through March 30, 2027,
15 the Secretary of Defense shall provide to the congressional
16 defense committees a briefing on—

17 (1) the military activities of the People’s Re-
18 public of China with respect to Taiwan and the
19 South China Sea;

20 (2) efforts by the Department of Defense to en-
21 gage with the People’s Liberation Army; and

22 (3) United States efforts to enable the defense
23 of Taiwan and bolster maritime security in the
24 South China Sea.

1 (b) ELEMENTS.—Each briefing required by sub-
2 section (a) shall include the following:

3 (1) An update on—

4 (A) military developments of the People’s
5 Republic of China relating to any possible Tai-
6 wan or South China Sea contingency, including
7 upgrades to the weapon systems of the People’s
8 Republic of China, the procurement of new
9 weapons by the People’s Republic of China, and
10 changes to the posture of the People’s Libera-
11 tion Army;

12 (B) military equipment acquired by Tai-
13 wan pursuant to the Presidential drawdown au-
14 thority under section 506(a) of the Foreign As-
15 sistance Act of 1961 (22 U.S.C. 2318(a)) or
16 through the direct commercial sales or foreign
17 military sales processes;

18 (C) United States efforts to deter aggres-
19 sion by the People’s Republic of China in the
20 Indo-Pacific region, including any campaigning
21 or exercise activities conducted by the United
22 States; and

23 (D) United States efforts to train the mili-
24 tary forces of Taiwan and allies and partners in
25 Southeast Asia.

1 (2) The most recent information regarding the
2 readiness of or preparations by the People’s Libera-
3 tion Army to potentially conduct aggressive military
4 action against Taiwan.

5 (3) A description of any military activity carried
6 out during the preceding quarter by the People’s Re-
7 public of China in the vicinity of Taiwan.

8 (4) A description of engagements by Depart-
9 ment of Defense officials with the People’s Libera-
10 tion Army, including with respect to maintaining
11 open lines of communication, establishing crisis
12 management capabilities, and deconfliction of mili-
13 tary activities.

14 (5) Any other matter the Secretary considers
15 relevant.

16 **SEC. 1361. PROHIBITION ON USE OF FUNDS TO SUPPORT**
17 **ENTERTAINMENT PROJECTS WITH TIES TO**
18 **THE GOVERNMENT OF THE PEOPLE’S REPUB-**
19 **LIC OF CHINA.**

20 None of the funds authorized to be appropriated by
21 this Act may be used to knowingly provide active and di-
22 rect support to any film, television, or other entertainment
23 project if the Secretary of Defense has demonstrable evi-
24 dence that the project has complied or is likely to comply
25 with a demand from the Government of the People’s Re-

1 public of China or the Chinese Communist Party, or an
2 entity under the direction of the People’s Republic of
3 China or the Chinese Communist Party, to censor the con-
4 tent of the project in a material manner to advance the
5 national interest of the People’s Republic of China.

6 **SEC. 1362. PROHIBITION ON USE OF FUNDS FOR THE**
7 **WUHAN INSTITUTE OF VIROLOGY.**

8 None of the funds authorized to be appropriated
9 under this Act may be made available for the Wuhan Insti-
10 tute of Virology for any purpose.

11 **SEC. 1363. AUDIT TO IDENTIFY DIVERSION OF DEPART-**
12 **MENT OF DEFENSE FUNDING TO CHINA’S RE-**
13 **SEARCH LABS.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of the enactment of this Act, the Department of De-
16 fense Office of Inspector General shall conduct a study,
17 and submit a report to Congress, regarding the amount
18 of Federal funds awarded by the Department of Defense
19 (whether directly or indirectly) through grants, contracts,
20 subgrants, subcontracts, or any other type of agreement
21 or collaboration, during the 10-year period immediately
22 preceding such date of enactment, that—

23 (1) was provided, whether purposely or inad-
24 vertently, to—

25 (A) the People’s Republic of China;

1 (B) the Communist Party of China;

2 (C) the Wuhan Institute of Virology or any
3 other organization administered by the Chinese
4 Academy of Sciences;

5 (D) EcoHealth Alliance Inc., including any
6 subsidiaries and related organizations that are
7 directly controlled by EcoHealth Alliance, Inc.;

8 or

9 (E) any other lab, agency, organization, in-
10 dividual, or instrumentality that is owned, con-
11 trolled (directly or indirectly), or overseen (offi-
12 cially or unofficially) by any of the entities list-
13 ed in subparagraphs (A) through (D); or

14 (2) was used to fund research or experiments
15 that could have reasonably resulted in the enhance-
16 ment of any coronavirus, influenza, Nipah, Ebola, or
17 other pathogen of pandemic potential or chimeric
18 versions of such a virus or pathogen in the People's
19 Republic of China or any other foreign country.

20 (b) IDENTIFICATION OF COUNTRIES AND PATHO-
21 GENS.—The report required under subsection (a) shall
22 specify—

23 (1) the countries in which the research or ex-
24 periments described in subsection (a)(2) was con-
25 ducted; and

1 (2) the pathogens involved in such research or
2 experiments.

3 **SEC. 1364. PROHIBITING FEDERAL FUNDING FOR**
4 **ECOHEALTH ALLIANCE INC.**

5 None of the funds authorized to be appropriated
6 under this Act may be made available for any purpose
7 to—

8 (1) EcoHealth Alliance, Inc.;

9 (2) any subsidiary of EcoHealth Alliance Inc;

10 (3) any organization that is directly controlled
11 by EcoHealth Alliance Inc; or

12 (4) any organization or individual that is a sub-
13 grantee or subcontractor of EcoHealth Alliance Inc.

14 **SEC. 1365. ASSESSMENT RELATING TO CONTINGENCY**
15 **OPERATIONAL PLAN OF UNITED STATES**
16 **INDO-PACIFIC COMMAND.**

17 (a) IN GENERAL.—The Secretary of Defense shall
18 conduct an assessment, based on the contingency oper-
19 ational plan for a major conflict in the area of operations
20 of the United States Indo-Pacific Command, to identify
21 and characterize the dependencies of such plan on specific
22 critical infrastructure facilities, capabilities, and services
23 for the successful mobilization, deployment, and
24 sustainment of forces.

1 (b) BRIEFINGS.—The Secretary shall provide to the
2 congressional defense committees—

3 (1) before the date on which the Secretary com-
4 mences the assessment required by subsection (a), a
5 briefing that sets forth the terms of reference and
6 a plan for such assessment; and

7 (2) a briefing on the results of such assessment,
8 not later than the earlier of—

9 (A) the date on which Secretary completes
10 such assessment; or

11 (B) the date that is 180 days after the en-
12 actment of this Act.

13 **SEC. 1366. ASSESSMENT OF ABSORPTIVE CAPACITY OF**
14 **MILITARY FORCES OF TAIWAN.**

15 (a) REPORT.—

16 (1) IN GENERAL.—Not later than 90 days after
17 the date of the enactment of this Act, the Secretary
18 of Defense, in consultation with the Secretary of
19 State, shall submit to the appropriate committees of
20 Congress a report on the absorptive capacity of the
21 military forces of Taiwan for military capabilities
22 provided and approved by the United States for de-
23 livery to Taiwan in the last 10 years, including the
24 date of projected or achieved initial and full oper-
25 ational capabilities.

1 (2) BRIEFING REQUIREMENT.—Not later than
2 30 days after the delivery of the required report, the
3 Secretary shall provide a briefing on the report to
4 the appropriate committees of Congress.

5 (3) FORM.—The required report shall be pro-
6 vided in classified form with an unclassified cover
7 letter.

8 (b) DEFINITIONS.—In this section:

9 (1) ABSORPTIVE CAPACITY.—The term “ab-
10 sorptive capacity” means the capacity of the recipi-
11 ent unit to achieve initial operational capability, in-
12 cluding to operate, maintain, sustain, deploy, and
13 employ to operational effect, a defense article or
14 service for its intended end-use.

15 (2) APPROPRIATE COMMITTEES OF CON-
16 GRESS.—The term “appropriate committees of Con-
17 gress” means—

18 (A) the Committee on Appropriations, the
19 Committee on Armed Services, the Committee
20 on Foreign Relations, and the Select Committee
21 on Intelligence of the Senate; and

22 (B) the Committee on Appropriations, the
23 Committee on Armed Services, the Committee
24 on Foreign Affairs, and the Permanent Select

1 Committee on Intelligence of the House of Rep-
2 resentatives.

3 **SEC. 1367. ANALYSIS OF RISKS AND IMPLICATIONS OF PO-**
4 **TENTIAL SUSTAINED MILITARY BLOCKADE**
5 **OF TAIWAN BY THE PEOPLE'S REPUBLIC OF**
6 **CHINA.**

7 (a) ANALYSIS REQUIRED.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, the Sec-
10 retary of Defense and the Chairman of the Joint
11 Chiefs of Staff, in coordination with the Director of
12 National Intelligence, shall complete a comprehen-
13 sive analysis of the risks and implications of a sus-
14 tained military blockade of Taiwan by the People's
15 Republic of China.

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

18 (A) An assessment of the means by which
19 the People's Republic of China could execute a
20 sustained military blockade of Taiwan, includ-
21 ing the most likely courses of action through
22 which the People's Republic of China could ac-
23 complish such a blockade.

24 (B) An identification of indications and
25 warnings of a potential sustained military

1 blockade of Taiwan by the People’s Republic of
2 China, and the likely timelines for such indica-
3 tions and warnings.

4 (C) An identification of other coercive ac-
5 tions the People’s Republic of China may poten-
6 tially take before or independently of such a
7 blockade, including the seizure of outlying is-
8 lands of Taiwan.

9 (D) An assessment of the impact of such
10 a blockade on the ability of Taiwan to sustain
11 its military capabilities, economy, and popu-
12 lation.

13 (E) An assessment of threats to, and other
14 potential negative impacts on, the United
15 States homeland during such a blockade sce-
16 nario.

17 (F) An assessment of key military oper-
18 ational problems presented by such a blockade.

19 (G) An assessment of the concept-required
20 military capabilities necessary to address the
21 problems identified under subparagraph (F).

22 (H) An assessment of challenges to esca-
23 lation management.

24 (I) An assessment of military or non-
25 military options to counter or retaliate against

1 such a blockade or the seizure of outlying is-
2 lands of Taiwan, including through horizontal
3 escalation.

4 (J) An assessment of the extent to which
5 such a blockade is addressed by the Joint
6 Warfighting Concept and Joint Concept for
7 Competing.

8 (K) An identification of necessary changes
9 to United States Armed Forces force design,
10 doctrine, and tactics, techniques, and proce-
11 dures for responding to or mitigating the im-
12 pact of such a blockade.

13 (L) An assessment of the role of United
14 States partners and allies in addressing the
15 threats and challenges posed by a such a poten-
16 tial blockade.

17 (M) Any other matter the Secretary of De-
18 fense considers relevant.

19 (b) INTERAGENCY ENGAGEMENT.—Not later than
20 270 days after the date of the enactment of this Act, the
21 Secretary of Defense shall seek to engage with the head
22 of any other appropriate Federal department or agency—

23 (1) regarding the threats and challenges posed
24 by a potential sustained military blockade of Taiwan
25 by the People’s Republic of China; and

1 (2) to better understand potential options for a
2 response by the United States Government to such
3 a blockade.

4 (c) REPORT.—Not later than one year after the date
5 of the enactment of this Act, the Secretary of Defense
6 shall submit to the appropriate committees of Congress
7 a classified report—

8 (1) on the assessment required by paragraph
9 (1) of subsection (a), including all elements de-
10 scribed in paragraph (2) of that subsection; and

11 (2) the interagency engagements conducted
12 under subsection (b).

13 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
14 FINED.—In this section, the term “appropriate commit-
15 tees of Congress” means—

16 (1) the Committee on Armed Services, the
17 Committee on Foreign Relations, the Select Com-
18 mittee on Intelligence, and the Committee on Appro-
19 priations of the Senate; and

20 (2) the Committee on Armed Services, the
21 Committee on Foreign Affairs, the Permanent Select
22 Committee on Intelligence, and the Committee on
23 Appropriations of the House of Representatives.

1 **SEC. 1368. SENSE OF THE SENATE ON DEFENSE ALLIANCES**
2 **AND PARTNERSHIPS IN THE INDO-PACIFIC**
3 **REGION.**

4 (a) FINDINGS.—The Senate makes the following
5 findings:

6 (1) The 2022 National Defense Strategy states,
7 “[m]utually-beneficial Alliances and partnerships are
8 our greatest global strategic advantage.”.

9 (2) The United States Indo-Pacific Strategy
10 states, “we will prioritize our single greatest asym-
11 metric strength: our network of security alliances
12 and partnerships. Across the region, the United
13 States will work with allies and partners to deepen
14 our interoperability and develop and deploy advanced
15 warfighting capabilities as we support them in de-
16 fending their citizens and their sovereign interests.”.

17 (3) Secretary of Defense Lloyd Austin testified
18 on March 28, 2023, that “our allies and partners
19 are a huge force multiplier. They magnify our
20 power, advance our shared security interests, and
21 help uphold a world that is free, open, prosperous,
22 and secure.”.

23 (4) Chairman of the Joint Chiefs of Staff Gen-
24 eral Milley testified on March 28, 2023, that “our
25 alliances and partnerships are key to maintaining
26 the rules-based international order and a stable and

1 open international system promoting peace and prosper-
2 ity. . . We are stronger when we operate closely
3 with our allies and partners.”.

4 (5) Commander of the United States Indo-Pa-
5 cific Command Admiral Aquilino testified on April
6 20, 2023, that “a robust network of allies and part-
7 ners, built on the strength of our shared interests,
8 is our greatest advantage. United States Indo-Pa-
9 cific Command is strengthening all layers of our se-
10 curity network: allies, multilateral arrangements,
11 partners, friends, and the Five Eyes nations. We
12 execute security cooperation activities, training, and
13 exercises to strengthen those relationships, build
14 partner capacity, and enhance interoperability.”.

15 (b) SENSE OF THE SENATE.—It is the sense of the
16 Senate that the Secretary of Defense should continue ef-
17 forts that strengthen United States defense alliances and
18 partnerships in the Indo-Pacific region so as to further
19 the comparative advantage of the United States in stra-
20 tegic competition with the People’s Republic of China, in-
21 cluding by—

22 (1) enhancing cooperation with Japan, con-
23 sistent with the Treaty of Mutual Cooperation and
24 Security Between the United States of America and
25 Japan, signed at Washington, January 19, 1960, in-

1 cluding by developing advanced military capabilities,
2 fostering interoperability across all domains, and im-
3 proving sharing of information and intelligence;

4 (2) reinforcing the United States alliance with
5 the Republic of Korea, including by maintaining the
6 presence of approximately 28,500 members of the
7 United States Armed Forces deployed to the country
8 and affirming the United States commitment to ex-
9 tended deterrence using the full range of United
10 States defense capabilities, consistent with the Mu-
11 tual Defense Treaty Between the United States and
12 the Republic of Korea, signed at Washington, Octo-
13 ber 1, 1953, in support of the shared objective of a
14 peaceful and stable Korean Peninsula;

15 (3) fostering bilateral and multilateral coopera-
16 tion with Australia, consistent with the Security
17 Treaty Between Australia, New Zealand, and the
18 United States of America, signed at San Francisco,
19 September 1, 1951, and through the partnership
20 among Australia, the United Kingdom, and the
21 United States (commonly known as “AUKUS”)—

22 (A) to advance shared security objectives;

23 (B) to accelerate the fielding of advanced
24 military capabilities; and

1 (C) to build the capacity of emerging part-
2 ners;

3 (4) advancing United States alliances with the
4 Philippines and Thailand and United States partner-
5 ships with other partners in the Association of
6 Southeast Asian Nations to enhance maritime do-
7 main awareness, promote sovereignty and territorial
8 integrity, leverage technology and promote innova-
9 tion, and support an open, inclusive, and rules-based
10 regional architecture;

11 (5) broadening United States engagement with
12 India, including through the Quadrilateral Security
13 Dialogue—

14 (A) to advance the shared objective of a
15 free and open Indo-Pacific region through bilat-
16 eral and multilateral engagements and partici-
17 pation in military exercises, expanded defense
18 trade, and collaboration on humanitarian aid
19 and disaster response; and

20 (B) to enable greater cooperation on mari-
21 time security;

22 (6) strengthening the United States partnership
23 with Taiwan, consistent with the Three Commu-
24 niques, the Taiwan Relations Act (Public Law 96-
25 8; 22 U.S.C. 3301 et seq.), and the Six Assurances,

1 with the goal of improving Taiwan's defensive capa-
2 bilities and promoting peaceful cross-strait relations;

3 (7) reinforcing the status of the Republic of
4 Singapore as a Major Security Cooperation Partner
5 of the United States and continuing to strengthen
6 defense and security cooperation between the mili-
7 tary forces of the Republic of Singapore and the
8 Armed Forces of the United States, including
9 through participation in combined exercises and
10 training;

11 (8) engaging with the Federated States of Mi-
12 cronesia, the Republic of the Marshall Islands, the
13 Republic of Palau, and other Pacific Island countries
14 with the goal of strengthening regional security and
15 addressing issues of mutual concern, including pro-
16 tecting fisheries from illegal, unreported, and un-
17 regulated fishing;

18 (9) collaborating with Canada, the United
19 Kingdom, France, and other members of the Euro-
20 pean Union and the North Atlantic Treaty Organi-
21 zation to build connectivity and advance a shared vi-
22 sion for the region that is principled, long-term, and
23 anchored in democratic resilience; and

24 (10) investing in enhanced military posture and
25 capabilities in the area of responsibility of the

1 United States Indo-Pacific Command and strength-
2 ening cooperation in bilateral relationships, multilat-
3 eral partnerships, and other international fora to up-
4 hold global security and shared principles, with the
5 goal of ensuring the maintenance of a free and open
6 Indo-Pacific region.

7 **SEC. 1369. ASSESSMENT OF GIFTS AND GRANTS TO UNITED**
8 **STATES INSTITUTIONS OF HIGHER EDU-**
9 **CATION FROM ENTITIES ON THE NON-SDN**
10 **CHINESE MILITARY-INDUSTRIAL COMPLEX**
11 **COMPANIES LIST.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of the enactment of this Act, the Secretary of the
14 Treasury shall submit to the appropriate congressional
15 committees an assessment of gifts and grants to United
16 States institutions of higher education from entities on the
17 Non-SDN Chinese Military-Industrial Complex Compa-
18 nies List maintained by the Office of Foreign Assets Con-
19 trol.

20 (b) ELEMENTS.—The Secretary, in consultation with
21 the Secretary of Education, shall include in the assess-
22 ment required by subsection (a) an estimate of—

23 (1) a list and description of each of the gifts
24 and grants provided to United States institutions of

1 higher education by entities described in subsection
2 (a); and

3 (2) the monetary value of each of those gifts
4 and grants.

5 (c) DEFINITIONS.—In this section:

6 (1) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES.—The term “appropriate congressional com-
8 mittees” means the Committee on Banking, Hous-
9 ing, and Urban Affairs of the Senate and the Com-
10 mittee on Financial Services of the House of Rep-
11 resentatives.

12 (2) GIFTS AND GRANTS.—The term “gifts and
13 grants” includes financial contributions, material do-
14 nations, provision of services, scholarships, fellow-
15 ships, research funding, infrastructure investment,
16 contracts, or any other form of support that provides
17 a benefit to the recipient institution.

18 **SEC. 1370. EXTENSION OF EXPORT PROHIBITION ON MUNI-**
19 **TIONS ITEMS TO THE HONG KONG POLICE**
20 **FORCE.**

21 Section 3 of the Act entitled “An Act to prohibit the
22 commercial export of covered munitions items to the Hong
23 Kong Police Force”, approved November 27, 2019 (Public
24 Law 116–77; 133 Stat. 1173), is amended by striking
25 “shall expire on December 31, 2024” and inserting “shall

1 expire on the date on which the President certifies to the
2 appropriate congressional committees that—

3 “(1) the Secretary of State has, on or after the
4 date of the enactment of this paragraph, certified
5 under section 205 of the United States-Hong Kong
6 Policy Act of 1992 (22 U.S.C. 5701 et seq.) that
7 Hong Kong warrants treatment under United States
8 law in the same manner as United States laws were
9 applied to Hong Kong before July 1, 1997;

10 “(2) the Hong Kong Police have not engaged in
11 gross violations of human rights during the 1-year
12 period ending on the date of such certification; and

13 “(3) there has been an independent examina-
14 tion of human rights concerns related to the crowd
15 control tactics of the Hong Kong Police and the
16 Government of the Hong Kong Special Administra-
17 tive Region has adequately addressed those con-
18 cerns.”.

19 **Subtitle E—Securing Maritime**
20 **Data From China**

21 **SEC. 1371. SHORT TITLE.**

22 This subtitle may be cited as the “Securing Maritime
23 Data from China Act of 2023”.

1 **SEC. 1372. LOGINK DEFINED.**

2 In this subtitle, the term “LOGINK” means the pub-
3 lic, open, shared logistics information network known as
4 the National Public Information Platform for Transpor-
5 tation and Logistics by the Ministry of Transport of the
6 People’s Republic of China.

7 **SEC. 1373. COUNTERING THE SPREAD OF LOGINK.**

8 (a) CONTRACTING PROHIBITION.—The Department
9 of Defense may not enter into or renew any contract with
10 any entity that uses—

11 (1) LOGINK;

12 (2) any logistics platform controlled by, affili-
13 ated with, or subject to the jurisdiction of the Chi-
14 nese Communist Party or the Government of the
15 People’s Republic of China; or

16 (3) any logistics platform that shares data with
17 a system described in paragraph (1) or (2).

18 (b) APPLICABILITY.—Subsection (a) applies with re-
19 spect to any contract entered into or renewed on or after
20 the date that is 2 years after the date of the enactment
21 of this Act.

1 **Subtitle F—Reports**

2 **SEC. 1381. REPORT ON DEPARTMENT OF DEFENSE ROLES**
 3 **AND RESPONSIBILITIES IN SUPPORT OF NA-**
 4 **TIONAL STRATEGY FOR THE ARCTIC REGION.**

5 Not later than 180 days after the date of the enact-
 6 ment of this Act, the Secretary of Defense shall submit
 7 to the congressional defense committees a report on De-
 8 partment of Defense roles and responsibilities in support
 9 of the National Strategy for the Arctic Region that in-
 10 cludes—

11 (1) an identification of the Department’s lines
 12 of effort to support the implementation of the Na-
 13 tional Strategy for the Arctic Region, including the
 14 implementation plan for each applicable military de-
 15 partment;

16 (2) a plan for the execution of, and a projected
 17 timeline and the resource requirements for, each
 18 such line of effort; and

19 (3) any other matter the Secretary considers
 20 relevant.

21 **Subtitle G—Other Matters**

22 **SEC. 1391. MILITARY INTELLIGENCE COLLECTION AND**
 23 **ANALYSIS PARTNERSHIPS.**

24 (a) USE OF FUNDS OTHER THAN APPROPRIATED
 25 FUNDS.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 the Director of the Defense Intelligence Agency, in
3 coordination with the Secretary of State and the Di-
4 rector of National Intelligence, may accept and ex-
5 pend foreign partner funds in order for the foreign
6 partner or partners to share with the Defense Intel-
7 ligence Agency the expenses of joint and combined
8 military intelligence collection and analysis activities.

9 (2) LIMITATIONS.—

10 (A) PREVIOUSLY DENIED FUNDS.—Funds
11 accepted under this section may not be ex-
12 pended, in whole or in part, by or for the ben-
13 efit of the Defense Intelligence Agency for any
14 purpose for which Congress has previously de-
15 nied funds.

16 (B) JOINT BENEFIT.—The authority pro-
17 vided by paragraph (1) may not be used to ac-
18 quire items or services for the sole benefit of
19 the United States.

20 (b) ANNUAL REPORT.—Not later than March 1,
21 2025, and annually thereafter for four years, the Director
22 of the Defense Intelligence Agency shall submit to the ap-
23 propriate committees of Congress a report on any funds
24 accepted or expended under this section during the pre-
25 ceding calendar year, including an identification of the for-

1 eign partner or partners involved and a description of the
2 purpose of such funds.

3 (c) TERMINATION.—The authority to accept and ex-
4 pend foreign partner funds pursuant to this section shall
5 terminate on December 31, 2028.

6 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
7 FINED.—In this section, the term “appropriate commit-
8 tees of Congress” means—

9 (1) the Committee on Armed Services, the
10 Committee on Appropriations, and the Select Com-
11 mittee on Intelligence of the Senate; and

12 (2) the Committee on Armed Services, the
13 Committee on Appropriations, and the Permanent
14 Select Committee on Intelligence of the House of
15 Representatives.

16 **SEC. 1392. COLLABORATION WITH PARTNER COUNTRIES TO**
17 **DEVELOP AND MAINTAIN MILITARY-WIDE**
18 **TRANSFORMATIONAL STRATEGIES FOR**
19 **OPERATIONAL ENERGY.**

20 (a) ESTABLISHMENT.—

21 (1) IN GENERAL.—Not later than January 1,
22 2025, the Secretary of Defense shall establish a
23 partnership program using existing authorities to
24 collaborate with the military forces of partner coun-
25 tries in developing and maintaining military-wide

1 transformational strategies for operational energy
2 (in this section referred to as the “Program”).

3 (2) ORGANIZATION.—The Assistant Secretary
4 of Defense for Energy, Installations, and Environ-
5 ment, in coordination with the Under Secretary of
6 Defense for Policy and in consultation with the Sec-
7 retaries of the military departments, the com-
8 manders of the combatant commands, and any other
9 individual the Secretary of Defense considers appro-
10 priate, shall be responsible for, and shall oversee, the
11 Program.

12 (b) OBJECTIVE.—The objective of the Program is to
13 promote the readiness of the United States Armed Forces
14 and the military forces of partner countries for missions
15 in contested logistics environments by focusing on demand
16 reduction and employing more diverse and renewable oper-
17 ational energy sources so as to enhance energy security,
18 energy resilience, and energy conservation, reduce
19 logistical vulnerabilities, and ensure that supply lines are
20 resilient to extreme weather, disruptions to energy sup-
21 plies, and direct or indirect cyber attacks.

22 (c) ACTIVITIES.—

23 (1) IN GENERAL.—Under the Program, the
24 United States Armed Forces and the military forces

1 of each participating partner country shall, in co-
2 ordination—

3 (A) establish policies to improve
4 warfighting capability through energy security
5 and energy resilience;

6 (B) integrate efforts to mitigate mutual
7 contested logistics challenges through the reduc-
8 tion of operational energy demand;

9 (C) identify and mitigate operational en-
10 ergy challenges presented by any contested lo-
11 gistics environment, including through devel-
12 oping innovative delivery systems, distributed
13 storage, flexible contracting, and improved au-
14 tomation;

15 (D) assess and integrate, to the extent
16 practicable, any technology, including electric,
17 hydrogen, nuclear, biofuels, and any other sus-
18 tainable fuel technology or renewable energy
19 technology, that may reduce operational energy
20 demand in the near term or long term;

21 (E) assess and consider any infrastructure
22 investment of allied and partner countries that
23 may affect operational energy availability in the
24 event of a conflict with a near-peer adversary;
25 and

1 (F) assess and integrate, to the extent
2 practicable—

3 (i) any technology that increases sus-
4 tainability; and

5 (ii) any practice, technology, or strat-
6 egy that reduces negative impacts on
7 human health.

8 (2) COUNTRY CONSIDERATIONS.—In carrying
9 out any activity under paragraph (1), to the extent
10 practicable, the relevant existing and past military
11 conflicts and cultural practices of, and beliefs preva-
12 lent in, the participating country shall be taken into
13 account.

14 (d) STRATEGY.—

15 (1) IN GENERAL.—Not later than September
16 30, 2024, the Secretary of Defense shall submit to
17 the Committees on Armed Services of the Senate
18 and the House of Representatives a strategy for the
19 implementation of the Program.

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

22 (A) A governance structure for the Pro-
23 gram, including—

24 (i) the officials tasked to oversee the
25 Program;

1 (ii) the format of the governing body
2 of the Program;

3 (iii) the functions and duties of such
4 governing body with respect to establishing
5 and maintaining the Program; and

6 (iv) mechanisms for coordinating with
7 partner countries selected to participate in
8 the Program.

9 (B) With respect to the selection of part-
10 ner countries initially selected to participate in
11 the Program—

12 (i) an identification of each such
13 country;

14 (ii) the rationale for selecting each
15 such country, including a description of—

16 (I) the benefits to the military
17 forces of the partner country; and

18 (II) the benefits to the United
19 States Armed Forces of participation
20 by such country;

21 (iii) a description of any limitation on
22 the participation of a selected partner
23 country; and

24 (iv) any other information the Sec-
25 retary considers appropriate.

1 (C) A list of additional authorities, appro-
2 priations, or other congressional support nec-
3 essary to ensure the success of the Program.

4 (D) A campaign of objectives for the first
5 three fiscal years of the Program, including—

6 (i) a description of, and a rationale
7 for selecting, such objectives;

8 (ii) an identification of milestones to-
9 ward achieving such objectives; and

10 (iii) metrics for evaluating success in
11 achieving such objectives.

12 (E) A description of opportunities and po-
13 tential timelines for future Program expansion,
14 as appropriate.

15 (F) Any other information the Secretary
16 considers appropriate.

17 (3) FORM.—The strategy required by para-
18 graph (1) shall be submitted in unclassified form but
19 may include a classified annex.

20 (e) REPORT.—

21 (1) IN GENERAL.—Not later than September
22 20, 2025, and annually thereafter, the Secretary of
23 Defense shall submit to the congressional defense
24 committees a report on the Program.

1 (2) ELEMENTS.—Each report required by para-
2 graph (1) shall include the following:

3 (A) A narrative summary of activities con-
4 ducted as part of the Program during the pre-
5 ceeding fiscal year.

6 (B) Except in the case of the initial report,
7 an assessment of progress toward the objectives
8 established for the preceding fiscal year de-
9 scribed in the preceding report under this sub-
10 section using the metrics established in such re-
11 port.

12 (C) A campaign of objectives for the three
13 fiscal years following the date of submission of
14 the report, including—

15 (i) a description of, and a rationale
16 for selecting, such objectives;

17 (ii) an identification of milestones to-
18 ward achieving such objectives; and

19 (iii) metrics for evaluating success in
20 achieving such objectives.

21 (D) A description of opportunities and po-
22 tential timelines for future Program expansion,
23 as appropriate.

24 (E) Any other information the Secretary
25 considers appropriate.

1 authorized irregular warfare operations by United States
2 Special Operations Forces.

3 “(b) FUNDS.—Funds for support under this section
4 in a fiscal year shall be derived from amounts authorized
5 to be appropriated for that fiscal year for the Department
6 of Defense for operation and maintenance.

7 “(c) PROCEDURES.—

8 “(1) IN GENERAL.—The authority in this sec-
9 tion shall be exercised in accordance with such pro-
10 cedures as the Secretary shall establish for purposes
11 of this section.

12 “(2) ELEMENTS.—The procedures required
13 under paragraph (1) shall establish, at a minimum,
14 the following:

15 “(A) Policy guidance for the execution of,
16 and constraints within, activities under the au-
17 thority in this section.

18 “(B) The processes through which activi-
19 ties under the authority in this section are to
20 be developed, validated, and coordinated, as ap-
21 propriate, with relevant entities of the United
22 States Government.

23 “(C) The processes through which legal re-
24 views and determinations are made to comply
25 with the authority in this section and ensure

1 that the exercise of such authority is consistent
2 with the national security of the United States.

3 “(D) The processes to ensure, to the ex-
4 tent practicable, that before a decision to pro-
5 vide support is made, the recipients of support
6 do not pose a counterintelligence or force pro-
7 tection threat and have not engaged in gross
8 violations of human rights.

9 “(E) The processes by which the Depart-
10 ment shall keep the congressional defense com-
11 mittees fully and currently informed of—

12 “(i) the requirements for the use of
13 the authority in this section; and

14 “(ii) activities conducted under such
15 authority.

16 “(3) NOTICE TO CONGRESS ON PROCEDURES
17 AND MATERIAL MODIFICATIONS.—The Secretary
18 shall notify the congressional defense committees of
19 the procedures established pursuant to this section
20 before any exercise of the authority in this section,
21 and shall notify such committee of any material
22 modification of the procedures.

23 “(d) CONSTRUCTION OF AUTHORITY.—Nothing in
24 this section shall be construed to constitute a specific stat-
25 utory authorization for any of the following:

1 “(1) The conduct of a covert action, as such
2 term is defined in section 503(e) of the National Se-
3 curity Act of 1947 (50 U.S.C. 3093(e)).

4 “(2) The introduction of United States Armed
5 Forces (including as such term is defined in section
6 8(e) of the War Powers Resolution (50 U.S.C.
7 1547(e))) into hostilities or into situations wherein
8 hostilities are clearly indicated by the circumstances.

9 “(3) The provision of support to regular forces,
10 irregular forces, groups, or individuals for the con-
11 duct of operations that United States Special Oper-
12 ations Forces are not otherwise legally authorized to
13 conduct themselves.

14 “(4) The conduct or support of activities, di-
15 rectly or indirectly, that are inconsistent with the
16 laws of armed conflict.

17 “(e) LIMITATION ON DELEGATION.—The authority
18 of the Secretary to make funds available under this section
19 for support of a military operation may not be delegated.

20 “(f) PROGRAMMATIC AND POLICY OVERSIGHT.—The
21 Assistant Secretary of Defense for Special Operations and
22 Low-Intensity Conflict shall have primary programmatic
23 and policy oversight within the Office of the Secretary of
24 Defense of support to irregular warfare activities author-
25 ized by this section.

1 “(g) NOTIFICATION.—

2 “(1) IN GENERAL.—Not later than 15 days be-
3 fore exercising the authority in this section to make
4 funds available to initiate support of an ongoing and
5 authorized operation or changing the scope or fund-
6 ing level of any support under this section for such
7 an operation by \$500,000 or an amount equal to 10
8 percent of such funding level (whichever is less), the
9 Secretary shall notify the congressional defense com-
10 mittees of the use of such authority with respect to
11 such operation. Any such notification shall be in
12 writing.

13 “(2) ELEMENTS.—A notification required by
14 this subsection shall include the following:

15 “(A) The type of support to be provided to
16 United States Special Operations Forces, and a
17 description of the ongoing and authorized oper-
18 ation to be supported.

19 “(B) A description of the foreign forces, ir-
20 regular forces, groups, or individuals engaged in
21 supporting or facilitating the ongoing and au-
22 thorized operation that is to be the recipient of
23 funds.

24 “(C) The type of support to be provided to
25 the recipient of the funds, and a description of

1 the end-use monitoring to be used in connection
2 with the use of the funds.

3 “(D) The amount obligated under the au-
4 thority to provide support.

5 “(E) The duration for which the support is
6 expected to be provided, and an identification of
7 the timeframe in which the provision of support
8 will be reviewed by the commander of the appli-
9 cable combatant command for a determination
10 with respect to the necessity of continuing such
11 support.

12 “(F) The determination of the Secretary
13 that the provision of support does not con-
14 stitute any of the following:

15 “(i) An introduction of United States
16 Armed Forces (including as such term is
17 defined in section 8(c) of the War Powers
18 Resolution (50 U.S.C. 1547(c))) into hos-
19 tilities, or into situations where hostilities
20 are clearly indicated by the circumstances,
21 without specific statutory authorization
22 within the meaning of section 5(b) of such
23 Resolution (50 U.S.C. 1544(b)).

1 “(ii) A covert action, as such term is
2 defined in section 503(e) of the National
3 Security Act of 1947 (50 U.S.C. 3093(e)).

4 “(iii) An authorization for the provi-
5 sion of support to regular forces, irregular
6 forces, groups, or individuals for the con-
7 duct of operations that United States Spe-
8 cial Operations Forces are not otherwise
9 legally authorized to conduct themselves.

10 “(iv) The conduct or support of activi-
11 ties, directly or indirectly, that are incon-
12 sistent with the laws of armed conflict.

13 “(h) NOTIFICATION OF SUSPENSION OR TERMI-
14 NATION OF SUPPORT.—

15 “(1) IN GENERAL.—Not later than 48 hours
16 after suspending or terminating support to any for-
17 eign force, irregular force, group, or individual pro-
18 vided pursuant to the authority in this section, the
19 Secretary shall submit to the congressional defense
20 committees a written notice of such suspension or
21 termination.

22 “(2) ELEMENTS.—The written notice required
23 by paragraph (1) shall include each of the following:

24 “(A) A description of the reasons for the
25 suspension or termination of such support.

1 “(B) A description of any effect on re-
2 gional, theater, or global campaign plan objec-
3 tives anticipated to result from such suspension
4 or termination.

5 “(C) A plan for such suspension or termi-
6 nation, and, in the case of support that is
7 planned to be transitioned to any other pro-
8 gram of the Department of Defense or to a pro-
9 gram of any other Federal department or agen-
10 cy, a detailed description of the transition plan,
11 including the resources, equipment, capabilities,
12 and personnel associated with such plan.

13 “(i) BIENNIAL REPORTS.—

14 “(1) REPORT ON PRECEDING FISCAL YEAR.—
15 Not later than 120 days after the close of each fiscal
16 year in which subsection (a) is in effect, the Sec-
17 retary shall submit to the congressional defense com-
18 mittees a report on the support provided under this
19 section during the preceding fiscal year.

20 “(2) REPORT ON CURRENT CALENDAR YEAR.—
21 Not later than 180 days after the submittal of each
22 report required by paragraph (1), the Secretary shall
23 submit to the congressional defense committees a re-
24 port on the support provided under this section dur-

1 ing the first half of the fiscal year in which the re-
2 port under this paragraph is submitted.

3 “(3) ELEMENTS.—Each report required by this
4 subsection shall include the following:

5 “(A) A summary of the ongoing irregular
6 warfare operations, and associated authorized
7 campaign plans, being conducted by United
8 States Special Operations Forces that were sup-
9 ported or facilitated by foreign forces, irregular
10 forces, groups, or individuals for which support
11 was provided under this section during the pe-
12 riod covered by such report.

13 “(B) A description of the support or facili-
14 tation provided by such foreign forces, irregular
15 forces, groups, or individuals to United States
16 Special Operations Forces during such period.

17 “(C) The type of recipients that were pro-
18 vided support under this section during such
19 period, identified by authorized category (for-
20 eign forces, irregular forces, groups, or individ-
21 uals).

22 “(D) A detailed description of the support
23 provided to the recipients under this section
24 during such period.

1 “(E) The total amount obligated for sup-
2 port under this section during such period, in-
3 cluding budget details.

4 “(F) The intended duration of support
5 provided under this section during such period.

6 “(G) An assessment of value of the sup-
7 port provided under this section during such pe-
8 riod, including a summary of significant activi-
9 ties undertaken by foreign forces, irregular
10 forces, groups, or individuals to support irreg-
11 ular warfare operations by United States Spe-
12 cial Operations Forces.

13 “(H) The total amount obligated for sup-
14 port under this section in prior fiscal years.

15 “(j) QUARTERLY BRIEFINGS.—

16 “(1) IN GENERAL.—Not less frequently than
17 quarterly, the Secretary shall provide to the congres-
18 sional defense committees a briefing on the use of
19 the authority provided by this section, and other
20 matters relating to irregular warfare, with the pri-
21 mary purposes of—

22 “(A) keeping the congressional defense
23 committees fully and currently informed of ir-
24 regular warfare requirements and activities, in-

1 including emerging combatant commands require-
2 ments; and

3 “(B) consulting with the congressional de-
4 fense committees regarding such matters.

5 “(2) ELEMENTS.—Each briefing required by
6 paragraph (1) shall include the following:

7 “(A) An update on irregular warfare ac-
8 tivities within each geographic combatant com-
9 mand and a description of the manner in which
10 such activities support the respective theater
11 campaign plan and the National Defense Strat-
12 egy.

13 “(B) An overview of relevant authorities
14 and legal issues, including limitations.

15 “(C) An overview of irregular warfare-re-
16 lated interagency activities and initiatives.

17 “(D) A description of emerging combatant
18 command requirements for the use of the au-
19 thority provided by this section.

20 “(k) IRREGULAR WARFARE DEFINED.—Subject to
21 subsection (f), in this section, the term ‘irregular warfare’
22 means Department of Defense activities not involving
23 armed conflict that support predetermined United States
24 policy and military objectives conducted by, with, and

1 through regular forces, irregular forces, groups, and indi-
2 viduals.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of such chapter is amended by inserting
5 after the item relating to section 127c the following new
6 item:

“127d. Support of special operations for irregular warfare.”.

7 (c) REPEAL.—Section 1202 of the National Defense
8 Authorization Act for Fiscal Year 2018 is repealed.

9 **SEC. 1394. MODIFICATION OF AUTHORITY FOR EXPENDI-**
10 **TURE OF FUNDS FOR CLANDESTINE ACTIVI-**
11 **TIES THAT SUPPORT OPERATIONAL PREPA-**
12 **RATION OF THE ENVIRONMENT.**

13 Section 127f of title 10, United States Code, is
14 amended—

15 (1) by redesignating subsections (c), (d), (e),
16 and (f) as subsections (d), (e), (g), and (h), respec-
17 tively;

18 (2) by inserting after subsection (b) the fol-
19 lowing new subsection (c):

20 “(c) PROCEDURES.—

21 “(1) IN GENERAL.—The authority in this sec-
22 tion shall be exercised in accordance with such pro-
23 cedures as the Secretary shall establish for purposes
24 of this section.

1 “(2) ELEMENTS.—The procedures required
2 under paragraph (1) shall establish, at a minimum,
3 each of the following:

4 “(A) Policy, strategy, or other guidance for
5 the execution of, and constraints within, activi-
6 ties conducted under this section.

7 “(B) The processes through which activi-
8 ties conducted under this section are to be de-
9 veloped, validated, and coordinated, as appro-
10 priate, with relevant entities of the United
11 States Government.

12 “(C) The processes through which legal re-
13 views and determinations are made to comply
14 with the authority in this section and ensure
15 that the exercise of such authority is consistent
16 with the national security interests of the
17 United States.

18 “(D) The processes by which the Depart-
19 ment of Defense shall keep the congressional
20 defense committees fully and currently informed
21 of—

22 “(i) the requirements for the use of
23 the authority in this section; and

24 “(ii) activities conducted under such
25 authority.

1 “(3) NOTICE TO CONGRESS.—The Secretary
2 shall notify the congressional defense committees of
3 any material modification to the procedures estab-
4 lished under paragraph (1).”;

5 (3) by inserting after subsection (e), as redesign-
6 ated, the following new subsection (f):

7 “(f) NOTIFICATION.—Not later than 15 days before
8 exercising the authority in this section to make funds
9 available to initiate a new operational preparation of the
10 environment activity or changing the scope or funding
11 level of any support for such an operation by \$1,000,000
12 or an amount equal to 20 percent of such funding level
13 (whichever is less), or not later than 48 hours after exer-
14 cising such authority if the Secretary determines that ex-
15 traordinary circumstances that impact the national secu-
16 rity of the United States exist, the Secretary shall notify
17 the congressional defense committees of the use of such
18 authority with respect to that activity. Any such notifica-
19 tion shall be in writing.”; and

20 (4) by adding at the end the following new sub-
21 sections:

22 “(i) OVERSIGHT BY ASSISTANT SECRETARY OF DE-
23 FENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY
24 CONFLICT.—The Assistant Secretary of Defense for Spe-
25 cial Operations and Low Intensity Conflict shall have pri-

1 mary responsibility within the Office of the Secretary of
2 Defense for oversight of policies and programs authorized
3 by this section.

4 “(j) CONSTRUCTION OF AUTHORITY.—Nothing in
5 this section may be construed to constitute authority to
6 conduct, or provide statutory authorization for, any of the
7 following:

8 “(1) Execution of operational activities.

9 “(2) A covert action, as such term is defined in
10 section 503(e) of the National Security Act of 1947
11 (50 U.S.C. 3093(e)).

12 “(3) An introduction of the armed forces, (in-
13 cluding the introduction of United States Armed
14 Forces as such term is defined in section 8(c) of the
15 War Powers Resolution (50 U.S.C. 1547(c))), into
16 hostilities, or into situations where hostilities are
17 clearly indicated by the circumstances, without spe-
18 cific statutory authorization within the meaning of
19 section 5(b) of such Resolution (50 U.S.C. 1544(b)).

20 “(4) Activities or support for activities, directly
21 or indirectly, that are inconsistent with the laws of
22 armed conflict.

23 “(k) OPERATIONAL PREPARATION OF THE ENVIRON-
24 MENT DEFINED.—In this section, the term ‘operational
25 preparation of the environment’ means the conduct of ac-

1 tivities in likely or potential operational areas to set condi-
 2 tions for mission execution.”.

3 **SEC. 1395. MODIFICATION OF INITIATIVE TO SUPPORT PRO-**
 4 **TECTION OF NATIONAL SECURITY ACADEMIC**
 5 **RESEARCHERS FROM UNDUE INFLUENCE**
 6 **AND OTHER SECURITY THREATS.**

7 Section 1286 of the John S. McCain National De-
 8 fense Authorization Act for Fiscal Year 2019 (10 U.S.C.
 9 4001 note) is amended—

10 (1) in subsection (c)—

11 (A) by redesignating paragraphs (7)
 12 through (9) as paragraphs (8) through (10), re-
 13 spectively;

14 (B) by inserting after paragraph (6) the
 15 following new paragraph (7):

16 “(7) Policies to limit or prohibit funding pro-
 17 vided by the Department of Defense for institutions
 18 or individual researchers who knowingly contract or
 19 make other financial arrangements with entities
 20 identified in the list described in paragraph (9),
 21 which policies shall include—

22 “(A) use of such list as part of a risk as-
 23 sessment decision matrix during proposal eval-
 24 uations, including the development of a question
 25 for proposers or broad area announcements

1 that require proposers to disclose any contrac-
2 tual or financial connections with such entities;

3 “(B) a requirement that the Department
4 shall notify a proposer of suspected noncompli-
5 ance with a policy issued under this paragraph
6 and provide not less than 30 days to take ac-
7 tions to remedy such noncompliance;

8 “(C) the establishment of an appeals pro-
9 cedure under which a proposer may appeal a
10 negative decision on a proposal if the decision
11 is based on a determination informed by such
12 list; and

13 “(D) a requirement that each awardee of
14 funding provided by the Department shall dis-
15 close to the Department any contract or finan-
16 cial arrangement made with such an entity dur-
17 ing the period of the award.”; and

18 (C) by adding at the end the following new
19 paragraph:

20 “(11) Development of measures of effectiveness
21 and performance to assess and track progress of the
22 Department of Defense across the initiative, which
23 measures shall include—

24 “(A) the evaluation of currently available
25 data to support the assessment of such meas-

1 ures, including the identification of areas in
2 which gaps exist that may require collection of
3 completely new data, or modifications to exist-
4 ing data sets;

5 “(B) current means and methods for the
6 collection of data in an automated manner, in-
7 cluding the identification of areas in which gaps
8 exist that may require new means for data col-
9 lection or visualization of such data; and

10 “(C) the development of an analysis and
11 assessment methodology framework to make
12 tradeoffs between the measures developed under
13 this paragraph and other metrics related to as-
14 sessing undue foreign influence on the Depart-
15 ment of Defense research enterprise, such as
16 commercial due diligence, beneficial ownership,
17 and foreign ownership, control, and influence.”;
18 and

19 (2) in subsection (e)(2), by adding at the end
20 the following new subparagraph:

21 “(G) A description of the status of the
22 measures of effectiveness and performance de-
23 scribed in subsection (e)(11) for the period cov-
24 ered by such report, including an analytical as-

1 assessment of the impact of such measures on the
2 goals of the initiative.”.

3 **SEC. 1396. MODIFICATION OF AUTHORITY FOR CERTAIN**
4 **PAYMENTS TO REDRESS INJURY AND LOSS.**

5 Section 1213(h) of the National Defense Authoriza-
6 tion Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is
7 amended—

8 (1) in paragraph (1), by redesignating subpara-
9 graphs (A) through (D) as clauses (i) through (iv),
10 and moving such clauses, as redesignated, two ems
11 to the right;

12 (2) by redesignating paragraph (1) as subpara-
13 graph (A) and moving such subparagraph, as redesi-
14 gnated, two ems to the right;

15 (3) by amending paragraph (2) to read as fol-
16 lows:

17 “(B) A description of any denied or re-
18 fused ex gratia payment or request, including—

19 “(i) the date on which any such re-
20 quest was made;

21 “(ii) the steps the Department of De-
22 fense has taken to respond to the request;

23 “(iii) in the case of a refused pay-
24 ment, the reason for such refusal, if
25 known; and

1 “(iv) any other reason for which a
2 payment was not offered or made.”;

3 (4) by redesignating paragraph (3) as subpara-
4 graph (C) and moving such subparagraph, as redesi-
5 gnated, two ems to the right;

6 (5) by striking “Not later than” and inserting
7 the following:

8 “(1) IN GENERAL.—Not later than”; and

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

11 “(2) PUBLIC AVAILABILITY.—

12 “(A) IN GENERAL.—Not later than 15
13 days after the date on which the Secretary of
14 Defense submits each report required by para-
15 graph (1), the Secretary shall make the report
16 available to the public in an electronic format.

17 “(B) PRIVACY.—The Secretary of Defense
18 shall exclude from each report made available to
19 the public under subparagraph (A)—

20 “(i) confidential or personally identifi-
21 able information pertaining to specific pay-
22 ment recipients so as to ensure the safety
23 and privacy of such recipients; and

1 “(ii) any confidential or classified in-
2 formation that would undermine Depart-
3 ment of Defense operational security.”.

4 **SEC. 1397. MODIFICATION OF AUTHORITY FOR COOPERA-**
5 **TION ON DIRECTED ENERGY CAPABILITIES.**

6 (a) PROGRAM AUTHORIZATION.—Section 1280 of the
7 William M. (Mac) Thornberry National Defense Author-
8 ization Act for Fiscal Year 2021 (Public Law 116–283;
9 134 Stat. 3982; 22 U.S.C. 8606 note) is amended—

10 (1) in subsection (d), in the first sentence—

11 (A) by inserting “acting through the
12 Under Secretary of Defense for Research and
13 Engineering,” after “the Secretary of De-
14 fense,”; and

15 (B) by striking “may establish a program”
16 and inserting “is authorized”; and

17 (2) by adding at the end the following new sub-
18 section:

19 “(e) NOTIFICATION.—

20 “(1) IN GENERAL.—Not later than 120 days
21 after the date of the enactment of this Act, the
22 Under Secretary of Defense for Research and Engi-
23 neering shall submit to the appropriate committees
24 of Congress an assessment detailing—

1 “(A) the most promising directed energy
2 missile defense technologies available for co-de-
3 velopment with the Government of Israel;

4 “(B) any risks relating to the implementa-
5 tion of a directed energy missile defense tech-
6 nology co-development program with the Gov-
7 ernment of Israel;

8 “(C) an anticipated spending plan for fis-
9 cal year 2024 funding authorized by the Na-
10 tional Defense Authorization Act for Fiscal
11 Year 2024 to carry out this section; and

12 “(D) initial projections for likely funding
13 requirements to carry out a directed energy
14 missile defense technology co-development pro-
15 gram with the Government of Israel over the
16 five fiscal years beginning after the date of the
17 enactment of that Act, as applicable.

18 “(2) APPROPRIATE COMMITTEES OF CONGRESS
19 DEFINED.—In this subsection, the term ‘appropriate
20 committees of Congress’ means—

21 “(A) the Committee on Armed Services,
22 the Committee on Appropriations, and the
23 Committee on Foreign Relations of the Senate;
24 and

1 “(B) the Committee on Armed Services,
2 the Committee on Appropriations, and the
3 Committee on Foreign Affairs of the House of
4 Representatives.”.

5 (b) **ADDITIONAL FUNDING.**—The amount authorized
6 to be appropriated for fiscal year 2024 by section 4201
7 for research, development, test, and evaluation for Ad-
8 vanced Component Development and Prototypes is hereby
9 increased by \$25,000,000, with the amount of the increase
10 to be available for Israeli Cooperative Programs (PE
11 0603913C).

12 (c) **OFFSET.**—The amount authorized to be appro-
13 priated for fiscal year 2024 by section 4201 for research,
14 development, test, and evaluation for the Air Force is
15 hereby decreased by \$25,000,000, with the amount of the
16 decrease to be taken from the amounts available for VC-
17 25B (PE 0401319F).

18 **SEC. 1398. MODIFICATION OF ARCTIC SECURITY INITIA-**
19 **TIVE.**

20 Section 1090(b)(2) of the National Defense Author-
21 ization Act for Fiscal Year 2022 (Public Law 117–81; 135
22 Stat. 1927) is amended—

23 (1) in subparagraph (A), by striking “the Sec-
24 retary may” and inserting “the Secretary shall”;
25 and

1 (2) in subparagraph (B)(i), by striking “If the
2 Initiative is established” and inserting “On the es-
3 tablishment of the Initiative”.

4 **SEC. 1399. TERMINATION OF AUTHORIZATION OF NON-CON-**
5 **VENTIONAL ASSISTED RECOVERY CAPABILI-**
6 **TIES.**

7 Section 943(g) of the Duncan Hunter National De-
8 fense Authorization Act for Fiscal Year 2009 (Public Law
9 110–417; 122 Stat. 4578) is amended to read as follows:
10 “(g) **TERMINATION.**—The authority under this sec-
11 tion shall terminate on December 31, 2023.”.

12 **SEC. 1399A. EXTENSION OF PROHIBITION ON IN-FLIGHT RE-**
13 **FUELING TO NON-UNITED STATES AIRCRAFT**
14 **THAT ENGAGE IN HOSTILITIES IN THE ONGO-**
15 **ING CIVIL WAR IN YEMEN.**

16 Section 1273 of the National Defense Authorization
17 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
18 1699) is amended to read as follows:

19 **“SEC. 1273. PROHIBITION ON IN-FLIGHT REFUELING TO**
20 **NON-UNITED STATES AIRCRAFT THAT EN-**
21 **GAGE IN HOSTILITIES IN THE ONGOING CIVIL**
22 **WAR IN YEMEN.**

23 “For the one-year period beginning on the date
24 of the enactment of the National Defense Authoriza-
25 tion Act for Fiscal Year 2024, the Department of

1 Defense may not provide in-flight refueling pursuant
2 to section 2342 of title 10, United States Code, or
3 any other applicable statutory authority, to non-
4 United States aircraft that engage in hostilities in
5 the ongoing civil war in Yemen unless and until a
6 declaration of war or a specific statutory authoriza-
7 tion for such use of the United States Armed Forces
8 has been enacted.”.

9 **SEC. 1399B. EXTENSION OF UNITED STATES-ISRAEL ANTI-**
10 **TUNNEL COOPERATION.**

11 Section 1279(f) of the National Defense Authoriza-
12 tion Act for Fiscal Year 2016 (22 U.S.C. 8606 note) is
13 amended by striking “December 31, 2024” and inserting
14 “December 31, 2026”.

15 **SEC. 1399C. PROHIBITION ON DELEGATION OF AUTHORITY**
16 **TO DESIGNATE FOREIGN PARTNER FORCES**
17 **AS ELIGIBLE FOR THE PROVISION OF COL-**
18 **LECTIVE SELF-DEFENSE SUPPORT BY**
19 **UNITED STATES ARMED FORCES.**

20 (a) IN GENERAL.—The authority to designate foreign
21 partner forces as eligible for the provision of collective self-
22 defense support by the United States Armed Forces may
23 not be delegated below the Secretary of Defense.

24 (b) REVIEW.—Not later than 90 days after the date
25 of the enactment of this Act, the Secretary shall review

1 existing designations of foreign partner forces as eligible
2 for the provision of collective self-defense support by the
3 United States Armed Forces and provide the congress-
4 sional defense committees with a certification with respect
5 to whether each such designation remains valid.

6 (c) WAIVER.—

7 (1) IN GENERAL.—The Secretary may waive
8 the prohibition under subsection (a) if the Secretary
9 determines that there are compelling circumstances
10 that necessitate the waiver of such prohibition.

11 (2) NOTICE.—Not later than 48 hours after the
12 Secretary exercises the waiver authority under para-
13 graph (1), the Secretary shall submit to the congress-
14 sional defense committees a notice of the waiver,
15 which shall include—

16 (A) a description of the compelling cir-
17 cumstances that necessitated the wavier;

18 (B) a description of the United States na-
19 tional security interests served by the waiver;

20 (C) an identification of any named oper-
21 ation related to the waiver; and

22 (D) an articulation of any temporal, geo-
23 graphic, or other limitations on the waiver.

24 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion shall be construed as invalidating a designation of for-

1 eign partner forces as eligible for the provision of collective
 2 self-defense support by the United States Armed Forces
 3 that is in effect as of the date of the enactment of this
 4 Act.

5 (e) COLLECTIVE SELF-DEFENSE DEFINED.—In this
 6 section, the term “collective self-defense” means the use
 7 of United States military force to defend designated for-
 8 eign partner forces, their facilities, and their property.

9 **SEC. 1399D. PARTICIPATION BY MILITARY DEPARTMENTS**
 10 **IN INTEROPERABILITY PROGRAMS WITH**
 11 **MILITARY FORCES OF AUSTRALIA, CANADA,**
 12 **NEW ZEALAND, AND THE UNITED KINGDOM.**

13 (a) IN GENERAL.—Section 1274 of the National De-
 14 fense Authorization Act for Fiscal Year 2013 (10 U.S.C.
 15 2350a note) is amended—

16 (1) in the section heading, by striking “**ADMIN-**
 17 **ISTRATION OF THE AMERICAN, BRITISH, CANA-**
 18 **DIAN, AND AUSTRALIAN ARMIES’ PROGRAM**”
 19 and inserting “**PARTICIPATION BY MILITARY DE-**
 20 **PARTMENTS IN INTEROPERABILITY PROGRAMS**
 21 **WITH MILITARY FORCES OF AUSTRALIA, CAN-**
 22 **ADA, NEW ZEALAND, AND THE UNITED KING-**
 23 **DOM**”; and

24 (2) in subsection (a)—

1 (A) by inserting “a military department
2 of” after “the participation by”; and

3 (B) by striking “the land-force program
4 known as the American, British, Canadian, and
5 Australian Armies’ Program” and inserting “an
6 interoperability program with the military
7 forces of one or more participating countries
8 specified in subsection (b)”.

9 (b) CLERICAL AMENDMENTS.—

10 (1) The table of contents of the National De-
11 fense Authorization Act for Fiscal Year 2013 (Pub-
12 lic Law 112–239; 126 Stat. 1632) is amended by
13 striking the item relating to section 1274 and insert-
14 ing the following:

“Sec. 1274. Participation by military departments in interoperability programs
with military forces of Australia, Canada, New Zealand, and
the United Kingdom.”.

15 (2) The table of contents for title XII of the
16 National Defense Authorization Act for Fiscal Year
17 2013 (Public Law 112–239; 126 Stat. 1977) is
18 amended by striking the item relating to section
19 1274 and inserting the following:

“Sec. 1274. Participation by military departments in interoperability programs
with military forces of Australia, Canada, New Zealand, and
the United Kingdom.”.

1 **SEC. 1399E. COOPERATION WITH ALLIES AND PARTNERS IN**
2 **MIDDLE EAST ON DEVELOPMENT OF INTE-**
3 **GRATED REGIONAL CYBERSECURITY ARCHI-**
4 **TECTURE.**

5 (a) COOPERATION.—

6 (1) IN GENERAL.—The Secretary of Defense,
7 using existing authorities and in consultation with
8 the head of any other Federal agency, as appro-
9 priate, shall seek to cooperate with allies and part-
10 ners in the Middle East with respect to developing
11 an integrated regional cybersecurity architecture and
12 deepening military cybersecurity partnerships to de-
13 fend military networks, infrastructure, and systems
14 against hostile cyber activity.

15 (2) PROTECTION OF SENSITIVE INFORMA-
16 TION.—Any activity carried out under paragraph
17 (1) shall be conducted in a manner that—

18 (A) is consistent with the protection of in-
19 telligence sources and methods; and

20 (B) appropriately protects sensitive infor-
21 mation and the national security interests of
22 the United States.

23 (b) STRATEGY.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act, the Sec-
26 retary of Defense, in consultation with the Secretary

1 of State, shall submit to the appropriate committees
2 of Congress a strategy for cooperation with allies
3 and partners in the Middle East to develop an inte-
4 grated regional cybersecurity architecture to defend
5 military networks, infrastructure, and systems
6 against hostile cyber activity.

7 (2) ELEMENTS.—The strategy submitted under
8 paragraph (1) shall include the following:

9 (A) An assessment of the threat landscape
10 of cyberattacks, military networks, infrastruc-
11 ture, and systems against allies and partners
12 within the Middle East.

13 (B) A description of current efforts to
14 share, between the United States and allies and
15 partners within the Middle East, indicators and
16 warnings, tactics, techniques, procedures, threat
17 signatures, planning efforts, training, and other
18 similar information about cyber threats.

19 (C) An analysis of current bilateral and
20 multilateral defense protocols protecting mili-
21 tary networks, infrastructure, and systems and
22 sharing sensitive cyber threat information be-
23 tween the United States and allies and partners
24 in the Middle East.

1 (D) An assessment of whether a multi-
2 national integrated military cybersecurity part-
3 nership, including establishing a center in the
4 Middle East to facilitate such activities, would
5 improve collective security in the Middle East.

6 (E) An assessment of gaps in ally and
7 partner capabilities that would have to be rem-
8 edied in order to establish such a center.

9 (F) A description of any prior or ongoing
10 effort to engage allies and partners in the Mid-
11 dle East in establishing—

12 (i) a multinational integrated cyberse-
13 curity partnership or other bilateral or
14 multilateral defensive cybersecurity infor-
15 mation sharing and training partnership;
16 or

17 (ii) other cooperative defensive cyber-
18 security measures.

19 (G) An identification of elements of a po-
20 tential multinational military cybersecurity
21 partnership, or other bilateral or multilateral
22 defensive cybersecurity measures, that—

23 (i) can be acquired and operated by
24 specified foreign partners within the area

1 of responsibility of the United States Cen-
2 tral Command;

3 (ii) can only be provided and operated
4 by the United States; and

5 (iii) can be provided by a third party
6 entity contracted by the United States
7 Central Command jointly with specified
8 foreign partners.

9 (H) Any other matter the Secretary of De-
10 fense considers relevant.

11 (3) FORM.—The strategy required by para-
12 graph (1) shall be submitted in unclassified form but
13 may include a classified annex.

14 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
15 FINED.—In this section, the term “appropriate commit-
16 tees of Congress” means—

17 (1) the Committee on Armed Services, the
18 Committee on Appropriations, the Committee on
19 Foreign Relations, and the Select Committee on In-
20 telligence of the Senate; and

21 (2) the Committee on Armed Services, the
22 Committee on Appropriations, the Committee on
23 Foreign Affairs, and the Permanent Select Com-
24 mittee on Intelligence of the House of Representa-
25 tives.

1 **SEC. 1399F. FOREIGN ADVANCE ACQUISITION ACCOUNT.**

2 (a) ESTABLISHMENT.—The Secretary of Defense
3 may establish, within the Special Defense Acquisition
4 Fund established pursuant to chapter 5 of the Arms Ex-
5 port Control Act (22 U.S.C. 2795 et seq.), an account,
6 to be known as the “Foreign Advance Acquisition Ac-
7 count” (in this section referred to as the “Account”), that
8 shall be maintained separately from other accounts and
9 used to accelerate the production of United States-pro-
10 duced end items in reasonable anticipation of the sale of
11 such end items through the foreign military sales or direct
12 commercial sales processes.

13 (b) USE OF FUNDS.—Amounts in the Account shall
14 be made available to the Secretary of Defense for the fol-
15 lowing purposes:

16 (1) To finance the acquisition, using the proce-
17 dures of the Special Defense Acquisition Fund, of
18 defense articles and services in advance of the trans-
19 fer of such articles and services to covered countries
20 through the foreign military sales process.

21 (2) To provide a mechanism for covered coun-
22 tries to contribute funds, including before the com-
23 pletion of a letter of offer under the procedures of
24 the Arms Export Control Act (22 U.S.C. 2751 et
25 seq.), for the acquisition of such defense articles and
26 services.

1 (3) To pay for storage, maintenance, and other
2 costs related to the storage, preservation, and prepa-
3 ration for transfer of defense articles and services
4 acquired using amounts in the Account prior to their
5 transfer, and to pay for the administrative costs of
6 the Department of Defense incurred in the acquisi-
7 tion of such items to the extent not reimbursed pur-
8 suant to section 43(b) of the Arms Export Control
9 Act (22 U.S.C. 2792(b)).

10 (c) CONTRIBUTIONS FROM COVERED COUNTRIES.—

11 The Secretary of Defense may accept contributions of
12 amounts to the Account from any foreign person, entity,
13 or government of a covered country.

14 (d) LIMITATIONS.—

15 (1) APPLICABILITY OF OTHER LAW.—Defense
16 articles and services acquired by the Secretary of
17 Defense using amounts in the Account may not be
18 transferred to any foreign country unless such trans-
19 fer is authorized by the Arms Export Control Act
20 (22 U.S.C. 2751 et seq.), the Foreign Assistance
21 Act of 1961 (22 U.S.C. 2151 et seq.), or other ap-
22 plicable law.

23 (2) PREVIOUSLY DENIED FUNDS.—Amounts in
24 the Account may not be expended, in whole or in
25 part, by or for the benefit of the Department of De-

1 fense for a purpose for which Congress has pre-
2 viously denied funds.

3 (3) **ADDITIONAL LIMITATION.**—Amounts in the
4 Account may not be used to acquire items or serv-
5 ices for the sole benefit of the United States.

6 (e) **ANNUAL REPORT.**—Not later than 60 days after
7 the date on which each fiscal year ends, the Secretary of
8 Defense shall submit to the appropriate committees of
9 Congress a report on the use of the Account that includes,
10 for such fiscal year—

11 (1) an identification of each covered country
12 that contributed to the Account;

13 (2) the amount deposited into the Account by
14 each such covered country; and

15 (3) for each such covered country, the des-
16 ignated defense articles or services acquired or to be
17 acquired.

18 (f) **QUARTERLY REPORT.**—Not later than 90 days
19 after the date of the enactment of this Act, and quarterly
20 thereafter, the Secretary of Defense shall submit to the
21 appropriate committees of Congress a report on the use
22 of the Account that includes, for each transaction—

23 (1) a description of the transaction;

24 (2) the amount of the transaction;

25 (3) the covered country concerned;

1 (4) an identification of any storage, mainte-
2 nance, or other costs associated with the transaction;
3 and

4 (5) the anticipated date of delivery of the appli-
5 cable defense articles or services.

6 (g) TERMINATION.—The authority under subsection
7 (b) to use funds in the Account shall terminate on Janu-
8 ary 1, 2028.

9 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion shall be construed to limit or impair the responsibil-
11 ities conferred on the Secretary of State or the Secretary
12 of Defense under the Arms Export Control Act (22 U.S.C.
13 2751 et seq.) or the Foreign Assistance Act of 1961 (22
14 U.S.C. 2151 et seq.).

15 (i) DEFINITIONS.—In this section:

16 (1) APPROPRIATE COMMITTEES OF CON-
17 GRESS.—The term “appropriate committees of Con-
18 gress” means—

19 (A) the Committee on Armed Services, the
20 Committee on Appropriations, and the Com-
21 mittee on Foreign Relations of the Senate; and

22 (B) the Committee on Armed Services, the
23 Committee on Appropriations, and the Com-
24 mittee on Foreign Affairs of the House of Rep-
25 resentatives.

1 (2) COVERED COUNTRY.—The term “covered
2 country” means—

3 (A) a country, other than the United
4 States, that is a participant in the security
5 partnership among Australia, the United King-
6 dom, and the United States (commonly known
7 as the “AUKUS” partnership);

8 (B) a member country of the North Atlan-
9 tic Treaty Organization; and

10 (C) any other country, as designated by
11 the Secretary of Defense.

12 **SEC. 1399G. LIMITATION ON AVAILABILITY OF FUNDS FOR**
13 **TRAVEL EXPENSES OF THE OFFICE OF THE**
14 **SECRETARY OF DEFENSE.**

15 Of the funds authorized to be appropriated by this
16 Act for fiscal year 2024 for operation and maintenance,
17 Defense-wide, and available for the Office of the Secretary
18 of Defense for travel expenses, not more than 75 percent
19 may be obligated or expended until the Secretary of De-
20 fense submits—

21 (1) the implementation plan required by section
22 1087 of the National Defense Authorization Act for
23 Fiscal Year 2023 (Public Law 117–263; 136 Stat.
24 2802; 10 U.S.C. 161 note) relating to the require-
25 ment of such section to establish a joint force head-

1 quarters in the area of operations of United States
2 Indo-Pacific Command to serve as an operational
3 command;

4 (2) the plan required by section 1332(g)(2) of
5 the National Defense Authorization Act for Fiscal
6 Year 2022 (Public Law 117–81; 135 Stat. 2008) re-
7 lating to strategic competition in the areas of re-
8 sponsibility of United States Southern Command
9 and United States Africa Command; and

10 (3) the strategy and posture review required by
11 section 1631(g) of the National Defense Authoriza-
12 tion Act for Fiscal Year 2020 (Public Law 116–92;
13 133 Stat. 1743; 10 U.S.C. 397 note) relating to op-
14 erations in the information environment.

15 **SEC. 1399H. PLANS RELATED TO RAPID TRANSFER OF CER-**
16 **TAIN MISSILES AND DEFENSE CAPABILITIES.**

17 (a) IN GENERAL.—The Assistant Secretary of the
18 Navy for Research, Development and Acquisition shall—

19 (1) develop a plan to prepare Navy Harpoon
20 block IC missiles in a “sundown”, “deep stow”, or
21 “demilitarized” condition code (including missiles re-
22 moved from Navy surface ships) for rapid transfer
23 to allies and security partners in the United States
24 European Command and United States Indo-Pacific
25 Command areas of responsibility, if so ordered; and

1 (2) establish a plan that would enable the rapid
2 transfer of additional enhanced coastal defense capa-
3 bilities that have tactical significance in assisting
4 partners and allies in reclaiming sovereign territory,
5 deterring maritime resupply of illegally seized terri-
6 tory, or aiding in preventing an amphibious invasion
7 of sovereign territory.

8 (b) SUBMISSION TO CONGRESS.—Not later than 90
9 days after the date of the enactment of this Act, the As-
10 sistant Secretary shall submit to the congressional defense
11 committees the plans required by paragraphs (1) and (2)
12 of subsection (a).

13 **SEC. 1399I. ENSURING PEACE THROUGH STRENGTH IN**
14 **ISRAEL.**

15 (a) EXTENSION OF AUTHORITIES.—

16 (1) WAR RESERVES STOCKPILE AUTHORITY.—
17 Section 12001(d) of the Department of Defense Ap-
18 propriations Act, 2005 (Public Law 108–287; 118
19 Stat. 1011) is amended by striking “September 30,
20 2025” and inserting “January 1, 2028”.

21 (2) RULES GOVERNING THE TRANSFER OF PRE-
22 CISION-GUIDED MUNITIONS TO ISRAEL ABOVE THE
23 ANNUAL RESTRICTION.—Section 1275(e) of the Wil-
24 liam M. (Mac) Thornberry National Defense Author-
25 ization Act for Fiscal Year 2021 (Public Law 116–

1 283; 134 Stat. 3980; 22 U.S.C. 2321h note) is
2 amended by striking “on the date that is three years
3 after the date of the enactment of this Act” and in-
4 serting “on January 1, 2028”.

5 (b) DEPARTMENT OF DEFENSE ASSESSMENT OF
6 TYPE AND QUANTITY OF PRECISION-GUIDED MUNITIONS
7 AND OTHER MUNITIONS FOR USE BY ISRAEL.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, and an-
10 nually thereafter through December 31, 2028, the
11 Secretary of Defense shall conduct an assessment
12 with respect to the following:

13 (A) The current quantity and type of pre-
14 cision-guided munitions in the stockpile pursu-
15 ant to section 12001(d) of the Department of
16 Defense Appropriations Act, 2005 (Public Law
17 108–287; 118 Stat. 1011).

18 (B) The quantity and type of precision-
19 guided munitions necessary for Israel to protect
20 its homeland and counter Hezbollah, Hamas,
21 Palestinian Islamic Jihad, or any other armed
22 terror group or hostile forces in the region in
23 the event of a sustained armed confrontation.

24 (C) The quantity and type of other muni-
25 tions necessary for Israel to protect its home-

1 land and counter Hezbollah, Hamas, Pales-
2 tinian Islamic Jihad, or any other armed group
3 or hostile forces in the region in the event of a
4 sustained armed confrontation.

5 (D) The quantity and type of munitions,
6 including precision-guided munitions, necessary
7 for Israel to protect its homeland and counter
8 any combination of Hezbollah, Hamas, Pales-
9 tinian Islamic Jihad, and any other armed ter-
10 ror groups or hostile forces in the region in the
11 event of a multi-front, sustained armed con-
12 frontation.

13 (E) The resources the Government of
14 Israel would need to dedicate to acquire the
15 quantity and type of munitions, including preci-
16 sion-guided munitions, described in subpara-
17 graphs (B) through (D).

18 (F) Whether, as of the date on which the
19 applicable assessment is completed, sufficient
20 quantities and types of munitions, including
21 precision-guided munitions, to conduct oper-
22 ations described in subparagraphs (B) through
23 (D) are present in—

24 (i) the inventory of the military forces
25 of Israel;

1 (ii) the War Reserves Stock Allies-
2 Israel;

3 (iii) any other United States stockpile
4 or depot within the area of responsibility of
5 United States Central Command, as the
6 Secretary considers appropriate to disclose
7 to the Government of Israel; or

8 (iv) the inventory of the United States
9 Armed Forces, as the Secretary considers
10 appropriate to disclose to the Government
11 of Israel.

12 (G) The current inventory of such muni-
13 tions, including precision-guided munitions, pos-
14 sessed by the United States, and whether, as of
15 the date on which the applicable assessment is
16 completed, the United States is assessed to
17 have sufficient munitions to meet the require-
18 ments of current operation plans of the United
19 States or global other munitions requirements.

20 (H) United States planning and steps
21 being taken—

22 (i) to assist Israel to prepare for the
23 contingencies, and to conduct the oper-
24 ations, described in subparagraphs (B)
25 through (D); and

1 (ii) to resupply Israel with the quan-
2 tity and type of such munitions described
3 in such subparagraphs in the event of a
4 sustained armed confrontation described in
5 such subparagraphs.

6 (I) The quantity and pace at which the
7 United States is capable of pre-positioning, in-
8 creasing, stockpiling, or rapidly replenishing, or
9 assisting in the rapid replenishment of, such
10 munitions in preparation for, and in the event
11 of, such a sustained armed confrontation.

12 (2) CONSULTATION.—In carrying out the as-
13 sessment required by paragraph (1), the Secretary
14 shall consult with the Israeli Ministry of Defense,
15 provided that the Israeli Ministry of Defense agrees
16 to be so consulted.

17 (c) REPORTS.—

18 (1) DEPARTMENT OF DEFENSE ASSESSMENT.—
19 Not later than 15 days after the date on which each
20 Department of Defense assessment required by sub-
21 section (b) is completed, the Secretary shall submit
22 to the appropriate committees of Congress a report
23 on such assessment.

24 (2) PRE-POSITIONING AND STOCKPILE IMPLE-
25 MENTATION REPORT.—Not later than 180 days

1 after the date on which the report required by para-
2 graph (1) is submitted, and every 180 days there-
3 after through December 31, 2028, the Secretary
4 shall submit to the appropriate committees of Con-
5 gress a report that—

6 (A) details the actions being taken by the
7 United States, if any, to pre-position, increase,
8 stockpile, address shortfalls, and otherwise en-
9 sure that the War Reserves Stock Allies-Israel
10 has, and assist Israel in ensuring that Israel
11 has, sufficient quantities and types of muni-
12 tions, including precision-guided munitions, to
13 conduct the operations described in subpara-
14 graphs (B) through (D) of subsection (b)(1);
15 and

16 (B) includes a description of procedures
17 implemented by the United States, if any, for
18 rapidly replenishing, or assisting in the rapid
19 replenishment of, stockpiles of such munitions
20 for use by Israel as may be necessary.

21 (3) FORM.—The report required by paragraph
22 (1) shall be submitted in unclassified form but may
23 contain a classified annex.

1 (4) APPROPRIATE COMMITTEES OF CONGRESS
 2 DEFINED.—In this subsection, the term “appro-
 3 priate committees of Congress” means—

4 (A) the Committee on Foreign Relations
 5 and the Committee on Armed Services of the
 6 Senate; and

7 (B) the Committee on Foreign Affairs and
 8 the Committee on Armed Services of the House
 9 of Representatives.

10 (d) CONSOLIDATION OF REPORTS.—

11 (1) Section 1273 of the John S. McCain Na-
 12 tional Defense Authorization Act for Fiscal Year
 13 2019 (Public Law 115–232; 132 Stat. 2066) is
 14 amended by striking subsection (b).

15 (2) Section 1275 of the William M. (Mac)
 16 Thornberry National Defense Authorization Act for
 17 Fiscal Year 2021 (Public Law 116–283; 134 Stat.
 18 3979; 22 U.S.C. 2321h note) is amended by striking
 19 subsection (d).

20 **SEC. 1399J. IMPROVEMENTS TO SECURITY COOPERATION**
 21 **WORKFORCE AND DEFENSE ACQUISITION**
 22 **WORKFORCE.**

23 (a) RESPONSIBILITIES OF SECRETARY OF DE-
 24 FENSE.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall, consistent with the requirements of section
3 384 of title 10, United States Code, as amended by
4 section 1209 of this Act—

5 (A) carry out activities to professionalize,
6 and increase the resources available to, the se-
7 curity cooperation workforce so as to enable the
8 streamlining and expediting of the foreign mili-
9 tary sales process; and

10 (B) seek to ensure that—

11 (i) members of the defense acquisition
12 workforce involved in the foreign military
13 sales process are aware of evolving United
14 States regional and country-level defense
15 capability-building priorities; and

16 (ii) members of the defense acqui-
17 sition workforce are professionally evaluated
18 using metrics to measure—

19 (I) responsiveness to foreign
20 partner requests;

21 (II) ability to meet foreign part-
22 ner capability and delivery schedule
23 requirements; and

24 (III) advancement of foreign ca-
25 pability-building priorities described in

1 the guidance updated under sub-
2 section (b).

3 (2) REPORT.—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary
5 of Defense shall submit to the Committees on Armed
6 Services of the Senate and the House of Representa-
7 tives a report on the resources necessary to imple-
8 ment paragraph (1), including—

9 (A) the anticipated costs of new personnel
10 and training to carry out such paragraph;

11 (B) the estimated increase in foreign mili-
12 tary sales administrative user fees necessary to
13 offset such costs; and

14 (C) the feasibility and advisability of estab-
15 lishing, at the Department of Defense level or
16 the military department level, a contracting ca-
17 pacity that—

18 (i) is specific to the execution of con-
19 tracts for foreign military sales;

20 (ii) is fully funded by the Defense Se-
21 curity Cooperation Agency using foreign
22 military sales administrative funds so as to
23 ensure that such capacity is dedicated sole-
24 ly to foreign military sales contracting;

1 (iii) is monitored by the Defense Se-
2 curity Cooperation Agency Chief Perform-
3 ance Office, in coordination with the Under
4 Secretary of Defense for Acquisition and
5 Sustainment, to ensure effectiveness in
6 meeting foreign military sales contracting
7 requirements; and

8 (iv) empowers the Director of the De-
9 fense Security Cooperation Agency, in co-
10 ordination with the Under Secretary of De-
11 fense for Policy and the Under Secretary
12 of Defense for Acquisition and
13 Sustainment, to increase or decrease for-
14 eign military sales contracting capacity
15 through the guidance updated under sub-
16 section (b).

17 (b) GUIDANCE.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, the Sec-
20 retary of Defense shall update, as necessary, De-
21 partment of Defense guidance governing the execu-
22 tion of foreign military sales by the Department to
23 ensure that such guidance—

24 (A) incorporates the National Security
25 Strategy and the National Defense Strategy;

1 (B) is informed by the theater campaign
2 plans and theater security cooperation strate-
3 gies of the combatant commands; and

4 (C) is disseminated to the security co-
5 operation workforce and the defense acquisition
6 workforce.

7 (2) ELEMENTS.—The updated guidance re-
8 quired by paragraph (1) shall—

9 (A) identify—

10 (i) regional and country-level foreign
11 defense capability-building priorities; and

12 (ii) levels of urgency and desired
13 timelines for achieving foreign capability-
14 building objectives; and

15 (B) provide guidance to the defense acqui-
16 sition workforce regarding levels of resourcing,
17 innovation, and risk tolerance that should be
18 considered in meeting urgent needs.

19 (c) FOREIGN MILITARY SALES CONTINUOUS PROC-
20 ESS IMPROVEMENT BOARD.—

21 (1) ESTABLISHMENT.—The Secretary of De-
22 fense may establish a Foreign Military Sales Contin-
23 uous Process Improvement Board (in this section re-
24 ferred to as the “Board”) to serve as an enduring
25 governance structure within the Department of De-

1 fense that reports to the Secretary on matters relat-
2 ing to the foreign military sales process so as to en-
3 hance accountability and continuous improvement
4 within the Department, including the objectives of—

5 (A) improving the understanding, among
6 officials of the Department, of ally and partner
7 requirements;

8 (B) enabling efficient reviews for release of
9 technology;

10 (C) providing allies and partner countries
11 with relevant priority equipment;

12 (D) accelerating acquisition and con-
13 tracting support;

14 (E) expanding the capacity of the defense
15 industrial base; and

16 (F) working with other departments and
17 agencies to promote broad United States Gov-
18 ernment support.

19 (2) MEMBERSHIP.—

20 (A) IN GENERAL.—The Board shall be
21 composed of not fewer than seven members,
22 each of whom shall have expertise in the foreign
23 military sales process.

24 (B) RESTRICTION.—The Board may not
25 have as a member—

- 1 (i) an officer or employee of the De-
2 partment of Defense; or
3 (ii) a member of the United States
4 Armed Forces.

5 (d) DEFINITIONS.—In this section:

6 (1) DEFENSE ACQUISITION WORKFORCE.—The
7 term “defense acquisition workforce” means the De-
8 partment of Defense acquisition workforce described
9 in chapter 87 of title 10, United States Code.

10 (2) SECURITY COOPERATION WORKFORCE.—
11 The term “security cooperation workforce” has the
12 meaning given the term in section 384 of title 10,
13 United States Code.

14 **SEC. 1399K. MODIFICATION OF FOREIGN MILITARY SALES**
15 **PROCESSING.**

16 (a) RESPONSES.—

17 (1) LETTERS OF REQUEST FOR PRICING AND
18 AVAILABILITY.—The Secretary of Defense shall seek
19 to ensure that an eligible foreign purchaser that has
20 submitted a letter of request for pricing and avail-
21 ability data receives a response to the letter not later
22 than 45 days after the date on which the letter is
23 received by a United States security cooperation or-
24 ganization, the Defense Security Cooperation Agen-
25 cy, or other implementing agency.

1 (2) LETTERS OF REQUEST FOR LETTERS OF
2 OFFER AND ACCEPTANCE.—The Secretary of De-
3 fense shall seek to ensure that an eligible foreign
4 purchaser that has submitted a letter of request for
5 a letter of offer and acceptance receives a re-
6 sponse—

7 (A) in the case of a letter of request for a
8 blanket-order letter of offer and acceptance, co-
9 operative logistics supply support arrangements,
10 or associated amendments and modifications,
11 not later than 45 days after the date on which
12 the letter of request is received by a United
13 States security cooperation organization, the
14 Defense Security Cooperation Agency, or other
15 implementing agency;

16 (B) in the case of a letter of request for
17 a defined-order letter of offer and acceptance or
18 associated amendments and modifications, not
19 later than 100 days after such date; and

20 (C) in the case of a letter of request for a
21 defined-order letter of offer and acceptance or
22 associated amendments that involve extenuating
23 factors, as approved by the Director of the De-
24 fense Security Cooperation Agency, not later
25 than 150 days after such date.

1 (3) WAIVER.—The Secretary of Defense may
2 waive paragraphs (1) and (2) if—

3 (A) such a waiver is in the national secu-
4 rity interests of the United States; and

5 (B) not later than 5 days after exercising
6 such waiver authority, the Secretary provides to
7 the Committee on Foreign Relations of the Sen-
8 ate and the Committee on Foreign Affairs of
9 the House of Representatives notice of the exer-
10 cise of such authority, including an explanation
11 of the one or more reasons for failing to meet
12 the applicable deadline.

13 (b) EXPANSION OF COUNTRY PRIORITIZATION.—
14 With respect to foreign military sales to member countries
15 of the North Atlantic Treaty Organization, major non-
16 NATO allies, major defense partners, and major security
17 partners, the Secretary of Defense may assign a Defense
18 Priorities and Allocations System order rating of DX
19 (within the meaning of section 700.11 of title 15, Code
20 of Federal Regulations (as in effect on the date of the
21 enactment of this Act)).

22 (c) DEFINITIONS.—In this section:

23 (1) BLANKET-ORDER LETTER OF OFFER AND
24 ACCEPTANCE.—The term “blanket-order letter of
25 offer and acceptance” means an agreement between

1 an eligible foreign purchaser and the United States
2 Government for a specific category of items or serv-
3 ices (including training) that—

4 (A) does not include a definitive listing of
5 items or quantities; and

6 (B) specifies a maximum dollar amount
7 against which orders for defense articles and
8 services may be placed.

9 (2) COOPERATIVE LOGISTICS SUPPLY SUPPORT
10 ARRANGEMENT.—The term “cooperative logistics
11 supply support arrangement” means a military logis-
12 tics support arrangement designed to provide re-
13 sponsive and continuous supply support at the depot
14 level for United States-made military materiel pos-
15 sessed by foreign countries or international organiza-
16 tions.

17 (3) DEFINED-ORDER LETTER OF OFFER AND
18 ACCEPTANCE.—The term “defined-order letter of
19 offer and acceptance” means a foreign military sales
20 case characterized by an order for a specific defense
21 article or service that is separately identified as a
22 line item on a letter of offer and acceptance.

23 (4) IMPLEMENTING AGENCY.—The term “im-
24 plementing agency” means the military department
25 or defense agency assigned, by the Director of the

1 Defense Security Cooperation Agency, the respon-
2 sibilities of—

3 (A) preparing a letter of offer and accept-
4 ance;

5 (B) implementing a foreign military sales
6 case; and

7 (C) carrying out the overall management
8 of the activities that—

9 (i) will result in the delivery of the de-
10 fense articles or services set forth in the
11 letter of offer and acceptance; and

12 (ii) was accepted by an eligible foreign
13 purchaser.

14 (5) LETTER OF REQUEST.—The term “letter of
15 request”—

16 (A) means a written document—

17 (i) submitted to a United States secu-
18 rity cooperation organization, the Defense
19 Security Cooperation Agency, or an imple-
20 menting agency by an eligible foreign pur-
21 chaser for the purpose of requesting to
22 purchase or otherwise obtain a United
23 States defense article or defense service
24 through the foreign military sales process;
25 and

1 (ii) that contains all relevant informa-
2 tion in such form as may be required by
3 the Secretary of Defense; and

4 (B) includes—

5 (i) a formal letter;

6 (ii) an e-mail;

7 (iii) signed meeting minutes from a
8 recognized official of the government of an
9 eligible foreign purchaser; and

10 (iv) any other form of written docu-
11 ment, as determined by the Secretary of
12 Defense or the Director of the Defense Se-
13 curity Cooperation Agency.

14 (6) MAJOR DEFENSE PARTNER.—The term
15 “major defense partner” means—

16 (A) India; and

17 (B) any other country, as designated by
18 the Secretary of Defense.

19 (7) MAJOR NON-NATO ALLY.—The term “major
20 non-NATO ally”—

21 (A) has the meaning given the term in sec-
22 tion 644 of the Foreign Assistance Act of 1961
23 (22 U.S.C. 2403)); and

24 (B) includes Taiwan, as required by sec-
25 tion 1206 of the Security Assistance Act of

1 2002 (Public Law 107–228; 22U.S.C. 2321k
2 note).

3 (8) MAJOR SECURITY PARTNER.—The term
4 “major security partner” means—

5 (A) the United Arab Emirates;

6 (B) Bahrain;

7 (C) Saudi Arabia; and

8 (D) any other country, as designated by
9 the Secretary of Defense, in consultation with
10 the Secretary of State and the Director of Na-
11 tional Intelligence.

12 **SEC. 1399L. ENDING CHINA’S DEVELOPING NATION STATUS.**

13 (a) SHORT TITLE.—This section may be cited as the
14 “Ending China’s Developing Nation Status Act”.

15 (b) FINDING; STATEMENT OF POLICY.—

16 (1) FINDING.—Congress finds that the People’s
17 Republic of China is still classified as a developing
18 nation under multiple treaties and international or-
19 ganization structures, even though China has grown
20 to be the second largest economy in the world.

21 (2) STATEMENT OF POLICY.—It is the policy of
22 the United States—

23 (A) to oppose the labeling or treatment of
24 the People’s Republic of China as a developing
25 nation in current and future treaty negotiations

1 and in each international organization of which
2 the United States and the People’s Republic of
3 China are both current members;

4 (B) to pursue the labeling or treatment of
5 the People’s Republic of China as a developed
6 nation in each international organization of
7 which the United States and the People’s Re-
8 public of China are both current members; and

9 (C) to work with allies and partners of the
10 United States to implement the policies de-
11 scribed in paragraphs (1) and (2).

12 (c) DEFINITIONS.—In this section:

13 (1) APPROPRIATE COMMITTEES OF CON-
14 GRESS.—The term “appropriate committees of Con-
15 gress” means—

16 (A) the Committee on Foreign Relations of
17 the Senate and the Committee on Foreign Af-
18 fairs of the House of Representatives with re-
19 spect to—

20 (i) reports produced by the Secretary
21 of State; and

22 (ii) a waiver exercised pursuant to
23 subsection (f)(2), except with respect to
24 any international organization for which
25 the United States Trade Representative is

1 the chief representative of the United
2 States; and

3 (B) the Committee on Finance of the Sen-
4 ate and the Committee on Ways and Means of
5 the House of Representatives with respect to—

6 (i) reports produced by the United
7 States Trade Representative; and

8 (ii) a waiver exercised pursuant to
9 subsection (f)(2) with respect to any inter-
10 national organization for which the United
11 States Trade Representative is the chief
12 representative of the United States.

13 (2) SECRETARY.—

14 (A) IN GENERAL.—Except as provided in
15 subparagraph (B), the term “Secretary” means
16 the Secretary of State.

17 (B) EXCEPTION.—The term “Secretary”
18 shall mean the United States Trade Represent-
19 ative with respect to any international organiza-
20 tion for which the United States Trade Rep-
21 resentative is the chief representative of the
22 United States.

23 (d) REPORT ON DEVELOPMENT STATUS IN CURRENT
24 TREATY NEGOTIATIONS.—Not later than 180 days after
25 the date of the enactment of this Act, the Secretary shall

1 submit a report to the appropriate committees of Congress
2 that—

3 (1) identifies all current treaty negotiations in
4 which—

5 (A) the proposed treaty would provide for
6 different treatment or standards for enforce-
7 ment of the treaty based on respective develop-
8 ment status of the states that are party to the
9 treaty; and

10 (B) the People’s Republic of China is ac-
11 tively participating in the negotiations, or it is
12 reasonably foreseeable that the People’s Repub-
13 lic of China would seek to become a party to
14 the treaty; and

15 (2) for each treaty negotiation identified pursu-
16 ant to paragraph (1), describes how the treaty under
17 negotiation would provide different treatment or
18 standards for enforcement of the treaty based on de-
19 velopment status of the states parties.

20 (e) REPORT ON DEVELOPMENT STATUS IN EXISTING
21 ORGANIZATIONS AND TREATIES.—Not later than 180
22 days after the date of the enactment of this Act, the Sec-
23 retary shall submit a report to the appropriate committees
24 of Congress that—

1 (1) identifies all international organizations or
2 treaties, of which the United States is a member,
3 that provide different treatment or standards for en-
4 forcement based on the respective development sta-
5 tus of the member states or states parties;

6 (2) describes the mechanisms for changing the
7 country designation for each relevant treaty or orga-
8 nization; and

9 (3) for each of the organizations or treaties
10 identified pursuant to paragraph (1)—

11 (A) includes a list of countries that—

12 (i) are labeled as developing nations
13 or receive the benefits of a developing na-
14 tion under the terms of the organization or
15 treaty; and

16 (ii) meet the World Bank classifica-
17 tion for upper middle income or high-in-
18 come countries; and

19 (B) describes how the organization or trea-
20 ty provides different treatment or standards for
21 enforcement based on development status of the
22 member states or states parties.

23 (f) MECHANISMS FOR CHANGING DEVELOPMENT
24 STATUS.—

1 (1) IN GENERAL.—In any international organi-
2 zation of which the United States and the People’s
3 Republic of China are both current members, the
4 Secretary, in consultation with allies and partners of
5 the United States, shall pursue—

6 (A) changing the status of the People’s Re-
7 public of China from developing nation to devel-
8 oped nation if a mechanism exists in such orga-
9 nization to make such status change; or

10 (B) proposing the development of a mecha-
11 nism described in paragraph (1) to change the
12 status of the People’s Republic of China in such
13 organization from developing nation to devel-
14 oped nation.

15 (2) WAIVER.—The President may waive the ap-
16 plication of subparagraph (A) or (B) of paragraph
17 (1) with respect to any international organization if
18 the President notifies the appropriate committees of
19 Congress that such a waiver is in the national inter-
20 ests of the United States.

21 **SEC. 1399M. SHARING OF INFORMATION WITH RESPECT TO**
22 **SUSPECTED VIOLATIONS OF INTELLECTUAL**
23 **PROPERTY RIGHTS.**

24 Section 628A of the Tariff Act of 1930 (19 U.S.C.
25 1628a) is amended—

1 (1) in subsection (a)(1), by inserting “, packing
2 materials, shipping containers,” after “its pack-
3 aging” each place it appears; and

4 (2) in subsection (b)—

5 (A) in paragraph (3), by striking “; and”
6 and inserting a semicolon;

7 (B) in paragraph (4), by striking the pe-
8 riod at the end and inserting “; and”; and

9 (C) by adding at the end the following:

10 “(5) any other party with an interest in the
11 merchandise, as determined appropriate by the Com-
12 missioner.”.

13 **SEC. 1399N. FOREIGN PORT SECURITY ASSESSMENTS.**

14 (a) **SHORT TITLE.**—This section may be cited as the
15 “International Port Security Enforcement Act”.

16 (b) **IN GENERAL.**—Section 70108 of title 46, United
17 States Code, is amended—

18 (1) in subsection (f)—

19 (A) in paragraph (1), by striking “provided
20 that” and all that follows and inserting the fol-
21 lowing: “if—

22 “(A) the Secretary certifies that the for-
23 eign government or international organization—

24 “(i) has conducted the assessment in
25 accordance with subsection (b); and

1 “(ii) has provided the Secretary with
2 sufficient information pertaining to its as-
3 sessment (including information regarding
4 the outcome of the assessment); and

5 “(B) the foreign government that con-
6 ducted the assessment is not a state sponsor of
7 terrorism (as defined in section 3316(h).”;

8 (B) by amending paragraph (3) to read as
9 follows:

10 “(3) LIMITATIONS.—Nothing in this section
11 may be construed—

12 “(A) to require the Secretary to treat an
13 assessment conducted by a foreign government
14 or an international organization as an assess-
15 ment that satisfies the requirement under sub-
16 section (a);

17 “(B) to limit the discretion or ability of the
18 Secretary to conduct an assessment under this
19 section;

20 “(C) to limit the authority of the Secretary
21 to repatriate aliens to their respective countries
22 of origin; or

23 “(D) to prevent the Secretary from re-
24 questing security and safety measures that the
25 Secretary considers necessary to safeguard

1 Coast Guard personnel during the repatriation
 2 of aliens to their respective countries of ori-
 3 gin.”; and

4 (2) by adding at the end the following:

5 “(g) STATE SPONSORS OF TERRORISM AND INTER-
 6 NATIONAL TERRORIST ORGANIZATIONS.—The Sec-
 7 retary—

8 “(1) may not enter into an agreement under
 9 subsection (f)(2) with—

10 “(A) a foreign government that is a state
 11 sponsor of terrorism; or

12 “(B) a foreign terrorist organization; and

13 “(2) shall—

14 “(A) deem any port that is under the juris-
 15 diction of a foreign government that is a state
 16 sponsor of terrorism as not having effective
 17 antiterrorism measures for purposes of this sec-
 18 tion and section 70109; and

19 “(B) immediately apply the sanctions de-
 20 scribed in section 70110(a) to such port.”.

21 **SEC. 13990. LEGAL PREPAREDNESS FOR**
 22 **SERVICEMEMBERS ABROAD.**

23 (a) REVIEW REQUIRED.—Not later than December
 24 31, 2024, the Secretary of State, in coordination with the
 25 Secretary of Defense, shall—

1 (1) review the 10 largest foreign countries by
2 United States Armed Forces presence and evaluate
3 local legal systems, protections afforded by bilateral
4 agreements between the United States and countries
5 being evaluated, and how the rights and privileges
6 afforded under such agreements may differ from
7 United States law; and

8 (2) brief the Committee on Armed Services and
9 the Committee on Foreign Affairs of the House of
10 Representatives and the Committee on Armed Serv-
11 ices and the Committee on Foreign Relations of the
12 Senate on the findings of the review.

13 (b) TRAINING REQUIRED.—The Secretary of Defense
14 shall review and improve as necessary training and edu-
15 cational materials for members of the Armed Forces, their
16 spouses, and dependents, as appropriate, who are sta-
17 tioned in a country reviewed pursuant to subsection (a)(1)
18 regarding relevant foreign laws, how such foreign laws
19 may differ from the laws of the United States, and the
20 rights of accused in common scenarios under such foreign
21 laws.

22 (c) TRANSLATION STANDARDS AND READINESS.—
23 The Secretary of Defense, in coordination with the Sec-
24 retary of State, shall review foreign language standards
25 for servicemembers and employees of the Department of

1 Defense and Department of State who are responsible for
2 providing foreign language translation services in situa-
3 tions involving foreign law enforcement where a service-
4 member may be being detained, to ensure such persons
5 maintain an appropriate proficiency in the legal termi-
6 nology and meaning of essential terms in a relevant lan-
7 guage.

8 **Subtitle H—Limitation on** 9 **Withdrawal From NATO**

10 **SEC. 1399AA. OPPOSITION OF CONGRESS TO SUSPENSION,** 11 **TERMINATION, DENUNCIATION, OR WITH-** 12 **DRAWAL FROM NORTH ATLANTIC TREATY.**

13 The President shall not suspend, terminate, de-
14 nounce, or withdraw the United States from the North
15 Atlantic Treaty, done at Washington, DC, April 4, 1949,
16 except by and with the advice and consent of the Senate,
17 provided that two-thirds of the Senators present concur,
18 or pursuant to an Act of Congress.

19 **SEC. 1399BB. LIMITATION ON THE USE OF FUNDS.**

20 No funds authorized or appropriated by any Act may
21 be used to support, directly or indirectly, any decision on
22 the part of any United States Government official to sus-
23 pend, terminate, denounce, or withdraw the United States
24 from the North Atlantic Treaty, done at Washington, DC,
25 April 4, 1949, until such time as both the Senate and the

1 House of Representatives pass, by an affirmative vote of
2 two-thirds of Members, a joint resolution approving the
3 withdrawal of the United States from the treaty, or pursu-
4 ant to an Act of Congress.

5 **SEC. 1399CC. NOTIFICATION OF TREATY ACTION.**

6 (a) CONSULTATION.—Prior to the notification de-
7 scribed in subsection (b), the President shall consult with
8 the Committee on Foreign Relations of the Senate and
9 the Committee on Foreign Affairs of the House of Rep-
10 resentatives in relation to any initiative to suspend, termi-
11 nate, denounce, or withdraw the United States from the
12 North Atlantic Treaty.

13 (b) NOTIFICATION.—The President shall notify the
14 Committee on Foreign Relations of the Senate and the
15 Committee on Foreign Affairs of the House of Representa-
16 tives in writing of any deliberation or decision to suspend,
17 terminate, denounce, or withdraw the United States from
18 the North Atlantic Treaty, as soon as possible but in no
19 event later than 180 days prior to taking such action.

20 **SEC. 1399DD. AUTHORIZATION OF LEGAL COUNSEL TO REP-**
21 **RESENT CONGRESS.**

22 (a) IN GENERAL.—By adoption of a resolution of the
23 Senate or the House of Representatives, respectively, the
24 Senate Legal Counsel or the General Counsel to the House
25 of Representatives may be authorized to initiate, or inter-

1 vene in, in the name of the Senate or the House of Rep-
2 resentatives, as the case may be, independently, or jointly,
3 any judicial proceedings in any Federal court of competent
4 jurisdiction in order to oppose any action to suspend, ter-
5 minate, denounce, or withdraw the United States from the
6 North Atlantic Treaty in a manner inconsistent with this
7 subtitle.

8 (b) CONSIDERATION.—Any resolution or joint resolu-
9 tion introduced relating to any action to suspend, termi-
10 nate, denounce or withdraw the United States from the
11 North Atlantic Treaty and introduced pursuant to section
12 4(a) of this title shall be considered in accordance with
13 the procedures of section 601(b) of the International Secu-
14 rity Assistance and Arms Export Control Act of 1976
15 (Public Law 94–329; 90 Stat. 765).

16 **SEC. 1399EE. REPORTING REQUIREMENT.**

17 Any legal counsel operating pursuant to section
18 1299R shall report as soon as practicable to the Com-
19 mittee on Foreign Relations of the Senate or the Com-
20 mittee on Foreign Affairs of the House of Representatives
21 with respect to any judicial proceedings which the Senate
22 Legal Counsel or the General Counsel to the House of
23 Representatives, as the case may be, initiates or in which
24 it intervenes pursuant to section 1299R.

1 **SEC. 1399FF. RULE OF CONSTRUCTION.**

2 Nothing in this subtitle shall be construed to author-
 3 ize, imply, or otherwise indicate that the President may
 4 suspend, terminate, denounce, or withdraw from any trea-
 5 ty to which the Senate has provided its advice and consent
 6 without the advice and consent of the Senate to such act
 7 or pursuant to an Act of Congress.

8 **SEC. 1399GG. SEVERABILITY.**

9 If any provision of this subtitle or the application of
 10 such provision is held by a Federal court to be unconstitu-
 11 tional, the remainder of this subtitle and the application
 12 of such provisions to any other person or circumstance
 13 shall not be affected thereby.

14 **SEC. 1399HH. DEFINITIONS.**

15 In this subtitle, the terms “withdrawal”, “denuncia-
 16 tion”, “suspension”, and “termination” have the meaning
 17 given the terms in the Vienna Convention on the Law of
 18 Treaties, concluded at Vienna May 23, 1969.

19 **Subtitle I—Combating Global**
 20 **Corruption**

21 **SEC. 1399AAA. SHORT TITLE.**

22 This subtitle may be cited as the “Combating Global
 23 Corruption Act”.

24 **SEC. 1399BBB. DEFINITIONS.**

25 In this subtitle:

1 (1) CORRUPT ACTOR.—The term “corrupt
2 actor” means—

3 (A) any foreign person or entity that is a
4 government official or government entity re-
5 sponsible for, or complicit in, an act of corrup-
6 tion; and

7 (B) any company, in which a person or en-
8 tity described in subparagraph (A) has a sig-
9 nificant stake, which is responsible for, or
10 complicit in, an act of corruption.

11 (2) CORRUPTION.—The term “corruption”
12 means the unlawful exercise of entrusted public
13 power for private gain, including by bribery, nepo-
14 tism, fraud, or embezzlement.

15 (3) SIGNIFICANT CORRUPTION.—The term “sig-
16 nificant corruption” means corruption committed at
17 a high level of government that has some or all of
18 the following characteristics:

19 (A) Illegitimately distorts major decision-
20 making, such as policy or resource determina-
21 tions, or other fundamental functions of govern-
22 ance.

23 (B) Involves economically or socially large-
24 scale government activities.

1 **SEC. 1399CCC. PUBLICATION OF TIERED RANKING LIST.**

2 (a) IN GENERAL.—The Secretary of State shall an-
3 nually publish, on a publicly accessible website, a tiered
4 ranking of all foreign countries.

5 (b) TIER 1 COUNTRIES.—A country shall be ranked
6 as a tier 1 country in the ranking published under sub-
7 section (a) if the government of such country is complying
8 with the minimum standards set forth in section 1299R.

9 (c) TIER 2 COUNTRIES.—A country shall be ranked
10 as a tier 2 country in the ranking published under sub-
11 section (a) if the government of such country is making
12 efforts to comply with the minimum standards set forth
13 in section 1299R, but is not achieving the requisite level
14 of compliance to be ranked as a tier 1 country.

15 (d) TIER 3 COUNTRIES.—A country shall be ranked
16 as a tier 3 country in the ranking published under sub-
17 section (a) if the government of such country is making
18 de minimis or no efforts to comply with the minimum
19 standards set forth in section 1299R.

20 **SEC. 1399DDD. MINIMUM STANDARDS FOR THE ELIMI-**
21 **NATION OF CORRUPTION AND ASSESSMENT**
22 **OF EFFORTS TO COMBAT CORRUPTION.**

23 (a) IN GENERAL.—The government of a country is
24 complying with the minimum standards for the elimi-
25 nation of corruption if the government—

1 (1) has enacted and implemented laws and es-
2 tablished government structures, policies, and prac-
3 tices that prohibit corruption, including significant
4 corruption;

5 (2) enforces the laws described in paragraph (1)
6 by punishing any person who is found, through a
7 fair judicial process, to have violated such laws;

8 (3) prescribes punishment for significant cor-
9 ruption that is commensurate with the punishment
10 prescribed for serious crimes; and

11 (4) is making serious and sustained efforts to
12 address corruption, including through prevention.

13 (b) **FACTORS FOR ASSESSING GOVERNMENT EF-**
14 **FORTS TO COMBAT CORRUPTION.**—In determining wheth-
15 er a government is making serious and sustained efforts
16 to address corruption, the Secretary of State shall con-
17 sider, to the extent relevant or appropriate, factors such
18 as—

19 (1) whether the government of the country has
20 criminalized corruption, investigates and prosecutes
21 acts of corruption, and convicts and sentences per-
22 sons responsible for such acts over which it has ju-
23 risdiction, including, as appropriate, incarcerating
24 individuals convicted of such acts;

1 (2) whether the government of the country vig-
2 orously investigates, prosecutes, convicts, and sen-
3 tences public officials who participate in or facilitate
4 corruption, including nationals of the country who
5 are deployed in foreign military assignments, trade
6 delegations abroad, or other similar missions, who
7 engage in or facilitate significant corruption;

8 (3) whether the government of the country has
9 adopted measures to prevent corruption, such as
10 measures to inform and educate the public, including
11 potential victims, about the causes and consequences
12 of corruption;

13 (4) what steps the government of the country
14 has taken to prohibit government officials from par-
15 ticipating in, facilitating, or condoning corruption,
16 including the investigation, prosecution, and convic-
17 tion of such officials;

18 (5) the extent to which the country provides ac-
19 cess, or, as appropriate, makes adequate resources
20 available, to civil society organizations and other in-
21 stitutions to combat corruption, including reporting,
22 investigating, and monitoring;

23 (6) whether an independent judiciary or judicial
24 body in the country is responsible for, and effectively
25 capable of, deciding corruption cases impartially, on

1 the basis of facts and in accordance with the law,
2 without any improper restrictions, influences, in-
3 ducements, pressures, threats, or interferences (di-
4 rect or indirect);

5 (7) whether the government of the country is
6 assisting in international investigations of
7 transnational corruption networks and in other coop-
8 erative efforts to combat significant corruption, in-
9 cluding, as appropriate, cooperating with the govern-
10 ments of other countries to extradite corrupt actors;

11 (8) whether the government of the country rec-
12 ognizes the rights of victims of corruption, ensures
13 their access to justice, and takes steps to prevent
14 victims from being further victimized or persecuted
15 by corrupt actors, government officials, or others;

16 (9) whether the government of the country pro-
17 tects victims of corruption or whistleblowers from re-
18 prisal due to such persons having assisted in expos-
19 ing corruption, and refrains from other discrimina-
20 tory treatment of such persons;

21 (10) whether the government of the country is
22 willing and able to recover and, as appropriate, re-
23 turn the proceeds of corruption;

24 (11) whether the government of the country is
25 taking steps to implement financial transparency

1 measures in line with the Financial Action Task
2 Force recommendations, including due diligence and
3 beneficial ownership transparency requirements;

4 (12) whether the government of the country is
5 facilitating corruption in other countries in connec-
6 tion with state-directed investment, loans or grants
7 for major infrastructure, or other initiatives; and

8 (13) such other information relating to corrup-
9 tion as the Secretary of State considers appropriate.

10 (c) ASSESSING GOVERNMENT EFFORTS TO COMBAT
11 CORRUPTION IN RELATION TO RELEVANT INTER-
12 NATIONAL COMMITMENTS.—In determining whether a
13 government is making serious and sustained efforts to ad-
14 dress corruption, the Secretary of State shall consider the
15 government of a country’s compliance with the following,
16 as relevant:

17 (1) The Inter-American Convention against
18 Corruption of the Organization of American States,
19 done at Caracas March 29, 1996.

20 (2) The Convention on Combating Bribery of
21 Foreign Public Officials in International Business
22 Transactions of the Organisation of Economic Co-
23 operation and Development, done at Paris December
24 21, 1997 (commonly referred to as the “Anti-Brib-
25 ery Convention”).

1 (3) The United Nations Convention against
2 Transnational Organized Crime, done at New York
3 November 15, 2000.

4 (4) The United Nations Convention against
5 Corruption, done at New York October 31, 2003.

6 (5) Such other treaties, agreements, and inter-
7 national standards as the Secretary of State con-
8 siders appropriate.

9 **SEC. 1399EEE. IMPOSITION OF SANCTIONS UNDER GLOBAL**
10 **MAGNITSKY HUMAN RIGHTS ACCOUNT-**
11 **ABILITY ACT.**

12 (a) **IN GENERAL.**—The Secretary of State, in coordi-
13 nation with the Secretary of the Treasury, should evaluate
14 whether there are foreign persons engaged in significant
15 corruption for the purposes of potential imposition of
16 sanctions under the Global Magnitsky Human Rights Ac-
17 countability Act (subtitle F of title XII of Public Law
18 114–328; 22 U.S.C. 2656 note)—

19 (1) in all countries identified as tier 3 countries
20 under section 1299Q(d); or

21 (2) in relation to the planning or construction
22 or any operation of the Nord Stream 2 pipeline.

23 (b) **REPORT REQUIRED.**—Not later than 180 days
24 after publishing the list required by section 1299Q(a) and
25 annually thereafter, the Secretary of State shall submit

1 to the committees specified in subsection (e) a report that
2 includes—

3 (1) a list of foreign persons with respect to
4 which the President imposed sanctions pursuant to
5 the evaluation under subsection (a);

6 (2) the dates on which such sanctions were im-
7 posed;

8 (3) the reasons for imposing such sanctions;
9 and

10 (4) a list of all foreign persons that have been
11 engaged in significant corruption in relation to the
12 planning, construction, or operation of the Nord
13 Stream 2 pipeline.

14 (c) FORM OF REPORT.—Each report required by sub-
15 section (b) shall be submitted in unclassified form but may
16 include a classified annex.

17 (d) BRIEFING IN LIEU OF REPORT.—The Secretary
18 of State, in coordination with the Secretary of the Treas-
19 ury, may (except with respect to the list required by sub-
20 section (b)(4)) provide a briefing to the committees speci-
21 fied in subsection (e) instead of submitting a written re-
22 port required under subsection (b), if doing so would bet-
23 ter serve existing United States anti-corruption efforts or
24 the national interests of the United States.

1 (e) TERMINATION OF REQUIREMENTS RELATING TO
2 NORD STREAM 2.—The requirements under subsections
3 (a)(2) and (b)(4) shall terminate on the date that is 5
4 years after the date of the enactment of this Act.

5 (f) COMMITTEES SPECIFIED.—The committees speci-
6 fied in this subsection are—

7 (1) the Committee on Foreign Relations, the
8 Committee on Appropriations, the Committee on
9 Banking, Housing, and Urban Affairs, and the Com-
10 mittee on the Judiciary of the Senate; and

11 (2) the Committee on Foreign Affairs, the
12 Committee on Appropriations, the Committee on Fi-
13 nancial Services, and the Committee on the Judici-
14 ary of the House of Representatives.

15 **SEC. 1399FFF. DESIGNATION OF EMBASSY ANTI-CORRUP-**
16 **TION POINTS OF CONTACT.**

17 (a) IN GENERAL.—The Secretary of State shall an-
18 nually designate an anti-corruption point of contact at the
19 United States diplomatic post to each country identified
20 as tier 2 or tier 3 under section 1299Q, or which the Sec-
21 retary otherwise determines is in need of such a point of
22 contact. The point of contact shall be the chief of mission
23 or the chief of mission’s designee.

24 (b) RESPONSIBILITIES.—Each anti-corruption point
25 of contact designated under subsection (a) shall be respon-

1 sible for enhancing coordination and promoting the imple-
 2 mentation of a whole-of-government approach among the
 3 relevant Federal departments and agencies undertaking
 4 efforts to—

5 (1) promote good governance in foreign coun-
 6 tries; and

7 (2) enhance the ability of such countries—

8 (A) to combat public corruption; and

9 (B) to develop and implement corruption
 10 risk assessment tools and mitigation strategies.

11 (c) TRAINING.—The Secretary of State shall imple-
 12 ment appropriate training for anti-corruption points of
 13 contact designated under subsection (a).

14 **Subtitle J—International Children** 15 **With Disabilities Protection**

16 **SEC. 1399AAAA. SHORT TITLE.**

17 This subtitle may be cited as the “International Chil-
 18 dren with Disabilities Protection Act of 2023”.

19 **SEC. 1399BBBB. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) stigma and discrimination against children
 22 with disabilities, particularly intellectual and other
 23 developmental disabilities, and lack of support for
 24 community inclusion have left people with disabilities

1 and their families economically and socially
2 marginalized;

3 (2) organizations of persons with disabilities
4 and family members of persons with disabilities are
5 often too small to apply for or obtain funds from do-
6 mestic or international sources or ineligible to re-
7 ceive funds from such sources;

8 (3) as a result of the factors described in para-
9 graphs (1) and (2), key stakeholders have often been
10 left out of public policymaking on matters that af-
11 fect children with disabilities; and

12 (4) financial support, technical assistance, and
13 active engagement of persons with disabilities and
14 their families is needed to ensure the development of
15 effective policies that protect families, ensure the full
16 inclusion in society of children with disabilities, and
17 promote the ability of persons with disabilities to live
18 in the community with choices equal to others.

19 **SEC. 1399CCCC. DEFINITIONS.**

20 In this subtitle:

21 (1) DEPARTMENT.—The term “Department”
22 means the Department of State.

23 (2) ELIGIBLE IMPLEMENTING PARTNER.—The
24 term “eligible implementing partner” means a non-

1 governmental organization or other civil society or-
2 ganization that—

3 (A) has the capacity to administer grants
4 directly or through subgrants that can be effec-
5 tively used by local organizations of persons
6 with disabilities; and

7 (B) has international expertise in the
8 rights of persons with disabilities, including
9 children with disabilities and their families.

10 (3) ORGANIZATION OF PERSONS WITH DISABIL-
11 ITIES.—The term “organization of persons with dis-
12 abilities” means a nongovernmental civil society or-
13 ganization run by and for persons with disabilities
14 and families of children with disabilities.

15 **SEC. 1399DDDD. STATEMENT OF POLICY.**

16 It is the policy of the United States to—

17 (1) assist partner countries in developing poli-
18 cies and programs that recognize, support, and pro-
19 tect the civil and political rights of and enjoyment
20 of fundamental freedoms by persons with disabilities,
21 including children, such that the latter may grow
22 and thrive in supportive family environments and
23 make the transition to independent living as adults;

24 (2) promote the development of advocacy and
25 leadership skills among persons with disabilities and

1 their families in a manner that enables effective civic
2 engagement, including at the local, national, and re-
3 gional levels, and promote policy reforms and pro-
4 grams that support full economic and civic inclusion
5 of persons with disabilities and their families;

6 (3) promote the development of laws and poli-
7 cies that—

8 (A) strengthen families and protect against
9 the unnecessary institutionalization of children
10 with disabilities; and

11 (B) create opportunities for children and
12 youth with disabilities to access the resources
13 and support needed to achieve their full poten-
14 tial to live independently in the community with
15 choices equal to others;

16 (4) promote the participation of persons with
17 disabilities and their families in advocacy efforts and
18 legal frameworks to recognize, support, and protect
19 the civil and political rights of and enjoyment of fun-
20 damental freedoms by persons with disabilities; and

21 (5) promote the sustainable action needed to
22 bring about changes in law, policy, and programs to
23 ensure full family inclusion of children with disabil-
24 ities and the transition of children with disabilities
25 to independent living as adults.

1 **SEC. 1399EEEE. INTERNATIONAL CHILDREN WITH DISABIL-**
2 **ITIES PROTECTION PROGRAM AND CAPACITY**
3 **BUILDING.**

4 (a) INTERNATIONAL CHILDREN WITH DISABILITIES
5 PROTECTION PROGRAM.—

6 (1) IN GENERAL.—There is authorized to be es-
7 tablished within the Department of State a program
8 to be known as the “International Children with
9 Disabilities Protection Program” (in this section re-
10 ferred to as the “Program”) to carry out the policy
11 described in [section __4].

12 (2) CRITERIA.—In carrying out the Program
13 under this section, the Secretary of State, in con-
14 sultation with leading civil society groups with exper-
15 tise in the protection of civil and political rights of
16 and enjoyment of fundamental freedoms by persons
17 with disabilities, may establish criteria for priority
18 activities under the Program in selected countries.

19 (3) DISABILITY INCLUSION GRANTS.—The Sec-
20 retary of State may award grants to eligible imple-
21 menting partners to administer grant amounts di-
22 rectly or through subgrants.

23 (4) SUBGRANTS.—An eligible implementing
24 partner that receives a grant under paragraph (3)
25 should provide subgrants and, in doing so, shall
26 prioritize local organizations of persons with disabil-

1 ities working within a focus country or region to ad-
2 vance the policy described in **【section __4】**.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—Of funds made available in
5 fiscal years 2024 through 2029 to carry out the pur-
6 poses of the Foreign Assistance Act of 1961 (22
7 U.S.C. 2151 et seq), there are authorized to be ap-
8 propriated to carry out this subtitle amounts as fol-
9 lows:

10 (A) \$2,000,000 for fiscal year 2024.

11 (B) \$5,000,000 for each of fiscal years
12 2025 through 2029.

13 (2) CAPACITY-BUILDING AND TECHNICAL AS-
14 SISTANCE PROGRAMS.—Of the amounts authorized
15 to be appropriated by paragraph (1), not less than
16 \$1,000,000 for each of fiscal years 2024 through
17 2029 should be available for capacity-building and
18 technical assistance programs to—

19 (A) develop the leadership skills of persons
20 with disabilities, legislators, policymakers, and
21 service providers in the planning and implemen-
22 tation of programs to advance the policy de-
23 scribed in **【section __4】**;

24 (B) increase awareness of successful mod-
25 els of the promotion of civil and political rights

1 and fundamental freedoms, family support, and
2 economic and civic inclusion among organiza-
3 tions of persons with disabilities and allied civil
4 society advocates, attorneys, and professionals
5 to advance the policy described in [section
6 __4]; and

7 (C) create online programs to train policy-
8 makers, advocates, and other individuals on
9 successful models to advance reforms, services,
10 and protection measures that enable children
11 with disabilities to live within supportive family
12 environments and become full participants in
13 society, which—

14 (i) are available globally;

15 (ii) offer low-cost or no-cost training
16 accessible to persons with disabilities, fam-
17 ily members of such persons, and other in-
18 dividuals with potential to offer future
19 leadership in the advancement of the goals
20 of family inclusion, transition to inde-
21 pendent living as adults, and protection
22 measures for children with disabilities; and

23 (iii) should be targeted to government
24 policymakers, advocates, and other poten-

1 tial allies and supporters among civil soci-
2 ety groups.

3 **SEC. 1399FFFF. ANNUAL REPORT ON IMPLEMENTATION.**

4 (a) ANNUAL REPORT REQUIRED.—

5 (1) IN GENERAL.—Not less frequently than an-
6 nually through fiscal year 2029, the Secretary of
7 State shall submit to the Committee on Foreign Re-
8 lations and the Committee on Appropriations of the
9 Senate and the Committee on Foreign Affairs and
10 the Committee on Appropriations of the House of
11 Representatives a report on—

12 (A) the programs and activities carried out
13 to advance the policy described in **【section**
14 **__4】**; and

15 (B) any broader work of the Department
16 in advancing that policy.

17 (2) ELEMENTS.—Each report required by para-
18 graph (1) shall include, with respect to each pro-
19 gram carried out under **【section __5】**—

20 (A) the rationale for the country and pro-
21 gram selection;

22 (B) the goals and objectives of the pro-
23 gram, and the kinds of participants in the ac-
24 tivities and programs supported;

1 (C) a description of the types of technical
2 assistance and capacity building provided; and

3 (D) an identification of any gaps in fund-
4 ing or support needed to ensure full participa-
5 tion of organizations of persons with disabilities
6 or inclusion of children with disabilities in the
7 program.

8 (3) CONSULTATION.—In preparing each report
9 required by paragraph (1), the Secretary of State
10 shall consult with organizations of persons with dis-
11 abilities.

12 **SEC. 1399GGGG. PROMOTING INTERNATIONAL PROTEC-**
13 **TION AND ADVOCACY FOR CHILDREN WITH**
14 **DISABILITIES.**

15 (a) SENSE OF CONGRESS ON PROGRAMMING AND
16 PROGRAMS.—It is the sense of Congress that—

17 (1) all programming of the Department and the
18 United States Agency for International Development
19 related to health systems strengthening, primary and
20 secondary education, and the protection of civil and
21 political rights of persons with disabilities should
22 seek to be consistent with the policy described in
23 **【section __4】**; and

1 (2) programs of the Department and the
2 United States Agency for International Development
3 related to children, global health, and education—

4 (A) should—

5 (i) engage organizations of persons
6 with disabilities in policymaking and pro-
7 gram implementation; and

8 (ii) support full inclusion of children
9 with disabilities in families; and

10 (B) should aim to avoid support for resi-
11 dential institutions for children with disabilities
12 except in situations of conflict or emergency in
13 a manner that protects family connections as
14 described in subsection (b).

15 (b) SENSE OF CONGRESS ON CONFLICT AND EMER-
16 GENCIES.—It is the sense of Congress that—

17 (1) programs of the Department and the
18 United States Agency for International Development
19 serving children in situations of conflict or emer-
20 gency, among displaced or refugee populations, or in
21 natural disasters should seek to ensure that children
22 with and without disabilities can maintain family
23 ties; and

24 (2) in situations of emergency, if children are
25 separated from parents or have no family, every ef-

1 fort should be made to ensure that children are
2 placed with extended family, in kinship care, or in
3 an adoptive or foster family.

4 **Subtitle K—Western Hemisphere** 5 **Partnership Act of 2023**

6 **SEC. 1399AAAAA. SHORT TITLE.**

7 This subtitle may be cited as the “Western Hemi-
8 sphere Partnership Act of 2023”.

9 **SEC. 1399BBBBB. UNITED STATES POLICY IN THE WESTERN** 10 **HEMISPHERE.**

11 It is the policy of the United States to promote eco-
12 nomic competitiveness, democratic governance, and secu-
13 rity in the Western Hemisphere by—

14 (1) encouraging stronger economic relations, re-
15 spect for property rights, the rule of law, and en-
16 forceable investment rules and labor and environ-
17 mental standards;

18 (2) advancing the principles and practices ex-
19 pressed in the Charter of the Organization of Amer-
20 ican States, the American Declaration on the Rights
21 and Duties of Man, and the Inter-American Demo-
22 cratic Charter; and

23 (3) enhancing the capacity and technical capa-
24 bilities of democratic partner nation government in-

1 stitutions, including civilian law enforcement, the ju-
2 diciary, attorneys general, and security forces.

3 **SEC. 1399CCCC. PROMOTING SECURITY AND THE RULE OF**
4 **LAW IN THE WESTERN HEMISPHERE.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the United States should strengthen security
7 cooperation with democratic partner nations in the West-
8 ern Hemisphere to promote a secure hemisphere and to
9 address the negative impacts of transnational criminal or-
10 ganizations and malign external state actors.

11 (b) COLLABORATIVE EFFORTS.—The Secretary of
12 State, in coordination with the heads of other relevant
13 Federal agencies, should support the improvement of secu-
14 rity conditions and the rule of law in the Western Hemi-
15 sphere through collaborative efforts with democratic part-
16 ners that—

17 (1) enhance the institutional capacity and tech-
18 nical capabilities of defense and security institutions
19 in democratic partner nations to conduct national or
20 regional security missions, including through regular
21 bilateral and multilateral engagements, foreign mili-
22 tary sales and financing, international military edu-
23 cation and training programs, expanding the Na-
24 tional Guard State Partnership Programs, and other
25 means;

1 (2) provide technical assistance and material
2 support (including, as appropriate, radars, vessels,
3 and communications equipment) to relevant security
4 forces to disrupt, degrade, and dismantle organiza-
5 tions involved in the illicit trafficking of narcotics
6 and precursor chemicals, transnational criminal ac-
7 tivities, illicit mining, and illegal, unreported, and
8 unregulated fishing, and other illicit activities;

9 (3) enhance the institutional capacity, legit-
10 imacy, and technical capabilities of relevant civilian
11 law enforcement, attorneys general, and judicial in-
12 stitutions to—

13 (A) strengthen the rule of law and trans-
14 parent governance;

15 (B) combat corruption and kleptocracy in
16 the region; and

17 (C) improve regional cooperation to dis-
18 rupt, degrade, and dismantle transnational or-
19 ganized criminal networks and terrorist organi-
20 zations, including through training,
21 anticorruption initiatives, anti-money laun-
22 dering programs, and strengthening cyber capa-
23 bilities and resources;

24 (4) enhance port management and maritime se-
25 curity partnerships and airport management and

1 aviation security partnerships to disrupt, degrade,
2 and dismantle transnational criminal networks and
3 facilitate the legitimate flow of people, goods, and
4 services;

5 (5) strengthen cooperation to improve border
6 security across the Western Hemisphere, dismantle
7 human smuggling and trafficking networks, and in-
8 crease cooperation to demonstrably strengthen mi-
9 gration management systems;

10 (6) counter the malign influence of state and
11 non-state actors and disinformation campaigns;

12 (7) disrupt illicit domestic and transnational fi-
13 nancial networks;

14 (8) foster mechanisms for cooperation on emer-
15 gency preparedness and rapid recovery from natural
16 disasters, including by—

17 (A) supporting regional preparedness, re-
18 covery, and emergency management centers to
19 facilitate rapid response to survey and help
20 maintain planning on regional disaster antici-
21 pated needs and possible resources;

22 (B) training disaster recovery officials on
23 latest techniques and lessons learned from
24 United States experiences;

1 (C) making available, preparing, and
2 transferring on-hand nonlethal supplies, and
3 providing training on the use of such supplies,
4 for humanitarian or health purposes to respond
5 to unforeseen emergencies; and

6 (D) conducting medical support operations
7 and medical humanitarian missions, such as
8 hospital ship deployments and base-operating
9 services, to the extent required by the oper-
10 ation;

11 (9) foster regional mechanisms for early warn-
12 ing and response to pandemics in the Western
13 Hemisphere, including through—

14 (A) improved cooperation with and re-
15 search by the United States Centers for Disease
16 Control and Prevention through regional pan-
17 demic response centers;

18 (B) personnel exchanges for technology
19 transfer and skills development; and

20 (C) surveying and mapping of health net-
21 works to build local health capacity;

22 (10) promote the meaningful participation of
23 women across all political processes, including con-
24 flict prevention and conflict resolution and post-con-
25 flict relief and recovery efforts; and

1 (11) hold accountable actors that violate polit-
2 ical and civil rights.

3 (c) LIMITATIONS ON USE OF TECHNOLOGIES.—
4 Operational technologies transferred pursuant to sub-
5 section (b) to partner governments for intelligence, de-
6 fense, or law enforcement purposes shall be used solely
7 for the purposes for which the technology was intended.
8 The United States shall take all necessary steps to ensure
9 that the use of such operational technologies is consistent
10 with United States law, including protections of freedom
11 of expression, freedom of movement, and freedom of asso-
12 ciation.

13 (d) STRATEGY.—

14 (1) IN GENERAL.—Not later than 180 days
15 after the date of the enactment of this Act, the Sec-
16 retary of State, in coordination with the heads of
17 other relevant Federal agencies, shall submit to the
18 Committee on Foreign Relations of the Senate and
19 the Committee on Foreign Affairs of the House of
20 Representatives a 5-year strategy to promote secu-
21 rity and the rule of law in the Western Hemisphere
22 in accordance to this section.

23 (2) ELEMENTS.—The strategy required under
24 paragraph (1) shall include the following elements:

1 (A) A detailed assessment of the resources
2 required to carry out such collaborative efforts.

3 (B) Annual benchmarks to track progress
4 and obstacles in undertaking such collaborative
5 efforts.

6 (C) A public diplomacy component to en-
7 gage the people of the Western Hemisphere
8 with the purpose of demonstrating that the se-
9 curity of their countries is enhanced to a great-
10 er extent through alignment with the United
11 States and democratic values rather than with
12 authoritarian countries such as the People's Re-
13 public of China, the Russian Federation, and
14 the Islamic Republic of Iran.

15 (3) BRIEFING.—Not later than 1 year after
16 submission of the strategy required under paragraph
17 (1), and annually thereafter, the Secretary of State
18 shall provide to the Committee on Foreign Relations
19 of the Senate and the Committee on Foreign Affairs
20 of the House of Representatives a briefing on the
21 implementation of the strategy.

1 **SEC. 1399DDDDD. PROMOTING DIGITALIZATION AND CY-**
2 **BERSECURITY IN THE WESTERN HEMI-**
3 **SPHERE.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the United States should support digitalization
6 and expand cybersecurity cooperation in the Western
7 Hemisphere to promote regional economic prosperity and
8 security.

9 (b) PROMOTION OF DIGITALIZATION AND CYBERSE-
10 CURITY.—The Secretary of State, in coordination with the
11 heads of other relevant Federal agencies, should promote
12 digitalization and cybersecurity in the Western Hemi-
13 sphere through collaborative efforts with democratic part-
14 ners that—

15 (1) promote digital connectivity and facilitate e-
16 commerce by expanding access to information and
17 communications technology (ICT) supply chains that
18 adhere to high-quality security and reliability stand-
19 ards, including—

20 (A) to open market access on a national
21 treatment, nondiscriminatory basis; and

22 (B) to strengthen the cybersecurity and
23 cyber resilience of partner countries;

24 (2) advance the provision of digital government
25 services (e-government) that, to the greatest extent
26 possible, promote transparency, lower business costs,

1 and expand citizens' access to public services and
 2 public information; and

3 (3) develop robust cybersecurity partnerships
 4 to—

5 (A) promote the inclusion of components
 6 and architectures in information and commu-
 7 nications technology (ICT) supply chains from
 8 participants in initiatives that adhere to high-
 9 quality security and reliability standards;

10 (B) share best practices to mitigate cyber
 11 threats to critical infrastructure from ICT ar-
 12 chitectures by technology providers that supply
 13 equipment and services covered under section 2
 14 of the Secure and Trusted Communications
 15 Networks Act of 2019 (47 U.S.C. 1601);

16 (C) effectively respond to cybersecurity
 17 threats, including state-sponsored threats; and

18 (D) to strengthen resilience against
 19 cyberattacks and cybercrime.

20 **SEC. 1399EEEE. PROMOTING ECONOMIC AND COMMER-**
 21 **CIAL PARTNERSHIPS IN THE WESTERN HEMI-**
 22 **SPHERE.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
 24 gress that the United States should enhance economic and
 25 commercial ties with democratic partners to promote pros-

1 perity in the Western Hemisphere by modernizing and
2 strengthening trade capacity-building and trade facilita-
3 tion initiatives, encouraging market-based economic re-
4 forms that enable inclusive economic growth, strength-
5 ening labor and environmental standards, addressing eco-
6 nomic disparities of women, and encouraging transparency
7 and adherence to the rule of law in investment dealings.

8 (b) IN GENERAL.—The Secretary of State, in coordi-
9 nation with the United States Trade Representative, the
10 Chief Executive Officer of the Development Finance Cor-
11 poration, and the heads of other relevant Federal agencies,
12 should support the improvement of economic conditions in
13 the Western Hemisphere through collaborative efforts with
14 democratic partners that—

15 (1) facilitate a more open, transparent, and
16 competitive environment for United States busi-
17 nesses and promote robust and comprehensive trade
18 capacity-building and trade facilitation by—

19 (A) reducing trade and nontariff barriers
20 between the countries in the region, establishing
21 a mechanism for pursuing Mutual Recognition
22 Agreements and Formalized Regulatory Co-
23 operation Agreements in priority sectors of the
24 economy;

1 (B) establishing a forum for discussing
2 and evaluating technical and other assistance
3 needs to help establish streamlined “single win-
4 dow” processes to facilitate movement of goods
5 and common customs arrangements and proce-
6 dures to lower costs of goods in transit and
7 speed to destination;

8 (C) building relationships and exchanges
9 between relevant regulatory bodies in the
10 United States and democratic partners in the
11 Western Hemisphere to promote best practices
12 and transparency in rulemaking, implementa-
13 tion, and enforcement, and provide training and
14 assistance to help improve supply chain man-
15 agement in the Western Hemisphere;

16 (D) establishing regional fora for identi-
17 fying, raising, and addressing supply chain
18 management issues, including infrastructure
19 needs and strengthening of investment rules
20 and regulatory frameworks;

21 (E) establishing a dedicated program of
22 trade missions and reverse trade missions to in-
23 crease commercial contacts and ties between the
24 United States and Western Hemisphere partner
25 countries; and

1 (F) strengthening labor and environmental
2 standards in the region;

3 (2) establish frameworks or mechanisms to re-
4 view and address the long-term financial sustain-
5 ability and national security implications of foreign
6 investments in strategic sectors or services;

7 (3) establish competitive and transparent infra-
8 structure project selection and procurement proc-
9 esses that promote transparency, open competition,
10 financial sustainability, and robust adherence to
11 global standards and norms; and

12 (4) advance robust and comprehensive energy
13 production and integration, including through a
14 more open, transparent, and competitive environ-
15 ment for United States companies competing in the
16 Western Hemisphere, including by—

17 (A) facilitating further development of in-
18 tegrated regional energy markets;

19 (B) improving management of grids, in-
20 cluding technical capability to ensure the
21 functionality, safe and responsible management,
22 and quality of service of electricity providers,
23 carriers, and management and distribution sys-
24 tems;

1 (C) facilitating private sector-led develop-
2 ment of reliable and affordable power genera-
3 tion capacity;

4 (D) establishing a process for surveying
5 grid capacity and management focused on iden-
6 tifying electricity service efficiencies and estab-
7 lishing cooperative mechanisms for providing
8 technical assistance for—

9 (i) grid management, power pricing,
10 and tariff issues;

11 (ii) establishing and maintaining ap-
12 propriate regulatory best practices; and

13 (iii) proposals to establish regional
14 power grids for the purpose of promoting
15 the sale of excess supply to consumers
16 across borders;

17 (E) assessing the viability and effectiveness
18 of decentralizing power production and trans-
19 mission and building micro-grid power networks
20 to improve, when feasible, access to electricity,
21 particularly in rural and underserved commu-
22 nities where centralized power grid connections
23 may not be feasible in the short to medium
24 term; and

1 (F) exploring opportunities to partner with
2 the private sector and multilateral institutions,
3 such as the World Bank and the Inter-Amer-
4 ican Development Bank, to promote universal
5 access to reliable and affordable electricity in
6 the Western Hemisphere.

7 **SEC. 1399FFFFF. PROMOTING TRANSPARENCY AND DEMO-**
8 **CRATIC GOVERNANCE IN THE WESTERN**
9 **HEMISPHERE.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the United States should support efforts to
12 strengthen the capacity and legitimacy of democratic insti-
13 tutions and inclusive processes in the Western Hemisphere
14 to promote a more transparent, democratic, and pros-
15 perous region.

16 (b) IN GENERAL.—The Secretary of State, in coordi-
17 nation with the Administrator of the United States Agen-
18 cy for International Development and heads of other rel-
19 evant Federal agencies, should support transparent, ac-
20 countable, and democratic governance in the Western
21 Hemisphere through collaborative efforts with democratic
22 partners that—

23 (1) strengthen the capacity of national electoral
24 institutions to ensure free, fair, and transparent
25 electoral processes, including through pre-election

1 assessment missions, technical assistance, and inde-
2 pendent local and international election monitoring
3 and observation missions;

4 (2) enhance the capabilities of democratically
5 elected national legislatures, parliamentary bodies,
6 and autonomous regulatory institutions to conduct
7 oversight;

8 (3) strengthen the capacity of subnational gov-
9 ernment institutions to govern in a transparent, ac-
10 countable, and democratic manner, including
11 through training and technical assistance;

12 (4) combat corruption at local and national lev-
13 els, including through trainings, cooperation agree-
14 ments, initiatives aimed at dismantling corrupt net-
15 works, and political support for bilateral or multilat-
16 eral anticorruption mechanisms that strengthen at-
17 torneys general and prosecutors' offices;

18 (5) strengthen the capacity of civil society to
19 conduct oversight of government institutions, build
20 the capacity of independent professional journalism,
21 facilitate substantive dialogue with government and
22 the private sector to generate issue-based policies,
23 and mobilize local resources to carry out such activi-
24 ties;

1 (6) promote the meaningful and significant par-
2 ticipation of women in democratic processes, includ-
3 ing in national and subnational government and civil
4 society; and

5 (7) support the creation of procedures for the
6 Organization of American States (OAS) to create an
7 annual forum for democratically elected national leg-
8 islatures from OAS member States to discuss issues
9 of hemispheric importance, as expressed in section 4
10 of the Organization of American States Legislative
11 Engagement Act of 2020 (Public Law 116–343).

12 **SEC. 1399GGGGG. INVESTMENT, TRADE, AND DEVELOP-**
13 **MENT IN AFRICA AND LATIN AMERICA AND**
14 **THE CARIBBEAN.**

15 (a) STRATEGY REQUIRED.—

16 (1) IN GENERAL.—The President shall establish
17 a comprehensive United States strategy for public
18 and private investment, trade, and development in
19 Africa and Latin America and the Caribbean.

20 (2) FOCUS OF STRATEGY.—The strategy re-
21 quired by paragraph (1) shall focus on increasing ex-
22 ports of United States goods and services to Africa
23 and Latin America and the Caribbean by 200 per-
24 cent in real dollar value by the date that is 10 years
25 after the date of the enactment of this Act.

1 (3) CONSULTATIONS.—In developing the strat-
2 egy required by paragraph (1), the President shall
3 consult with—

4 (A) Congress;

5 (B) each agency that is a member of the
6 Trade Promotion Coordinating Committee;

7 (C) the relevant multilateral development
8 banks, in coordination with the Secretary of the
9 Treasury and the respective United States Ex-
10 ecutive Directors of such banks;

11 (D) each agency that participates in the
12 Trade Policy Staff Committee established;

13 (E) the President’s Export Council;

14 (F) each of the development agencies;

15 (G) any other Federal agencies with re-
16 sponsibility for export promotion or financing
17 and development; and

18 (H) the private sector, including busi-
19 nesses, nongovernmental organizations, and Af-
20 rican and Latin American and Caribbean dias-
21 pora groups.

22 (4) SUBMISSION TO APPROPRIATE CONGRES-
23 SIONAL COMMITTEES.—

24 (A) STRATEGY.—Not later than 200 days
25 after the date of the enactment of this Act, the

1 President shall submit to Congress the strategy
2 required by subsection (a).

3 (B) PROGRESS REPORT.—Not later than 3
4 years after the date of the enactment of this
5 Act, the President shall submit to Congress a
6 report on the implementation of the strategy re-
7 quired by paragraph (1).

8 (b) SPECIAL AFRICA AND LATIN AMERICA AND THE
9 CARIBBEAN EXPORT STRATEGY COORDINATORS.—The
10 Secretary of Commerce shall designate an individual with-
11 in the Department of Commerce to serve as Special Africa
12 Export Strategy Coordinator and an individual within the
13 Department of Commerce to serve as Special Latin Amer-
14 ica and the Caribbean Export Strategy Coordinator—

15 (1) to oversee the development and implementa-
16 tion of the strategy required by subsection (a);

17 (2) to coordinate developing and implementing
18 the strategy with—

19 (A) the Trade Promotion Coordinating
20 Committee;

21 (B) the Director General for the U.S. and
22 Foreign Commercial Service and the Assistant
23 Secretary for Global Markets;

24 (C) the Assistant United States Trade
25 Representative for African Affairs or the Assist-

1 ant United States Trade Representative for the
2 Western Hemisphere, as appropriate;

3 (D) the Assistant Secretary of State for
4 African Affairs or the Assistant Secretary of
5 State for Western Hemisphere Affairs, as ap-
6 propriate;

7 (E) the Foreign Agricultural Service of the
8 Department of Agriculture;

9 (F) the Export-Import Bank of the United
10 States;

11 (G) the United States International Devel-
12 opment Finance Corporation; and

13 (H) the development agencies; and

14 (3) considering and reflecting the impact of
15 promotion of United States exports on the economy
16 and employment opportunities of importing country,
17 with a view to improving secure supply chains,
18 avoiding economic disruptions, and stabilizing eco-
19 nomic growth in a trade and export strategy.

20 (c) TRADE MISSIONS TO AFRICA AND LATIN AMER-
21 ICA AND THE CARIBBEAN.—It is the sense of Congress
22 that, not later than one year after the date of the enact-
23 ment of this Act, the Secretary of Commerce and other
24 high-level officials of the United States Government with
25 responsibility for export promotion, financing, and devel-

1 opment should conduct joint trade missions to Africa and
2 to Latin America and the Caribbean.

3 (d) TRAINING.—The President shall develop a plan—

4 (1) to standardize the training received by
5 United States and Foreign Commercial Service offi-
6 cers, economic officers of the Department of State,
7 and economic officers of the United States Agency
8 for International Development with respect to the
9 programs and procedures of the Export-Import
10 Bank of the United States, the United States Inter-
11 national Development Finance Corporation, the
12 Small Business Administration, and the United
13 States Trade and Development Agency; and

14 (2) to ensure that, not later than one year after
15 the date of the enactment of this Act—

16 (A) all United States and Foreign Com-
17 mercial Service officers that are stationed over-
18 seas receive the training described in paragraph
19 (1); and

20 (B) in the case of a country to which no
21 United States and Foreign Commercial Service
22 officer is assigned, any economic officer of the
23 Department of State stationed in that country
24 receives that training.

25 (e) DEFINITIONS.—In this section:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Relations,
5 the Committee on Finance, the Committee on
6 Commerce, Science, and Transportation, and
7 the Committee on Banking, Housing, and
8 Urban Affairs of the Senate; and

9 (B) the Committee on Foreign Affairs, the
10 Committee on Ways and Means, and the Com-
11 mittee on Energy and Commerce of the House
12 of Representatives.

13 (2) DEVELOPMENT AGENCIES.—The term “de-
14 velopment agencies” means the United States De-
15 partment of State, the United States Agency for
16 International Development, the Millennium Chal-
17 lenge Corporation, the United States International
18 Development Finance Corporation, the United
19 States Trade and Development Agency, the United
20 States Department of Agriculture, and relevant mul-
21 tilateral development banks.

22 (3) MULTILATERAL DEVELOPMENT BANKS.—
23 The term “multilateral development banks” has the
24 meaning given that term in section 1701(c)(4) of the
25 International Financial Institutions Act (22 U.S.C.

1 262r(c)(4)) and includes the African Development
2 Foundation.

3 (4) TRADE POLICY STAFF COMMITTEE.—The
4 term “Trade Policy Staff Committee” means the
5 Trade Policy Staff Committee established pursuant
6 to section 2002.2 of title 15, Code of Federal Regu-
7 lations.

8 (5) TRADE PROMOTION COORDINATING COM-
9 MITTEE.—The term “Trade Promotion Coordinating
10 Committee” means the Trade Promotion Coordi-
11 nating Committee established under section 2312 of
12 the Export Enhancement Act of 1988 (15 U.S.C.
13 4727).

14 (6) UNITED STATES AND FOREIGN COMMER-
15 CIAL SERVICE.—The term “United States and For-
16 eign Commercial Service” means the United States
17 and Foreign Commercial Service established by sec-
18 tion 2301 of the Export Enhancement Act of 1988
19 (15 U.S.C. 4721).

20 **SEC. 1399HHHHH. SENSE OF CONGRESS ON PRIORITIZING**
21 **NOMINATION AND CONFIRMATION OF QUALI-**
22 **FIED AMBASSADORS.**

23 It is the sense of Congress that it is critically impor-
24 tant that both the President and the Senate play their

1 respective roles to nominate and confirm qualified ambas-
2 sadors as quickly as possible.

3 **SEC. 1399IIII. WESTERN HEMISPHERE DEFINED.**

4 In this subtitle, the term “Western Hemisphere” does
5 not include Cuba, Nicaragua, or Venezuela.

6 **SEC. 1399JJJJ. REPORT ON EFFORTS TO CAPTURE AND**
7 **DETAIN UNITED STATES CITIZENS AS HOS-**
8 **TAGES.**

9 (a) IN GENERAL.—Not later than 30 days after the
10 date of the enactment of this Act, the Secretary of State
11 shall submit to the Committee on Foreign Relations of the
12 Senate and the Committee on Foreign Affairs of the
13 House of Representatives a report on efforts by the
14 Maduro regime of Venezuela to detain United States citi-
15 zens and lawful permanent residents.

16 (b) ELEMENTS.—The report required by subsection
17 (a) shall include, regarding the arrest, capture, detain-
18 ment, and imprisonment of United States citizens and
19 lawful permanent residents—

20 (1) the names, positions, and institutional affili-
21 ation of Venezuelan individuals, or those acting on
22 their behalf, who have engaged in such activities;

23 (2) a description of any role played by
24 transnational criminal organizations, and an identi-
25 fication of such organizations; and

1 (3) where relevant, an assessment of whether
2 and how United States citizens and lawful perma-
3 nent residents have been lured to Venezuela.

4 (c) FORM.—The report required under subsection (a)
5 shall be submitted in unclassified form, but shall include
6 a classified annex, which shall include a list of the total
7 number of United States citizens and lawful permanent
8 residents detained or imprisoned in Venezuela as of the
9 date on which the report is submitted.

10 **TITLE XIV—COOPERATIVE**
11 **THREAT REDUCTION**

12 **SEC. 1401. COOPERATIVE THREAT REDUCTION FUNDS.**

13 (a) FUNDING ALLOCATION.—Of the \$350,999,000
14 authorized to be appropriated to the Department of De-
15 fense for fiscal year 2024 in section 301 and made avail-
16 able by the funding table in division D for the Department
17 of Defense Cooperative Threat Reduction Program estab-
18 lished under section 1321 of the Department of Defense
19 Cooperative Threat Reduction Act (50 U.S.C. 3711), the
20 following amounts may be obligated for the purposes spec-
21 ified:

22 (1) For strategic offensive arms elimination,
23 \$6,815,000.

24 (2) For chemical weapons destruction,
25 \$16,400,000.

1 (3) For global nuclear security, \$19,406,000.

2 (4) For cooperative biological engagement,
3 \$228,030,000.

4 (5) For proliferation prevention, \$46,324,000.

5 (6) For activities designated as Other Assess-
6 ments/Administrative Costs, \$34,024,000.

7 (b) SPECIFICATION OF COOPERATIVE THREAT RE-
8 Duction FUNDS.—Funds appropriated pursuant to the
9 authorization of appropriations in section 301 and made
10 available by the funding table in division D for the Depart-
11 ment of Defense Cooperative Threat Reduction Program
12 shall be available for obligation for fiscal years 2024,
13 2025, and 2026.

14 **TITLE XV—OTHER**
15 **AUTHORIZATIONS**
16 **Subtitle A—Military Programs**

17 **SEC. 1501. WORKING CAPITAL FUNDS.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2024 for the use of the Armed Forces and other
20 activities and agencies of the Department of Defense for
21 providing capital for working capital and revolving funds,
22 as specified in the funding table in section 4501.

1 **SEC. 1502. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
2 **TION, DEFENSE.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
4 are hereby authorized to be appropriated for the Depart-
5 ment of Defense for fiscal year 2024 for expenses, not oth-
6 erwise provided for, for Chemical Agents and Munitions
7 Destruction, Defense, as specified in the funding table in
8 section 4501.

9 (b) USE.—Amounts authorized to be appropriated
10 under subsection (a) are authorized for—

11 (1) the destruction of lethal chemical agents
12 and munitions in accordance with section 1412 of
13 the Department of Defense Authorization Act, 1986
14 (50 U.S.C. 1521); and

15 (2) the destruction of chemical warfare materiel
16 of the United States that is not covered by section
17 1412 of such Act.

18 **SEC. 1503. DRUG INTERDICTION AND COUNTER-DRUG AC-**
19 **TIVITIES, DEFENSE-WIDE.**

20 Funds are hereby authorized to be appropriated for
21 the Department of Defense for fiscal year 2024 for ex-
22 penses, not otherwise provided for, for Drug Interdiction
23 and Counter-Drug Activities, Defense-wide, as specified in
24 the funding table in section 4501.

1 **SEC. 1504. DEFENSE INSPECTOR GENERAL.**

2 Funds are hereby authorized to be appropriated for
3 the Department of Defense for fiscal year 2024 for ex-
4 penses, not otherwise provided for, for the Office of the
5 Inspector General of the Department of Defense, as speci-
6 fied in the funding table in section 4501.

7 **SEC. 1505. DEFENSE HEALTH PROGRAM.**

8 Funds are hereby authorized to be appropriated for
9 fiscal year 2024 for the Defense Health Program for use
10 of the Armed Forces and other activities and agencies of
11 the Department of Defense for providing for the health
12 of eligible beneficiaries, as specified in the funding table
13 in section 4501.

14 **Subtitle B—National Defense**
15 **Stockpile**

16 **SEC. 1511. RECOVERY OF RARE EARTH ELEMENTS AND**
17 **OTHER STRATEGIC AND CRITICAL MATE-**
18 **RIALS THROUGH END-OF-LIFE EQUIPMENT**
19 **RECYCLING.**

20 The Secretary of Defense shall establish policies and
21 procedures—

22 (1) to identify end-of-life equipment of the De-
23 partment of Defense that contains rare earth ele-
24 ments and other materials determined pursuant to
25 section 3(a) of the Strategic and Critical Materials

1 Stock Piling Act (50 U.S.C. 98b(a)) to be strategic
2 and critical materials; and

3 (2) to identify, establish, and implement policies
4 and procedures to recover such materials from such
5 equipment for the purposes of reuse by the Depart-
6 ment of Defense.

7 **SEC. 1512. IMPROVEMENTS TO STRATEGIC AND CRITICAL**
8 **MATERIALS STOCK PILING ACT.**

9 (a) PURPOSES.—Section 2 of the Strategic and Crit-
10 ical Materials Stock Piling Act (50 U.S.C. 98a) is amend-
11 ed by adding at the end the following new subsection:

12 “(d) To the maximum extent practicable and to re-
13 duce the reliance of the National Defense Stockpile pro-
14 gram on appropriated funds, the National Defense Stock-
15 pile Manager shall seek to achieve positive cash flows from
16 the recovery of strategic and critical materials pursuant
17 to section 6(a)(5).”.

18 (b) STOCKPILE MANAGEMENT.—Section 6 of such
19 Act (50 U.S.C. 98e) is amended—

20 (1) in subsection (a)(5), by striking “from ex-
21 cess” and all that follows and inserting “from other
22 Federal agencies, either directly as materials or em-
23 bedded in excess-to-need, end-of-life items, or waste
24 streams;”;

1 (2) in subsection (c)(1), by striking “subsection
2 (a)(5) or (a)(6)” and inserting “subsection (a)(6) or
3 (a)(7)”;

4 (3) in subsection (d)(2), by striking “subsection
5 (a)(5)” and inserting “subsection (a)(6)”; and

6 (4) by adding at the end the following new sub-
7 sections:

8 “(g)(1) The National Defense Stockpile Manager
9 shall establish a pilot program to use, to the maximum
10 extent practicable, commercial best practices in the acqui-
11 sition and disposal of strategic and critical materials for
12 the stockpile.

13 “(2)(A) The Stockpile Manager shall brief the con-
14 gressional defense committees (as defined in section
15 101(a) of title 10, United States Code)—

16 “(i) as soon as practicable after the establish-
17 ment of the pilot program under paragraph (1); and

18 “(ii) annually thereafter until the termination
19 of the pilot program under paragraph (3).

20 “(B) The briefing required by subparagraph (A)(i)
21 shall address—

22 “(i) the commercial best practices selected for
23 use under the pilot program;

24 “(ii) how the Stockpile Manager determined
25 which commercial best practices to select; and

1 “(iii) the plan of the Stockpile Manager for
2 using such practices.

3 “(C) Each briefing required by subparagraph (A)(ii)
4 shall provide a summary of—

5 “(i) how the Stockpile Manager has used com-
6 mercial best practices under the pilot program dur-
7 ing the year preceding the briefing;

8 “(ii) how many times the Stockpile Manager
9 has used such practices;

10 “(iii) the outcome of each use of such practices;
11 and

12 “(iv) any savings achieved or lessons learned as
13 a result of the use of such practices.

14 “(3) The pilot program established under paragraph
15 (1) shall terminate effective on the date that is 5 years
16 after the date of the enactment of the National Defense
17 Authorization Act for Fiscal Year 2024.

18 “(h) Unless otherwise necessary for national defense,
19 the National Defense Stockpile Manager shall implement
20 recovery programs under subsection (a)(5) to be cash flow
21 positive.”.

22 (c) DEVELOPMENT AND CONSERVATION OF RELI-
23 ABLE SOURCES.—

24 (1) IN GENERAL.—Section 15 of such Act (50
25 U.S.C. 98h–6) is amended to read as follows:

1 **“SEC. 15. DEVELOPMENT AND CONSERVATION OF RELI-**
2 **ABLE SOURCES.**

3 “(a) DUTIES.—Subject to subsection (c), the Na-
4 tional Defense Stockpile Manager shall encourage the de-
5 velopment and appropriate conservation of reliable sources
6 of strategic and critical materials—

7 “(1) by purchasing, or making a commitment to
8 purchase, strategic and critical materials from reli-
9 able sources when such materials are needed for the
10 stockpile;

11 “(2) by contracting with facilities located in and
12 owned and controlled by reliable sources, or making
13 a commitment to contract with such facilities, for
14 the processing or refining of strategic and critical
15 materials in the stockpile when processing or refin-
16 ing is necessary to convert such materials into a
17 form more suitable for storage or disposition or
18 meeting stockpile requirements;

19 “(3) by qualifying facilities located in and
20 owned and controlled by reliable sources, or quali-
21 fying strategic and critical materials produced by
22 such facilities, to meet stockpile requirements;

23 “(4) by contracting with facilities located in and
24 owned and controlled by reliable sources to recycle
25 strategic and critical materials to meet stockpile re-
26 quirements or increase the balance of the National

1 Defense Stockpile Transaction Fund under section
2 9; and

3 “(5) by entering into an agreement to co-fund
4 a bankable feasibility study for a project for the de-
5 velopment of strategic and critical materials located
6 in and owned and controlled by a reliable source, if
7 the agreement—

8 “(A) limits the liability of the stockpile to
9 not more than the total funding provided by the
10 Federal Government;

11 “(B) limits the funding contribution of the
12 Federal Government to not more than 50 per-
13 cent of the cost of the bankable feasibility
14 study; and

15 “(C) does not obligate the Federal Govern-
16 ment to purchase strategic and critical mate-
17 rials from the reliable source.

18 “(b) ADDITIONAL AUTHORITIES.—

19 “(1) EXTENDED CONTRACTING AUTHORITY.—

20 “(A) IN GENERAL.—The term of a con-
21 tract or commitment made under subsection (a)
22 may not exceed ten years.

23 “(B) PREEXISTING CONTRACTS.—A con-
24 tract entered into before the date of the enact-
25 ment of the National Defense Authorization Act

1 for Fiscal Year 2024 for a term of more than
2 ten years may be extended, on or after such
3 date of enactment, for a total of not more than
4 an additional ten years pursuant to any option
5 or options set forth in the contract.

6 “(2) MATTERS RELATING TO CO-FUNDING OF
7 BANKABLE FEASIBILITY STUDIES.—To the extent
8 authorized by Congress pursuant to the Defense
9 Production Act of 1950 (50 U.S.C. 4501 et seq.)
10 and determined to be required by the President pur-
11 suant to that Act, the National Defense Stockpile
12 Manager may provide for loans or procure debt
13 issued by other entities to carry out a project for the
14 development of strategic and critical materials under
15 subsection (a)(5).

16 “(c) PROPOSED TRANSACTIONS INCLUDED IN AN-
17 NUAL MATERIALS PLAN.—Descriptions of proposed trans-
18 actions under subsection (a) shall be included in the An-
19 nual Materials and Operations Plan. Changes to any such
20 transaction, or the addition of a transaction not included
21 in such plan, shall be made in accordance with section 5.

22 “(d) AVAILABILITY OF FUNDS.—The authority of the
23 National Defense Stockpile Manager to enter into obliga-
24 tions under this section is effective for any fiscal year only
25 to the extent that funds in the National Defense Stockpile

1 Transaction Fund under section 9 are adequate to meet
2 such obligations.

3 “(e) BANKABLE FEASIBILITY STUDY DEFINED.—In
4 this section, the term ‘bankable feasibility study’ means
5 a comprehensive technical and economic study—

6 “(1) of the selected development option for a
7 strategic and critical materials project that includes
8 appropriately detailed assessments of realistically as-
9 sumed extraction, processing, metallurgical, eco-
10 nomic, marketing, legal, environmental, social, and
11 governmental considerations and any other relevant
12 operational factors and detailed financial analysis,
13 that are necessary to demonstrate at the time of re-
14 porting that production is reasonably justified; and

15 “(2) that may reasonably serve as the basis for
16 a final decision by a proponent of a project or finan-
17 cial institution to proceed with, or finance, the devel-
18 opment of the project.”.

19 (2) CONFORMING AMENDMENTS.—

20 (A) MATERIALS RESEARCH AND DEVELOP-
21 MENT.—Section 8(a) of such Act (50 U.S.C.
22 98g(a)) is amended—

23 (i) in paragraph (1)(A), by striking
24 “or in its territories or possessions,” and

1 inserting “its territories or possessions, or
2 in a reliable source”; and

3 (ii) in paragraph (2), by striking “in
4 order to—” and all that follows through
5 “mineral products.” and inserting the fol-
6 lowing: “in order to develop new sources of
7 strategic and critical materials, develop
8 substitutes, or conserve domestic sources
9 and reliable sources of supply for such
10 strategic and critical materials.”.

11 (B) DEFINITIONS.—Section 12 of such Act
12 (50 U.S.C. 98h–3) is amended by striking para-
13 graph (3) and inserting the following new para-
14 graph (3):

15 “(i) The term ‘reliable source’ mean a
16 citizen or business entity of—

17 “(I) the United States or any
18 territory or possession of the United
19 States;

20 “(II) a country of the national
21 technology and industrial base, as de-
22 fined in section 4801 of title 10,
23 United States Code; or

24 “(III) a qualifying country, as
25 defined in section 225.003 of the De-

1 fense Federal Acquisition Regulation
2 Supplement.”.

3 (d) TECHNICAL AMENDMENT.—Subsection (e) of sec-
4 tion 10 of such Act (50 U.S.C. 98h–1) is amended to read
5 as follows:

6 “(e) APPLICATION OF PROVISIONS RELATING TO
7 FEDERAL ADVISORY COMMITTEES.—Section 1013 of title
8 5, United States Code, shall not apply to the Board.”.

9 **SEC. 1513. AUTHORITY TO DISPOSE OF MATERIALS FROM**
10 **THE NATIONAL DEFENSE STOCKPILE.**

11 Pursuant to section 5(b) of the Strategic and Critical
12 Materials Stock Piling Act (50 U.S.C. 98d(b)), the Na-
13 tional Defense Stockpile Manager may dispose of the fol-
14 lowing materials contained in the National Defense Stock-
15 pile in the following quantities:

16 (1) 8 short tons of beryllium.

17 (2) 154,043 short dry tons of metallurgical
18 grade manganese ore.

19 (3) 5,000 kilograms of germanium.

20 (4) 91,413 pounds of pan-based carbon fibers.

21 (5) Not more than 1,000 short tons of mate-
22 rials transferred from another department or agency
23 of the United States to the National Defense Stock-
24 pile under section 4(b) of such Act (50 U.S.C.
25 98c(b)) that the National Defense Stockpile Man-

1 ager determines is no longer required for the Stock-
2 pile (in addition to any amount of such materials
3 previously authorized for disposal).

4 **SEC. 1514. BEGINNING BALANCES OF THE NATIONAL DE-**
5 **FENSE STOCKPILE TRANSACTION FUND FOR**
6 **AUDIT PURPOSES.**

7 For purposes of an audit conducted under chapter
8 9A of title 10, United States Code, of the National De-
9 fense Stockpile Transaction Fund established by section
10 9 of the Strategic and Critical Materials Stock Piling Act
11 (50 U.S.C. 98h)—

12 (1) the ending balance of \$313,633,491.15 re-
13 ported in the Central Accounting Reporting System
14 of the Department of the Treasury for September
15 30, 2021, is the Fund Balance with Treasury ending
16 balance on that date;

17 (2) the Total Actual Resources—Collected open-
18 ing balance for October 1, 2021, for United States
19 Standard General Ledger Account 420100 is
20 \$314,548,154.42, as recorded in official accounting
21 records; and

22 (3) the Unapportioned—Unexpired Authority
23 ending balance for September 30, 2021, for United
24 States Standard General Ledger Account 445000 is

1 \$216,976,300.69, as recorded in official accounting
2 records.

3 **Subtitle C—Other Matters**

4 **SEC. 1521. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT** 5 **DEPARTMENT OF DEFENSE-DEPARTMENT OF** 6 **VETERANS AFFAIRS MEDICAL FACILITY DEM-** 7 **ONSTRATION FUND FOR CAPTAIN JAMES A.** 8 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

9 (a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the
10 funds authorized to be appropriated by section 1405 and
11 available for the Defense Health Program for operation
12 and maintenance, \$172,000,000 may be transferred by the
13 Secretary of Defense to the Joint Department of Defense—
14 Department of Veterans Affairs Medical Facility Dem-
15 onstration Fund established by subsection (a)(1) of sec-
16 tion 1704 of the National Defense Authorization Act for
17 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

18 (b) **TREATMENT OF TRANSFERRED FUNDS.**—For
19 purposes of subsection (a)(2) of such section 1704, any
20 funds transferred under subsection (a) shall be treated as
21 amounts authorized and appropriated specifically for the
22 purpose of such a transfer.

23 (c) **USE OF TRANSFERRED FUNDS.**—For purposes of
24 subsection (b) of such section 1704, facility operations for
25 which funds transferred under subsection (a) may be used

1 are operations of the Captain James A. Lovell Federal
2 Health Care Center, consisting of the North Chicago Vet-
3 erans Affairs Medical Center, the Navy Ambulatory Care
4 Center, and supporting facilities designated as a combined
5 Federal medical facility under an operational agreement
6 covered by section 706 of the Duncan Hunter National
7 Defense Authorization Act for Fiscal Year 2009 (Public
8 Law 110–417; 122 Stat. 4500).

9 **SEC. 1522. AUTHORIZATION OF APPROPRIATIONS FOR**
10 **ARMED FORCES RETIREMENT HOME.**

11 There is hereby authorized to be appropriated for fis-
12 cal year 2024 from the Armed Forces Retirement Home
13 Trust Fund the sum of \$77,000,000 for the operation of
14 the Armed Forces Retirement Home.

15 **SEC. 1523. MODIFICATION OF LEASING AUTHORITY OF**
16 **ARMED FORCES RETIREMENT HOME.**

17 (a) AGREEMENTS; APPROVAL AND NOTIFICATION.—
18 Section 1511(i) of the Armed Forces Retirement Home
19 Act of 1991 (24 U.S.C. 411(i)) is amended by adding at
20 the end the following new paragraphs:

21 “(9) Before entering into a lease described in this
22 subsection, the Chief Operating Officer may enter into an
23 agreement with a potential lessee providing for a period
24 of exclusivity, access, study, or for similar purposes. The
25 agreement shall provide for the payment (in cash or in

1 kind) by the potential lessee of consideration for the agree-
2 ment unless the Chief Operating Officer determines that
3 payment of consideration will not promote the purpose and
4 financial stability of the Retirement Home or be in the
5 public interest.

6 “(10) No further approval by the Secretary of De-
7 fense, nor notification or report to Congress, shall be re-
8 quired for subordinate leases under this subsection unless
9 the facts or terms of the original lease have materially
10 changed.”.

11 (b) ADMINISTRATION OF FUNDS.—Section
12 1511(i)(7) of the Armed Forces Retirement Home Act of
13 1991 (24 U.S.C. 411(i)) is amended—

14 (1) by inserting “an agreement with a potential
15 lessee or” after “The proceeds from”; and

16 (2) by striking the period at the end and insert-
17 ing “, to remain available for obligation and expendi-
18 ture to finance expenses of the Retirement Home re-
19 lated to the formation and administration of agree-
20 ments and leases entered into under the provisions
21 of this subsection.”.

1 **TITLE XVI—SPACE ACTIVITIES,**
2 **STRATEGIC PROGRAMS, AND**
3 **INTELLIGENCE MATTERS**

4 **Subtitle A—Space Activities**

5 **SEC. 1601. ACQUISITION STRATEGY FOR PHASE 3 OF THE**
6 **NATIONAL SECURITY SPACE LAUNCH PRO-**
7 **GRAM.**

8 (a) FISCAL YEARS 2025 THROUGH 2029.—With re-
9 spect to the acquisition strategy for Phase 3 of the Na-
10 tional Security Space Launch program, for fiscal years
11 2025 through 2029, the Secretary of Defense shall estab-
12 lish—

13 (1) a low-risk launch program, to be known as
14 “Lane One”, that consists of an indefinite delivery
15 indefinite quantity acquisition approach based on
16 not fewer than 20 launches so as to encourage the
17 capabilities of new entrants that have conducted not
18 fewer than one previous launch; and

19 (2) a launch program, similar to the Phase Two
20 National Security Assured Access Launch program,
21 to be known as “Lane Two”, that meets all National
22 Security Space Launch requirements, with full mis-
23 sion assurance, based on not fewer than 35
24 launches.

1 (b) FISCAL YEARS 2027 THROUGH 2029.—With re-
2 spect to the acquisition strategy for Phase 3 of the Na-
3 tional Security Space Launch program, for fiscal years
4 2027 through 2029, the Secretary of Defense shall estab-
5 lish an accession launch program, to be known as “Lane
6 Two A”, using the requirements of the program estab-
7 lished under subsection (a)(2) based on five launches of
8 GPS Block III^F satellites or satellites the launches of
9 which are complex, high-energy missions.

10 **SEC. 1602. INITIAL OPERATING CAPABILITY FOR AD-**
11 **VANCED TRACKING AND LAUNCH ANALYSIS**
12 **SYSTEM AND SYSTEM-LEVEL REVIEW.**

13 (a) ADVANCED TRACKING AND LAUNCH ANALYSIS
14 SYSTEM.—

15 (1) DATE FOR INITIAL OPERATING CAPA-
16 BILITY.—Not later than 90 days after the date of
17 the enactment of this Act, the Secretary of the Air
18 Force shall—

19 (A) designate a date for the delivery of the
20 initial operating capability for the Advanced
21 Tracking and Launch Analysis System
22 (ATLAS); and

23 (B) notify the congressional defense com-
24 mittees of such date.

1 (2) EFFECT OF FAILURE TO TIMELY DE-
2 LIVER.—If the initial operating capability for
3 ATLAS is not achieved by the date designated under
4 paragraph (1)(A), the Secretary shall—

5 (A) terminate the ATLAS program;

6 (B) designate an alternative program op-
7 tion that provides a comparable capability to
8 the capability intended to be provided by
9 ATLAS; and

10 (C) not later than 30 days after such date,
11 notify the congressional defense committees
12 with respect to—

13 (i) such termination;

14 (ii) the designated alternative pro-
15 gram option;

16 (iii) the justification for selecting such
17 option; and

18 (iv) the estimated time and total costs
19 to completion of such option.

20 (b) SYSTEM-LEVEL REVIEW.—

21 (1) IN GENERAL.—The Secretary shall enter
22 into a contract with a federally funded research and
23 development center under which the federally funded
24 research and development center shall, not less fre-
25 quently than every 2 years through 2032, conduct a

1 review of the space command and control software
2 acquisition program to assess the ability of such pro-
3 gram to build a software framework that integrates
4 multiple aspects of space operations to enable the
5 warfighter to command and control space assets in
6 a time of conflict.

7 (2) ELEMENTS.—Each review under paragraph
8 (1) shall consider the integration into such software
9 framework of the following:

10 (A) Sensor data applicable to the command
11 and control of space assets.

12 (B) Information contained in the Unified
13 Data Library relating to the number and loca-
14 tion of space objects.

15 (C) The ability to control space assets
16 based on such data and information.

17 (D) Any other matter the Secretary con-
18 siders necessary.

19 (3) BRIEFING.—The Secretary shall provide the
20 congressional defense committees with a briefing on
21 the findings of each review under paragraph (1), in-
22 cluding—

23 (A) an assessment of any deficiency identi-
24 fied in the review; and

1 (B) a plan to address such deficiency in a
2 timely manner.

3 **SEC. 1603. DEPARTMENT OF THE AIR FORCE RESPONSIBILITY FOR SPACE-BASED GROUND AND AIRBORNE MOVING TARGET INDICATION.**

6 (a) IN GENERAL.—The Department of the Air Force
7 shall be responsible for—

8 (1) serving as the final authority for the
9 tasking of space-based ground and airborne moving
10 target indication systems that—

11 (A) are primarily or fully funded by the
12 Department of Defense; and

13 (B) provide near real-time, direct support
14 to satisfy theater operations; and

15 (2) presenting such capability to the combatant
16 commands to accomplish the warfighting missions of
17 the combatant commands under the Unified Com-
18 mand Plan.

19 (b) MILESTONE DEVELOPMENT AUTHORITY.—Sub-
20 ject to section 4204 of title 10, United States Code, the
21 Secretary of the Air Force, in consultation with the Direc-
22 tor of National Intelligence, shall be the Milestone A ap-
23 proval (as defined in section 4211 of such title) decision
24 authority for space-related acquisition programs for
25 ground and airborne moving target indication collection

1 assets described in subsection (a) that are primarily or
2 fully funded within the Military Intelligence Program.

3 **SEC. 1604. PRINCIPAL MILITARY DEPUTY FOR SPACE AC-**
4 **QUISITION AND INTEGRATION.**

5 Section 9016(b)(6) of title 10, United States Code,
6 is amended—

7 (1) by redesignating subparagraph (B) as sub-
8 paragraph (C); and

9 (2) by inserting after subparagraph (A) the fol-
10 lowing new subparagraph (B):

11 “(B) The Assistant Secretary of the Air Force
12 for Space Acquisition and Integration shall have a
13 Principle Military Deputy for Space Acquisition and
14 Integration, who shall be an officer of the Space
15 Force on active duty. The Principal Military Deputy
16 for Space Acquisition and Integration shall be ap-
17 pointed from among officers who have significant ex-
18 perience in the areas of acquisition and program
19 management. The position of Principal Military
20 Deputy for Space Acquisition and Integration shall
21 be designated as a critical acquisition position under
22 section 1731 of this title. In the event of a vacancy
23 in the position of Assistant Secretary of the Air
24 Force for Space Acquisition and Integration, the
25 Principal Military Deputy for Space Acquisition and

1 Integration may serve as Acting Assistant Secretary
2 for Space Acquisition and Integration for a period of
3 not more than one year.”.

4 **SEC. 1605. USE OF MIDDLE TIER ACQUISITION AUTHORITY**
5 **FOR SPACE DEVELOPMENT AGENCY ACQUISITION PROGRAM.**
6

7 (a) IN GENERAL.—The Director of the Space Development Agency shall use the middle tier of acquisition authority, consistent with section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law
8 114–92; 10 U.S.C. 3201 note prec.) and Department of
9 Defense Instruction 5000.80, entitled “Operation of the
10 Middle Tier of Acquisition (MTA)” and issued on December
11 30, 2019 (or a successor instruction), for the rapid
12 fielding of satellites and associated systems for Tranche
13 1, Tranche 2, and Tranche 3 of the proliferated warfighter
14 space architecture of the Space Development Agency.

15 (b) RAPID PROTOTYPING AND FIELDING.—Any
16 tranche of satellites or associated systems developed and
17 fielded under subsection (a) shall have a level of maturity
18 that allows such satellites or systems to be rapidly
19 prototyped within an acquisition program or rapidly fielded
20 within five years of the development of an approved
21 requirement.

1 (c) DESIGNATION AS MAJOR CAPABILITY ACQUI-
2 TION.—

3 (1) IN GENERAL.—The Under Secretary of De-
4 fense for Acquisition and Sustainment may des-
5 ignate a tranche described in subsection (a) as a
6 major capability acquisition program, consistent with
7 Department of Defense Instruction 5000.80, entitled
8 “Operation of the Middle Tier of Acquisition
9 (MTA)” and issued on December 30, 2019 (or a
10 successor instruction).

11 (2) NOTICE TO CONGRESS.—Not later than 90
12 days before the date on which a designation under
13 paragraph (1) is made, the Under Secretary of De-
14 fense for Acquisition and Sustainment shall notify
15 the congressional defense committees of the intent to
16 so designate and provide a justification for such des-
17 ignation.

18 **SEC. 1606. SPECIAL AUTHORITY FOR PROVISION OF COM-**
19 **MERCIAL SPACE LAUNCH SUPPORT SERV-**
20 **ICES.**

21 (a) IN GENERAL.—Chapter 135 of title 10, United
22 States Code, is amended by inserting after section 2276
23 the following new section:

1 **“§ 2276a. Special authority for provision of commer-**
2 **cial space launch support services**

3 “(a) IN GENERAL.—The Secretary of a military de-
4 partment, pursuant to the authority provided by this sec-
5 tion and any other provision of law, may support Federal
6 and commercial space launch capacity on any domestic
7 real property under the control of the Secretary through
8 the provision of space launch support services.

9 “(b) PROVISION OF LAUNCH EQUIPMENT AND SERV-
10 ICES TO COMMERCIAL ENTITIES.—

11 “(1) AGREEMENT AUTHORITY.—

12 “(A) IN GENERAL.—The Secretary con-
13 cerned may enter into a contract, or conduct
14 any other transaction, with a commercial entity
15 that intends to conduct space launch activities
16 on a military installation under the jurisdiction
17 of the Secretary, including a contract or other
18 transaction for the provision of supplies, serv-
19 ices, equipment, and construction needed for
20 commercial space launch.

21 “(B) NONDELEGATION.—The Secretary
22 may not delegate the authority provided in sub-
23 paragraph (A).

24 “(2) AGREEMENT COSTS.—

25 “(A) DIRECT COSTS.—A contract entered
26 into, or a transaction conducted, under para-

1 graph (1) shall include a provision that requires
2 the commercial entity entering into the contract
3 or conducting the transaction to reimburse the
4 Department of Defense for all direct costs to
5 the United States that are associated with the
6 goods, services, and equipment provided to the
7 commercial entity under the contract or trans-
8 action.

9 “(B) INDIRECT COSTS.—A contract en-
10 tered into, or a transaction conducted, under
11 paragraph (1) may—

12 “(i) include a provision that requires
13 the commercial entity to reimburse the De-
14 partment of Defense for such indirect costs
15 as the Secretary concerned considers to be
16 fair and reasonable; and

17 “(ii) provide for the recovery of indi-
18 rect costs through establishment of a rate,
19 fixed price, or similar mechanism the Sec-
20 retary concerned considers to be fair and
21 reasonable.

22 “(3) RETENTION OF FUNDS COLLECTED FROM
23 COMMERCIAL USERS.—Amounts collected from a
24 commercial entity under paragraph (2) shall be cred-
25 ited to the appropriation accounts under which the

1 costs associated with the contract (direct and indi-
2 rect) were incurred.

3 “(4) REGULATIONS.—The Secretary shall pro-
4 mulgate regulations to carry out this subsection.

5 “(c) DEFINITIONS.—In this section:

6 “(1) SPACE LAUNCH.—The term ‘space launch’
7 includes all activities, supplies, equipment, facilities,
8 and services supporting launch preparation, launch,
9 reentry, recovery, and other launch-related activities
10 for the payload and the space transportation vehicle.

11 “(2) COMMERCIAL ENTITY; COMMERCIAL.—The
12 terms ‘commercial entity’ and ‘commercial’ means a
13 non-Federal entity organized under the laws of the
14 United States or of any jurisdiction within the
15 United States.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 for chapter 135 of title 10, United States Code, is amend-
18 ed by inserting after the item relating to section 2276 the
19 following:

“2276a. Special authority for provision of commercial space launch support serv-
ices.”.

1 **SEC. 1607. TREATMENT OF POSITIONING, NAVIGATION, AND**
2 **TIMING RESILIENCY, MODIFICATIONS, AND**
3 **IMPROVEMENTS PROGRAM AS ACQUISITION**
4 **CATEGORY 1D PROGRAM.**

5 The Under Secretary of Defense for Acquisition and
6 Sustainment shall treat the Positioning, Navigation, and
7 Timing Resiliency, Modifications, and Improvements pro-
8 gram of the Air Force (Program Element 0604201F) as
9 an acquisition category 1D program, and the authority to
10 manage such program may not be delegated.

11 **SEC. 1608. BRIEFING ON CLASSIFICATION PRACTICES AND**
12 **FOREIGN DISCLOSURE POLICIES REQUIRED**
13 **FOR COMBINED SPACE OPERATIONS.**

14 (a) IN GENERAL.—Not later than 90 days after the
15 date of the enactment of this Act, the Secretary of Defense
16 and the Director of National Intelligence shall provide a
17 briefing to the appropriate committees of Congress on the
18 classification practices and foreign disclosure policies re-
19 quired to enable the development and conduct of combined
20 space operations among the following countries:

- 21 (1) Australia.
- 22 (2) Canada.
- 23 (3) France.
- 24 (4) Germany.
- 25 (5) New Zealand.
- 26 (6) The United Kingdom.

1 (7) The United States.

2 (8) Any other ally or partner country, as deter-
3 mined by the Secretary of Defense or the Director
4 of National Intelligence.

5 (b) ELEMENTS.—The briefing required by subsection
6 (a) shall include the following:

7 (1) The military and national intelligence infor-
8 mation required to be shared with the countries de-
9 scribed in subsection (a) so as to enable the develop-
10 ment and conduct combined space operations.

11 (2) The policy, organizational, or other barriers
12 that currently prevent such information sharing for
13 combined space operations.

14 (3) The actions being taken by the Department
15 of Defense and the intelligence community (as de-
16 fined in section 3 of the National Security Act of
17 1947 (50 U.S.C. 3003)) to remove the barriers to
18 such information sharing, and the timeline for im-
19 plementation of such actions.

20 (4) Any statutory changes required to remove
21 such barriers.

22 (5) Any other matter, as determined by the
23 Secretary of Defense or the Director of National In-
24 telligence.

1 (c) IMPLEMENTATION UPDATE.—Not later than 270
2 days after the date of the enactment of this Act, the Sec-
3 retary of Defense and the Director of National Intelligence
4 shall provide a briefing to the appropriate committees of
5 Congress on the implementation of the actions described
6 in subsection (b)(3).

7 (d) APPROPRIATE COMMITTEES OF CONGRESS.—In
8 this section, the term “appropriate committees of Con-
9 gress” means—

- 10 (1) the congressional defense committees; and
- 11 (2) the congressional intelligence committees
12 (as defined in section 3 of the National Security Act
13 of 1947 (50 U.S.C. 3003)).

14 **SEC. 1609. LIMITATION ON AVAILABILITY OF CERTAIN**
15 **FUNDS RELATING TO SELECTION OF PERMA-**
16 **NENT LOCATION FOR HEADQUARTERS OF**
17 **UNITED STATES SPACE COMMAND.**

18 (a) LIMITATION ON AVAILABILITY OF FUNDS FOR
19 MILITARY CONSTRUCTION PROJECTS.—None of the funds
20 authorized to be appropriated by this Act or otherwise
21 made available for fiscal year 2024 for the Air Force may
22 be obligated or expended for a military construction
23 project (as described in section 2801(b) of title 10, United
24 States Code) for the construction or modification of facili-
25 ties for temporary or permanent use by the United States

1 Space Command for headquarters operations until the re-
2 port required under subsection (c) is submitted.

3 (b) LIMITATION ON AVAILABILITY OF FUNDS FOR
4 TRAVEL EXPENDITURES.—Of the funds authorized to be
5 appropriated by this Act or otherwise made available for
6 fiscal year 2024 to the Office of the Secretary of the Air
7 Force for travel expenditures, not more than 50 percent
8 may be obligated or expended until the report required
9 under subsection (c) is submitted.

10 (c) REPORT.—The Secretary of the Air Force shall
11 submit to the congressional defense committees a report
12 on the justification for the selection of a permanent loca-
13 tion for headquarters of the United States Space Com-
14 mand.

15 **Subtitle B—Nuclear Forces**

16 **SEC. 1611. PROHIBITION ON REDUCTION OF THE INTER-**
17 **CONTINENTAL BALLISTIC MISSILES OF THE**
18 **UNITED STATES.**

19 (a) PROHIBITION.—Except as provided in subsection
20 (b), none of the funds authorized to be appropriated by
21 this Act for fiscal year 2024 for the Department of De-
22 fense may be obligated or expended for the following, and
23 the Department may not otherwise take any action to do
24 the following:

1 (1) Reduce, or prepare to reduce, the respon-
2 siveness or alert level of the intercontinental ballistic
3 missiles of the United States.

4 (2) Reduce, or prepare to reduce, the quantity
5 of deployed intercontinental ballistic missiles of the
6 United States to a number less than 400.

7 (b) EXCEPTION.—The prohibition in subsection (a)
8 shall not apply to any of the following activities:

9 (1) The maintenance, sustainment, or replace-
10 ment of intercontinental ballistic missiles.

11 (2) Ensuring the safety, security, or reliability
12 of intercontinental ballistic missiles.

13 **SEC. 1612. SENTINEL INTERCONTINENTAL BALLISTIC MIS-**
14 **SILE PROGRAM SILO ACTIVITY.**

15 The LGM-35A Sentinel intercontinental ballistic
16 missile program shall refurbish and make operable not
17 fewer than 150 silos for intercontinental ballistic missiles
18 at each of the following locations:

19 (1) Francis E. Warren Air Force Base, Lar-
20 amie County, Wyoming.

21 (2) Malmstrom Air Force Base, Cascade Coun-
22 ty, Montana.

23 (3) Minot Air Force Base, Ward County, North
24 Dakota.

1 **SEC. 1613. MATTERS RELATING TO THE ACQUISITION AND**
2 **DEPLOYMENT OF THE SENTINEL INTER-**
3 **CONTINENTAL BALLISTIC MISSILE WEAPON**
4 **SYSTEM.**

5 (a) **AUTHORITY FOR MULTI-YEAR PROCUREMENT.**—
6 Subject to section 3501 of title 10, United States Code,
7 the Secretary of the Air Force may enter into one or more
8 multi-year contracts for the procurement of up to 659
9 Sentinel intercontinental ballistic missiles and for sub-
10 systems associated with such missiles.

11 (b) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The
12 Secretary of the Air Force may enter into one or more
13 contracts, beginning in fiscal year 2024, for advance pro-
14 curement associated with the Sentinel intercontinental
15 ballistic missiles for which authorization to enter into a
16 multi-year procurement contract is provided under sub-
17 section (a), and for subsystems associated with such mis-
18 siles in economic order quantities when cost savings are
19 achievable.

20 (c) **CONDITION FOR OUT-YEAR CONTRACT PAY-**
21 **MENTS.**—A contract entered into under subsection (a)
22 shall provide that any obligation of the United States to
23 make a payment under the contract for a fiscal year after
24 fiscal year 2024 is subject to the availability of appropria-
25 tions or funds for that purpose for such later fiscal year.

1 (d) MANDATORY INCLUSION OF PRE-PRICED OPTION
2 IN CERTAIN CIRCUMSTANCES.—

3 (1) IN GENERAL.—If the total base quantity of
4 Sentinel intercontinental ballistic missiles to be pro-
5 cured through all contracts entered into under sub-
6 section (a) is less than 659, the Secretary of the Air
7 Force shall ensure that one or more of the contracts
8 includes a pre-priced option for the procurement of
9 additional Sentinel intercontinental ballistic missiles
10 such that the sum of such base quantity and the
11 number of such missiles that may be procured
12 through the exercise of such options is equal to 659
13 missiles.

14 (2) DEFINITIONS.—In this subsection:

15 (A) BASE QUANTITY.—The term “base
16 quantity” means the quantity of Sentinel inter-
17 continental ballistic missiles to be procured
18 under a contract entered into under subsection
19 (a), excluding any quantity of such missiles that
20 may be procured through the exercise of an op-
21 tion that may be part of such contract.

22 (B) PRE-PRICED OPTION.—The term “pre-
23 priced option” means a contract option for a
24 contract entered into under subsection (a) that,
25 if exercised, would allow the Secretary of the

1 Air Force to procure a quantity of interconti-
2 nental ballistic missiles at a predetermined
3 price specified in such contract.

4 (e) LIMITATION.—The Secretary of the Air Force
5 may not modify a contract entered into under subsection
6 (a) if the modification would increase the per unit price
7 of the Sentinel intercontinental ballistic missiles by more
8 than 10 percent above the target per unit price specified
9 in the original contract for such missiles under subsection
10 (a).

11 (f) MODIFICATIONS TO THE INTERCONTINENTAL
12 BALLISTIC MISSILE SITE ACTIVATION TASK FORCE.—
13 Section 1638 of the National Defense Authorization Act
14 for Fiscal Year 2023 (Public Law 117–263) is amended—

15 (1) in subsection (b)(1), by inserting “, who
16 shall report directly to the Commander of Air Force
17 Global Strike Command” after “Modernization”;
18 and

19 (2) by striking subsection (d)(1) and inserting
20 the following:

21 “(1) WEAPON SYSTEM.—For purposes of no-
22 menclature and acquisition life cycle activities rang-
23 ing from development through sustainment and de-
24 militarization, each wing level configuration of the

1 LGM-35A Sentinel intercontinental ballistic missile
2 shall be a weapon system.”.

3 **SEC. 1614. PLAN FOR DECREASING THE TIME TO UPLOAD**
4 **ADDITIONAL WARHEADS TO THE INTER-**
5 **CONTINENTAL BALLISTIC MISSILE FLEET.**

6 (a) IN GENERAL.—The Secretary of the Air Force,
7 in coordination with the Commander of the United States
8 Strategic Command, shall develop a plan to decrease the
9 amount of time required to upload additional warheads to
10 the intercontinental ballistic missile force.

11 (b) ELEMENTS.—The plan required by subsection (a)
12 shall include the following:

13 (1) An assessment of the storage capacity of
14 weapons storage areas and any weapons generation
15 facilities at covered bases, including the capacity of
16 each covered base to store additional warheads.

17 (2) An assessment of the current nuclear war-
18 head transportation capacity of the National Nuclear
19 Security Administration and associated timelines for
20 transporting additional nuclear warheads to covered
21 bases.

22 (3) An evaluation of the capacity of the mainte-
23 nance squadrons and security forces at covered
24 bases and the associated timelines for adding war-
25 heads to the intercontinental ballistic missile force.

1 (4) An identification of actions that would ad-
2 dress any identified limitations and increase the
3 readiness of the intercontinental ballistic missile
4 force to upload additional warheads.

5 (5) An evaluation of courses of actions to
6 upload additional warheads to a portion of the inter-
7 continental ballistic missile force.

8 (6) An assessment of the feasibility and advis-
9 ability of initiating immediate deployment of W78
10 warheads to a single wing of the intercontinental
11 ballistic missile force as a hedge against delay of the
12 LGM-35A Sentinel intercontinental ballistic missile.

13 (7) A funding plan for carrying out actions
14 identified in paragraphs (4) and (5).

15 (c) SUBMISSION TO CONGRESS.—Not later than 90
16 days after the date of the enactment of this Act, the Sec-
17 retary of the Air Force and the Commander of the United
18 States Strategic Command shall submit to the congres-
19 sional defense committees the plan required by subsection
20 (a).

21 (d) FORM.—The plan required by subsection (a) shall
22 be submitted in unclassified form, but may include a clas-
23 sified annex.

24 (e) BRIEFING.—Not later than 30 days after the sub-
25 mission of the plan required by subsection (a), the Sec-

1 retary of the Air Force and the Commander of the United
2 States Strategic Command shall brief the congressional
3 defense committees on the actions being pursued to imple-
4 ment the plan.

5 (f) COVERED BASE DEFINED.—The term “covered
6 base” means the following:

7 (1) Francis E. Warren Air Force Base, Lar-
8 amie County, Wyoming.

9 (2) Malmstrom Air Force Base, Cascade Coun-
10 ty, Montana.

11 (3) Minot Air Force Base, Ward County, North
12 Dakota.

13 **SEC. 1615. TASKING AND OVERSIGHT AUTHORITY WITH RE-**
14 **SPECT TO INTERCONTINENTAL BALLISTIC**
15 **MISSILE SITE ACTIVATION TASK FORCE FOR**
16 **SENTINEL PROGRAM.**

17 Section 1638 of the National Defense Authorization
18 Act for Fiscal Year 2023 (Public Law 117–263) is amend-
19 ed by—

20 (1) redesignating subsection (e) as subsection
21 (f); and

22 (2) inserting after subsection (d), the following
23 new subsection (e):

24 “(e) DELEGATION OF AUTHORITY.—The Secretary of
25 Defense shall—

1 “(1) not later than 120 days after the date of
2 the enactment of the National Defense Authoriza-
3 tion Act for Fiscal Year 2024, delegate to the Com-
4 mander of the Air Force Global Strike Command
5 such tasking and oversight authorities, as the Sec-
6 retary considers necessary, with respect to other
7 components of the Department of Defense partici-
8 pating in the Task Force; and

9 “(2) not later than 30 days after the date of
10 such delegation of authority, notify the congressional
11 defense committees of the delegation.”.

12 **SEC. 1616. LONG-TERM SUSTAINMENT OF SENTINEL ICBM**
13 **GUIDANCE SYSTEM.**

14 (a) **IN GENERAL.**—Prior to issuing a Milestone C de-
15 cision for the program to develop the LGM–35A Sentinel
16 intercontinental ballistic missile system (referred to in this
17 section as the “Sentinel”), the Under Secretary of Defense
18 for Acquisition and Sustainment shall certify to the con-
19 gressional defense committees that there is a long-term
20 capability in place to maintain and modernize the guid-
21 ance system of the Sentinel over the full life cycle of the
22 Sentinel.

23 (b) **CERTIFICATION ELEMENTS.**—The certification
24 described in subsection (a) shall include a list of capabili-
25 ties to maintain and advance—

- 1 (1) accelerometers;
- 2 (2) gyroscopes;
- 3 (3) guidance computers;
- 4 (4) specialized mechanical and retaining assem-
5 blies;
- 6 (5) test equipment; and
- 7 (6) such other components to ensure the guid-
8 ance system will be maintained and modernized over
9 the life of the Sentinel.

10 **SEC. 1617. SENSE OF SENATE ON POLARIS SALES AGREE-**
11 **MENT.**

12 (a) FINDINGS.—The Senate finds the following:

13 (1) On December 21, 1962, President John F.
14 Kennedy and Prime Minister of the United Kingdom
15 Harold Macmillan met in Nassau, Bahamas, and
16 issued a joint statement (commonly referred to as
17 the “Statement on Nuclear Defense Systems”),
18 agreeing that the United States would make Polaris
19 missiles available on a continuing basis to the
20 United Kingdom for use in submarines.

21 (2) On April 6, 1963, Secretary of State Dean
22 Rusk and Her Majesty’s Ambassador to the United
23 States David Ormsby-Gore signed the Polaris Sales
24 Agreement, reaffirming the Statement on Nuclear
25 Defense Systems and agreeing that the United

1 States Government shall provide and the Govern-
2 ment of the United Kingdom shall purchase from
3 the United States Government Polaris missiles,
4 equipment, and supporting services.

5 (3) The HMS Resolution launched the first Po-
6 laris missile of the United Kingdom on February 15,
7 1968, and, in 1969, commenced the first strategic
8 deterrent patrol for the United Kingdom, initiating
9 a continuous at-sea deterrent posture for the United
10 Kingdom that remains in effect.

11 (4) The Polaris Sales Agreement was amended
12 to include the Trident II (D5) strategic weapon sys-
13 tem on October 19, 1982, in Washington, D.C.,
14 through an exchange of notes between Secretary of
15 State Jonathan Howe and Her Majesty's Amba-
16 sador to the United States Oliver Wright.

17 (5) Through an exchange of letters in 2008 be-
18 tween the Secretary of Defense the Honorable Rob-
19 ert Gates and the Secretary of State for Defence of
20 the United Kingdom the Right Honorable Desmond
21 Browne and under the auspices of the Polaris Sales
22 Agreement, the United States Government and the
23 Government of the United Kingdom agreed to con-
24 tinue cooperation to design a common missile com-

1 partment for the follow-on ballistic missile sub-
2 marines of each nation.

3 (b) SENSE OF THE SENATE.—It is the sense of the
4 Senate that the Senate—

5 (1) recognizes the 60th anniversary of the Pola-
6 ris Sales Agreement between the United States and
7 the United Kingdom of Great Britain and Northern
8 Ireland;

9 (2) congratulates the Royal Navy for stead-
10 fastly maintaining the Continuous At-Sea Deterrent;

11 (3) Recognizes the important contribution of
12 the Continuous At-Sea Deterrent to the North At-
13 lantic Treaty Organization;

14 (4) reaffirms that the United Kingdom is a val-
15 ued and special ally of the United States; and

16 (5) looks forward to continuing and strength-
17 ening the shared commitment of the United States
18 and the United Kingdom to sustain submarine-based
19 strategic deterrents well into the future.

20 **SEC. 1618. MATTERS RELATING TO THE NUCLEAR-ARMED**
21 **SEA-LAUNCHED CRUISE MISSILE.**

22 (a) PROGRAM TREATMENT.—Not later than 90 days
23 after the date of the enactment of this Act, the Under
24 Secretary of Defense for Acquisition and Sustainment
25 shall—

1 (1) establish a program for the development of
2 a nuclear-armed, sea-launched cruise missile capa-
3 bility;

4 (2) designate such program as an acquisition
5 category 1D program, to be managed consistent with
6 the provisions of Department of Defense Instruction
7 5000.85 (relating to major capability acquisition);

8 (3) initiate a nuclear weapon project for the
9 W80–4 ALT warhead, at phase 6.2 of the phase 6.X
10 process (relating to feasibility study and down se-
11 lect), to align with the program described in para-
12 graph (1);

13 (4) submit to the National Nuclear Security
14 Administration a formal request, through the Nu-
15 clear Weapons Council, for participation in and sup-
16 port for the W80–4 ALT warhead project; and

17 (5) designate the Department of the Navy as
18 the military department to lead the W80–4 ALT nu-
19 clear weapon program for the Department of De-
20 fense.

21 (b) INITIAL OPERATIONAL CAPABILITY.—The Sec-
22 retary of Defense and the Administrator for Nuclear Secu-
23 rity shall take such actions as necessary to ensure the pro-
24 gram described in subsection (a) achieves initial oper-
25 ational capability, as defined jointly by the Secretary of

1 the Navy and the Commander of United States Strategic
2 Command, by not later than fiscal year 2035.

3 (c) LIMITATION.—The Under Secretary of Defense
4 for Acquisition and Sustainment may not approve a Full
5 Rate Production Decision or authorize Full Scale Produc-
6 tion (as those terms are defined in the memorandum of
7 the Nuclear Weapons Council entitled “Procedural Guide-
8 lines for the Phase 6.X Process” and dated April 19,
9 2000), for the W80–4 ALT program.

10 (d) BRIEFING.—

11 (1) IN GENERAL.—Beginning not later than
12 November 1, 2023, and on March 1 and September
13 1 of each year thereafter, the Under Secretary of
14 Defense for Acquisition and Sustainment, in coordi-
15 nation with the Secretary of the Navy, the Adminis-
16 trator for Nuclear Security, and the Commander of
17 the United States Strategic Command, shall jointly
18 brief the congressional defense committees on the
19 progress of the program described in subsection (a).

20 (2) CONTENTS.—Each briefing required under
21 paragraph (1) shall include—

22 (A) a description of significant achieve-
23 ments of the program described in subsection
24 (a) completed during the period specified in

1 paragraph (3) and any planned objectives that
2 were not achieved during such period;

3 (B) for the 180-day period following the
4 briefing—

5 (i) planned objectives for the pro-
6 grams; and

7 (ii) anticipated spending plans for the
8 programs;

9 (C) a description of any notable technical
10 hurdles that could impede timely completion of
11 the programs; and

12 (D) any other information the Under Sec-
13 retary of Defense for Acquisition and
14 Sustainment considers appropriate.

15 (3) PERIOD SPECIFIED.—The period specified
16 in this paragraph is—

17 (A) in the case of the first briefing re-
18 quired by paragraph (1), the 180-day period
19 preceding the briefing; and

20 (B) in the case of any subsequent such
21 briefing, the period since the previous such
22 briefing.

23 (4) TERMINATION.—The requirement to pro-
24 vide briefings under paragraph (1) shall terminate
25 on the date that the program described in subsection

1 (a) achieve initial operational capability, as defined
2 jointly by the Secretary of the Navy and the Com-
3 mander of United States Strategic Command.

4 (e) PHASE 6.X PROCESS DEFINED.—In this section,
5 the term “phase 6.X process” means the phase 6.X proc-
6 ess for major stockpile sustainment activities set forth in
7 the memorandum of the Nuclear Weapons Council entitled
8 “Procedural Guidelines for the Phase 6.X Process” and
9 dated April 19, 2000.

10 **SEC. 1619. OPERATIONAL TIMELINE FOR STRATEGIC AUTO-**
11 **MATED COMMAND AND CONTROL SYSTEM.**

12 (a) IN GENERAL.—The Secretary of the Air Force
13 shall develop a replacement of the Strategic Automated
14 Command and Control System (SACCS) by not later than
15 the date that the LGM–35A Sentinel intercontinental bal-
16 listic missile program reaches initial operational capa-
17 bility.

18 (b) REPLACEMENT CAPABILITIES.—The replacement
19 required by subsection (a) shall—

20 (1) replace the SACCS base processors;

21 (2) replace the SACCS processors at launch
22 control centers;

23 (3) provide internet protocol connectivity for
24 wing-wide command centers of the LGM–35A Sen-
25 tinel intercontinental ballistic missile program;

1 (4) include such other capabilities necessary to
2 address the evolving requirements of the LGM-35A
3 Sentinel intercontinental ballistic missile program as
4 the Secretary considers appropriate.

5 **SEC. 1620. AMENDMENT TO ANNUAL REPORT ON THE PLAN**
6 **FOR THE NUCLEAR WEAPONS STOCKPILE,**
7 **NUCLEAR WEAPONS COMPLEX, NUCLEAR**
8 **WEAPONS DELIVERY SYSTEMS, AND NU-**
9 **CLEAR WEAPONS COMMAND AND CONTROL**
10 **SYSTEMS.**

11 Section 492a of title 10, United States Code, is
12 amended by adding at the end the following new sub-
13 section:

14 “(d) INDEPENDENT ASSESSMENT BY UNITED
15 STATES STRATEGIC COMMAND.—

16 “(1) IN GENERAL.—Not later than 150 days
17 after the submission to Congress of the budget of
18 the President under section 1105(a) of title 31,
19 United States Code, the Commander of United
20 States Strategic Command shall complete an inde-
21 pendent assessment of the sufficiency of the execu-
22 tion of acquisition, construction, and recapitalization
23 programs of the Department of Defense and the Na-
24 tional Nuclear Security Administration to modernize

1 the nuclear forces of the United States and meet
2 current and future deterrence requirements.

3 “(2) CONTENTS.—The assessment required
4 under paragraph (1) shall evaluate the ongoing exe-
5 cution of modernization programs associated with—

6 “(A) the nuclear weapons design, produc-
7 tion, and sustainment infrastructure;

8 “(B) the nuclear weapons stockpile;

9 “(C) the delivery systems for nuclear weap-
10 ons; and

11 “(D) the nuclear command, control, and
12 communications system.

13 “(3) ROUTING AND SUBMISSION.—

14 “(A) SUBMISSION TO NUCLEAR WEAPONS
15 COUNCIL.—Not later than 15 days after com-
16 pletion of the assessment required by paragraph
17 (1), the Commander of United States Strategic
18 Command shall—

19 “(i) submit the assessment to the
20 Chairman of the Nuclear Weapons Council;
21 and

22 “(ii) notify the congressional defense
23 committees that the assessment has been
24 submitted to the Chairman of the Nuclear
25 Weapons Council.

1 “(B) SUBMISSION TO CONGRESS.—Not
2 later than 15 days after the Chairman of the
3 Nuclear Weapons Council receives the assess-
4 ment required by paragraph (1), the Chairman
5 shall transmit the assessment, without change,
6 to the congressional defense committees.”.

7 **SEC. 1621. TECHNICAL AMENDMENT TO ADDITIONAL RE-**
8 **PORT MATTERS ON STRATEGIC DELIVERY**
9 **SYSTEMS.**

10 Section 495(b) of title 10, United States Code, is
11 amended in the matter preceding paragraph (1)—

12 (1) by striking “before fiscal year 2020” and
13 inserting “prior to the expiration of the Treaty be-
14 tween the United States of America and the Russian
15 Federation on Measures for the Further Reduction
16 and Limitation of Strategic Offensive Arms, signed
17 on April 8, 2010, and entered into force on Feb-
18 ruary 5, 2011 (commonly referred to as the ‘New
19 START Treaty’)”; and

20 (2) by striking “1043 of the National Defense
21 Authorization Act for Fiscal Year 2012” and insert-
22 ing “492(a) of title 10, United States Code,”.

1 **SEC. 1622. AMENDMENT TO STUDY OF WEAPONS PRO-**
2 **GRAMS THAT ALLOW ARMED FORCES TO AD-**
3 **DRESS HARD AND DEEPLY BURIED TARGETS.**

4 Section 1674 of the National Defense Authorization
5 Act for Fiscal Year 2023 (Public Law 117–263) is amend-
6 ed—

7 (1) in subsection (e)—

8 (A) in the heading, by striking “ON USE
9 OF FUNDS”; and

10 (B) by striking “none of the funds author-
11 ized to be appropriated by this Act or otherwise
12 made available for fiscal year 2023 for the De-
13 partment of Defense or the Department of En-
14 ergy for the deactivation, dismantlement, or re-
15 tirement of the B83–1 nuclear gravity bomb
16 may be obligated or expended” and inserting
17 “neither the Secretary of Defense nor the Sec-
18 retary of Energy may take any action”; and

19 (2) in subsection (f), by striking “on the use of
20 funds under” and inserting “in”.

21 **SEC. 1623. LIMITATION ON USE OF FUNDS UNTIL PROVI-**
22 **SION OF DEPARTMENT OF DEFENSE INFOR-**
23 **MATION TO GOVERNMENT ACCOUNTABILITY**
24 **OFFICE.**

25 Of the funds authorized to be appropriated by this
26 Act for fiscal year 2024 for Operation and Maintenance,

1 Defense-wide, and available for the Office of the Under
2 Secretary of Defense for Policy, not more than 50 percent
3 may be obligated or expended until the date on which the
4 Comptroller General of the United States notifies the con-
5 gressional defense committees that the Secretary of De-
6 fense has fully complied with information requests by the
7 Government Accountability Office with respect to the con-
8 duct of the study required by section 1652 of the National
9 Defense Authorization Act for Fiscal Year 2022 (Public
10 Law 117–81; 135 Stat. 2100).

11 **SEC. 1624. MONITORING IRANIAN ENRICHMENT.**

12 (a) SIGNIFICANT ENRICHMENT ACTIVITY DE-
13 FINED.—In this section, the term “significant enrichment
14 activity” means—

15 (1) any enrichment of any amount of uranium–
16 235 to a purity percentage that is 5 percent higher
17 than the purity percentage indicated in the prior
18 submission to Congress under subsection (b)(1); or

19 (2) any enrichment of uranium–235 in a quan-
20 tity exceeding 10 kilograms.

21 (b) SUBMISSION TO CONGRESS.—

22 (1) IN GENERAL.—Not later than 48 hours
23 after the Director of National Intelligence assesses
24 that the Islamic Republic of Iran has produced or
25 possesses any amount of uranium–235 enriched to

1 greater than 60 percent purity or has engaged in
2 significant enrichment activity, the Director of Na-
3 tional Intelligence shall submit to Congress such as-
4 sessment, consistent with the protection of intel-
5 ligence sources and methods.

6 (2) DUPLICATION.—For any submission re-
7 quired by this subsection, the Director of National
8 Intelligence may rely upon existing products that re-
9 flect the current analytic judgment of the intel-
10 ligence community, including reports or products
11 produced in response to congressional mandate or
12 requests from executive branch officials.

13 **Subtitle C—Missile Defense**

14 **SEC. 1631. DESIGNATION OF OFFICIAL RESPONSIBLE FOR** 15 **MISSILE DEFENSE OF GUAM.**

16 Paragraph (1) of section 1660(b) of the James M.
17 Inhofe National Defense Authorization Act for Fiscal Year
18 2023 (Public Law 117–263) is amended to read as fol-
19 lows:

20 “(1) DESIGNATION.—The Secretary of Defense
21 shall designate the Under Secretary of Defense for
22 Acquisition and Sustainment as the senior official of
23 the Department of Defense who shall be responsible
24 for the missile defense of Guam during the period
25 preceding the date specified in paragraph (5).”.

1 **SEC. 1632. SELECTION OF A DIRECTOR OF THE MISSILE DE-**
2 **FENSE AGENCY.**

3 Subsection (a) of section 205 of title 10, United
4 States Code, is amended to read as follows:

5 “(a) DIRECTOR OF THE MISSILE DEFENSE AGEN-
6 CY.—There is a Director of the Missile Defense Agency
7 who shall be appointed for a period of six years by the
8 President from among the general officers on active duty
9 in the Army, Air Force, Marine Corps, or Space Force
10 or from among the flag officers on active duty in the
11 Navy.”.

12 **SEC. 1633. MODIFICATION OF REQUIREMENT FOR COMP-**
13 **TROLLER GENERAL OF THE UNITED STATES**
14 **REVIEW AND ASSESSMENT OF MISSILE DE-**
15 **FENSE ACQUISITION PROGRAMS.**

16 Section 232(a) of the National Defense Authorization
17 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
18 1339), as amended by section 1688 of the National De-
19 fense Authorization Act for Fiscal Year 2016 (Public Law
20 114–92; 129 Stat. 1144) and section 1644 of the William
21 M. (Mac) Thornberry National Defense Authorization Act
22 for Fiscal Year 2021 (Public Law 116–283; 134 Stat.
23 4062), is further amended—

24 (1) in paragraph (1), by striking “through
25 2025” and inserting “through 2030”;

1 (2) in paragraph (2), by striking “through
2 2026” and inserting “through 2031”; and

3 (3) in paragraph (3)—

4 (A) in the paragraph heading, by striking
5 “EMERGING” and inserting “OTHER DEPART-
6 MENT OF DEFENSE MISSILE DEFENSE ACQUI-
7 TION EFFORTS AND RELATED”;

8 (B) by striking “emerging issues and” and
9 inserting “emerging issues, any Department of
10 Defense missile defense acquisition efforts, and
11 any other related issue and”; and

12 (C) by inserting “on a mutually agreed
13 upon date” before the period at the end.

14 **SEC. 1634. IRON DOME SHORT-RANGE ROCKET DEFENSE**
15 **SYSTEM AND ISRAELI COOPERATIVE MISSILE**
16 **DEFENSE PROGRAM CO-DEVELOPMENT AND**
17 **CO-PRODUCTION.**

18 (a) IRON DOME SHORT-RANGE ROCKET DEFENSE
19 SYSTEM.—

20 (1) AVAILABILITY OF FUNDS.—Of the funds
21 authorized to be appropriated by this Act for fiscal
22 year 2024 for procurement, Defense-wide, and avail-
23 able for the Missile Defense Agency, not more than
24 \$80,000,000 may be provided to the Government of
25 Israel to procure components for the Iron Dome

1 short-range rocket defense system through co-pro-
2 duction of such components in the United States by
3 industry of the United States.

4 (2) CONDITIONS.—

5 (A) AGREEMENT.—Funds described in
6 paragraph (1) for the Iron Dome short-range
7 rocket defense program shall be available sub-
8 ject to the terms and conditions in the Agree-
9 ment Between the Department of Defense of
10 the United States of America and the Ministry
11 of Defense of the State of Israel Concerning
12 Iron Dome Defense System Procurement,
13 signed on March 5, 2014, as amended to in-
14 clude co-production for Tamir interceptors.

15 (B) CERTIFICATION.—Not later than 30
16 days prior to the initial obligation of funds de-
17 scribed in paragraph (1), the Under Secretary
18 of Defense for Acquisition and Sustainment
19 shall submit to the appropriate congressional
20 committees—

21 (i) a certification that the amended bi-
22 lateral international agreement specified in
23 subparagraph (A) is being implemented as
24 provided in such agreement;

1 (ii) an assessment detailing any risks
2 relating to the implementation of such
3 agreement; and

4 (iii) for system improvements result-
5 ing in modified Iron Dome components
6 and Tamir interceptor sub-components, a
7 certification that the Government of Israel
8 has demonstrated successful completion of
9 Production Readiness Reviews, including
10 the validation of production lines, the
11 verification of component conformance,
12 and the verification of performance to
13 specification as defined in the Iron Dome
14 Defense System Procurement Agreement,
15 as further amended.

16 (b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
17 GRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUC-
18 TION.—

19 (1) IN GENERAL.—Subject to paragraph (3), of
20 the funds authorized to be appropriated for fiscal
21 year 2024 for procurement, Defense-wide, and avail-
22 able for the Missile Defense Agency not more than
23 \$40,000,000 may be provided to the Government of
24 Israel to procure the David's Sling Weapon System,

1 including for co-production of parts and components
2 in the United States by United States industry.

3 (2) AGREEMENT.—Provision of funds specified
4 in paragraph (1) shall be subject to the terms and
5 conditions in the bilateral co-production agreement,
6 including—

7 (A) a one-for-one cash match is made by
8 Israel or in another matching amount that oth-
9 erwise meets best efforts (as mutually agreed to
10 by the United States and Israel); and

11 (B) co-production of parts, components,
12 and all-up rounds (if appropriate) in the United
13 States by United States industry for the Da-
14 vid's Sling Weapon System is not less than 50
15 percent.

16 (3) CERTIFICATION AND ASSESSMENT.—The
17 Under Secretary of Defense for Acquisition and
18 Sustainment shall submit to the appropriate con-
19 gressional committees—

20 (A) a certification that the Government of
21 Israel has demonstrated the successful comple-
22 tion of the knowledge points, technical mile-
23 stones, and Production Readiness Reviews re-
24 quired by the research, development, and tech-
25 nology agreement and the bilateral co-produce-

1 tion agreement for the David's Sling Weapon
2 System; and

3 (B) an assessment detailing any risks re-
4 lating to the implementation of such agreement.

5 (c) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
6 GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM
7 CO-PRODUCTION.—

8 (1) IN GENERAL.—Subject to paragraph (2), of
9 the funds authorized to be appropriated for fiscal
10 year 2024 for procurement, Defense-wide, and avail-
11 able for the Missile Defense Agency not more than
12 \$80,000,000 may be provided to the Government of
13 Israel for the Arrow 3 Upper Tier Interceptor Pro-
14 gram, including for co-production of parts and com-
15 ponents in the United States by United States in-
16 dustry.

17 (2) CERTIFICATION.—The Under Secretary of
18 Defense for Acquisition and Sustainment shall sub-
19 mit to the appropriate congressional committees a
20 certification that—

21 (A) the Government of Israel has dem-
22 onstrated the successful completion of the
23 knowledge points, technical milestones, and
24 Production Readiness Reviews required by the
25 research, development, and technology agree-

1 ment for the Arrow 3 Upper Tier Interceptor
2 Program;

3 (B) funds specified in paragraph (1) will
4 be provided on the basis of a one-for-one cash
5 match made by Israel or in another matching
6 amount that otherwise meets best efforts (as
7 mutually agreed to by the United States and
8 Israel);

9 (C) the United States has entered into a
10 bilateral international agreement with Israel
11 that establishes, with respect to the use of such
12 funds—

13 (i) in accordance with subparagraph
14 (D), the terms of co-production of parts
15 and components on the basis of the great-
16 est practicable co-production of parts, com-
17 ponents, and all-up rounds (if appropriate)
18 by United States industry and minimizes
19 nonrecurring engineering and facilitization
20 expenses to the costs needed for co-produc-
21 tion;

22 (ii) complete transparency on the re-
23 quirement of Israel for the number of
24 interceptors and batteries that will be pro-
25 cured, including with respect to the pro-

1 curement plans, acquisition strategy, and
2 funding profiles of Israel;

3 (iii) technical milestones for co-pro-
4 duction of parts and components and pro-
5 curement;

6 (iv) a joint affordability working
7 group to consider cost reduction initiatives;
8 and

9 (v) joint approval processes for third-
10 party sales; and

11 (D) the level of co-production described in
12 subparagraph (C)(i) for the Arrow 3 Upper
13 Tier Interceptor Program is not less than 50
14 percent.

15 (d) NUMBER.—In carrying out paragraph (2) of sub-
16 section (b) and paragraph (2) of subsection (c), the Under
17 Secretary may submit—

18 (1) one certification covering both the David’s
19 Sling Weapon System and the Arrow 3 Upper Tier
20 Interceptor Program; or

21 (2) separate certifications for each respective
22 system.

23 (e) TIMING.—The Under Secretary shall submit to
24 the congressional defense committees the certification and
25 assessment under subsection (b)(3) and the certification

1 under subsection (c)(2) no later than 30 days before the
2 funds specified in paragraph (1) of subsections (b) and
3 (c) for the respective system covered by the certification
4 are provided to the Government of Israel.

5 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
6 FINED.—In this section, the term “appropriate congres-
7 sional committees” means the following:

8 (1) The congressional defense committees.

9 (2) The Committee on Foreign Relations of the
10 Senate and the

11 (3) Committee on Foreign Affairs of the House
12 of Representatives.

13 **SEC. 1635. MODIFICATION OF SCOPE OF PROGRAM AC-**
14 **COUNTABILITY MATRICES REQUIREMENTS**
15 **FOR NEXT GENERATION INTERCEPTORS FOR**
16 **MISSILE DEFENSE OF THE UNITED STATES**
17 **HOMELAND.**

18 Section 1668(f) of the National Defense Authoriza-
19 tion Act for Fiscal Year 2022 (Public Law 117–81) is
20 amended—

21 (1) by inserting “and the product development
22 phase” after “technology development phase” each
23 place is appears; and

1 (2) in paragraph (7), by striking “enter the
2 product development phase” and inserting “enter
3 the production phase”.

4 **SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR**
5 **OFFICE OF COST ASSESSMENT AND PRO-**
6 **GRAM EVALUATION UNTIL SUBMISSION OF**
7 **MISSILE DEFENSE ROLES AND RESPONSIBIL-**
8 **ITIES REPORT.**

9 Of the funds authorized to be appropriated for fiscal
10 year 2024 by section 301 for operation and maintenance,
11 Defense-wide, and available for the Office of Cost Assess-
12 ment and Program Evaluation, not more than 50 percent
13 may be obligated or expended until the date on which the
14 Secretary of Defense submits to the congressional defense
15 committees the report required by section 1675(b) of the
16 National Defense Authorization Act for Fiscal Year 2022
17 (Public Law 117–81).

18 **SEC. 1637. INTEGRATED AIR AND MISSILE DEFENSE ARCHI-**
19 **TECTURE FOR THE INDO-PACIFIC REGION.**

20 (a) **STRATEGY REQUIRED.**—The Commander of
21 United States Indo-Pacific Command shall, in coordina-
22 tion with the Under Secretary of Defense for Acquisition
23 and Sustainment, the Commander of United States
24 Northern Command, the Director of the Missile Defense
25 Agency, and the Director of the Joint Integrated Air and

1 Missile Defense Organization, develop a comprehensive
2 strategy for developing, acquiring, and operationally estab-
3 lishing an integrated air and missile defense architecture
4 for the United States Indo-Pacific Command area of re-
5 sponsibility.

6 (b) STRATEGY COMPONENTS.—At a minimum, the
7 strategy required by subsection (a) shall address the fol-
8 lowing:

9 (1) The sensing, tracking, and intercepting ca-
10 pabilities required to address the full range of cred-
11 ible missile threats to—

12 (A) the Hawaiian Islands;

13 (B) the island of Guam and other islands
14 in the greater Marianas region, as determined
15 necessary by the Commander of United States
16 Indo-Pacific Command;

17 (C) other United States territories within
18 the area of responsibility of United States Indo-
19 Pacific Command; and

20 (D) United States forces deployed within
21 the territories of other nations within such area
22 of responsibility.

23 (2) The appropriate balance of missile detec-
24 tion, tracking, defense, and defeat capabilities within
25 such area of responsibility.

1 (3) A command and control network for inte-
2 grating missile detection, tracking, defense, and de-
3 feat capabilities across such area of responsibility.

4 (4) A time-phased scheduling construct for
5 fielding the constituent systems that will comprise
6 the integrated air and missile defense architecture
7 for such area of responsibility.

8 (c) ANNUAL REPORT.—

9 (1) IN GENERAL.—Not later than March 15,
10 2024, and not less frequently than once each year
11 thereafter, the Commander of United States Indo-
12 Pacific Command shall, in coordination with the
13 Under Secretary of Defense for Acquisition and
14 Sustainment, the Commander of United States
15 Northern Command, the Director of the Missile De-
16 fense Agency, and the Director of the Joint Inte-
17 grated Air and Missile Defense Organization, submit
18 to the congressional defense committees an annual
19 report outlining the following with regard to the
20 strategy developed pursuant to subsection (a):

21 (A) The activities conducted and progress
22 made in developing and implementing the strat-
23 egy over the previous calendar year.

1 (B) The planned activities for developing
2 and implementing the strategy in the upcoming
3 year.

4 (C) A description of likely risks and im-
5 pediments to the successful implementation of
6 the strategy.

7 (2) TERMINATION.—The requirements of para-
8 graph (1) shall terminate on the earlier of the fol-
9 lowing:

10 (A) March 15, 2029.

11 (B) The date on which a comprehensive in-
12 tegrated air and missile defense architecture for
13 the area of responsibility of United States Indo-
14 Pacific Command has achieved initial oper-
15 ational capability, as determined jointly by the
16 Commander of United States Indo-Pacific Com-
17 mand and the Director of the Missile Defense
18 Agency.

19 (d) LIMITATIONS.—Of the equipment and compo-
20 nents previously procured by the Department of Defense
21 for the purposes of constructing the Homeland Defense
22 Radar—Hawaii, none of such assets may be repurposed for
23 other uses until the first annual report required by sub-
24 section (c)(1) is submitted to the congressional defense
25 committees pursuant to such subsection.

1 **SEC. 1638. MODIFICATION OF NATIONAL MISSILE DEFENSE**

2 **POLICY.**

3 Section 1681(a) of the of the National Defense Au-
4 thorization Act for fiscal year 2017 (Public Law 114–328;
5 10 U.S.C. 4205 note) is amended to read as follows:

6 “(a) **POLICY.**—It is the policy of the United States
7 to—

8 “(1) maintain and improve, with funding sub-
9 ject to the annual authorization of appropriations
10 and the annual appropriation of funds for National
11 Missile Defense—

12 “(A) an effective, layered missile defense
13 system capable of defending the territory of the
14 United States against the developing and in-
15 creasingly complex missile threat; and

16 “(B) an effective regional missile defense
17 system capable of defending the allies, partners,
18 and deployed forces of the United States
19 against increasingly complex missile threats;
20 and

21 “(2) rely on nuclear deterrence to address more
22 sophisticated and larger quantity near-peer inter-
23 continental missile threats to the homeland of the
24 United States.”.

1 **Subtitle D—Other Matters**

2 **SEC. 1641. ELECTRONIC WARFARE.**

3 (a) IN GENERAL.—Part I of subtitle A of title 10,
4 United States Code, is amended by adding at the end the
5 following new chapter:

6 **“CHAPTER 25—ELECTRONIC WARFARE**

“Sec.

“500. Electronic Warfare Executive Committee.

“500a. Guidance on the electronic warfare mission area and joint electro-
magnetic spectrum operations.

“500b. Annual report on electronic warfare strategy of the Department of De-
fense.

“500c. Annual assessment of budget with respect to electronic warfare capabili-
ties.

“500d. Electromagnetic spectrum superiority implementation plan.

“500e. Electromagnetic Spectrum Enterprise Operational Lead for Joint Elec-
tromagnetic Spectrum Operations.

“500f. Evaluations of abilities of armed forces and combatant commands to per-
form electromagnetic spectrum operations missions.

7 **“§ 500. Electronic Warfare Executive Committee**

8 “(a) IN GENERAL.—There is within the Department
9 of Defense an Electronic Warfare Executive Committee
10 (in this section referred to as the ‘Executive Committee’).

11 “(b) PURPOSES.—The Executive Committee shall—

12 “(1) serve as the principal forum within the De-
13 partment of Defense to inform, coordinate, and
14 evaluate matters relating to electronic warfare;

15 “(2) provide senior oversight, coordination, and
16 budget and capability harmonization with respect to
17 such matters; and

18 “(3) act as an advisory body to the Secretary
19 of Defense, the Deputy Secretary of Defense, and

1 the Management Action Group of the Deputy Sec-
2 retary with respect to such matters.

3 “(c) RESPONSIBILITIES.—The Executive Committee
4 shall—

5 “(1) advise key senior level decision-making
6 bodies of the Department of Defense with respect to
7 the development and implementation of acquisition
8 investments relating to electronic warfare and elec-
9 tromagnetic spectrum operations of the Department,
10 including relevant acquisition policies, projects, pro-
11 grams, modeling, and test and evaluation infrastruc-
12 ture;

13 “(2) provide a forum to enable synchronization
14 and integration support with respect to the develop-
15 ment and acquisition of electronic warfare capabili-
16 ties—

17 “(A) by aligning the processes of the De-
18 partment for requirements, research, develop-
19 ment, acquisition, testing, and sustainment; and

20 “(B) carrying out other related duties; and

21 “(3) act as the senior level review forum for the
22 portfolio of capability investments of the Depart-
23 ment relating to electronic warfare and electro-
24 magnetic spectrum operations and other related
25 matters.

1 “(d) COORDINATION WITH INTELLIGENCE COMMU-
2 NITY.—The Executive Committee, acting through the
3 Under Secretary of Defense for Intelligence and Security,
4 shall coordinate with the intelligence community (as de-
5 fined in section 3 of the National Security Act of 1947
6 (50 U.S.C. 3003)) to generate requirements, facilitate col-
7 laboration, establish interfaces, and align efforts of the
8 Department of Defense with respect to electronic warfare
9 capability and acquisition with efforts of the intelligence
10 community relating to electronic warfare capability and
11 acquisition in areas of dependency or mutual interest be-
12 tween the Department and the intelligence community.

13 “(e) MEETINGS.—

14 “(1) FREQUENCY.—The Executive Committee
15 shall hold meetings not less frequently than quar-
16 terly and as necessary to address particular issues.

17 “(2) FORM.—The Executive Committee may
18 hold meetings by videoconference.

19 “(f) MEMBERSHIP.—

20 “(1) IN GENERAL.—The Executive Committee
21 shall be composed of the following principal mem-
22 bers:

23 “(A) The Under Secretary of Defense for
24 Acquisition and Sustainment.

1 “(B) The Vice Chairman of the Joint
2 Chiefs of Staff.

3 “(C) The Under Secretary of Defense for
4 Intelligence and Security.

5 “(D) The Under Secretary of Defense for
6 Policy.

7 “(E) The Commander of the United States
8 Strategic Command.

9 “(F) The Chief Information Officer of the
10 Department of Defense.

11 “(G) Such other Federal officers or em-
12 ployees as the Secretary of Defense considers
13 appropriate, consistent with other authorities of
14 the Department of Defense and publications of
15 the Joint Staff, including the Charter for the
16 Electronic Warfare Executive Committee, dated
17 March 17, 2015.

18 “(g) CO-CHAIRS OF EXECUTIVE COMMITTEE.—

19 “(1) IN GENERAL.—The Under Secretary of
20 Defense for Acquisition and Sustainment and the
21 Vice Chairman of the Joint Chiefs of Staff, or their
22 designees, shall serve as co-chairs of the Executive
23 Committee.

24 “(2) RESPONSIBILITIES OF CO-CHAIRS.—The
25 co-chairs of the Executive Committee shall—

1 “(A) preside at all Executive Committee
2 meetings or have their designees preside at such
3 meetings;

4 “(B) provide administrative control of the
5 Executive Committee;

6 “(C) jointly guide the activities and actions
7 of the Executive Committee;

8 “(D) approve all agendas for and sum-
9 maries of meetings of the Executive Committee;

10 “(E) charter tailored working groups to
11 conduct mission area analysis, as required,
12 under subsection (i); and

13 “(F) perform such other duties as may be
14 necessary to ensure the good order and func-
15 tioning of the Executive Committee.

16 “(h) ELECTRONIC WARFARE CAPABILITY TEAM.—

17 “(1) IN GENERAL.—There is within the Execu-
18 tive Committee an electronic warfare capability
19 team, which shall—

20 “(A) serve as a flag officer level focus
21 group and executive secretariat subordinate to
22 the Executive Committee; and

23 “(B) in that capacity—

24 “(i) provide initial senior level coordi-
25 nation on key electronic warfare issues;

1 “(ii) prepare recommended courses of
2 action to present to the Executive Com-
3 mittee; and

4 “(iii) perform other related duties.

5 “(2) CO-CHAIRS.—The electronic warfare capa-
6 bility team shall be co-chaired by one representative
7 from the Office of the Under Secretary of Defense
8 for Acquisition and Sustainment and one representa-
9 tive from the Force Structure, Resources, and As-
10 sessment Directorate of the Joint Staff (J-8).

11 “(3) STAFF.—The principal members of the
12 Executive Committee shall designate representatives
13 from their respective staffs to the electronic warfare
14 capability team.

15 “(i) MISSION AREA WORKING GROUPS.—

16 “(1) IN GENERAL.—The Executive Committee
17 shall establish mission area working groups on a
18 temporary basis—

19 “(A) to address specific issues and mission
20 areas relating to electronic warfare and electro-
21 magnetic spectrum operations;

22 “(B) to involve subject matter experts and
23 components of the Department of Defense with
24 expertise in electronic warfare and electro-
25 magnetic spectrum operations; and

1 “(C) to perform other related duties.

2 “(2) DISSOLUTION.—The Executive Committee
3 shall dissolve a mission area working group estab-
4 lished under paragraph (1) once the issue the work-
5 ing group was established to address is satisfactorily
6 resolved.

7 “(j) ADMINISTRATION.—The Under Secretary of De-
8 fense for Acquisition and Sustainment shall administra-
9 tively support the Executive Committee, including by des-
10 ignating not fewer than two officials of the Department
11 of Defense to support the day-to-day operations of the Ex-
12 ecutive Committee.

13 “(k) REPORT TO CONGRESS.—Not later than Feb-
14 ruary 28, 2024, and annually thereafter through 2030, the
15 Executive Committee shall submit to the congressional de-
16 fense committees a summary of activities of the Executive
17 Committee during the preceding fiscal year.

18 **“§ 500a. Guidance on the electronic warfare mission**
19 **area and joint electromagnetic spectrum**
20 **operations**

21 “The Secretary of Defense shall—

22 “(1) establish processes and procedures to de-
23 velop, integrate, and enhance the electronic warfare
24 mission area and the conduct of joint electro-

1 magnetic spectrum operations in all domains across
2 the Department of Defense; and

3 “(2) ensure that such processes and procedures
4 provide for integrated defense-wide strategy, plan-
5 ning, and budgeting with respect to the conduct of
6 such operations by the Department, including activi-
7 ties conducted to counter and deter such operations
8 by malign actors.

9 **“§ 500b. Annual report on electronic warfare strategy**
10 **of the Department of Defense**

11 “(a) IN GENERAL.—At the same time as the Presi-
12 dent submits to Congress the budget of the President
13 under section 1105(a) of title 31 for each of fiscal years
14 2025 through 2029, the Secretary of Defense, in coordina-
15 tion with the Chairman of the Joint Chiefs of Staff and
16 the Secretary of each of the military departments, shall
17 submit to the congressional defense committees an annual
18 report on the electronic warfare strategy of the Depart-
19 ment of Defense.

20 “(b) CONTENTS OF REPORT.—Each report required
21 under subsection (a) shall include each of the following:

22 “(1) A description and overview of—

23 “(A) the electronic warfare strategy of the
24 Department of Defense;

1 “(B) how such strategy supports the Na-
2 tional Defense Strategy; and

3 “(C) the organizational structure assigned
4 to oversee the development of the Department’s
5 electronic warfare strategy, requirements, capa-
6 bilities, programs, and projects.

7 “(2) A list of all the electronic warfare acquisi-
8 tion programs and research and development
9 projects of the Department of Defense and a de-
10 scription of how each program or project supports
11 the Department’s electronic warfare strategy.

12 “(3) For each unclassified program or project
13 on the list required by paragraph (2)—

14 “(A) the senior acquisition executive and
15 organization responsible for oversight of the
16 program or project;

17 “(B) whether or not validated require-
18 ments exist for the program or project and, if
19 such requirements do exist, the date on which
20 the requirements were validated and the organi-
21 zational authority that validated such require-
22 ments;

23 “(C) the total amount of funding appro-
24 priated, obligated, and forecasted by fiscal year
25 for the program or project, including the pro-

1 gram element or procurement line number from
2 which the program or project receives funding;

3 “(D) the development or procurement
4 schedule for the program or project;

5 “(E) an assessment of the cost, schedule,
6 and performance of the program or project as
7 it relates to the program baseline for the pro-
8 gram or project, as of the date of the submis-
9 sion of the report, and the original program
10 baseline for such program or project, if such
11 baselines are not the same;

12 “(F) the technology readiness level of each
13 critical technology that is part of the program
14 or project;

15 “(G) whether or not the program or
16 project is redundant or overlaps with the efforts
17 of another military department; and

18 “(H) the capability gap that the program
19 or project is being developed or procured to ful-
20 fill.

21 “(4) A classified annex that contains the items
22 described in subparagraphs (A) through (H) of
23 paragraph (3) for each classified program or project
24 on the list required by paragraph (2).

1 **“§ 500c. Annual assessment of budget with respect to**
2 **electronic warfare capabilities**

3 “At the same time as the President submits to Con-
4 gress the budget of the President under section 1105(a)
5 of title 31 for each of fiscal years 2025 through 2029,
6 the Secretary of Defense shall submit to the congressional
7 defense committees an assessment by the Director of Cost
8 Assessment and Program Evaluation as to whether suffi-
9 cient funds are requested in such budget for anticipated
10 activities in such fiscal year for each of the following:

11 “(1) The development of an electromagnetic
12 battle management capability for joint electro-
13 magnetic spectrum operations.

14 “(2) The establishment and operation of associ-
15 ated joint electromagnetic spectrum operations cells.

16 **“§ 500d. Electromagnetic spectrum superiority imple-**
17 **mentation plan**

18 “(a) IN GENERAL.—The Chief Information Officer of
19 the Department of Defense shall be responsible for over-
20 sight of the electromagnetic superiority implementation
21 plan.

22 “(b) REPORT REQUIRED.—Concurrent with the sub-
23 mission of the budget of the President to Congress under
24 section 1105(a) of title 31 for each of fiscal years 2025
25 through 2029, the Chief Information Officer shall submit
26 to the congressional defense committees a report that in-

1 cludes the following with respect to the electromagnetic
2 superiority implementation plan:

3 “(1) The implementation plan in effect as of
4 the date of the report, noting any revisions from the
5 preceding plan.

6 “(2) A statement of the elements of the imple-
7 mentation plan that have been achieved.

8 “(3) For each element that has been achieved,
9 an assessment of whether the element is having its
10 intended effect.

11 “(4) For any element that has not been
12 achieved, an assessment of progress made in achiev-
13 ing the element, including a description of any ob-
14 stacles that may hinder further progress.

15 “(5) For any element that has been removed
16 from the implementation plan, a description of the
17 reason for the removal of the element and an assess-
18 ment of the impact of not pursuing achievement of
19 the element.

20 “(6) Such additional matters as the Chief In-
21 formation Officer considers appropriate.

22 “(c) ELECTROMAGNETIC SUPERIORITY IMPLEMEN-
23 TATION PLAN DEFINED.—In this section, the term ‘elec-
24 tromagnetic superiority implementation plan’ means the
25 Electromagnetic Superiority Implementation Plan signed

1 by the Secretary of Defense on July 15, 2021, and any
2 successor plan.

3 **“§ 500e. Electromagnetic Spectrum Enterprise Oper-**
4 **ational Lead for Joint Electromagnetic**
5 **Spectrum Operations**

6 “(a) IN GENERAL.—Not later than 30 days after the
7 date of the enactment of the National Defense Authoriza-
8 tion Act for Fiscal Year 2024, the Secretary of Defense
9 shall establish an Electromagnetic Spectrum Enterprise
10 Operational Lead for Joint Electromagnetic Spectrum Op-
11 erations (in this section referred to as the ‘operational
12 lead’) at the United States Strategic Command, which
13 shall report to the Commander of the United States Stra-
14 tegic Command.

15 “(b) FUNCTION.—The operational lead shall be re-
16 sponsible for synchronizing, assessing, and making rec-
17 ommendations to the Chairman of the Joint Chiefs of
18 Staff with respect to the readiness of the combatant com-
19 mands to conduct joint electromagnetic spectrum oper-
20 ations.

21 “(c) BRIEFINGS REQUIRED.—Concurrent with the
22 submission of the budget of the President to Congress
23 under section 1105(a) of title 31 for each of fiscal years
24 2025 through 2029, the Chairman, acting through the

1 operational lead, shall brief to the congressional defense
2 committees on the following:

3 “(1) Progress made in achieving full oper-
4 ational capability to conduct joint electromagnetic
5 spectrum operations and any impediments to achiev-
6 ing such capability.

7 “(2) The readiness of the combatant commands
8 to conduct such operations.

9 “(3) Recommendations for overcoming any defi-
10 ciencies in the readiness of the combatant commands
11 to conduct such operations and any material gaps
12 contributing to such deficiencies.

13 “(4) Such other matters as the Chairman con-
14 siders important to ensuring that the combatant
15 commands are capable of conducting such oper-
16 ations.

17 **“§ 500f. Evaluations of abilities of armed forces and**
18 **combatant commands to perform electro-**
19 **magnetic spectrum operations missions**

20 “(a) EVALUATIONS OF ARMED FORCES.—

21 “(1) IN GENERAL.—Not later than October 1,
22 2024, and annually thereafter through 2029, the
23 Chief of Staff of the Army, the Chief of Naval Oper-
24 ations, the Chief of Staff of the Air Force, the Com-
25 mandant of the Marine Corps, and the Chief of

1 Space Operations shall each carry out an evaluation
2 of the ability of the armed force concerned to per-
3 form electromagnetic spectrum operations missions
4 required by each of the following:

5 “(A) The Electromagnetic Spectrum Supe-
6 riority Strategy.

7 “(B) The Joint Staff-developed concept of
8 operations for electromagnetic spectrum oper-
9 ations.

10 “(C) The operations and contingency plans
11 of the combatant commands.

12 “(2) CERTIFICATION REQUIRED.—Not later
13 than December 31 of each year in which evaluations
14 are required under paragraph (1), each official spec-
15 ified in that paragraph shall certify to the congres-
16 sional defense committees that the evaluation re-
17 quired to be carried out by that official has oc-
18 curred.

19 “(3) ELEMENTS.—Each evaluation under para-
20 graph (1) shall include an assessment of the fol-
21 lowing:

22 “(A) Current programs of record, includ-
23 ing—

1 “(i) the ability of weapon systems to
2 perform missions in contested electro-
3 magnetic spectrum environments; and

4 “(ii) the ability of electronic warfare
5 capabilities to disrupt adversary oper-
6 ations.

7 “(B) Future programs of record, includ-
8 ing—

9 “(i) the need for distributed or net-
10 work-centric electronic warfare and signals
11 intelligence capabilities; and

12 “(ii) the need for automated and ma-
13 chine learning- or artificial intelligence-as-
14 sisted electronic warfare capabilities.

15 “(C) Order of battle.

16 “(D) Individual and unit training.

17 “(E) Tactics, techniques, and procedures,
18 including—

19 “(i) maneuver, distribution of assets,
20 and the use of decoys; and

21 “(ii) integration of non-kinetic and ki-
22 netic fires.

23 “(F) Other matters relevant to evaluating
24 the ability of the armed force concerned to per-

1 form electromagnetic spectrum operations mis-
2 sions described in paragraph (1).

3 “(b) EVALUATIONS OF COMBATANT COMMANDS.—

4 “(1) IN GENERAL.—Not later than October 1,
5 2024, and annually thereafter through 2029, the
6 Chairman of the Joint Chiefs of Staff, acting
7 through the Electromagnetic Spectrum Enterprise
8 Operational Lead for Joint Electromagnetic Spec-
9 trum Operations established under section 500e (in
10 this section referred to as the ‘operational lead’),
11 shall carry out an evaluation of the plans and pos-
12 ture of the combatant commands to execute the elec-
13 tromagnetic spectrum operations envisioned in each
14 of the following:

15 “(A) The Electromagnetic Spectrum Supe-
16 riority Strategy.

17 “(B) The Joint Staff-developed concept of
18 operations for electromagnetic spectrum oper-
19 ations.

20 “(2) ELEMENTS.—Each evaluation under para-
21 graph (1) shall include an assessment, as relevant,
22 of the following:

23 “(A) Operation and contingency plans.

1 “(B) The manning, organizational align-
2 ment, and capability of joint electromagnetic
3 spectrum operations cells.

4 “(C) Mission rehearsal and exercises.

5 “(D) Force positioning, posture, and readi-
6 ness.

7 “(3) BRIEFING REQUIRED.—Not later than De-
8 cember 31 of each year in which an evaluation is re-
9 quired under paragraph (A), the Chairman of the
10 Joint Chiefs of Staff, acting through the operational
11 lead, shall brief the congressional defense commit-
12 tees on the results of the evaluation.”.

13 (b) CLERICAL AMENDMENT.—The tables of chapters
14 at the beginning of subtitle A of title 10, United States
15 Code, and at the beginning of part I of such subtitle, are
16 each amended by inserting after the item relating to chap-
17 ter 24 the following new item:

 “25. Electronic Warfare 500”.

18 (c) CONFORMING REPEAL.—Section 1053 of the
19 John S. McCain National Defense Authorization Act for
20 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 113
21 note) is repealed.

1 **SEC. 1642. STUDY ON THE FUTURE OF THE INTEGRATED**
2 **TACTICAL WARNING ATTACK ASSESSMENT**
3 **SYSTEM.**

4 (a) **IN GENERAL.**—The Chairman of the Joint Chiefs
5 of Staff shall enter into an agreement with a federally
6 funded research and development center—

7 (1) to conduct a study on the future of the In-
8 tegrated Tactical Warning Attack Assessment Sys-
9 tem (ITW/AA); and

10 (2) to submit to the Chairman a report on the
11 findings of the center with respect to the study con-
12 ducted under paragraph (1).

13 (b) **ELEMENTS.**—The study conducted pursuant to
14 an agreement under subsection (a) shall cover the fol-
15 lowing:

16 (1) Future air and missile threats to the United
17 States.

18 (2) The integration of multi-domain sensor data
19 and their ground systems with the existing architec-
20 ture of the Integrated Tactical Warning Attack As-
21 sessment System.

22 (3) The effect of the integration described in
23 paragraph (2) on the data reliability standards of
24 the Integrated Tactical Warning Attack Assessment
25 System.

1 (4) Future data visualization, conferencing, and
2 decisionmaking capabilities of such system.

3 (5) Such other matters as the Chairman con-
4 siders relevant to the study.

5 (c) REPORT.—Not later than 270 days after the date
6 of the enactment of this Act, the Chairman shall submit
7 to the congressional defense committees—

8 (1) the report submitted to the Chairman under
9 subsection (a)(2); and

10 (2) the assessment of the Chairman with re-
11 spect to the findings in such report and the rec-
12 ommendations of the Chairman with respect to mod-
13 ernizing the Integrated Tactical Warning Attack As-
14 sessment System.

15 **SEC. 1643. COMPREHENSIVE REVIEW OF ELECTRONIC WAR-**
16 **FARE TEST RANGES AND FUTURE CAPABILI-**
17 **TIES.**

18 (a) IN GENERAL.—The Under Secretary of Defense
19 for Research and Engineering, in consultation with the
20 Chairman of the Joint Chiefs of Staff, shall conduct a
21 comprehensive review of any deficiencies in the capacity
22 of the electronic warfare test ranges and future electronic
23 warfare capabilities of the Department of Defense relating
24 to current and future global threats, research and develop-

1 ment efforts, modeling, and electromagnetic and physical
2 encroachment of the test ranges.

3 (b) ELEMENTS.—The review required by subsection
4 (a) shall consider the following:

5 (1) Each electronic warfare test range, its size,
6 any distinguishing features, and its electronic war-
7 fare capabilities.

8 (2) The electronic warfare capabilities that are
9 best practiced at which range and any encroachment
10 issues between ranges.

11 (3) Future electronic warfare capabilities and
12 planned acquisitions.

13 (4) Any modeling the Test Resource Manage-
14 ment Center has done on incorporating future or
15 planned electronic warfare capabilities into the cur-
16 rent test ranges.

17 (5) Any other matter the Under Secretary con-
18 siders necessary.

19 (c) BRIEFING REQUIRED.—Not later than March 31,
20 2024, the Under Secretary shall provide the congressional
21 defense committees with a briefing on the findings of the
22 review required by subsection (a) that includes—

23 (1) an assessment of any deficiency in the elec-
24 tronic warfare test ranges and future electronic war-

1 fare capabilities of the Department of Defense iden-
2 tified in the review; and

3 (2) a plan to address any such deficiency in a
4 timely manner.

5 **SEC. 1644. EXTENSION OF AUTHORIZATION FOR PROTEC-**
6 **TION OF CERTAIN FACILITIES AND ASSETS**
7 **FROM UNMANNED AIRCRAFT.**

8 Section 130i(i) of title 10, United States Code, is
9 amended by striking “2023” both places it appears and
10 inserting “2026”.

11 **SEC. 1645. ADDRESSING SERIOUS DEFICIENCIES IN ELEC-**
12 **TRONIC PROTECTION OF SYSTEMS THAT OP-**
13 **ERATE IN THE RADIO FREQUENCY SPEC-**
14 **TRUM.**

15 (a) IN GENERAL.—The Secretary of Defense shall
16 take such actions as the Secretary considers necessary and
17 practicable—

18 (1) to establish requirements for and assign
19 sufficient priority to ensuring electronic protection of
20 sensor, navigation, and communications systems and
21 subsystems against jamming, spoofing, and unin-
22 tended interference from military systems; and

23 (2) to provide management oversight and super-
24 vision of the military departments to ensure elec-
25 tronic protection of military systems that emit and

1 receive in radio frequencies against modern threats
2 and interference from military systems operating in
3 the same or adjacent radio frequency of Federal
4 spectrum.

5 (b) SPECIFIC REQUIRED ACTIONS.—The Secretary
6 shall require the military departments and combat support
7 agencies to—

8 (1) develop and approve requirements, through
9 the Joint Requirements Oversight Council as appro-
10 priate, within 270 days of the date of the enactment
11 of this Act, for every radar, signals intelligence,
12 navigation, and communications system and sub-
13 system subject to the Global Force Management
14 process to be able to withstand threat-realistic levels
15 of jamming, spoofing, and unintended interference,
16 which includes self-generated interference;

17 (2) test every system and subsystem described
18 in paragraph (1) at a test range that permits threat-
19 realistic electronic warfare attacks against the sys-
20 tem or subsystem by a red team or opposition force
21 at least once every 4 years, with the first set of
22 highest priority systems to be initially tested no later
23 than fiscal year 2025;

24 (3) retrofit every system and subsystem de-
25 scribed in paragraph (1) that fails to meet electronic

1 protection requirements during testing with elec-
2 tronic protection measures that can withstand
3 threat-realistic jamming, spoofing, and unintended
4 interference within 3 years from the date of the test-
5 ing, and to retest such systems and subsystems
6 within 4 years of the initial failed test;

7 (4) survey, identify, and test available tech-
8 nology that can be practically and affordably retro-
9 fitted on the systems described in paragraph (1) and
10 which provides robust protection against threat-real-
11 istic jamming, spoofing, and unintended inter-
12 ference; and

13 (5) design and build electronic protection into
14 ongoing and future development programs to with-
15 stand expected jamming and spoofing threats and
16 unintended interference.

17 (c) WAIVER.—The Secretary may establish a process
18 for issuing waivers on a case-by-case basis for the testing
19 requirement established in paragraph (2) of subsection (b)
20 and for the retrofit requirement established in paragraph
21 (3) of such subsection.

22 (d) ANNUAL REPORTS.—Each fiscal year, coinciding
23 with the submission of the President’s budget request to
24 Congress pursuant to section 1105(a) of title 31, United
25 States Code, through fiscal year 2030, the Director of

1 Operational Test and Evaluation shall submit to the Elec-
2 tronic Warfare Executive Committee, the Committee on
3 Armed Services of the Senate, and the Committee on
4 Armed Services of the House of Representatives a com-
5 prehensive annual report aggregating reporting from the
6 military departments and combat support agencies that
7 describes—

8 (1) the implementation of the requirements of
9 this section;

10 (2) the systems subject to testing in the pre-
11 vious year and the results of such tests, including a
12 description of the requirements for electronic protec-
13 tion established for the tested systems; and

14 (3) each waiver issued in the previous year with
15 respect to such requirements, together with a de-
16 tailed rationale for the waiver and a plan for ad-
17 dressing the basis for the waiver request.

18 **SEC. 1646. FUNDING LIMITATION ON CERTAIN UNRE-**
19 **PORTED PROGRAMS.**

20 (a) **LIMITATION ON AVAILABILITY OF FUNDS.**—None
21 of the funds authorized to be appropriated by this Act for
22 fiscal year 2024 may be obligated or expended, directly
23 or indirectly, in part or in whole, for, on, in relation to,
24 or in support of activities involving unidentified anomalous
25 phenomena protected under any form of special access or

1 restricted access limitations that have not been formally,
2 officially, explicitly, and specifically described, explained,
3 and justified to the appropriate committees of Congress,
4 congressional leadership, and the Director, including for
5 any activities relating to the following:

6 (1) Recruiting, employing, training, equipping,
7 and operations of, and providing security for, Gov-
8 ernment or contractor personnel with a primary, sec-
9 ondary, or contingency mission of capturing, recov-
10 ering, and securing unidentified anomalous phe-
11 nomena craft or pieces and components of such
12 craft.

13 (2) Analyzing such craft or pieces or compo-
14 nents thereof, including for the purpose of deter-
15 mining properties, material composition, method of
16 manufacture, origin, characteristics, usage and ap-
17 plication, performance, operational modalities, or re-
18 verse engineering of such craft or component tech-
19 nology.

20 (3) Managing and providing security for pro-
21 tecting activities and information relating to uniden-
22 tified anomalous phenomena from disclosure or com-
23 promise.

24 (4) Actions relating to reverse engineering or
25 replicating unidentified anomalous phenomena tech-

1 nology or performance based on analysis of materials
2 or sensor and observational information associated
3 with unidentified anomalous phenomena.

4 (5) The development of propulsion technology,
5 or aerospace craft that uses propulsion technology,
6 systems, or subsystems that is based on or derived
7 from or inspired by inspection, analysis, or reverse
8 engineering of recovered unidentified anomalous phe-
9 nomena craft or materials.

10 (6) Any aerospace craft that uses propulsion
11 technology other than chemical propellants, solar
12 power, and electric ion thrust.

13 (b) NOTIFICATION AND REPORTING.—

14 (1) IN GENERAL.—Any person currently or for-
15 merly under contract with the Federal Government
16 that has in their possession material or information
17 provided by or derived from the Federal Government
18 relating to unidentified anomalous phenomena that
19 formerly or currently is protected by any form of
20 special access or restricted access shall—

21 (A) not later than 60 days after the date
22 of the enactment of this Act, notify the Director
23 of such possession; and

24 (B) not later than 180 days after the date
25 of the enactment of this Act, make available to

1 the Director for assessment, analysis, and in-
2 spection—

3 (i) all such material and information;

4 and

5 (ii) a comprehensive list of all non-

6 earth origin or exotic unidentified anoma-

7 lous phenomena materiel.

8 (2) PROTECTIONS.—The provision of notice and
9 the making available of material and information
10 under paragraph (1) shall be treated as an author-
11 ized disclosure under section 1673(b) of the James
12 M. Inhofe National Defense Authorization Act for
13 Fiscal Year 2023 (50 U.S.C. 3373b).

14 (c) LIMITATION REGARDING INDEPENDENT RE-
15 SEARCH AND DEVELOPMENT.—Consistent with Depart-
16 ment of Defense Instruction Number 3204.01 (dated Au-
17 gust 20, 2014, incorporating change 2, dated July 9,
18 2020; relating to Department policy for oversight of inde-
19 pendent research and development), independent research
20 and development funding relating to material or informa-
21 tion described in subsection (a) shall not be allowable as
22 indirect expenses for purposes of contracts covered by
23 such instruction, unless such material and information is
24 made available to the Director in accordance with sub-
25 section (b).

1 (d) NOTICE TO CONGRESS.—Not later than 30 days
2 after the date on which the Director has received a notifi-
3 cation under subparagraph (A) of subsection (b)(1) or in-
4 formation or material under paragraph (B) of such sub-
5 section, the Director shall provide a written notification
6 of such receipt to the appropriate committees of Congress
7 and congressional leadership.

8 (e) DEFINITIONS.—In this section:

9 (1) The term “appropriate committees of Con-
10 gress” means—

11 (A) the Select Committee on Intelligence,
12 the Committee on Armed Services, and the
13 Committee on Appropriations of the Senate;
14 and

15 (B) the Permanent Select Committee on
16 Intelligence, the Committee on Armed Services,
17 and the Committee on Appropriations of the
18 House of Representatives.

19 (2) The term “congressional leadership”
20 means—

21 (A) the majority leader of the Senate;

22 (B) the minority leader of the Senate;

23 (C) the Speaker of the House of Rep-
24 resentatives; and

1 (D) the minority leader of the House of
2 Representatives.

3 (3) The term “Director” means the Director of
4 the All-domain Anomaly Resolution Office.

5 (4) The term “unidentified anomalous phe-
6 nomena” has the meaning given such term in section
7 1683(n) of the National Defense Authorization Act
8 for Fiscal Year 2022 (50 U.S.C. 3373(n)), as
9 amended by section 6802(a) of the Intelligence Au-
10 thorization Act for Fiscal Year 2023 (Public Law
11 117–263).

12 **SEC. 1647. REVISION OF SECRETARY OF DEFENSE AUTHOR-**
13 **ITY TO ENGAGE IN COMMERCIAL ACTIVITIES**
14 **AS SECURITY FOR INTELLIGENCE COLLEC-**
15 **TION ACTIVITIES.**

16 (a) EXTENSION OF AUTHORITY.—Section 431(a) of
17 title 10, United States Code, is amended by striking “De-
18 cember 31, 2023” and inserting “December 31, 2025”.

19 (b) INTERAGENCY COORDINATION AND SUPPORT.—
20 Paragraph (1) of section 431(b) of such title is amended
21 to read as follows:

22 “(1) be pre-coordinated with the Director of the
23 Central Intelligence Agency using procedures mutu-
24 ally agreed upon by the Secretary of Defense and

1 the Director, and, where appropriate, be supported
2 by the Director; and”.

3 **TITLE XVII—CYBERSPACE-**
4 **RELATED MATTERS**
5 **Subtitle A—Matters Relating to**
6 **Cyber Operations and Cyber**
7 **Forces**

8 **SEC. 1701. MEASURES TO ENHANCE THE READINESS AND**
9 **EFFECTIVENESS OF THE CYBER MISSION**
10 **FORCE.**

11 (a) **PERSONNEL REQUIREMENTS AND TRAINING FOR**
12 **CRITICAL WORK ROLES.**—The Secretary of Defense
13 shall—

14 (1) develop a plan to require—

15 (A) a term of enlistment that is—

16 (i) common across the military de-
17 partments for critical work roles of the
18 Cyber Mission Force;

19 (ii) appropriate given the value of the
20 training required for such work roles; and

21 (iii) sufficient and extensive enough to
22 meet the readiness requirements estab-
23 lished by the Commander of United States
24 Cyber Command;

1 (B) tour lengths for personnel in the Cyber
2 Mission Force that are—

3 (i) common across the military de-
4 partments; and

5 (ii) sufficient and extensive enough to
6 meet the readiness requirements estab-
7 lished by the Commander of United States
8 Cyber Command;

9 (C) the military departments to present
10 Cyber Mission Force personnel to the Com-
11 mander of United States Cyber Command who
12 are fully trained to the standards required by
13 the work roles established by the Commander,
14 including the critical work roles of the Cyber
15 Mission Force, prior to their attachment or as-
16 signment to a unit of United States Cyber
17 Command;

18 (D) obligated service for members who re-
19 ceive the training contemplated in paragraph
20 (C) which is commensurate with the significant
21 financial and time investments made by the
22 military service for the training received; and

23 (E) facilitation of consecutive assignments
24 at the same unit while not inhibiting the ad-

1 vancement or promotion potential of any mem-
2 ber of the Armed Forces.

3 (2) direct the Secretaries of the military depart-
4 ments to implement the plan developed under para-
5 graph (1); and

6 (3) establish curriculum and capacity within
7 one or more military departments to train sufficient
8 numbers of personnel from all of the military depart-
9 ments who can effectively perform the critical Cyber
10 Mission Force work roles to achieve the readiness re-
11 quirements established by the Commander of United
12 States Cyber Command.

13 (b) PILOT PROGRAM ON ACQUIRING CONTRACT
14 SERVICES FOR CRITICAL WORK ROLES.—

15 (1) PILOT PROGRAM REQUIRED.—Not later
16 than 180 days after the date of the enactment of
17 this Act, the Commander of United States Cyber
18 Command shall commence a pilot program to assess
19 the feasibility and advisability of acquiring the serv-
20 ices of skilled personnel in the critical work roles of
21 the Cyber Mission Force by contracting with one or
22 more persons to enhance the readiness and effective-
23 ness of the Cyber Mission Force.

24 (2) PILOT PROGRAM DURATION.—The Com-
25 mander shall carry out the pilot program required

1 by subsection paragraph (1) during the three-year
2 period beginning on the date of the commencement
3 of the pilot program and may, after such period—

4 (A) continue carrying out such pilot pro-
5 gram after such period for such duration as the
6 Commander considers appropriate; or

7 (B) transition such pilot program to a per-
8 manent program.

9 (c) PLAN ON HIRING, TRAINING, AND RETAINING CI-
10 VILIANS TO SERVE IN CRITICAL WORK ROLES.—Not later
11 than 120 days after the date of the enactment of this Act,
12 the Commander shall—

13 (1) develop a plan to hire, train, and retain ci-
14 vilians to serve in the critical work roles of the
15 Cyber Mission Force and other positions of the
16 Cyber Mission Force to enhance the readiness and
17 effectiveness of the Cyber Mission Force; and

18 (2) provide the congressional defense commit-
19 tees a briefing on the plan developed under para-
20 graph (1).

21 (d) DEFINITION OF CRITICAL WORK ROLES OF THE
22 CYBER MISSION FORCE.—The term “critical work roles
23 of the Cyber Mission Force” means work roles of the
24 Cyber Mission Force relating to on-network operations,
25 tool development, and exploitation analysis.

1 **SEC. 1702. CYBER INTELLIGENCE CENTER.**

2 (a) ESTABLISHMENT OF CAPABILITY REQUIRED.—

3 The Secretary of Defense shall establish a dedicated cyber
4 intelligence capability to support the requirements of
5 United States Cyber Command, the other combatant com-
6 mands, the military departments, defense agencies, the
7 Joint Staff, and the Office of the Secretary of Defense
8 for foundational, scientific and technical, and all-source in-
9 telligence on cyber technology development, capabilities,
10 concepts of operation, operations, and plans and inten-
11 tions of cyber threat actors.

12 (b) ESTABLISHMENT OF CENTER AUTHORIZED.—

13 (1) AUTHORIZATION.—Subject to paragraph
14 (2), the Secretary may establish an all-source anal-
15 ysis center under the administration of the Defense
16 Intelligence Agency to provide foundational intel-
17 ligence for the capability established under sub-
18 section (a).

19 (2) LIMITATION.—Information technology serv-
20 ices for a center established under paragraph (1)
21 may not be provided by the National Security Agen-
22 cy.

23 (c) RESOURCES.—

24 (1) IN GENERAL.—The Secretary shall direct
25 and provide resources to the Commander of United
26 States Cyber Command within the Military Intel-

1 intelligence Program to fund collection and analysis by
2 the National Security Agency to meet the specific re-
3 quirements established by the Commander for sig-
4 nals intelligence support.

5 (2) TRANSFER OF ACTIVITIES.—The Secretary
6 may transfer the activities required under paragraph
7 (1) to the National Intelligence Program if the Di-
8 rector of National Intelligence concurs and the
9 transfer is specifically authorized in an intelligence
10 authorization Act.

11 (d) BRIEFING.—Not later than 180 days after the
12 date of the enactment of this Act, the Commander shall—

13 (1) develop an estimate of the signals intel-
14 ligence collection and analysis required of the Na-
15 tional Security Agency and the cost of such collec-
16 tion and analysis; and

17 (2) provide the congressional defense commit-
18 tees, the Select Committee on Intelligence of the
19 Senate, and the Permanent Select Committee on In-
20 telligence of the House of Representatives a briefing
21 on the estimate developed under paragraph (1).

1 **SEC. 1703. PERFORMANCE METRICS FOR PILOT PROGRAM**
2 **FOR SHARING CYBER CAPABILITIES AND RE-**
3 **LATED INFORMATION WITH FOREIGN OPER-**
4 **ATIONAL PARTNERS.**

5 (a) IN GENERAL.—The section 398 of title 10,
6 United States Code (relating to pilot program for sharing
7 cyber capabilities and related information with foreign
8 operational partners), as added by section 1551(a) of the
9 James M. Inhofe National Defense Authorization Act for
10 Fiscal Year 2023 (Public Law 117–263), is amended—

11 (1) by redesignating subsections (f) and (g) as
12 subsections (g) and (h), respectively; and

13 (2) by inserting after subsection (e) the fol-
14 lowing new subsection (f):

15 “(f) PERFORMANCE METRICS.—(1) The Secretary of
16 Defense shall maintain performance metrics to track the
17 results of sharing cyber capabilities and related informa-
18 tion with foreign operational partners under a pilot pro-
19 gram authorized by subsection (a).

20 “(2) The performance metrics under paragraph (1)
21 shall include the following:

22 “(A) Who the cyber capability was used
23 against.

24 “(B) The effect of the cyber capability, includ-
25 ing whether and how the transfer of the cyber capa-
26 bility improved the operational cyber posture of the

1 United States and achieved operational objectives of
2 the United States, or had no effect.

3 “(C) Such other outcome-based or appropriate
4 performance metrics as the Secretary considers ap-
5 propriate for evaluating the effectiveness of a pilot
6 program carried out under subsection (a).”.

7 (b) TECHNICAL CORRECTION.—Chapter 19 of such
8 title is amended—

9 (1) in the table of sections for such chapter by
10 striking the item relating to such section 398 and
11 inserting the following:

“398a. Pilot program for sharing cyber capabilities and related information with
foreign operational partners.”; and

12 (2) by redesignating such section 398 as section
13 398a.

14 **SEC. 1704. NEXT GENERATION CYBER RED TEAMS.**

15 (a) DEVELOPMENT AND SUBMISSION OF PLANS.—
16 Not later than 180 days after the date of the enactment
17 of this Act, the Under Secretary of Defense for Policy
18 shall direct the appropriate Assistant Secretary of Defense
19 in the Office of the Under Secretary of Defense for Policy,
20 in consultation with the Principal Cyber Advisors of the
21 military departments, to oversee the development and sub-
22 mission of a plan described in subsection (b) to the Direc-
23 tor of Operational Test and Evaluation (OT&E) and the

1 Director of the National Security Agency (NSA) for as-
2 sessment under subsection (c).

3 (b) PLANS DESCRIBED.—The plan described in this
4 subsection is a plan—

5 (1) to modernize cyber red teams (“CRTs”)
6 with a focus on utilizing cyber threat intelligence
7 and threat modeling to ensure the ability to emulate
8 advanced nation-state threats, automation, artificial
9 intelligence or machine learning capabilities, and
10 data collection and correlation;

11 (2) to establish joint service standards and
12 metrics to ensure cyber red teams are adequately
13 trained, staffed, and equipped to emulate advanced
14 nation-state threats; and

15 (3) to expand partnerships between the Depart-
16 ment of Defense, particularly existing cyber red
17 teams, and academia to expand the cyber talent
18 workforce.

19 (c) ASSESSMENT.—The Director of Operational Test
20 and Evaluation shall, in coordination with the Director of
21 the National Security Agency, review the plan submitted
22 pursuant to subsection (a) and in doing so shall conduct
23 an assessment of the plan with consideration of the fol-
24 lowing:

1 (1) Opportunities for cyber red team operations
2 to expand across the competition continuum, includ-
3 ing during the cooperation and competition phases,
4 strongly emphasizing pre-conflict preparation of the
5 battlespace to better match adversary positioning
6 and cyber activities, including operational security
7 assessments to strengthen the ability of the Depart-
8 ment to gain and maintain a tactical advantage.

9 (2) The extent to which critical and emerging
10 technologies and concepts such as artificial intel-
11 ligence and machine learning enabled analysis and
12 process automation can reduce the amount of person
13 hours operators spend on maintenance and reporting
14 to maximize research and training time.

15 (3) Identification of training requirements, and
16 changes to training, sustainment practices, or con-
17 cepts of operation or employment that may be need-
18 ed to ensure the effectiveness, suitability, and sus-
19 tainability of the next generation of cyber red teams.

20 (4) The extent to which additional resources or
21 partnerships may be needed to remediate personnel
22 shortfalls in cyber red teams, including funding for
23 internship programs, hiring, and contracting.

24 (d) IMPLEMENTATION.—Not later than one year
25 after the date of enactment of this Act, the Secretary of

1 Defense shall issue such policies and guidance and pre-
2 scribe such regulations as the Secretary determines nec-
3 essary to carry out the plan required by subsection (a).

4 (e) ANNUAL REPORTS.—Not later than January 31,
5 2025, and not less frequently than annually thereafter
6 until January 31, 2031, the Director of Operational Test
7 and Evaluation shall include in the annual report required
8 by section 139(h) of title 10, United States Code, the fol-
9 lowing:

10 (1) The findings of the Director with respect to
11 the assessment carried out pursuant to subsection
12 (c).

13 (2) The results of test and evaluation events,
14 including any resource and capability shortfalls lim-
15 iting the ability of cyber red teams to meet oper-
16 ational requirements.

17 (3) The extent to which operations of cyber red
18 teams have expanded across the competition con-
19 tinuum, including during cooperation and competi-
20 tion phases, to match adversary positioning and
21 cyber activities.

22 (4) A summary of identified categories of com-
23 mon gaps and shortfalls across military department
24 and Defense Agency cyber red teams.

1 (5) Any identified lessons learned that would
2 affect training or operational employment decisions
3 relating to cyber red teams.

4 **SEC. 1705. MANAGEMENT OF DATA ASSETS BY CHIEF DIG-**
5 **ITAL OFFICER.**

6 (a) IN GENERAL.—The Secretary of Defense shall,
7 acting through the Chief Data and Artificial Intelligence
8 Officer of the Department of Defense (CDAO), provide
9 data assets and data analytics capabilities necessary for
10 understanding the global cyber-social terrain to support
11 the planning and execution of defensive and offensive in-
12 formation operations, defensive and offensive cyber oper-
13 ations, indications and warning of adversary military ac-
14 tivities and operations, and calibration of actions and reac-
15 tions in great power competition.

16 (b) RESPONSIBILITIES OF CHIEF DATA AND ARTIFI-
17 CIAL INTELLIGENCE OFFICER.—The Chief Data and Arti-
18 ficial Intelligence Officer shall—

19 (1) develop a baseline of data assets maintained
20 by all defense intelligence agencies, military depart-
21 ments, combatant commands, and any other compo-
22 nents of the Department; and

23 (2) develop and oversee the implementation of
24 plans to enhance data assets that are essential to
25 support the purposes set forth in subsection (a).

1 (c) OTHER MATTERS.—The Chief Data and Artificial
2 Intelligence Officer shall—

3 (1) designate or establish one or more executive
4 agents for enhancing data assets and the acquisition
5 of data analytic tools for users;

6 (2) ensure that data assets in the possession of
7 a component of the Department are accessible for
8 the purposes described in subsection (a); and

9 (3) ensure that advanced analytics, including
10 artificial intelligence technology, are developed and
11 applied to the analysis of data assets in support of
12 the purposes described in subsection (a).

13 (d) SEMIANNUAL BRIEFINGS.—Not later than 120
14 days after the date of the enactment of this Act and not
15 less frequently semiannually thereafter, the Chief Data
16 and Artificial Intelligence Officer shall provide the con-
17 gressional defense committees, the Select Committee on
18 Intelligence of the Senate, and the Permanent Select Com-
19 mittee on Intelligence of the House of Representatives a
20 briefing on the implementation of this section.

21 (e) PRIOR APPROVAL REPROGRAMMING.—After the
22 date of the enactment of this Act, the Secretary may
23 transfer funds to begin implementation of this section,
24 subject to established limitations and approval procedures.

1 **SEC. 1706. AUTHORITY FOR COUNTERING ILLEGAL TRAF-**
2 **FICKING BY MEXICAN TRANSNATIONAL**
3 **CRIMINAL ORGANIZATIONS IN CYBERSPACE.**

4 (a) AUTHORITY.—

5 (1) IN GENERAL.—In accordance with sections
6 124 and 394 of title 10, United States Code, the
7 Secretary of Defense may, in coordination with other
8 relevant Federal departments and agencies and in
9 consultation with the Government of Mexico as ap-
10 propriate, conduct detection, monitoring, and other
11 operations in cyberspace to counter Mexican
12 transnational criminal organizations that are en-
13 gaged in any of the following activities that cross the
14 southern border of the United States:

15 (A) Smuggling of illegal drugs, controlled
16 substances, or precursors thereof.

17 (B) Human trafficking.

18 (C) Weapons trafficking.

19 (D) Other illegal activities.

20 (2) CERTAIN ENTITIES.—The authority pro-
21 vided by paragraph (1) may be used to counter
22 Mexican transnational criminal organizations, in-
23 cluding entities cited in the most recent National
24 Drug Threat Assessment published by the United
25 States Drug Enforcement Administration, that are
26 engaged in the activities described in (1).

1 (b) CYBER STRATEGY FOR COUNTERING ILLEGAL
2 TRAFFICKING BY TRANSNATIONAL CRIMINAL ORGANIZA-
3 TIONS AFFECTING THE SECURITY OF UNITED STATES
4 SOUTHERN BORDER.—

5 (1) STRATEGY REQUIRED.—Not later than 60
6 days after the date of the enactment of this Act, the
7 Secretary shall, in consultation with the National
8 Cyber Director and the heads of such other Federal
9 departments and agencies as the Secretary considers
10 appropriate, submit to the appropriate congressional
11 committees a strategy for conducting operations in
12 cyberspace under subsection (a).

13 (2) ELEMENTS.—The strategy submitted pur-
14 suant to paragraph (1) shall include the following:

15 (A) A description of the cyberspace pres-
16 ence and activities, including any information
17 operations, of the entities described under sub-
18 section (a)(2) pose to the national security of
19 the United States.

20 (B) A description of any previous actions
21 taken by the Department of Defense to conduct
22 operations in cyberspace to counter illegal ac-
23 tivities by transnational criminal organizations,
24 and a description of those actions.

1 (C) An assessment of the financial, techno-
2 logical, and personnel resources that the Sec-
3 retary can deploy to exercise the authority pro-
4 vided in subsection (a) to counter illegal traf-
5 ficking by transnational criminal organizations.

6 (D) Recommendations, if any, for addi-
7 tional authorities as may be required to en-
8 hance the exercise of the authority provided in
9 subsection (a).

10 (E) A description of the extent to which
11 the Secretary has worked, or intends to work,
12 with the Government of Mexico, interagency
13 partners, and the private sector to enable oper-
14 ations in cyberspace against illegal trafficking
15 by transnational criminal organizations.

16 (F) A description of the security coopera-
17 tion programs in effect on the day before the
18 date of the enactment of this Act that would
19 enable the Secretary to cooperate with Mexican
20 defense partners against illegal trafficking by
21 transnational criminal organizations in cyber-
22 space.

23 (G) An assessment of the potential risks
24 associated with cooperating with Mexican coun-
25 terparts against transnational criminal organi-

1 zations in cyberspace and ways that those risks
2 can be mitigated, including in cooperation with
3 Mexican partners.

4 (H) A description of any cooperation
5 agreements or initiatives in effect on the day
6 before the date of the enactment of this Act
7 with interagency partners and the government
8 of Mexico to counter transnational criminal or-
9 ganizations in cyberspace.

10 (c) QUARTERLY MONITORING BRIEFING.—The Sec-
11 retary shall, on a quarterly basis in conjunction with the
12 briefings required by section 484 of title 10, United States
13 Code, provide to the appropriate congressional committees
14 a briefing setting forth, for the preceding calendar quar-
15 ter, the following:

16 (1) Each country in which an operation was
17 conducted under subsection (a).

18 (2) The purpose and nature of each operation
19 set forth pursuant to paragraph (1).

20 (3) The start date and end date or expected du-
21 ration of each operation set forth pursuant to para-
22 graph (1).

23 (4) The elements of the Department of Defense
24 down to O-6 command level who conducted or are

1 conducting the operations set forth pursuant to
2 paragraph (1).

3 (d) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion shall be construed to supersede any standing prohibi-
5 tions on collection of information on United States per-
6 sons.

7 **SEC. 1707. PILOT PROGRAM FOR CYBERSECURITY COL-**
8 **LABORATION CENTER INCLUSION OF SEMI-**
9 **CONDUCTOR MANUFACTURERS.**

10 (a) **ESTABLISHMENT OF PILOT PROGRAM.**—The Sec-
11 retary of Defense shall, in coordination with the Director
12 of the National Security Agency, establish a pilot program
13 to assess the feasibility and advisability of improving the
14 semiconductor manufacturing supply chain by enabling
15 the National Security Agency Cybersecurity Collaboration
16 Center to collaborate with semiconductor manufacturers
17 in the United States.

18 (b) **PROGRAM SCOPE.**—The pilot program established
19 pursuant to subsection (a) shall focus on improving the
20 cybersecurity of the supply chain for semiconductor design
21 and manufacturing, including the following:

22 (1) The cybersecurity of design and manufac-
23 turing processes, as well as assembly, packaging,
24 and testing.

1 (2) Protecting against cyber-driven intellectual
2 property theft.

3 (3) Reducing the risk of supply chain disrup-
4 tions caused by cyberattacks.

5 (c) ELIGIBILITY.—Persons who directly support the
6 manufacture, packaging, and assembly of semiconductors
7 within the United States and who provide semiconductor
8 components for the Department of Defense, national secu-
9 rity systems (as defined in section 3552(b) of title 44,
10 United States Code), or the defense industrial base are
11 eligible to participate in the pilot program.

12 (d) BRIEFINGS.—

13 (1) INITIAL.—

14 (A) IN GENERAL.—Not later than one year
15 after the date of the enactment of this Act, the
16 Secretary shall provide the appropriate commit-
17 tees of Congress a briefing on the pilot program
18 required under subsection (a).

19 (B) ELEMENTS.—The briefing required
20 under subparagraph (A) shall include the fol-
21 lowing:

22 (i) The plans of the Secretary for the
23 implementation of the pilot program.

24 (ii) Identification of key priorities for
25 the pilot program.

1 (iii) Identification of any potential
2 challenges in standing up the pilot pro-
3 gram or impediments to semiconductor
4 manufacturer or semiconductor component
5 supplier participation in the pilot program.

6 (2) ANNUAL.—

7 (A) IN GENERAL.—Not later than one year
8 after the date of the enactment of this Act and
9 annually thereafter for the duration of the pilot
10 program required by subsection (a), the Sec-
11 retary shall provide the appropriate committees
12 of Congress a briefing on the progress of the
13 pilot program.

14 (B) ELEMENTS.—Each briefing required
15 under subparagraph (A) shall include the fol-
16 lowing:

17 (i) Recommendations for addressing
18 relevant policy, budgetary, security, and
19 legislative gaps to increase the effective-
20 ness of the pilot program. For the first an-
21 nual briefing, this shall include an assess-
22 ment of the resources necessary for the
23 pilot to be successful.

24 (ii) Recommendations for increasing
25 semiconductor manufacturer or semicon-

1 ductor component supplier participation in
2 the pilot program.

3 (iii) A description of the challenges
4 encountered in carrying out the pilot pro-
5 gram, including any concerns expressed by
6 semiconductor manufacturers or semicon-
7 ductor component supplier.

8 (iv) The findings of the Secretary with
9 respect to the feasibility and advisability of
10 extending or expanding the pilot program.

11 (v) Such other matters as the Sec-
12 retary considers appropriate.

13 (e) TERMINATION.—The pilot program required by
14 subsection (a) shall terminate on the date that is four
15 years after the date of the enactment of this Act.

16 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
17 FINED.—In this section, the term “appropriate congres-
18 sional committees” means—

19 (1) the Committee on Armed Services and the
20 Select Committee on Intelligence of the Senate; and

21 (2) the Committee on Armed Services and the
22 Permanent Select Committee on Intelligence of the
23 House of Representatives.

1 **SEC. 1708. INDEPENDENT EVALUATION REGARDING PO-**
2 **TENTIAL ESTABLISHMENT OF UNITED**
3 **STATES CYBER FORCE AND FURTHER EVO-**
4 **LUTION OF CURRENT MODEL FOR MANAGE-**
5 **MENT AND EXECUTION OF CYBER MISSION.**

6 (a) AGREEMENT.—

7 (1) IN GENERAL.—The Secretary of Defense
8 shall seek to enter into an agreement with the Na-
9 tional Academy of Public Administration (in this
10 section referred to as the “National Academy”) for
11 the National Academy to conduct the evaluation
12 under subsection (b) and submit the report under
13 subsection (e).

14 (2) TIMING.—The Secretary shall seek to enter
15 into the agreement described in paragraph (1) by
16 not later than 60 days after the date of the enact-
17 ment of this Act.

18 (b) EVALUATION.—

19 (1) IN GENERAL.—Under an agreement be-
20 tween the Secretary and the National Academy en-
21 tered into pursuant to subsection (a), the National
22 Academy shall conduct an evaluation regarding the
23 advisability of—

24 (A) establishing a separate Armed Force
25 dedicated to operations in the cyber domain (in

1 this section referred to as the “United States
2 Cyber Force”); or

3 (B) refining and further evolving the cur-
4 rent organization approach, which is based on
5 the Special Operations Command model for
6 United States Cyber Command.

7 (2) SCOPE.—The evaluation conducted pursu-
8 ant to paragraph (1) shall include consideration of—

9 (A) the potential establishment of a United
10 States Cyber Force as a separate Armed Force
11 commensurate with the Army, Navy, Marine
12 Corps, Air Force, and Space Force, for the pur-
13 pose of organizing, training, and equipping the
14 personnel required to enable and conduct oper-
15 ations in the cyber domain through positions
16 aligned to the United States Cyber Command
17 and the other unified combatant commands;

18 (B) a United States Cyber Force able to
19 devise and implement recruiting and retention
20 policies and standards specific to the range of
21 skills and career fields required to enable and
22 conduct cyberspace operations, as determined
23 by the United States Cyber Command and the
24 other unified combatant commands;

1 (C) the performance and efficacy of the
2 Armed Forces to date, and potential improve-
3 ments thereto from extending the model de-
4 scribed in paragraph (1)(B), in satisfying the
5 requirements of the combatant commands to
6 enable and conduct operations in the cyber do-
7 main through positions aligned to the United
8 States Cyber Command and other unified com-
9 batant commands, and any expected differences
10 in that performance based on the creation of a
11 United States Cyber Force as compared to evo-
12 lutionary modifications to the current model;

13 (D) the performance and efficacy of the
14 Armed Forces to date, and potential improve-
15 ments thereto from extending the model de-
16 scribed in paragraph (1)(B), in devising and
17 implementing recruitment and retention policies
18 specific to the range of skills and career fields
19 required to enable and conduct cyberspace oper-
20 ations, as determined by the United States
21 Cyber Command and the other unified combat-
22 ant commands, and any expected differences in
23 that performance based on the creation of a
24 United States Cyber Force as compared to evo-
25 lutionary modifications to the current model;

1 (E) potential and recommended delineations of responsibility between the other Armed
2 Forces and a United States Cyber Force and
3 an enhanced model described in paragraph
4 (1)(B) with respect to network management,
5 resourcing, and operations;
6

7 (F) potential and recommended delineations of responsibility between the other Armed
8 Forces and a United States Cyber Force and
9 an enhancement of the model described in paragraph (1)(B) for United States Cyber Command with respect to organizing, training, and equipping members of the Cyberspace Operations Forces, not serving in positions aligned under the Cyber Mission Force, to the extent necessary to support network management and operations;
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18 (G) views and perspectives of members of the Armed Forces, in each grade, serving in the Cyber Mission Force with experience in operational work roles (as defined by the Commander of the United States Cyber Command), and military and civilian leaders across the Department regarding the establishment of a Cyber Force and a further evolution of the
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1 model described in paragraph (1)(B) for United
2 States Cyber Command;

3 (H) the extent to which each of the other
4 Armed Forces is formed towards, and organized
5 around, operations within a given warfighting
6 domain, and the potential applicability of such
7 formation and organizing constructs to a
8 United States Cyber Force with respect to the
9 cyber domain;

10 (I) findings from previous relevant assess-
11 ments, analyses, and studies conducted by the
12 Secretary, the Comptroller General of the
13 United States, or other entities determined rel-
14 evant by the National Academy on the estab-
15 lishment of a United States Cyber Force and a
16 further evolution of the model described in
17 paragraph (1)(B) for United States Cyber Com-
18 mand;

19 (J) the organizing constructs for effective
20 and operationally mature cyber forces of foreign
21 countries and the relevance of such constructs
22 to the potential creation of a United States
23 Cyber Force and a further evolution of the
24 model described in paragraph (1)(B) for United
25 States Cyber Command;

1 (K) lessons learned from the creation of
2 the United States Space Force that should be
3 applied to the creation of a United States Cyber
4 Force;

5 (L) recommendations for approaches to the
6 creation of a United States Cyber Force and
7 the further evolution of the model described in
8 paragraph (1)(B) for United States Cyber Com-
9 mand that would minimize disruptions to De-
10 partment of Defense cyber operations;

11 (M) the histories of the Armed Forces, in-
12 cluding an analysis of the conditions that pre-
13 ceded the establishment of each new Armed
14 Force established since 1900; and

15 (N) a comparison between the potential
16 service secretariat leadership structures for a
17 United States Cyber Force and the further evo-
18 lution of the model described in paragraph (1)
19 for United States Cyber Command, including
20 establishing the United States Cyber Force
21 within an existing military department, stand-
22 ing up a new military department, and evolving
23 the service secretary-like function of the Prin-
24 cipal Cyber Advisor in the Office of the Under
25 Secretary of Defense for Policy.

1 (3) CONSIDERATIONS.—The evaluation con-
2 ducted pursuant to paragraph (1) shall include an
3 evaluation of how a potential United States Cyber
4 Force dedicated to the cyber domain would compare
5 in performance and efficacy to the current model
6 and a further evolution of the model described in
7 paragraph (1)(B) for United States Cyber Com-
8 mand, with respect to the following functions and
9 potential objective end states, as well as an evalua-
10 tion of the importance of the functions and potential
11 end states:

12 (A) Organizing, training, and equipping
13 the size of a force necessary to satisfy existing
14 and projected requirements of the Department
15 of Defense.

16 (B) Harmonizing training requirements
17 and programs in support of cyberspace oper-
18 ations.

19 (C) Recruiting and retaining qualified offi-
20 cers and enlisted members of the Armed Forces
21 at the levels necessary to execute cyberspace op-
22 erations.

23 (D) Using reserve component forces in
24 support of cyberspace operations.

25 (E) Sustaining persistent force readiness.

1 (F) Generating foundational intelligence in
2 support of cyberspace operations.

3 (G) Acquiring and providing cyber capa-
4 bilities in support of cyberspace operations.

5 (H) Establishing pay parity among mem-
6 bers of the Armed Forces serving in and quali-
7 fied for work roles in support of cyberspace op-
8 erations.

9 (I) Establishing pay parity among civilians
10 serving in and qualified for work roles in sup-
11 port of cyberspace operations.

12 (J) Establishing advancement parity for
13 members of the Armed Forces serving in and
14 qualified for work roles in support of cyberspace
15 operations.

16 (K) Establishing advancement parity for
17 civilians serving in and qualified for work roles
18 in support of cyberspace operations.

19 (L) Developing professional military edu-
20 cation content and curricula focused on the
21 cyber domain.

22 (c) SUPPORT FROM FEDERALLY FUNDED RESEARCH
23 AND DEVELOPMENT CENTER.—

24 (1) IN GENERAL.—Upon a request from the
25 National Academy, the Secretary shall seek to enter

1 into an agreement with a federally funded research
2 and development center described in paragraph (2)
3 under which such federally funded research and de-
4 velopment center shall support the National Acad-
5 emy in conducting the evaluation under subsection
6 (b).

7 (2) **FEDERALLY FUNDED RESEARCH AND DE-**
8 **VELOPMENT CENTER DESCRIBED.**—A federally fund-
9 ed research and development center described in this
10 paragraph is a federally funded research and devel-
11 opment center the staff of which includes subject
12 matter experts with appropriate security clearances
13 and expertise in—

- 14 (A) cyber warfare;
15 (B) personnel management;
16 (C) military training processes; and
17 (D) acquisition management.

18 (d) **ACCESS TO DEPARTMENT OF DEFENSE PER-**
19 **SONNEL, INFORMATION, AND RESOURCES.**—Under an
20 agreement entered into between the Secretary and the Na-
21 tional Academies under subsection (a)—

22 (1) the Secretary shall agree to provide to the
23 National Academy access to such personnel, infor-
24 mation, and resources of the Department of Defense
25 as may be determined necessary by the National

1 Academy in furtherance of the conduct of the eval-
2 uation under subsection (b); and

3 (2) if the Secretary does not provide such ac-
4 cess, or any other major obstacle to such access oc-
5 curs, the National Academy shall agree to notify the
6 congressional defense committees not later than
7 seven days after the date of such refusal or other oc-
8 currence.

9 (e) REPORT.—

10 (1) SUBMISSION TO CONGRESS.—Under an
11 agreement entered into between the Secretary and
12 the National Academy under subsection (a), the Na-
13 tional Academy shall submit to the congressional de-
14 fense committees a report containing the findings of
15 the National Academy with respect to the evaluation
16 under subsection (b) not later than 210 days after
17 the date of the execution of the agreement.

18 (2) PROHIBITION AGAINST INTERFERENCE.—
19 No personnel of the Department of Defense, nor any
20 other officer or employee of the United States Gov-
21 ernment, may interfere, exert undue influence, or in
22 any way seek to alter the findings of the National
23 Academy specified in paragraph (1) prior to the sub-
24 mission thereof under such paragraph.

1 ices to government and contractor personnel and or-
2 ganizations located on those bases and facilities; and

3 (3) decide, on a case-by-case basis or as a com-
4 mon requirement, whether to contract for—

5 (A) neutral hosting, whereby infrastructure
6 and services will be provided to companies de-
7 ploying private networks and public network
8 services through Multi-Operator Core Network
9 architectures; or

10 (B) separate private network and public
11 network infrastructure.

12 (b) INTERNATIONAL COOPERATION ACTIVITIES.—

13 The Secretary may engage in cooperation activities with
14 foreign allies and partners of the United States, using an
15 authority provided by another provision of law, to inform
16 the efficient and effective deployment of Open Radio Ac-
17 cess Network architecture and to implement the strategy
18 required under subsection (a)(1).

19 (c) DUE DATE FOR STRATEGY AND BRIEFING.—

20 (1) STRATEGY.—The Secretary shall develop
21 the strategy required in subsection (a)(1) not later
22 than 120 days after the date of the enactment of
23 this Act.

24 (2) BRIEFING.—Not later than 150 days after
25 the date of the enactment of this Act, the Secretary

1 shall provide to the congressional defense commit-
2 tees a briefing on the strategy developed under para-
3 graph (1) of subsection (a) and the activities of the
4 Secretary under such subsection.

5 (d) DEFINITION OF OPEN RADIO ACCESS NET-
6 WORK.—The term “Open Radio Access Network” means
7 a network architecture that is modular, uses open inter-
8 faces, and virtualizes functionality on commodity hard-
9 ware through software.

10 **SEC. 1712. DEPARTMENT OF DEFENSE INFORMATION NET-**
11 **WORK BOUNDARY AND CROSS-DOMAIN DE-**
12 **FENSE.**

13 (a) MODERNIZATION PROGRAM REQUIRED.—The
14 Secretary of Defense shall carry out a modernization pro-
15 gram for network boundary and cross-domain defense
16 against cyber attacks, expanding upon the fiscal year 2023
17 pilot program and initial deployment to the primary De-
18 partment of Defense internet access points (IAPs) man-
19 aged by the Defense Information Systems Agency (DISA).

20 (b) PROGRAM PHASES.—

21 (1) IN GENERAL.—The modernization program
22 required by subsection (a) shall be implemented in
23 phases, with the objective of completing the program
24 by October 1, 2028.

1 (2) OBJECTIVES.—The phases required by
2 paragraph (1) shall include the following objectives:

3 (A) By the end of fiscal year 2026, com-
4 pletion of—

5 (i) a pilot of modernized boundary de-
6 fense capabilities and initial and full de-
7 ployment of the capabilities to internet ac-
8 cess points managed by the Defense Infor-
9 mation Systems Agency; and

10 (ii) the extension of modernized
11 boundary defense capabilities to all addi-
12 tional internet access points of the Depart-
13 ment of Defense information network
14 (DODIN).

15 (B) By the end of fiscal year 2027, survey,
16 pilot, and deploy modernized boundary defense
17 capabilities to the access points and cross-do-
18 main capabilities of the Secret Internet Protocol
19 Network.

20 (C) By the end of fiscal year 2028, survey,
21 pilot, and deploy modernized boundary defense
22 capabilities to remaining classified networks
23 and enclaves of the Department information
24 network.

1 (c) BRIEFING REQUIRED.—Not later than 60 days
2 after the date of the enactment of this Act, the Secretary
3 shall provide the congressional defense committees a brief-
4 ing on—

5 (1) the findings of the Secretary with respect to
6 the pilot and initial deployment under subsection
7 (b)(2)(A)(i); and

8 (2) the plans of the Secretary for the phased
9 deployment to other internet access points and clas-
10 sified networks pursuant to subsection (b).

11 **SEC. 1713. POLICY AND GUIDANCE ON MEMORY-SAFE SOFT-**
12 **WARE PROGRAMMING.**

13 (a) POLICY AND GUIDANCE.—Not later than 270
14 days after the date of the enactment of this Act, the Sec-
15 retary of Defense shall develop a Department of Defense-
16 wide policy and guidance in the form of a directive memo-
17 randum to implement the recommendations of the Na-
18 tional Security Agency contained in the Software Memory
19 Safety Cybersecurity Information Sheet published by the
20 Agency in November, 2022, regarding memory-safe soft-
21 ware programming languages and testing to identify mem-
22 ory-related vulnerabilities in software developed, acquired
23 by, and used by the Department of Defense.

24 (b) REQUIREMENTS.—The policy required in sub-
25 section (a) shall—

1 (1) establish the conditions and associated ap-
2 proval processes under which a component of the
3 Department may—

4 (A) contract for the development of custom
5 software that includes open source and reused
6 software written in programming languages
7 that are not classified as memory-safe by the
8 Agency;

9 (B) acquire commercial software items
10 that use programming languages that are not
11 classified as memory-safe by the Agency;

12 (C) contract for software-as-a-service
13 where the contractor uses programming lan-
14 guages that are not classified as memory-safe
15 by the Agency; and

16 (D) develop software in Federal Govern-
17 ment-owned software factories programming
18 languages that are not classified as memory-
19 safe by the Agency; and

20 (2) establish requirements and processes for
21 employing static and dynamic application security
22 testing that can identify memory-use issues and
23 vulnerabilities and resolve them for software con-
24 tracted for, developed, or acquired as described in
25 paragraph (1).

1 (c) BRIEFING REQUIRED.—Not later than 300 days
2 after the date of the enactment of this Act, the Secretary
3 shall provide the congressional defense committees a brief-
4 ing on the policy and guidance developed under subsection
5 (a).

6 **SEC. 1714. DEVELOPMENT OF REGIONAL CYBERSECURITY**
7 **STRATEGIES.**

8 (a) DEVELOPMENT OF STRATEGIES REQUIRED.—
9 Not later than one year after the date of the enactment
10 of this Act, the Secretary of Defense shall, in coordination
11 with the Commander of United States Cyber Command
12 and each commander of a geographic combatant com-
13 mand, develop, for each geographic combatant command,
14 a regional cybersecurity strategy to support the operations
15 of such command.

16 (b) ELEMENTS.—Each regional cybersecurity strat-
17 egy developed under subsection (a) for a geographic com-
18 batant command shall include the following:

19 (1) A description or an outline of methods to
20 identify both nation-state and non-state cyber threat
21 actors.

22 (2) Processes to enhance the targeting, intel-
23 ligence, and cyber capabilities of the combatant com-
24 mand.

1 (3) Plans to increase the number of cyber plan-
2 ners embedded in the combatant command.

3 (4) Processes to integrate cyber forces into
4 other warfare domains.

5 (5) A plan to assist, train, advise, and partici-
6 pate in cyber capacity building with international
7 partners.

8 (6) A prioritization of cyber risks and
9 vulnerabilities within the geographic region.

10 (7) Processes to coordinate cyber activities with
11 interagency partners with activities in the geo-
12 graphic region.

13 (8) Specific plans to assist in the defense of for-
14 eign infrastructure that is critical to the national se-
15 curity interests of the United States.

16 (9) Means by which the Cybersecurity and In-
17 frastructure Security Agency will be integrated into
18 each strategy.

19 **SEC. 1715. CYBER INCIDENT REPORTING.**

20 (a) CYBER INCIDENT REPORTING REQUIREMENT.—

21 (1) DEPARTMENT GOVERNANCE.—Not later
22 than 180 days after the date of the enactment of
23 this Act, the Secretary of Defense shall, in consulta-
24 tion with the Chief Information Officer of the De-
25 partment of Defense, the Commander of United

1 States Cyber Command, and the Commander of the
2 Joint Force Headquarters Department of Defense
3 Information Network—

4 (A) assign responsibility to the Com-
5 mander of the Joint Force Headquarters De-
6 partment of Defense Information Network to
7 oversee cyber incident reporting and notification
8 of cyber incidents to Department leadership;

9 (B) align policy and system requirements
10 to enable the Department to have enterprise-
11 wide visibility of cyber incident reporting to
12 support rapid and appropriate response; and

13 (C) distribute new guidance to Department
14 personnel on cyber incident reporting, which
15 shall include detailed procedures for identifying,
16 reporting, and notifying Department leadership
17 of critical cyber incidents.

18 (2) DEFENSE INDUSTRIAL BASE.—Not later
19 than 180 days after the date of the enactment of
20 this Act, the Secretary shall ensure that the Chief
21 Information Officer determines what actions need to
22 be taken to encourage more complete and timely
23 mandatory cyber incident reporting from persons in
24 the defense industrial base.

1 (3) DATA BREACH NOTIFICATION.—The Sec-
2 retary shall ensure that components of the Depart-
3 ment document instances in which Department per-
4 sonnel affected by a privacy data breach are notified
5 of the breach within 72 hours of the discovery of the
6 breach.

7 (b) ASSESSMENT ON ESTABLISHING OFFICE OF
8 CYBER STATISTICS.—

9 (1) IN GENERAL.—Not later than one year
10 after the date of the enactment of this Act, the Sec-
11 retary of Defense shall complete an assessment of
12 the feasibility and suitability of establishing, and
13 resourcing required to establish, an office of cyber
14 statistics to track cyber incidents and measure the
15 response time of defense agencies and the military
16 departments to address cyber threats, risks, and
17 vulnerabilities.

18 (2) ELEMENTS.—The assessment required
19 under paragraph (1) shall include an evaluation of
20 the feasibility, suitability, and resourcing required
21 for defense agencies and the military departments—

22 (A) to collect data on the amount of time
23 it takes to detect a cyber incident;

24 (B) to respond to a cyber incident;

1 (C) to fully mitigate the risk of high-im-
2 pact cyber vulnerabilities;

3 (D) to recover data following a malicious
4 cyber intrusion; and

5 (E) to collect such other metrics as the
6 Secretary determines would help improve cyber
7 incident reporting practices.

8 **SEC. 1716. MANAGEMENT BY DEPARTMENT OF DEFENSE OF**
9 **MOBILE APPLICATIONS.**

10 (a) IMPLEMENTATION OF RECOMMENDATIONS.—

11 (1) IN GENERAL.—The Secretary of Defense
12 shall evaluate and implement to the maximum prac-
13 ticable extent the recommendations of the Inspector
14 General of the Department of Defense with respect
15 to managing mobile applications contained in the re-
16 port set forth by the Inspector General dated Feb-
17 ruary 9, 2023, and entitled “Management Advisory:
18 The DoD’s Use of Mobile Applications” (Report No.
19 DODIG–2023–041).

20 (2) DEADLINE.—The Secretary shall implement
21 the recommendations specified in subsection (a) by
22 not later than one year after the date of the enact-
23 ment of this Act, unless the Secretary notifies the
24 congressional defense committees in writing of spe-
25 cific recommendations that the Secretary chooses

1 not to implement or to implement after the date that
2 is one year after the date of the enactment of this
3 Act.

4 (b) BRIEFING ON REQUIREMENTS RELATED TO COV-
5 ERED APPLICATIONS.—

6 (1) IN GENERAL.—Not later than 120 days
7 after the date of the enactment of this Act, the Sec-
8 retary shall brief the congressional defense commit-
9 tees on actions taken by the Secretary to enforce
10 compliance with existing policy of the Department of
11 Defense that prohibits—

12 (A) the installation and use of covered ap-
13 plications on Federal Government devices; and

14 (B) the use of covered applications on the
15 Department of Defense Information Network
16 on personal devices.

17 (2) COVERED APPLICATIONS DEFINED.—In this
18 subsection, the term “covered applications” means
19 the social networking service TikTok or any suc-
20 cessor application or service developed or provided
21 by ByteDance Limited or an entity owned by
22 ByteDance Limited.

1 **SEC. 1717. SECURITY ENHANCEMENTS FOR THE NUCLEAR**
2 **COMMAND, CONTROL, AND COMMUNICA-**
3 **TIONS NETWORK.**

4 (a) **REQUIRED ESTABLISHMENT OF CROSS-FUNC-**
5 **TIONAL TEAM.—**

6 (1) **IN GENERAL.—**Not later than 180 days
7 after the date of the enactment of this Act, the Sec-
8 retary of Defense shall establish a cross-functional
9 team, in accordance with section 911(c) of the Na-
10 tional Defense Authorization Act for Fiscal Year
11 2017 (Public Law 114–328; 10 U.S.C. 111 note), to
12 develop and direct the implementation of a threat-
13 driven cyber defense construct for systems and net-
14 works that support the nuclear command, control,
15 and communications (commonly referred to as
16 “NC3”) mission.

17 (2) **PARTICIPATION IN THE CROSS-FUNCTIONAL**
18 **TEAM.—**The Secretary shall ensure that each of the
19 military departments, the Defense Information Sys-
20 tems Agency, the National Security Agency, United
21 States Cyber Command, and the Nuclear Command,
22 Control, and Communications Enterprise Center of
23 United States Strategic Command provide staff for
24 the cross-functional team.

25 (3) **SCOPE.—**The cross-functional team shall
26 work to enhance the cyber defense of the nuclear

1 command, control, and communications network
2 during the period beginning on the date of the en-
3 actment of this Act and ending on October 31,
4 2028, or a subsequent date as the Secretary may de-
5 termine.

6 (b) REQUIRED CONSTRUCT AND PLAN OF ACTION
7 AND MILESTONES.—Not later than one year after the
8 date of the enactment of this Act, the head of the cross-
9 functional team established pursuant to subsection (a)(1)
10 shall develop a cyber defense construct and associated
11 plans of actions and milestones to enhance the security
12 of the systems and networks that support the nuclear com-
13 mand, control, and communications mission that are based
14 on—

15 (1) the application of the principles of the Zero
16 Trust Architecture approach to security;

17 (2) analysis of appropriately comprehensive
18 endpoint and network telemetry data; and

19 (3) control capabilities enabling rapid investiga-
20 tion and remediation of indicators of compromise
21 and threats to mission execution.

22 (c) ANNUAL BRIEFINGS.—During the 60-day period
23 beginning on the date that is 30 days before the date on
24 which the President submits to Congress the budget of
25 the President for fiscal year 2025 pursuant to section

1 1105(a) of title 31, United States Code, and for each of
2 fiscal years 2026 through 2028, the Secretary shall pro-
3 vide the congressional defense committees a briefing on
4 the implementation of this section.

5 **SEC. 1718. GUIDANCE REGARDING SECURING LABORA-**
6 **TORIES OF THE ARMED FORCES.**

7 (a) **IN GENERAL.**—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall, in coordination with the Chief Information Officer
10 of the Department of Defense, the Chief Digital and Arti-
11 ficial Intelligence Officer of the Department, the Under
12 Secretary of Defense for Research and Engineering, and
13 the Under Secretary of Defense for Intelligence and Secu-
14 rity, issue guidance throughout the Department regarding
15 methods and processes to secure laboratories of the Armed
16 Forces from—

- 17 (1) unauthorized access and intrusion;
18 (2) damage to, and destruction, manipulation,
19 or theft of, physical and digital laboratory assets;
20 (3) accidental or intentional release or disclo-
21 sure of sensitive information; and
22 (4) cyber sabotage.

23 (b) **METHODS AND PROCESSES.**—At a minimum, the
24 methods and processes required under subsection (a) shall
25 include guidance to—

- 1 (1) secure laboratory operations through zero
2 trust principles;
- 3 (2) control access of devices to laboratory infor-
4 mation networks;
- 5 (3) secure inventory management processes;
- 6 (4) control or limit access to laboratories of the
7 Armed Forces to authorized individuals;
- 8 (5) maintain the security and integrity of data
9 libraries, repositories, and other digital assets;
- 10 (6) report and remediate cyber incidents or
11 other unauthorized intrusions;
- 12 (7) train and educate personnel of the Depart-
13 ment on laboratory security;
- 14 (8) develop an operations security (OPSEC)
15 plan to secure laboratory operations that can be
16 used to implement the appropriate countermeasures
17 given the mission, assessed risk, and resources avail-
18 able to the unit and provides guidelines for imple-
19 mentation of routine procedures and measures to be
20 employed during daily operations or activities of the
21 unit; and
- 22 (9) develop and train applicable units on indi-
23 vidualized secure laboratory critical information and
24 indicator lists to aid in protecting critical informa-
25 tion about Department activities, intentions, capa-

1 bilities, or limitations that an adversary seeks to
2 gain a military, political, diplomatic, economic, or
3 technological advantage.

4 **SEC. 1719. ESTABLISHING IDENTITY, CREDENTIAL, AND AC-**
5 **CESS MANAGEMENT INITIATIVE AS A PRO-**
6 **GRAM OF RECORD.**

7 (a) IN GENERAL.—Not later than 120 days after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall establish the Identity, Credential, and Access Man-
10 agement (ICAM) initiative as a program of record subject
11 to milestone reviews, compliance with requirements, and
12 operational testing.

13 (b) ELEMENTS.—The program of record established
14 pursuant to subsection (a) shall encompass, at a min-
15 imum, the following:

16 (1) Correcting the authentication and
17 credentialing security weaknesses, including in the
18 Public Key Infrastructure program, identified by the
19 Director of Operational Test and Evaluation in a re-
20 port submitted to Congress in April, 2023, entitled
21 “FY14–21 Observations of the Compromise of Cyber
22 Credentials”.

23 (2) Implementing improved authentication tech-
24 nologies, such as biometric and behavioral authen-

1 mands, the military departments, and defense agen-
2 cies.

3 (2) The adoption and implementation of zero
4 trust architecture on legacy and new space-based
5 systems.

6 (3) How the Department will prioritize the
7 mitigation of known cyber risks and vulnerabilities
8 to legacy and new space-based systems.

9 (4) How the Department will accelerate the de-
10 velopment of capabilities to protect space-based sys-
11 tems from cyber threats.

12 (c) BRIEFING.—Not later than 150 days after the
13 date of the enactment of this Act, the Secretary shall pro-
14 vide the congressional defense committees a briefing on
15 the strategy developed and implemented pursuant to sub-
16 section (a).

17 **SEC. 1721. REQUIREMENTS FOR IMPLEMENTATION OF**
18 **USER ACTIVITY MONITORING FOR CLEARED**
19 **PERSONNEL AND OPERATIONAL AND INFOR-**
20 **MATION TECHNOLOGY ADMINISTRATORS**
21 **AND OTHER PRIVILEGED USERS.**

22 (a) IN GENERAL.—The Secretary of Defense shall re-
23 quire each head of a component of the Department of De-
24 fense to fully implement directives, policies, and program
25 requirements for user activity monitoring and least privi-

1 lege access controls for Federal Government and con-
2 tractor personnel granted access to classified information
3 and classified networks.

4 (b) SPECIFIC USER ACTIVITY CONTROL REQUIRE-
5 MENTS.—The Secretary shall require each head of a De-
6 partment component to fully implement the detection, col-
7 lection, and auditing of the following:

8 (1) Sent and received emails, including sent at-
9 tachments and emails sent outside of Federal Gov-
10 ernment domains.

11 (2) Screen captures and print jobs, with fo-
12 cused attention on unusual volumes and times.

13 (3) Accesses to World Wide Web Uniform Re-
14 source Locators and uploads and downloads involv-
15 ing nongovernment domains.

16 (4) All instances in which a user creates, copies,
17 moves to, or renames a file on removable media.

18 (5) Secure file transfers, including on non-
19 standard ports.

20 (6) Keystrokes.

21 (7) Unauthorized research on user activity mon-
22 itoring agents and techniques to disable user activity
23 monitoring agents.

24 (8) Attempts to clear event logs on devices.

1 (9) Unauthorized applications being installed or
2 run on an endpoint.

3 (10) Installation and use of mounted drives, in-
4 cluding serial numbers of such drives.

5 (11) Initiation and control of an interactive ses-
6 sion on a remote computer or virtual machine.

7 (12) Instances where monitored users are de-
8 nied access to a network location or resource.

9 (13) Users uploading to or downloading from
10 cloud services.

11 (14) Administrative actions by privileged users,
12 including remote and after-hour administrative ac-
13 tions, as well as document viewing, copy and paste
14 activity, and file copying to new locations.

15 (c) **ADDITIONAL REQUIREMENTS.**—The Secretary
16 shall require each head of a Department component to im-
17 plement the following:

18 (1) Automated controls to prohibit privileged
19 user accounts from performing general user activi-
20 ties not requiring privileged access.

21 (2) Two-person control whereby privileged users
22 attempt to initiate data transfers from a classified
23 domain and removable media-based data transfer ac-
24 tivities on classified networks.

1 (d) ESTABLISHING USER ACTIVITY MONITORING BE-
2 HAVIOR THRESHOLDS.—

3 (1) IN GENERAL.—The Secretary shall require
4 each head of a Department component to implement
5 standard triggers, alerts, and controls developed by
6 the Under Secretary of Defense for Intelligence and
7 Security based on insider threat behavior models ap-
8 proved by the Under Secretary.

9 (2) APPROVAL OF DEVIATIONS.—A head of a
10 Department component that seeks to adopt a prac-
11 tice pursuant to paragraph (1) that deviates from
12 standard triggers, alerts, and controls described in
13 such paragraph by being less stringent shall submit
14 to the Under Secretary a request for approval for
15 such deviation along with a written justification for
16 such deviation.

17 (e) PERIODIC TESTING.—The Secretary shall require
18 each head of a Department component, not less frequently
19 than once every two years—

20 (1) to conduct insider threat testing using
21 threat-realistic tactics, techniques, and procedures;
22 and

23 (2) to submit to the Under Secretary and the
24 Director of Operational Test and Evaluation a re-

1 port on the findings of the head with respect to the
2 testing conducted pursuant to paragraph (1).

3 (f) PERIODIC REVIEWS AND UPDATES.—The Sec-
4 retary shall review and update the standard set of trig-
5 gers, alerts, and controls described in subsection (d)(1) at
6 least once every three years to account for new technology,
7 new insider threat behaviors, and the results of testing
8 conducted pursuant to subsection (e)(1).

9 (g) REPORT.—Not later than 180 days after the date
10 of the enactment of this Act, the Secretary shall submit
11 to the Committee on Armed Services and the Select Com-
12 mittee on Intelligence of the Senate and the Committee
13 on Armed Services and the Permanent Select Committee
14 on Intelligence of the House of Representatives a report
15 on the implementation of the requirements of this section.

16 (h) DEFINITION OF TRIGGERS.—In this section, the
17 term “trigger” means a set of logic statements applied to
18 a data stream that produces an alert when an anomalous
19 incident or behavior occurs.

20 **SEC. 1722. DEPARTMENT OF DEFENSE DIGITAL CONTENT**
21 **PROVENANCE.**

22 (a) BRIEFING.—

23 (1) IN GENERAL.—Not later than 90 days after
24 the date of the enactment of this Act, the Director
25 of the Defense Media Activity (DMA) shall provide

1 a to the Committee on Armed Services of the Senate
2 and the Committee on Armed Services of the House
3 of Representatives a briefing on developing a course
4 of education at the Defense Information School
5 (DINFOS) to teach the practical concepts and skills
6 needed by Department of Defense public affairs,
7 audiovisual, visual information, and records manage-
8 ment specialists.

9 (2) ELEMENTS.—The briefing provided pursu-
10 ant to paragraph (1) shall cover the following:

11 (A) The expertise and qualifications of the
12 Department personnel who will be responsible
13 for teaching the proposed course of education.

14 (B) The list of sources that will be con-
15 sulted and used to develop the proposed cur-
16 riculum for the course of education.

17 (C) A description of the industry open
18 technical standards under subsection (b)(1)(C).

19 (D) The status of the implementation of
20 the course of education.

21 (b) COURSE OF EDUCATION REQUIRED.—

22 (1) IN GENERAL.—Not later than one year
23 after the date of the enactment of this Act, the Di-
24 rector of the Defense Media Activity shall establish
25 a course of education at the Defense Information

1 School to teach the practical concepts and skills
2 needed by public affairs, audiovisual, visual informa-
3 tion, and records management specialists to under-
4 stand the following:

5 (A) Digital content provenance for applica-
6 ble Department media content.

7 (B) The challenges posed to Department
8 missions and operations by a digital content
9 forgery.

10 (C) How existing industry open technical
11 standards may be used to authenticate the dig-
12 ital content provenance of applicable Depart-
13 ment media content.

14 (2) MATTERS COVERED.—The course of edu-
15 cation established pursuant to paragraph (1) shall
16 cover the following:

17 (A) The challenges to Department mis-
18 sions and operations posed by a digital content
19 forgery.

20 (B) The development of industry open
21 technical standards for verifying the digital con-
22 tent provenance of applicable Department
23 media content.

24 (C) Hands-on training techniques for cap-
25 turing secure and authenticated digital content

1 for documenting and communicating Depart-
2 ment themes and messages.

3 (D) Training for completing post-produc-
4 tion tasks by using industry open technical
5 standards for digital content provenance and
6 transmitting applicable Department media con-
7 tent in both operational and nonoperational en-
8 vironments.

9 (E) Such other matters as the Director
10 considers appropriate.

11 (3) REPORT.—Not later than one year after the
12 date of the establishment of the course required in
13 paragraph (1), the Director shall provide the Com-
14 mittee on Armed Services of the Senate and the
15 Committee on Armed Services of the House of Rep-
16 resentatives a report on the following:

17 (A) The status of the development of a
18 curriculum to carry out the course of education
19 required by paragraph (1).

20 (B) The implementation plan of the Direc-
21 tor for such course of education, including the
22 following:

23 (i) The expertise and qualifications of
24 the Department personnel responsible for
25 teaching the course of education.

1 (ii) The list of sources consulted and
2 used to develop the curriculum for the
3 course of education.

4 (iii) A description of the industry open
5 technical standards under subsection
6 (b)(1)(C).

7 (iv) The status of the implementation
8 of the course of education.

9 (C) The resources available to the Director
10 to carry out this subsection and whether the
11 Director requires any additional resources to
12 carry out this subsection.

13 (c) PILOT PROGRAM ON IMPLEMENTING DIGITAL
14 CONTENT PROVENANCE STANDARDS.—

15 (1) PILOT PROGRAM REQUIRED.—Not later
16 than one year after the date of the enactment of this
17 Act, the Director shall commence a pilot program to
18 assess the feasibility and advisability of imple-
19 menting industry open technical standards for dig-
20 ital content provenance for official Department pho-
21 tographic and video visual documentation that is
22 publicly released by the Defense Visual Information
23 Distribution Service (DVIDS) and other distribution
24 platforms, systems, and services used by the Depart-
25 ment.

1 (2) ELEMENTS.—In carrying out the pilot pro-
2 gram required by paragraph (1), the Director
3 shall—

4 (A) establish a process for using industry
5 open technical standards for verifying the dig-
6 ital content provenance of applicable Depart-
7 ment media content;

8 (B) apply technology solutions on photo-
9 graphs and videos of the Department publicly
10 released after the date of the enactment of this
11 section, that comport with industry open tech-
12 nical standard for digital content provenance;

13 (C) assess the feasibility and advisability of
14 applying an industry open technical standard
15 for digital content provenance on historical vis-
16 ual information records of the Department
17 stored at the Defense Visual Information
18 Records Center; and

19 (D) develop and apply measure of effec-
20 tiveness for the execution of the pilot program.

21 (3) CONSULTATION.—In carrying out the pilot
22 program required by paragraph (1), the Director
23 may consult with federally funded research and de-
24 velopment centers, private industry, academia, and
25 such others as the Director considers appropriate.

1 (4) TERMINATION.—The pilot program carried
2 out pursuant to paragraph (1) shall terminate on
3 January 1, 2027.

4 (5) REPORT.—

5 (A) IN GENERAL.—Not later than January
6 1, 2026, the Director shall submit to the Com-
7 mittee on Armed Services of the Senate and the
8 Committee on Armed Services of the House of
9 Representatives a report on the pilot program.

10 (B) CONTENTS.—The report submitted
11 pursuant to subparagraph (A) shall include the
12 following:

13 (i) The findings of the Director with
14 respect to the pilot program.

15 (ii) The names of all entities the Di-
16 rector consulted with in carrying out the
17 pilot program as authorized under para-
18 graph (3).

19 (iii) Assessment of the effectiveness of
20 the pilot.

21 (iv) A recommendation as to whether
22 the pilot program should be made perma-
23 nent.

24 (d) DEFINITIONS.—In this section:

1 (1) The term “applicable Department media
2 content” means the media holdings generated,
3 stored, or controlled by the Defense Media Activity.

4 (2) The term “digital content forgery” means
5 the use of emerging technologies, including artificial
6 intelligence and machine learning techniques to fab-
7 ricate or manipulate audio, visual, or text content
8 with the intent to mislead.

9 (3) The term “digital content provenance”
10 means the verifiable chronology of the origin and
11 history of a piece of digital content, such as an
12 image, video, audio recording, or electronic docu-
13 ment.

14 **SEC. 1723. POST-GRADUATE EMPLOYMENT OF CYBER SERV-**
15 **ICE ACADEMY SCHOLARSHIP RECIPIENTS IN**
16 **INTELLIGENCE COMMUNITY.**

17 Section 1535 of the James M. Inhofe National De-
18 fense Authorization Act for Fiscal Year 2023 (Public Law
19 117–263; 10 U.S.C. 2200 note) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (1), by inserting “, the
22 heads of the elements of the intelligence com-
23 munity,” after “the Secretary of Homeland Se-
24 curity”; and

1 (B) in paragraph (3), by striking “Depart-
2 ment of Defense Cyber and Digital Service
3 Academy” and inserting “Cyber Service Acad-
4 emy”; and

5 (2) in subsection (d), by inserting “or an ele-
6 ment of the intelligence community” after “missions
7 of the Department”;

8 (3) in subsection (e)—

9 (A) by striking “Secretary” each place it
10 appears and inserting “head concerned”; and

11 (B) by inserting “, or within an element of
12 the intelligence community, as the case may be”
13 after “United States Code”;

14 (4) in subsections (h), (j), and (k), by striking
15 “Secretary” each place it appears and inserting
16 “head concerned”; and

17 (5) by adding at the end of the following new
18 subsections:

19 “(p) INTERAGENCY CONSIDERATIONS.—

20 “(1) IN GENERAL.—The Secretary of Defense
21 shall enter into an agreement with the head of an
22 element of the intelligence community to allow a
23 scholarship recipient to satisfy the recipient’s post-
24 award employment obligations under this section by
25 working for an element of the intelligence commu-

1 nity that is not part of the Department of Defense
2 if the head of that element agrees to reimburse the
3 Department of Defense for the scholarship program
4 costs associated with that scholarship recipient.

5 “(2) LIMITATIONS.—(A) A scholarship recipient
6 may not serve the recipient’s post-award employment
7 obligation under this section at an element of the in-
8 telligence community that is not part of the Depart-
9 ment of Defense before an agreement under para-
10 graph (1) is reached.

11 “(B) Not more than 10 percent of scholarship
12 recipients in each class may be placed in positions
13 outside the Department of Defense unless the Sec-
14 retary certifies that the Department of Defense can-
15 not facilitate a placement within the Department of
16 Defense.

17 “(q) DEFINITIONS.—In this section:

18 “(1) The term ‘head concerned’ means—

19 “(A) The Secretary of Defense, with re-
20 spect to matters concerning the Department of
21 Defense; or

22 “(B) the head of an element of the intel-
23 ligence community, with respect to matters con-
24 cerning that element.

1 “(2) The term ‘intelligence community’ has the
2 meaning given such term in section 3 of the Na-
3 tional Security Act of 1947 (50 U.S.C. 3003).”.

4 **SEC. 1724. MINIMUM NUMBER OF SCHOLARSHIPS TO BE**
5 **AWARDED ANNUALLY THROUGH CYBER**
6 **SERVICE ACADEMY.**

7 Section 1535(c) of the James M. Inhofe National De-
8 fense Authorization Act for Fiscal Year 2023 (Public Law
9 117–263; 10 U.S.C. 2200 note) is amended by adding at
10 the end the following new paragraph:

11 “(5) MINIMUM NUMBER OF SCHOLARSHIP
12 AWARDS.—

13 “(A) IN GENERAL.—The Secretary of De-
14 fense shall award not fewer than 1,000 scholar-
15 ships through the Program in fiscal year 2026
16 and in each fiscal year thereafter.

17 “(B) WAIVER.—The Secretary of Defense
18 may award fewer than the number of scholar-
19 ships required under subparagraph (A) in a fis-
20 cal year if the Secretary determines and notifies
21 the congressional defense committees that fewer
22 scholarships are necessary to address workforce
23 needs.”.

1 **SEC. 1725. CONTROL AND MANAGEMENT OF DEPARTMENT**
2 **OF DEFENSE DATA AND ESTABLISHMENT OF**
3 **CHIEF DIGITAL AND ARTIFICIAL INTEL-**
4 **LIGENCE OFFICER GOVERNING COUNCIL.**

5 (a) CONTROL AND MANAGEMENT OF DEPARTMENT
6 OF DEFENSE DATA.—The Chief Digital and Artificial In-
7 telligence Officer of the Department of Defense shall
8 maintain the authority, but not the requirement, to access
9 and control, on behalf of the Secretary of Defense, of all
10 data collected, acquired, accessed, or utilized by Depart-
11 ment of Defense components consistent with section 1513
12 of the James M. Inhofe National Defense Authorization
13 Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C.
14 4001 note).

15 (b) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE
16 OFFICER GOVERNING COUNCIL.—Paragraph (3) of sec-
17 tion 238(d) of the John S. McCain National Defense Au-
18 thorization Act for Fiscal Year 2019 (Public Law 115–
19 232; 10 U.S.C. note prec. 4061) is amended to read as
20 follows:

21 “(3) CHIEF DIGITAL AND ARTIFICIAL INTEL-
22 LIGENCE OFFICER GOVERNING COUNCIL.—

23 “(A) ESTABLISHMENT.—(i) The Secretary
24 shall establish a council to provide policy over-
25 sight to ensure the responsible, coordinated,
26 and ethical employment of data and artificial

1 intelligence capabilities across Department of
2 Defense missions and operations.

3 “(ii) The council established pursuant to
4 clause (i) shall be known as the ‘Chief Digital
5 and Artificial Intelligence Officer Governing
6 Council’ (in this paragraph the ‘Council’).

7 “(B) MEMBERSHIP.—The Council shall be
8 composed of the following:

9 “(i) Joint Staff J–6.

10 “(ii) The Under Secretary of Defense
11 for Acquisition and Sustainment.

12 “(iii) The Under Secretary of Defense
13 for Research and Evaluation.

14 “(iv) The Under Secretary of Defense
15 for Intelligence and Security.

16 “(v) The Under Secretary of Defense
17 for Policy.

18 “(vi) The Director of Cost Analysis
19 and Program Evaluation.

20 “(vii) The Chief Information Officer
21 of the Department.

22 “(viii) The Director of Administration
23 and Management.

24 “(ix) The service acquisition execu-
25 tives of each of the military departments.

1 “(C) HEAD OF COUNCIL.—The Council
2 shall be headed by the Chief Digital and Artifi-
3 cial Intelligence Officer of the Department.

4 “(D) MEETINGS.—The Council shall meet
5 not less frequently than twice each fiscal year.

6 “(E) DUTIES OF COUNCIL.—The duties of
7 the Council are as follows:

8 “(i) To streamline the organizational
9 structure of the Department as it relates
10 to artificial intelligence development, im-
11 plementation, and oversight.

12 “(ii) To improve coordination on arti-
13 ficial intelligence governance with the de-
14 fense industry sector.

15 “(iii) To establish and oversee artifi-
16 cial intelligence guidance on ethical re-
17 quirements and protections for usage of ar-
18 tificial intelligence supported by Depart-
19 ment funding and reduces or mitigates in-
20 stances of unintended bias in artificial in-
21 telligence algorithms.

22 “(iv) To identify, monitor, and peri-
23 odically update appropriate recommenda-
24 tions for operational usage of artificial in-
25 telligence.

1 “(v) To review, as the head of the
2 Council considers necessary, artificial intel-
3 ligence program funding to ensure that
4 any Department investment in an artificial
5 intelligence tool, system, or algorithm ad-
6 heres to all Department established policy
7 related to artificial intelligence.

8 “(vi) To provide periodic status up-
9 dates on the efforts of the Department to
10 develop and implement artificial intel-
11 ligence into existing Department programs
12 and processes.

13 “(vii) To provide guidance on access
14 and distribution restrictions relating to
15 data, models, tool sets, or testing or valida-
16 tion infrastructure.

17 “(viii) to implement and oversee a
18 data and artificial intelligence educational
19 program for the purpose of familiarizing
20 the Department at all levels on the applica-
21 tions of artificial intelligence in their oper-
22 ations.

23 “(ix) To implement and oversee a
24 data decree scorecard.

1 “(x) Such other duties as the Council
2 determines appropriate.

3 “(F) PERIODIC REPORTS.—Not later than
4 180 days after the date of the enactment of the
5 National Defense Authorization Act for Fiscal
6 Year 2024 and not less frequently than once
7 every 18 months thereafter, the Council shall
8 submit to the Secretary and the congressional
9 defense committees a report on the activities of
10 the Council during the period covered by the re-
11 port.”.

12 **SEC. 1726. REQUIREMENT TO SUPPORT FOR CYBER EDU-**
13 **CATION AND WORKFORCE DEVELOPMENT AT**
14 **INSTITUTIONS OF HIGHER LEARNING.**

15 (a) AUTHORITY.—The Secretary of Defense shall
16 support the development of foundational expertise in crit-
17 ical cyber operational skills at institutions of higher learn-
18 ing, selected by the Secretary under subsection (b), for
19 current and future members of the Armed Forces and ci-
20 vilian employees of the Department of Defense.

21 (b) SELECTION.—The Secretary shall select institu-
22 tions of higher learning to receive support under sub-
23 section (a) from among institutions of higher learning that
24 meet the following eligibility criteria:

1 (1) The institution offers a program from be-
2 ginning through advanced skill levels to provide fu-
3 ture military and civilian leaders of the Armed
4 Forces with operational cyber expertise.

5 (2) The institution includes instruction and
6 practical experiences that lead to recognized certifi-
7 cations and degrees in the cyber field.

8 (3) The institution has and maintains an edu-
9 cational partnership with an active component of the
10 Armed Forces or a Department component designed
11 to facilitate the development of critical cyber skills
12 for students who may pursue a military career.

13 (4) The institution is located in close proximity
14 to a military installation with a cyber mission de-
15 fined by the Department or the Armed Forces.

16 (c) SUPPORT.—Under subsection (a), the Secretary
17 shall provide, at a minimum, to each institution of higher
18 learning selected by the Secretary under subsection (b) the
19 following support for civilian and military leaders of the
20 Department transitioning into cyber fields at the Depart-
21 ment:

22 (1) Expansion of cyber educational programs
23 focused on enhancing such transition.

24 (2) Hands-on cyber opportunities, including lab-
25 oratories and security operations centers.

1 (3) Direct financial assistance to civilian and
2 military students at the Department to increase ac-
3 cess to courses and hands-on opportunities under
4 paragraphs (1) and (2).

5 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this section
7 \$10,000,000 for fiscal year 2024.

8 **SEC. 1727. IMPROVEMENTS RELATING TO CYBER PROTEC-**
9 **TION SUPPORT FOR DEPARTMENT OF DE-**
10 **FENSE PERSONNEL IN POSITIONS HIGHLY**
11 **VULNERABLE TO CYBER ATTACK.**

12 Section 1645 of the National Defense Authorization
13 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.
14 2224 note) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) by inserting “and personal ac-
18 counts” after “personal technology de-
19 vices”; and

20 (ii) by inserting “and shall provide
21 such support to any such personnel who
22 request the support” after “in paragraph
23 (2)”; and

1 (B) in paragraph (2)(B), by inserting “or
2 personal accounts” after “personal technology
3 devices”;

4 (2) in subsection (c)—

5 (A) in paragraph (1), by inserting “or per-
6 sonal accounts” after “personal technology de-
7 vices”; and

8 (B) in paragraph (2), by striking “and net-
9 works” and inserting “, personal networks, and
10 personal accounts”; and

11 (3) by striking subsections (d) and (e) and in-
12 serting the following new subsection (d):

13 “(d) DEFINITIONS.—In this section:

14 “(1) The term ‘personal accounts’ means ac-
15 counts for online and telecommunications services,
16 including telephone, residential internet access,
17 email, text and multimedia messaging, cloud com-
18 puting, social media, health care, and financial serv-
19 ices, used by Department of Defense personnel out-
20 side of the scope of their employment with the De-
21 partment.

22 “(2) The term ‘personal technology devices ’
23 means technology devices used by Department of
24 Defense personnel outside of the scope of their em-

1 ployment with the Department and includes net-
2 works to which such devices connect.”.

3 **SEC. 1728. COMPTROLLER GENERAL REPORT ON EFFORTS**
4 **TO PROTECT PERSONAL INFORMATION OF**
5 **DEPARTMENT OF DEFENSE PERSONNEL**
6 **FROM EXPLOITATION BY FOREIGN ADVER-**
7 **SARIES.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act, the Comptroller General
10 of the United States shall brief the appropriate congres-
11 sional committees on Department of Defense efforts to
12 protect personal information of its personnel from exploi-
13 tation by foreign adversaries.

14 (b) ELEMENTS.—The briefing required under sub-
15 section (a) shall include any observations on the following
16 elements:

17 (1) An assessment of efforts by the Department
18 of Defense to protect the personal information, in-
19 cluding location data generated by smart phones, of
20 members of the Armed Forces, civilian employees of
21 the Department of Defense, veterans, and their fam-
22 ilies from exploitation by foreign adversaries.

23 (2) Recommendations to improve Department
24 of Defense policies and programs to meaningfully
25 address this threat.

1 (c) REPORT.—The Comptroller General shall publish
2 on its website an unclassified report, which may contain
3 a classified annex submitted to the congressional defense
4 and intelligence committees, on the elements described in
5 subsection (b) at a time mutually agreed upon.

6 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—
7 In this section, the term “appropriate congressional com-
8 mittees” means—

- 9 (1) the congressional defense committees;
- 10 (2) the Select Committee on Intelligence of the
11 Senate; and
- 12 (3) the Permanent Select Committee on Intel-
13 ligence of the House of Representatives.

14 **TITLE XVIII—SPACE FORCE** 15 **PERSONNEL MANAGEMENT**

16 **SEC. 1801. SHORT TITLE.**

17 This title may be cited as the “Space Force Personnel
18 Management Act”.

19 **SEC. 1802. SPACE FORCE PERSONNEL MANAGEMENT ACT** 20 **TRANSITION PLAN.**

21 (a) CONDITIONS REQUIRED FOR ENACTMENT.—

22 (1) IN GENERAL.—None of the authorities pro-
23 vide by this title shall take effect until the later of—

24 (A) the Secretary of the Air Force—

1 (i) certifies to the congressional de-
2 fense committees that any State National
3 Guard affected by the transfer of units,
4 personnel billets, equipment, and resources
5 into the Space Force will be made whole by
6 the transfer of additional assets under the
7 control of the Secretary of the Air Force
8 into the affected State National Guard;
9 and

10 (ii) submits to the congressional de-
11 fense committees a report that includes a
12 transition plan to move all units, personnel
13 billets, equipment, and resources per-
14 forming core Space Force functions, under
15 the operational control of the Space Force,
16 or otherwise integral to the Space Force
17 mission that may exist in the reserve com-
18 ponents of the Department of the Air
19 Force into the Space Force; and

20 (B) one year after the Secretary of De-
21 fense provides the briefing on the study re-
22 quired under section 1703(c).

23 (2) ELEMENTS.—The transition plan required
24 under paragraph (1)(B) shall include the following
25 elements:

1 (A) An identification of any units, per-
2 sonnel billets, equipment, and resources cur-
3 rently residing in the Air Force Reserve and Air
4 National Guard that will be transferred into the
5 Space Force, including, for items currently in
6 the Air National Guard, a breakdown of assets
7 by State.

8 (B) A timeline for the implementation of
9 the authorities provided by this title.

10 (C) An explanation of any units personnel
11 billets, equipment, and resources transferred be-
12 tween the Regular Air Force, Air Force Re-
13 serve, Air National Guard, and Space Force, in-
14 cluding, for any assets transferred into or out
15 of the Air National Guard, a breakdown of
16 transfers by State.

17 (b) PERSONNEL PROTECTIONS.—

18 (1) IN GENERAL.—In enacting the authorities
19 provided by this title, the Secretary of the Air Force
20 shall not require any currently serving member of
21 the Air National Guard to enlist or commission into
22 the Space Force.

23 (2) JOB PLACEMENT.—The Secretary of the Air
24 Force shall provide employment opportunities within
25 the Air National Guard to any currently serving

1 member of the Air National Guard who, as a direct
2 result of the enactment of this title, declines to affil-
3 iate with the Space Force.

4 (3) SPACE FORCE AFFILIATION.—The Secretary
5 of the Air Force shall guarantee in writing that any
6 member of the Air National Guard who joins the
7 Space Force as a result of the enactment of this title
8 will not lose rank or pay upon transferring to the
9 Space Force.

10 (c) NATIONAL GUARD PROTECTIONS.—The Sec-
11 retary of the Air Force shall ensure that no State National
12 Guard loses Federal resources, including net personnel bil-
13 lets and Federal funding, as a result of the enactment of
14 the authorities provided by this title.

15 **SEC. 1803. COMPREHENSIVE ASSESSMENT OF SPACE**
16 **FORCE EQUITIES IN THE NATIONAL GUARD.**

17 (a) STUDY REQUIRED.—Not later than 30 days after
18 the date of the enactment of this Act, the Secretary of
19 Defense shall seek to enter into an agreement with a Fed-
20 erally funded research and development center under
21 which such center will conduct an independent study to
22 assess the feasibility and advisability of moving all units,
23 personnel billets, equipment, and resources performing
24 core space functions, under the operational control of the
25 Space Force, or otherwise integral to the Space Force mis-

1 sion that may exist in the National Guard and into a sin-
2 gle-component Space Force and provide to the Secretary
3 a report on the findings of the study. The conduct of such
4 study shall include the following elements:

5 (1) An analysis and recommendations associ-
6 ated with at least the three following possible
7 courses of action:

8 (A) Maintaining the current model in
9 which the Air National Guard has units and
10 personnel performing core space functions.

11 (B) Transitioning such units and personnel
12 to the Space Force.

13 (C) The creation of a new National Guard
14 component of the Space Force.

15 (2) A cost-benefit analysis for each of the ana-
16 lyzed courses of action.

17 (3) With respect to the course of action de-
18 scribed in paragraph (1)(B), an analysis of the ideal
19 personnel, units, and resources that could be
20 transitioned to the respective Air National Guards of
21 States that may lose space-related personnel, units,
22 and resources as a result of the consolidation of
23 space-related personnel, units, and resources into the
24 Space Force component.

1 (b) DEADLINE FOR COMPLETION.—An agreement
2 entered into pursuant to subsection (a) shall specify that
3 the study conducted under the agreement shall be com-
4 pleted by not later than February 1, 2025.

5 (c) BRIEFING AND REPORT.—

6 (1) IN GENERAL.—Upon completion of a study
7 conducted under an agreement entered into pursu-
8 ant to subsection (a), the Secretary shall provide to
9 the Committees on Armed Services of the Senate
10 and House of Representatives a briefing and report
11 on the findings of the study, including a description
12 of any proposed personnel, unit, or resource realign-
13 ments related to the creation of the Space Force sin-
14 gle component or recommended by such study.

15 (2) CLASSIFICATION OF REPORT.—The report
16 required under paragraph (1) shall be submitted in
17 unclassified form but may include classified appen-
18 dices as required.

1 **Subtitle A—Space Force Military**
 2 **Personnel System Without Com-**
 3 **ponent**

4 **SEC. 1811. ESTABLISHMENT OF MILITARY PERSONNEL**
 5 **MANAGEMENT SYSTEM FOR THE SPACE**
 6 **FORCE.**

7 Title 10, United States Code, is amended by adding
 8 at the end the following new subtitle:

9 **“Subtitle F—Alternative Military**
 10 **Personnel Systems**
 11 **“PART I—SPACE FORCE**

“Chap.		
“2001. Space Force Personnel System		20001
“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

12 **“CHAPTER 2001—SPACE FORCE**
 13 **PERSONNEL SYSTEM**

“Sec.	
“20001. Single military personnel management system.	
“20002. Members: duty status.	
“20003. Members: minimum service requirement as applied to Space Force.	

14 **“§ 20001. Single military personnel management sys-**
 15 **tem**

16 “Members of the Space Force shall be managed
 17 through a single military personnel management system,
 18 without component.”.

1 **SEC. 1812. COMPOSITION OF THE SPACE FORCE WITHOUT**
2 **COMPONENT.**

3 (a) COMPOSITION OF THE SPACE FORCE.—Section
4 9081(b) of title 10, United States Code, is amended—

5 (1) by striking paragraph (1);

6 (2) by redesignating paragraphs (2) and (3) as
7 paragraphs (1) and (2), respectively; and

8 (3) in paragraph (1), as so redesignated, by
9 striking “, including” and all that follows through
10 “emergency”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 subsection (a) shall take effect on the date of the certifi-
13 cation by the Secretary of the Air Force under section
14 1745.

15 **SEC. 1813. DEFINITIONS FOR SINGLE PERSONNEL MANAGE-**
16 **MENT SYSTEM FOR THE SPACE FORCE.**

17 (a) SPACE FORCE DEFINITIONS.—Section 101 of
18 title 10, United States Code, is amended—

19 (1) by redesignating subsections (e), (f), and
20 (g) as subsections (f), (g), and (h), respectively; and

21 (2) by inserting after subsection (d) the fol-
22 lowing new subsection (e):

23 “(e) SPACE FORCE.—The following definitions relat-
24 ing to members of the Space Force apply in this title:

25 “(1) The term ‘Space Force active status’
26 means the status of a member of the Space Force

1 who is not in a Space Force inactive status and is
2 not retired.

3 “(2) The term ‘Space Force inactive status’
4 means the status of a member of the Space Force
5 who is designated by the Secretary of the Air Force,
6 under regulations prescribed by the Secretary, as
7 being in a Space Force inactive status.

8 “(3) The term ‘Space Force retired status’
9 means the status of a member of the Space Force
10 who—

11 “(A) is receiving retired pay; or

12 “(B) but for being under the eligibility age
13 applicable under section 12731 of this title,
14 would be eligible for retired pay under chapter
15 1223 of this title.

16 “(4) The term ‘sustained duty’ means full-time
17 duty by a member of the Space Force ordered to
18 such duty by an authority designated by the Sec-
19 retary of the Air Force—

20 “(A) in the case of an officer—

21 “(i) to fulfill the terms of an active-
22 duty service commitment incurred by the
23 officer under any provision of law; or

24 “(ii) with the consent of the officer;

25 and

1 “(B) in the case of an enlisted member,
2 with the consent of the enlisted member as
3 specified in the terms of the member’s enlist-
4 ment or reenlistment agreement.”.

5 (b) AMENDMENTS TO EXISTING DUTY STATUS DEFINI-
6 TIONS.—Subsection (d) of such section is amended—

7 (1) in paragraph (1), by inserting “, including
8 sustained duty in the Space Force” after “United
9 States”; and

10 (2) in paragraph (7), by inserting “, or a mem-
11 ber of the Space Force,” after “Reserves” both
12 places it appears.

13 **SEC. 1814. BASIC POLICIES RELATING TO SERVICE IN THE**
14 **SPACE FORCE.**

15 Chapter 2001 of title 10, United States Code, as
16 added by section 1711, is amended by adding at the end
17 the following new sections:

18 **“§ 20002. Members: duty status**

19 “Under regulations prescribed by the Secretary of the
20 Air Force, each member of the Space Force shall be placed
21 in one of the following duty statuses:

22 “(1) Space Force active status.

23 “(2) Space Force inactive status.

24 “(3) Space Force retired status.

1 **“§ 20003. Members: minimum service requirement as**
 2 **applied to Space Force**

3 “(a) INAPPLICABILITY OF ACTIVE/RESERVE SERVICE
 4 DISTINCTION.—In applying section 651 of this title to a
 5 person who becomes a member of the Space Force, the
 6 provisions of the second sentence of subsection (a) and of
 7 subsection (b) of that section (relating to service in a re-
 8 serve component) are inapplicable.

9 “(b) TREATMENT UPON TRANSFER OUT OF SPACE
 10 FORCE.—A member of the Space Force who transfers to
 11 one of the other armed forces before completing the service
 12 required by subsection (a) of section 651 of this title shall
 13 upon such transfer be subject to section 651 of this title
 14 in the same manner as if such member had initially en-
 15 tered the armed force to which the member transfers.”.

16 **SEC. 1815. STATUS AND PARTICIPATION.**

17 Subtitle F of title 10, United States Code, as added
 18 by section 1711, is amended by adding at the end the fol-
 19 lowing new chapter:

20 **“CHAPTER 2003—STATUS AND**
 21 **PARTICIPATION**

“Sec.

“20101. Members in Space Force active status: amount of annual training or active duty service required.

“20102. Individual ready guardians: designation; mobilization category.

“20103. Members not on sustained duty: agreements concerning conditions of service.

“20104. Orders to active duty: with consent of member.

“20105. Sustained duty.

“20106. Orders to active duty: without consent of member.

“20107. Transfer to inactive status: initial service obligation not complete.

“20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors.

“20109. Policy for order to active duty based upon determination by Congress.

1 **“§ 20101. Members in Space Force active status:**
 2 **amount of annual training or active duty**
 3 **service required**

4 “Except as specifically provided in regulations pre-
 5 scribed by the Secretary of Defense, a member of the
 6 Space Force in a Space Force active status who is not
 7 serving on sustained duty shall be required to—

8 “(1) participate in at least 48 scheduled drills
 9 or training periods during each year and serve on
 10 active duty for not less than 14 days (exclusive of
 11 travel time) during each year; or

12 “(2) serve on active duty for not more than 30
 13 days during each year.

14 **“§ 20102. Individual ready guardians: designation;**
 15 **mobilization category**

16 “(a) IN GENERAL.—Under regulations prescribed by
 17 the Secretary of Defense, the Secretary of the Air Force
 18 may designate a member of the Space Force in a Space
 19 Force active status as an Individual Ready Guardian.

20 “(b) MOBILIZATION CATEGORY.—

21 “(1) IN GENERAL.—Among members of the
 22 Space Force designated as Individual Ready Guard-
 23 ians, there is a category of members (referred to as

1 a ‘mobilization category’) who, as designated by the
2 Secretary of the Air Force, are subject to being or-
3 dered to active duty without their consent in accord-
4 ance with section 20106(a) of this title.

5 “(2) LIMITATIONS ON PLACEMENT IN MOBILI-
6 ZATION CATEGORY.—A member designated as an In-
7 dividual Ready Guardian may not be placed in the
8 mobilization category referred to in paragraph (1)
9 unless—

10 “(A) the member volunteers to be placed in
11 that mobilization category; and

12 “(B) the member is selected by the Sec-
13 retary of the Air Force, based upon the needs
14 of the Space Force and the grade and military
15 skills of that member.

16 “(3) LIMITATION ON TIME IN MOBILIZATION
17 CATEGORY.—A member of the Space Force in a
18 Space Force active status may not remain des-
19 ignated an Individual Ready Guardian in such mobi-
20 lization category after the end of the 24-month pe-
21 riod beginning on the date of the separation of the
22 member from active service.

23 “(4) DESIGNATION OF GRADES AND MILITARY
24 SKILLS OR SPECIALTIES.—The Secretary of the Air
25 Force shall designate the grades and military skills

1 or specialties of members to be eligible for placement
2 in such mobilization category.

3 “(5) BENEFITS.—A member in such mobiliza-
4 tion category shall be eligible for benefits (other
5 than pay and training) on the same basis as are
6 available to members of the Individual Ready Re-
7 serve who are in the special mobilization category
8 under section 10144(b) of this title, as determined
9 by the Secretary of Defense.

10 **“§ 20103. Members not on sustained duty: agreements**
11 **concerning conditions of service**

12 “(a) AGREEMENTS.—The Secretary of the Air Force
13 may enter into a written agreement with a member of the
14 Space Force not on sustained duty—

15 “(1) requiring the member to serve on active
16 duty for a definite period of time;

17 “(2) specifying the conditions of the member’s
18 service on active duty; and

19 “(3) for a member serving in a Space Force in-
20 active status, specifying the conditions for the mem-
21 ber’s continued service as well as order to active
22 duty with and without the consent of the member.

23 “(b) CONDITIONS OF SERVICE.—An agreement
24 under subsection (a) shall specify the conditions of service.

1 The Secretary of the Air Force shall prescribe regulations
2 establishing—

3 “(1) what conditions of service may be specified
4 in the agreement;

5 “(2) the obligations of the parties; and

6 “(3) the consequences of failure to comply with
7 the terms of the agreement.

8 “(c) **AUTHORITY FOR RETENTION ON ACTIVE DUTY**
9 **DURING WAR OR NATIONAL EMERGENCY.**—If the period
10 of service on active duty of a member under an agreement
11 under subsection (a) expires during a war or during a na-
12 tional emergency declared by Congress or the President,
13 the member concerned may be kept on active duty, without
14 the consent of the member, as otherwise prescribed by law.

15 **“§ 20104. Orders to active duty: with consent of mem-**
16 **ber**

17 “(a) **AUTHORITY.**—A member of the Space Force
18 who is serving in a Space Force active status and is not
19 on sustained duty, or who is serving in a Space Force inac-
20 tive status, may, with the consent of the member, be or-
21 dered to active duty, or retained on active duty, under the
22 following sections of chapter 1209 of this title in the same
23 manner as applies to a member of a reserve component
24 ordered to active duty, or retained on active duty, under
25 that section with the consent of the member:

1 “(1) Section 12301(d), relating to orders to ac-
2 tive duty at any time with the consent of the mem-
3 ber.

4 “(2) Section 12301(h), relating to orders to ac-
5 tive duty in connection with medical or health care
6 matters.

7 “(3) Section 12322, relating to active duty for
8 health care.

9 “(4) Section 12323, relating to active duty
10 pending line of duty determination required for re-
11 sponse to sexual assault.

12 “(b) APPLICABLE PROVISIONS OF LAW.—The fol-
13 lowing sections of chapter 1209 of this title pertaining to
14 a member of a reserve component ordered to active duty
15 with the consent of the member apply to a member of the
16 Space Force who is ordered to active duty under this sec-
17 tion in the same manner as to such a reserve component
18 member:

19 “(1) Section 12308, relating to retention after
20 becoming qualified for retired pay.

21 “(2) Section 12309, relating to use of Reserve
22 officers in expansion of armed forces.

23 “(3) Section 12313, relating to release of re-
24 serve members from active duty.

25 “(4) Section 12314, relating to kinds of duty.

1 “(5) Section 12315, relating to duty with or
2 without pay.

3 “(6) Section 12316, relating to payment of cer-
4 tain Reserves while on duty.

5 “(7) Section 12318, relating to duties and
6 funding of reserve members on active duty.

7 “(8) Section 12320, relating to grade in which
8 ordered to active duty.

9 “(9) Section 12321, relating to a limitation on
10 number of reserve members assigned to Reserve Of-
11 ficer Training Corps units.

12 **“§ 20105. Sustained duty**

13 “(a) ENLISTED MEMBERS.—An authority designated
14 by the Secretary of the Air Force may order an enlisted
15 member of the Space Force in a Space Force active status
16 to sustained duty, or retain an enlisted member on sus-
17 tained duty, with the consent of that member, as specified
18 in the terms of the member’s enlistment or reenlistment
19 agreement.

20 “(b) OFFICERS.—(1) An authority designated by the
21 Secretary of the Air Force may order a Space Force offi-
22 cer in a Space Force active status to sustained duty—

23 “(A) with the consent of the officer; or

1 “(3) The provisions of section 12304 of this title per-
2 taining to members in the Individual Ready Reserve mobi-
3 lization category shall apply to a member of the Space
4 Force who is designated an Individual Ready Guardian
5 when ordered to active duty who meets the provisions of
6 section 20102(b) of this title.

7 “(b) MEMBERS IN A SPACE FORCE INACTIVE STA-
8 TUS.—(1) A member of the Space Force in a Space Force
9 inactive status may be ordered to active duty under—

10 “(A) the provisions of chapter 1209 of this
11 title;

12 “(B) any other provision of law authorizing the
13 order to active duty of a member of a reserve com-
14 ponent in an inactive status; and

15 “(C) the terms of any agreement entered into
16 by the member under section 20103 of this title.

17 “(2) The provisions of chapter 1209 of this title, or
18 other applicable provisions of law, pertaining to the Stand-
19 by Reserve shall apply to a member of the Space Force
20 who is in a Space Force inactive service when ordered to
21 active duty.

22 “(c) MEMBERS IN A SPACE FORCE RETIRED STA-
23 TUS.—(1) Chapters 39 and 1209 of this title include pro-
24 visions authorizing the order to active duty of a member
25 of the Space Force in a Space Force retired status.

1 “(2) The provisions of sections 688, 688a, and 12407
2 of this title pertaining to a retired member or a member
3 of the Retired Reserve shall apply to a member of the
4 Space Force in a Space Force retired status when ordered
5 to active duty.

6 “(3) The provisions of section 689 of this title per-
7 taining to a retired member ordered to active duty shall
8 apply to a member of the Space Force in a Space Force
9 retired status who is ordered to active duty.

10 “(d) OTHER APPLICABLE PROVISIONS.—The fol-
11 lowing provisions of chapter 1209 of this title pertaining
12 shall apply to a member of the Space Force ordered to
13 active duty in the same manner as to a Reserve or member
14 of the Retired Reserve ordered to active duty:

15 “(1) Section 12305, relating to the authority of
16 the President to suspend certain laws relating to
17 promotion, retirement, and separation.

18 “(2) Section 12308, relating to retention after
19 becoming qualified for retired pay.

20 “(3) Section 12313, relating to release from ac-
21 tive duty.

22 “(4) Section 12314, relating to kinds of duty.

23 “(5) Section 12315, relating to duty with or
24 without pay.

1 “(6) Section 12316, relating to payment of cer-
2 tain Reserves while on duty.

3 “(7) Section 12317, relating to theological stu-
4 dents; limitations.

5 “(8) Section 12320, relating to grade in which
6 ordered to active duty.

7 **“§ 20107. Transfer to inactive status: initial service**
8 **obligation not complete**

9 “(a) GENERAL RULE.—A member of the Space Force
10 who has not completed the required minimum service obli-
11 gation referred to in section 20003 of this title shall, if
12 terminating Space Force active status, be transferred to
13 a Space Force inactive status and, unless otherwise des-
14 ignated an Individual Ready Guardian under section
15 20102 of this title, shall remain subject to order to active
16 duty without the member’s consent under section 20106
17 of this title.

18 “(b) EXCEPTION.—Subsection (a) does not apply to
19 a member who is separated from the Space Force by the
20 Secretary of the Air Force under section 20503 of this
21 title.

1 **“§ 20108. Members of Space Force: credit for service**
2 **for purposes of laws providing pay and**
3 **benefits for members, dependents, and**
4 **survivors**

5 “For the purposes of laws providing pay and benefits
6 for members of the Armed Forces and their dependents
7 and beneficiaries:

8 “(1) Military training, duty, or other service
9 performed by a member of the Space Force in a
10 Space Force active status not on sustained duty
11 shall be considered military training, duty, or other
12 service, as the case may be, as a member of a re-
13 serve component.

14 “(2) Sustained duty performed by a member of
15 the Space Force under section 20105 of this title
16 shall be considered active duty as a member of a
17 regular component.

18 “(3) Active duty performed by a member of the
19 Space Force in a Space Force active status not on
20 sustained duty shall be considered active duty as a
21 member of a reserve component.

22 “(4) Inactive-duty training performed by a
23 member of the Space Force shall be considered inac-
24 tive-duty training as a member of a reserve compo-
25 nent.

1 **“§ 20109. Policy for order to active duty based upon**
 2 **determination by Congress**

3 “Whenever Congress determines that more units and
 4 organizations capable of conducting space operations are
 5 needed for the national security than are available among
 6 those units comprised of members of the Space Force serv-
 7 ing on active duty, members of the Space Force not serv-
 8 ing on active duty shall be ordered to active duty and re-
 9 tained as long as so needed.”.

10 **SEC. 1816. OFFICERS.**

11 (a) ORIGINAL APPOINTMENTS.—Subtitle F of title
 12 10, United States Code, as amended by section 1715, is
 13 further amended by adding at the end the following new
 14 chapter:

15 **“CHAPTER 2005—OFFICERS**

“Subchapter	Sec.
“I. Original appointments	20201
“II. Selection boards	20211
“III. Promotions	20231
“IV. Persons not considered for promotion and other promotion-related provisions	20241
“V. Applicability of other laws	20251

16 **“SUBCHAPTER I—ORIGINAL APPOINTMENTS**

- “Sec.
- “20201. Original appointments: how made.
- “20202. Original appointments: qualifications.
- “20203. Original appointments: service credit.

1 **“§ 20201. Original appointments: how made**

2 “The provisions of section 531 of this title shall apply
3 to original appointments of commissioned officers in the
4 Space Force.

5 **“§ 20202. Original appointments: qualifications**

6 “(a) IN GENERAL.—An original appointment as a
7 commissioned officer in the Space Force may be given only
8 to a person who—

9 “(1) is a citizen of the United States;

10 “(2) is at least 18 years of age; and

11 “(3) has such other physical, mental, moral,
12 professional, and age qualifications as the Secretary
13 of the Air Force may prescribe by regulation.

14 “(b) EXCEPTION.—A person who is otherwise quali-
15 fied, but who has a physical condition that the Secretary
16 of the Air Force determines will not interfere with the per-
17 formance of the duties to which that person may be as-
18 signed, may be appointed as an officer in the Space Force.

19 **“§ 20203. Original appointments: service credit**

20 “The provisions of section 533 of this title shall apply
21 to the crediting of prior active commissioned service for
22 original appointments of commissioned officers.”.

23 (b) CONFORMING AMENDMENTS RELATING TO
24 ORIGINAL APPOINTMENTS.—

25 (1) DEFINITIONS.—Section 101 of title 10,
26 United States Code, is amended in subsection

1 (b)(10) by inserting before the period at the end the
 2 following: “and, with respect to the appointment of
 3 a member of the armed forces in the Space Force,
 4 refers to that member’s most recent appointment in
 5 the Space Force that is neither a promotion nor a
 6 demotion”.

7 (2) ORIGINAL APPOINTMENTS OF COMMISS-
 8 SIONED OFFICERS.—Section 531 of such title is
 9 amended by striking “Regular” before “Space
 10 Force” each place it appears.

11 (3) QUALIFICATIONS FOR ORIGINAL APPOINT-
 12 MENT AS A COMMISSIONED OFFICER.—Section
 13 532(a) of such title is amended by striking “Regular
 14 Marine Corps, or Regular Space Force” and insert-
 15 ing “or Regular Marine Corps”.

16 (4) SERVICE CREDIT UPON ORIGINAL APPOINT-
 17 MENT AS A COMMISSIONED OFFICER.—Section 533
 18 of such title is amended by striking “Regular” be-
 19 fore “Space Force” each place it appears.

20 (c) SELECTION BOARDS AND PROMOTIONS.—Chap-
 21 ter 205 of title 10, United States Code, as added by sub-
 22 section (a), is amended by adding at the end the following
 23 new subchapters:

24 “SUBCHAPTER II—SELECTION BOARDS

“Sec.

“20211. Convening of selection boards.

“20212. Composition of selection boards.

“20213. Notice of convening of selection boards.

“20214. Information furnished to selection boards.

“20215. Recommendations for promotion by selection boards.

“20216. Reports of selection boards.

“20217. Action on reports of selection boards for promotion to brigadier general or major general.

1 **“§ 20211. Convening of selection boards**

2 “(a) IN GENERAL.—Whenever the needs of the serv-
3 ice require, the Secretary of the Air Force shall convene
4 selection boards to recommend for promotion to the next
5 higher permanent grade officers of the Space Force in
6 each permanent grade from first lieutenant through briga-
7 dier general.

8 “(b) EXCEPTION FOR OFFICERS IN GRADE OF FIRST
9 LIEUTENANT.—Subsection (a) does not require the con-
10 vening of a selection board in the case of Space Force offi-
11 cers in the permanent grade of first lieutenant when the
12 Secretary of the Air Force recommends for promotion to
13 the grade of captain under section 20238(a)(4)(A) of this
14 title all such officers whom the Secretary finds to be fully
15 qualified for promotion.

16 “(c) SECTION 20404 SELECTION BOARDS.—The Sec-
17 retary of the Air Force may convene selection boards to
18 recommend officers for early retirement under section
19 20404(a) of this title or for discharge under section
20 20404(b) of this title.

1 “(d) REGULATIONS.—The convening of selection
2 boards under subsection (a) shall be under regulations
3 prescribed by the Secretary of the Defense.

4 **“§ 20212. Composition of selection boards —**

5 “(a) APPOINTMENT AND COMPOSITION OF
6 BOARDS.—

7 “(1) IN GENERAL.—Members of a selection
8 board shall be appointed by the Secretary of Air
9 Force in accordance with this section. A selection
10 board shall consist of five or more officers of the
11 Space Force. Each member of a selection board
12 must be serving in a grade higher than the grade of
13 the officers under consideration by the board, except
14 that no member of a board may be serving in a
15 grade below major. The members of a selection
16 board shall include at least one member serving on
17 sustained duty and at least one member in a Space
18 Force active status who is not serving on sustained
19 duty. The ratio of the members of a selection board
20 serving on sustained duty to members serving in a
21 Space Force active status not on sustained duty
22 shall, to the extent practicable, reflect the ratio of
23 officers serving in each of those statuses who are
24 being considered for promotion by the board. The
25 members of a selection board shall represent the di-

1 verse population of the Space Force to the extent
2 practicable.

3 “(2) REPRESENTATION FROM COMPETITIVE
4 CATEGORIES.—(A) Except as provided in subpara-
5 graph (B), a selection board shall include at least
6 one officer from each competitive category of officers
7 to be considered by the board.

8 “(B) A selection board need not include an offi-
9 cer from a competitive category when there are no
10 officers of that competitive category on the Space
11 Force officer list in a grade higher than the grade
12 of the officers to be considered by the board and eli-
13 gible to serve on the board.

14 “(3) RETIRED OFFICERS.—If qualified officers
15 on the Space Force officer list are not available in
16 sufficient number to comprise a selection board, the
17 Secretary of the Air Force shall complete the mem-
18 bership of the board by appointing as members of
19 the board—

20 “(A) Space Force officers who hold a
21 grade higher than the grade of the officers
22 under consideration by the board and who are
23 retired officers; and

24 “(B) if sufficient Space Force officers are
25 not available pursuant to subparagraph (A), Air

1 Force officers who hold a grade higher than the
2 grade of the officers under consideration by the
3 board and who are retired officers, but only if
4 the Air Force officer to be appointed to the
5 board has served in a space-related career field
6 of the Air Force for sufficient time such that
7 the Secretary of the Air Force determines that
8 the retired Air Force officer has adequate
9 knowledge concerning the standards of perform-
10 ance and conduct required of an officer of the
11 Space Force.

12 “(4) EXCLUSION OF RETIRED GENERAL OFFI-
13 CERS ON ACTIVE DUTY TO SERVE ON A BOARD FROM
14 NUMERIC GENERAL OFFICER ACTIVE-DUTY LIMITA-
15 TIONS.—A retired general officer who is on active
16 duty for the purpose of serving on a selection board
17 shall not, while so serving, be counted against any
18 limitation on the number of general and flag officers
19 who may be on active duty.

20 “(b) LIMITATION ON MEMBERSHIP ON CONSECUTIVE
21 BOARDS.—

22 “(1) GENERAL RULE.—Except as provided in
23 paragraph (2), no officer may be a member of two
24 successive selection boards convened under section

1 20211 of this title for the consideration of officers
2 of the same grade.

3 “(2) EXCEPTION FOR GENERAL OFFICER
4 BOARDS.—Paragraph (1) does not apply with re-
5 spect to selection boards convened under section
6 20211 of this title for the consideration of officers
7 in the grade of colonel or brigadier general.

8 “(c) JOINT QUALIFIED OFFICERS.—(1) Each selec-
9 tion board convened under section 20211 of this title that
10 will consider an officer described in paragraph (2) shall
11 include at least one officer designated by the Chairman
12 of the Joint Chiefs of Staff who is a joint qualified officer.

13 “(2) Paragraph (1) applies with respect to an officer
14 who—

15 “(A) is serving on, or has served on, the Joint
16 Staff; or

17 “(B) is a joint qualified officer.

18 “(3) The Secretary of Defense may waive the require-
19 ment in paragraph (1) for any selection board of the Space
20 Force.

21 **“§ 20213. Notice of convening of selection boards**

22 “(a) NOTICE TO ELIGIBLE OFFICERS.—At least 30
23 days before a selection board is convened under section
24 20211 of this title to recommend officers in a grade for

1 promotion to the next higher grade, the Secretary of the
2 Air Force shall—

3 “(1) notify in writing the officers eligible for
4 consideration for promotion of the date on which the
5 board is to convene and the name and date of rank
6 of the junior officer, and of the senior officer, in the
7 promotion zone as of the date of the notification; or

8 “(2) issue a general written notice to the Space
9 Force regarding the convening of the board which
10 shall include the convening date of the board and
11 the name and date of rank of the junior officer, and
12 of the senior officer, in the promotion zone as of the
13 date of the notification.

14 “(b) COMMUNICATION FROM OFFICERS.—An officer
15 eligible for consideration by a selection board convened
16 under section 20211 of this title (other than an officer
17 who has been excluded under section 20231(d) of this title
18 from consideration by the board) may send a written com-
19 munication to the board, to arrive not later than 10 cal-
20 endar days before the date on which the board convenes,
21 calling attention to any matter concerning the officer that
22 the officer considers important to the officer’s case. The
23 selection board shall give consideration to any timely com-
24 munication under this subsection.

“20232. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions.

“20233. Opportunities for consideration for promotion.

“20234. Space Force officer list.

“20235. Competitive categories.

“20236. Numbers to be recommended for promotion.

“20237. Establishment of promotion zones.

“20238. Promotions: how made; authorized delay of promotions.

1 **“§ 20231. Eligibility for consideration for promotion:**
 2 **time-in-grade and other requirements**

3 “(a) TIME-IN-GRADE REQUIREMENTS.—(1) An offi-
 4 cer who is in a Space Force active status on the Space
 5 Force officer list and holds a permanent appointment in
 6 the grade of second lieutenant or first lieutenant may not
 7 be promoted to the next higher permanent grade until the
 8 officer has completed the following period of service in the
 9 grade in which the officer holds a permanent appointment:

10 “(A) Eighteen months, in the case of an officer
 11 holding a permanent appointment in the grade of
 12 second lieutenant.

13 “(B) Two years, in the case of an officer hold-
 14 ing a permanent appointment in the grade of first
 15 lieutenant.

16 “(2) Subject to paragraph (5), an officer who is in
 17 a Space Force active status on the Space Force officer
 18 list and holds a permanent appointment in a grade above
 19 first lieutenant may not be considered for selection for
 20 promotion to the next higher permanent grade until the

1 officer has completed the following period of service in the
2 grade in which the officer holds a permanent appointment:

3 “(A) Three years, in the case of an officer hold-
4 ing a permanent appointment in the grade of cap-
5 tain, major, or lieutenant colonel.

6 “(B) One year, in the case of an officer holding
7 a permanent appointment in the grade of colonel or
8 brigadier general.

9 “(3) When the needs of the service require, the Sec-
10 retary of the Air Force may prescribe a longer period of
11 service in grade for eligibility for promotion, in the case
12 of officers to whom paragraph (1) applies, or for eligibility
13 for consideration for promotion, in the case of officers to
14 whom paragraph (2) applies.

15 “(4) When the needs of the service require, the Sec-
16 retary of the Air Force may prescribe a shorter period of
17 service in grade, but not less than two years, for eligibility
18 for consideration for promotion, in the case of officers des-
19 ignated for limited duty to whom paragraph (2) applies.

20 “(5) The Secretary of the Air Force may waive para-
21 graph (2) to the extent necessary to assure that officers
22 described in subparagraph (A) of such paragraph have at
23 least two opportunities for consideration for promotion to
24 the next higher grade as officers below the promotion
25 zone.

1 “(6) In computing service in grade for purposes of
2 this section, service in a grade held as a result of assign-
3 ment to a position is counted as service in the grade in
4 which the officer would have served except for such assign-
5 ment or appointment.

6 “(b) CONTINUED ELIGIBILITY FOR CONSIDERATION
7 FOR PROMOTION OF OFFICERS WHO HAVE PREVIOUSLY
8 FAILED OF SELECTION.—(1) Except as provided in para-
9 graph (2), an officer who has failed of selection for pro-
10 motion to the next higher grade remains eligible for con-
11 sideration for promotion to that grade as long as the offi-
12 cer continues on active duty in other than a retired status
13 and is not promoted.

14 “(2) Paragraph (1) does not apply to an officer on
15 active status who is ineligible for consideration for pro-
16 motion under section 631(c) of this title for the second
17 time.

18 “(c) OFFICERS TO BE CONSIDERED BY PROMOTION
19 BOARDS.—(1) Each time a selection board is convened
20 under section 20211 of this title for consideration of offi-
21 cers in a competitive category for promotion to the next
22 higher grade, each officer in the promotion zone (except
23 as provided under paragraph (2)), and each officer above
24 the promotion zone, for the grade and competitive cat-

1 egory under consideration shall be considered for pro-
2 motion.

3 “(2) The Secretary of the Air Force—

4 “(A) may, in accordance with standards and
5 procedures prescribed by the Secretary of Defense in
6 regulations which shall apply uniformly among the
7 military departments, limit the officers to be consid-
8 ered by a selection board from below the promotion
9 zone to those officers who are determined to be ex-
10 ceptionally well qualified for promotion;

11 “(B) may, by regulation, prescribe a period of
12 time, not to exceed one year, from the time an offi-
13 cer on the Space Force officer list transfers on or
14 off of sustained duty during which the officer shall
15 be ineligible for consideration for promotion; and

16 “(C) may, by regulation, preclude from consid-
17 eration by a selection board by which the officer
18 would otherwise be eligible to be considered, an offi-
19 cer who has an established separation date that is
20 within 90 days after the date on which the board is
21 to be convened.

22 “(3)(A) The Secretary of Defense may authorize the
23 Secretary of the Air Force to preclude from consideration
24 by selection boards for promotion to the grade of brigadier
25 general, officers in the grade of colonel who—

1 “(i) have been considered and not selected for
2 promotion to the grade of brigadier general or by at
3 least two selection boards; and

4 “(ii) are determined, in accordance with stand-
5 ards and procedures prescribed pursuant to subpara-
6 graph (B), as not being exceptionally well qualified
7 for promotion.

8 “(B) If the Secretary of Defense authorizes the Sec-
9 retary of the Air Force to have the authority described
10 in subparagraph (A), the Secretary shall prescribe by reg-
11 ulation the standards and procedures for the exercise of
12 such authority. Those regulations shall apply uniformly
13 among the military departments and shall include the fol-
14 lowing provisions:

15 “(i) A requirement that the Secretary of the Air
16 Force may exercise such authority in the case of a
17 particular selection board only if the Secretary of
18 Defense approves the exercise of that authority for
19 that board.

20 “(ii) A requirement that an officer may be pre-
21 cluded from consideration by a selection board under
22 this paragraph only upon the recommendation of a
23 preselection board of officers convened by the Sec-
24 retary of the military department concerned and
25 composed of at least three officers all of whom are

1 serving in a grade higher than the grade of such of-
2 ficer.

3 “(iii) A requirement that such a preselection
4 board may not recommend that an officer be pre-
5 cluded from such consideration unless the Secretary
6 of the Air Force has given the officer advance writ-
7 ten notice of the convening of such board and of the
8 military records that will be considered by the board
9 and has given the officer a reasonable period before
10 the convening of the board in which to submit com-
11 ments to the board.

12 “(iv) A requirement that the Secretary of the
13 Air Force shall provide general guidance to the
14 board in accordance with standards and procedures
15 prescribed by the Secretary of Defense in those reg-
16 ulations.

17 “(v) A requirement that the preselection board
18 may recommend that an officer be precluded from
19 consideration by a selection board only on the basis
20 of the general guidance provided by the Secretary
21 Air Force, information in the officer’s official mili-
22 tary personnel records that has been described in the
23 notice provided the officer as required pursuant to
24 clause (iii), and any communication to the board re-
25 ceived from that officer before the board convenes.

1 “(d) CERTAIN OFFICERS NOT TO BE CONSID-
2 ERED.—A selection board convened under section 20211
3 of this title may not consider for promotion to the next
4 higher grade any of the following officers:

5 “(1) An officer whose name is on a promotion
6 list for that grade as a result of the officer’s selec-
7 tion for promotion to that grade by an earlier selec-
8 tion board convened under that section.

9 “(2) An officer who is recommended for pro-
10 motion to that grade in the report of an earlier se-
11 lection board convened under that section, in the
12 case of such a report that has not yet been approved
13 by the President.

14 “(3) An officer in the grade of first lieutenant
15 who is on an approved all-fully-qualified-officers list
16 under section 20238(a)(4) of this title.

17 “(4) An officer in the grade of captain who is
18 not a citizen of the United States.

19 “(5) An officer excluded under subsection (e).

20 “(e) AUTHORITY TO ALLOW OFFICERS TO OPT OUT
21 OF SELECTION BOARD CONSIDERATION.—(1) The Sec-
22 retary of the Air Force may provide that an officer on
23 the Space Force officer list may, upon the officer’s request
24 and with the approval of the Secretary, be excluded from
25 consideration by a selection board convened under section

1 20211 of this title to consider officers for promotion to
2 the next higher grade.

3 “(2) The Secretary of the Air Force may only ap-
4 prove a request under paragraph (1) if—

5 “(A)(i) the basis for the request is to allow an
6 officer to complete a broadening assignment, ad-
7 vanced education, another assignment of significant
8 value to the Department, a career progression re-
9 quirement delayed by the assignment or education;

10 “(ii) the Secretary determines the exclusion
11 from consideration is in the best interest of the
12 Space Force; and

13 “(iii) the officer has not previously failed of se-
14 lection for promotion to the grade for which the offi-
15 cer requests the exclusion from consideration; or

16 “(B)(i) the officer is serving in a critical skill
17 position that cannot be filled by another Space
18 Force officer serving in the same grade;

19 “(ii) the Secretary determines that it is in the
20 best interests of the Space Force for the officer to
21 continue to serve in their current position and grade;
22 and

23 “(iii) the officer has not previously opted out of
24 a promotion board under this authority.

1 **“§ 20232. Eligibility for consideration for promotion:**
2 **designation as joint qualified officer re-**
3 **quired before promotion to brigadier**
4 **general; exceptions**

5 “The provisions of section 619a of this title shall
6 apply to officers of the Space Force.

7 **“§ 20233. Opportunities for consideration for pro-**
8 **motion**

9 “(a) SPECIFICATION OF NUMBER OF OPPORTUNI-
10 TIES FOR CONSIDERATION FOR PROMOTION.—Under reg-
11 ulations prescribed by the Secretary of Defense, the Sec-
12 retary of the Air Force shall specify the number of oppor-
13 tunities for consideration for promotion to be afforded to
14 Space Force officers for promotion to each grade above
15 the grade of captain.

16 “(b) LIMITATION ON NUMBER OF OPPORTUNITIES
17 THAT MAY BE SPECIFIED.—The number of opportunities
18 for consideration for promotion to be afforded officers of
19 the Space Force for promotion to a particular grade may
20 not exceed five.

21 “(c) LIMITED AUTHORITY OF SECRETARY OF THE
22 AIR FORCE TO MODIFY NUMBER OF OPPORTUNITIES.—
23 The Secretary of the Air Force may change the number
24 of opportunities for consideration for promotion to a par-
25 ticular grade not more frequently than once every five
26 years.

1 “(d) AUTHORITY OF SECRETARY OF DEFENSE TO
2 MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of
3 Defense may modify the number of opportunities for con-
4 sideration for promotion to be afforded officers of the
5 Space Force for promotion to a particular grade.

6 “§ 20234. **Space Force officer list**

7 “(a) SINGLE LIST.—The Secretary of the Air Force
8 shall maintain a single list of all Space Force officers serv-
9 ing in a Space Force active status. The list shall be known
10 as the Space Force officer list.

11 “(b) ORDER OF OFFICERS ON LIST.—Officers shall
12 be carried on the Space Force officer list in the order of
13 seniority of the grade in which they are serving. Officers
14 serving in the same grade shall be carried in the order
15 of their rank in that grade.

16 “(c) EFFECT OF SERVICE IN A TEMPORARY AP-
17 POINTMENT.—An officer whose position on the Space
18 Force officer list results from service under a temporary
19 appointment or in a grade held by reason of assignment
20 to a position has, when that appointment or assignment
21 ends, the grade and position on the Space Force officer
22 list that the officer would have held if the officer had not
23 received that appointment or assignment.

1 **“§ 20235. Competitive categories**

2 “(a) REQUIREMENT TO ESTABLISH COMPETITIVE
3 CATEGORIES FOR PROMOTION.—Under regulations pre-
4 scribed by the Secretary of Defense, the Secretary of the
5 Air Force shall establish at least one competitive category
6 for promotion for officers on the Space Force officer list.
7 Each officer whose name appears on the Space Force offi-
8 cer list shall be carried in a competitive category of offi-
9 cers. Officers in the same competitive category shall com-
10 pete among themselves for promotion.

11 “(b) SINGLE COMPETITIVE CATEGORY FOR PRO-
12 MOTION TO GENERAL OFFICER GRADES.—The Secretary
13 of the Air Force shall establish a single competitive cat-
14 egory for all officers on the Space Force officer list who
15 will be considered by a selection board convened under sec-
16 tion 20211 of this title for promotion to the grade of brig-
17 adier general or major general.

18 **“§ 20236. Numbers to be recommended for promotion**

19 “(a) PROMOTION TO GRADES BELOW BRIGADIER
20 GENERAL.—(1) Before convening a selection board under
21 section 20211 of this title to consider officers for rec-
22 ommendation for promotion to a grade below brigadier
23 general and in any competitive category, the Secretary of
24 the Air Force shall determine—

25 “(A) the number of positions needed to accom-
26 plish mission objectives which require officers of that

1 competitive category in the grade to which the board
2 will recommend officers for promotion;

3 “(B) the estimated number of officers needed to
4 fill vacancies in those positions during the period in
5 which it is anticipated that officers selected for pro-
6 motion will be promoted; and

7 “(C) the number of officers in a Space Force
8 active status authorized by the Secretary of the Air
9 Force to serve both on sustained duty and not on
10 sustained duty in the grade and competitive category
11 under consideration.

12 “(2) Based on the determinations under paragraph
13 (1), the Secretary of the Air Force shall determine the
14 maximum number of officers in that competitive category
15 which the selection board may recommend for promotion.

16 “(b) PROMOTION TO BRIGADIER GENERAL AND
17 MAJOR GENERAL.—(1) Before convening a selection
18 board under section 20211 of this title to consider officers
19 for recommendation for promotion to the grade of briga-
20 dier general or major general, the Secretary of the Air
21 Force shall determine—

22 “(A) the number of positions needed to accom-
23 plish mission objectives which require officers serv-
24 ing in a Space Force active status on sustained
25 duty, and in a Space Force active status not on sus-

1 tained duty, in the grade to which the board will rec-
2 ommend officers for promotion; and

3 “(B) the estimated number of officers on sus-
4 tained duty and not on sustained duty needed to fill
5 vacancies in those positions over the 24-month pe-
6 riod beginning on the date on which the selection
7 board convenes.

8 “(2) Based on the determinations under paragraph
9 (1), the Secretary of the Air Force shall determine the
10 maximum number of officers serving in a Space Force ac-
11 tive status on sustained duty, and the maximum number
12 of officers serving in a Space Force active status not on
13 sustained duty, which the selection board may recommend
14 for promotion.

15 **“§ 20237. Establishment of promotion zones**

16 “(a) IN GENERAL.—Before convening a selection
17 board under section 20211 of this title to consider officers
18 for promotion to any grade above first lieutenant or lieu-
19 tenant (junior grade), the Secretary of the Air Force shall
20 establish a promotion zone for officers serving in each
21 grade and competitive category to be considered by the
22 board.

23 “(b) DETERMINATION OF NUMBER.—The Secretary
24 of the Air Force shall determine the number of officers
25 in the promotion zone for officers serving in any grade

1 and competitive category from among officers who are eli-
 2 gible for promotion in that grade and competitive cat-
 3 egory. Such determination shall be made on the basis of
 4 an estimate of—

5 “(1) the number of officers needed in that com-
 6 petitive category in the next higher grade in each of
 7 the next five years;

8 “(2) the number of officers to be serving in that
 9 competitive category in the next higher grade in
 10 each of the next five years;

11 “(3) in the case of a promotion zone for officers
 12 to be promoted to a grade to which section 523 of
 13 this title is applicable, the number of officers author-
 14 ized for such grade under such section to be on ac-
 15 tive duty on the last day of each of the next five fis-
 16 cal years; and

17 “(4) the number of officers that should be
 18 placed in that promotion zone in each of the next
 19 five years to provide to officers in those years rel-
 20 atively similar opportunity for promotion.

21 **“§ 20238. Promotions: how made; authorized delay of**
 22 **promotions**

23 “(a) PROCEDURE FOR PROMOTION OF OFFICERS ON
 24 AN APPROVED PROMOTION LIST.—

1 “(1) PLACEMENT OF NAMES ON PROMOTION
2 LIST.—When the report of a selection board con-
3 vened under section 20211 of this title is approved
4 by the President, the Secretary of the Air Force
5 shall place the names of all officers approved for
6 promotion within a competitive category on a single
7 list for that competitive category, to be known as a
8 promotion list, in the order of the seniority of such
9 officers on the list or based on particular merit, as
10 determined by the promotion board. A promotion list
11 is considered to be established under this section as
12 of the date of the approval of the report of the selec-
13 tion board under the preceding sentence.

14 “(2) ORDER AND TIMING OF PROMOTIONS.—
15 Except as provided in subsection (d), officers on a
16 promotion list for a competitive category shall be
17 promoted to the next higher grade when additional
18 officers in that grade and competitive category are
19 needed. Promotions shall be made in the order in
20 which the names of officers appear on the promotion
21 list and after officers previously selected for pro-
22 motion in that competitive category have been pro-
23 moted. Officers to be promoted to the grade of first
24 lieutenant shall be promoted in accordance with reg-

1 ulations prescribed by the Secretary of the Air
2 Force.

3 “(3) LIMITATION ON PROMOTIONS TO GENERAL
4 OFFICER GRADES TO COMPLY WITH STRENGTH LIM-
5 TATIONS.—Under regulations prescribed by the Sec-
6 retary of Defense, the promotion of an officer on the
7 Space Force officer list to a general officer grade
8 shall be delayed if that promotion would cause any
9 strength limitation of section 526 of this title to be
10 exceeded. The delay shall expire when the Secretary
11 of the Air Force determines that the delay is no
12 longer required to ensure compliance with the
13 strength limitation.

14 “(4) PROMOTION OF FIRST LIEUTENANTS ON
15 AN ALL-FULLY-QUALIFIED OFFICERS LIST.—(A) Ex-
16 cept as provided in subsection (d), officers on the
17 Space Force officer list in the grade of first lieuten-
18 ant who are on an approved all-fully-qualified-offi-
19 cers list shall be promoted to the grade of captain
20 in accordance with regulations prescribed by the
21 Secretary of the Air Force.

22 “(B) An all-fully-qualified-officers list shall be
23 considered to be approved for purposes of subpara-
24 graph (A) when the list is approved by the Presi-
25 dent. When so approved, such a list shall be treated

1 in the same manner as a promotion list under this
2 chapter.

3 “(C) The Secretary of the Air Force may make
4 a recommendation to the President for approval of
5 an all-fully-qualified-officers list only when the Sec-
6 retary determines that all officers on the list are
7 needed in the next higher grade to accomplish mis-
8 sion objectives.

9 “(D) For purposes of this paragraph, an all-
10 fully-qualified-officers list is a list of all officers on
11 the Space Force officers list in a grade who the Sec-
12 retary of the Air Force determines—

13 “(i) are fully qualified for promotion to the
14 next higher grade; and

15 “(ii) would be eligible for consideration for
16 promotion to the next higher grade by a selec-
17 tion board convened under section 20211 of this
18 title upon the convening of such a board.

19 “(E) If the Secretary of the Air Force deter-
20 mines that one or more officers or former officers
21 were not placed on an all-fully-qualified-list under
22 this paragraph because of administrative error, the
23 Secretary may prepare a supplemental all-fully-quali-
24 fied-officers list containing the names of any such

1 officers for approval in accordance with this para-
 2 graph.

3 “(b) DATE OF RANK.—The date of rank of an officer
 4 appointed to a higher grade under this section is deter-
 5 mined under section 741(d) of this title.

6 “(c) APPOINTMENT AUTHORITY.—Appointments
 7 under this section shall be made by the President, by and
 8 with the advice and consent of the Senate, except that ap-
 9 pointments under this section in the grade of first lieuten-
 10 ant or captain shall be made by the President alone.

11 “(d) AUTHORITY TO DELAY APPOINTMENTS FOR
 12 SPECIFIED REASONS.—The provisions of subsection (d) of
 13 section 624 of this title shall apply to the appointment
 14 of an officer under this section in the same manner as
 15 they apply to an appointment of an officer under that sec-
 16 tion, and any reference in that subsection to an active-
 17 duty list shall be treated for purposes of applicability to
 18 an officer of the Space Force as referring to the Space
 19 Force officer list.

20 “SUBCHAPTER IV—PERSONS NOT CONSIDERED
 21 FOR PROMOTION AND OTHER PROMOTION-
 22 RELATED PROVISIONS

“Sec.

“20241. Persons not considered for promotion and other promotion-related pro-
 visions.

1 **“§ 20241. Persons not considered for promotion and**
 2 **other promotion-related provisions**

3 “Subchapter III of chapter 36 of this title shall apply
 4 to officers of the Space Force.

5 **“SUBCHAPTER V—APPLICABILITY OF OTHER**
 6 **LAWS**

“Sec.

“20251. Applicability of certain DOPMA officer personnel policy provisions.

7 **“§ 20251. Applicability of certain DOPMA officer per-**
 8 **sonnel policy provisions**

9 “Except as otherwise modified or provided for in this
 10 chapter, the following provisions of chapter 36 of this title
 11 (relating to promotion, separation, and involuntary retire-
 12 ment of officers on the active-duty list) shall apply to
 13 Space Force officers and officer promotions:

14 “(1) Subchapter I (relating to selection boards).

15 “(2) Subchapter II (relating to promotions).

16 “(3) Subchapter III (relating to failure of selec-
 17 tion for promotion and retirement for years of serv-
 18 ice).

19 “(4) Subchapter IV (relating to continuation on
 20 active duty and selective early retirement).

21 “(5) Subchapter V (additional provisions relat-
 22 ing to promotion, separation, and retirement).

1 “(6) Subchapter VI (relating to alternative pro-
2 motion authority for officers in designated competi-
3 tive categories).”.

4 (d) TEMPORARY (“BREVET”) PROMOTIONS FOR OF-
5 FICERS WITH CRITICAL SKILLS.—Section 605 of title 10,
6 United States Code, is amended as follows:

7 (1) COVERAGE OF SPACE FORCE OFFICERS.—
8 Subsections (a), (b)(2)(A), (f)(1), and (f)(2) are
9 amended by striking “or Marine Corps,” each place
10 it appears and inserting “Marine Corps, or Space
11 Force,”.

12 (2) DISAGGREGATION OF AIR FORCE MAXIMUM
13 NUMBERS.—Subsection (g) is amended—

14 (A) by redesignating paragraphs (3) and
15 (4) as paragraphs (4) and (5), respectively; and

16 (B) by striking paragraph (2) and insert-
17 ing the following new paragraphs (2) and (3):

18 “(2) In the case of the Air Force—

19 “(A) as captain, 95;

20 “(B) as major, 305;

21 “(C) as lieutenant colonel, 165; and

22 “(D) as colonel, 75.

23 “(3) In the case of the Space Force—

24 “(A) as captain, 5;

25 “(B) as major, 20;

1 “(C) as lieutenant colonel, 10; and

2 “(D) as colonel, 5.”.

3 **SEC. 1817. ENLISTED MEMBERS.**

4 (a) IN GENERAL.—Subtitle F of title 10, United
5 States Code, as amended by section 1716, is further
6 amended by adding at the end the following new chapter:

7 **“CHAPTER 2007—ENLISTED MEMBERS**

“Sec.

“20301. Original enlistments: qualifications; grade.

“20302. Enlisted members: term of enlistment.

“20303. Reference to chapter 31.

8 **“§ 20301. Original enlistments: qualifications; grade**

9 “(a) ORIGINAL ENLISTMENTS.—

10 “(1) AUTHORITY TO ACCEPT.—The Secretary
11 of the Air Force may accept original enlistments in
12 the Space Force of qualified, effective, and able-bod-
13 ied persons.

14 “(2) AGE.—A person accepted for original en-
15 listment shall be not less than seventeen years of
16 age. However, no person under eighteen years of age
17 may be originally enlisted without the written con-
18 sent of the person’s parent or guardian, if the per-
19 son has a parent or guardian entitled to the person’s
20 custody and control.

21 “(b) GRADE.—A person is enlisted in the Space
22 Force in the grade prescribed by the Secretary of the Air
23 Force.

1 **“§ 20302. Enlisted members: term of enlistment**

2 “(a) TERM OF ORIGINAL ENLISTMENTS.—The Sec-
3 retary of the Air Force may accept original enlistments
4 of persons for the duration of their minority or for a pe-
5 riod of at least two but not more than eight years in the
6 Space Force.

7 “(b) TERM OF REENLISTMENTS.—The Secretary of
8 the Air Force may accept a reenlistment in the Space
9 Force for a period determined in accordance with para-
10 graphs (2), (3), and (4) of section 505(d) of this title.

11 **“§ 20303. Reference to chapter 31**

12 “For other provisions of this title applicable to enlist-
13 ments in the Space Force, see chapter 31 of this title.”.

14 (b) AMENDMENTS TO TITLE 10 CHAPTER RELATING
15 TO ENLISTMENTS.—Chapter 31 of such title is amended
16 as follows:

17 (1) RECRUITING CAMPAIGNS.—Section 503(a)
18 is amended by striking “and Regular Coast Guard”
19 and inserting “Regular Coast Guard, and the Space
20 Force”.

21 (2) QUALIFICATIONS, TERM, GRADE.—Section
22 505 is amended—

23 (A) by striking “Regular Space Force,”
24 each place it appears; and

25 (B) by adding at the end the following new
26 subsection:

1 “(e) For enlistments in the Space Force, see sections
2 20301 and 20302 of this title.”.

3 (3) EXTENSION OF ENLISTMENTS DURING
4 WAR.—Section 506 is amended by striking “Reg-
5 ular” before “Space Force”.

6 (4) REENLISTMENT.—Section 508 is amended
7 striking “Regular” before “Space Force” both places
8 it appears.

9 (5) ENLISTMENT INCENTIVES FOR PURSUIT OF
10 SKILLS TO FACILITATE NATIONAL SERVICE.—Sec-
11 tion 510(c) is amended—

12 (A) in paragraph (2), by inserting “or the
13 Space Force” after “Selected Reserve”; and

14 (B) in paragraph (3)—

15 (i) by redesignating subparagraphs
16 (D) and (E) as subparagraphs (E) and
17 (F), respectively;

18 (ii) by inserting after subparagraph
19 (C) the following new subparagraph (D):

20 “(D) in the Space Force;” and

21 (iii) in subparagraph (F), as so redес-
22 igned, by striking “subparagraphs (A)
23 through (D)” and inserting “subpara-
24 graphs (A) through (E)”.

1 (6) COLLEGE FIRST PROGRAM.—Section
2 511(b)(1)(A) is amended by inserting “or as a mem-
3 ber of the Space Force,” after “reserve compo-
4 nent,”.

5 (7) DELAYED ENTRY PROGRAM.—Section
6 513(a) is amended—

7 (A) by inserting, “, or who is qualified
8 under section 20301 of this title and applicable
9 regulations for enlistment in the Space Force,”
10 after “armed force”; and

11 (B) by inserting “, or be enlisted as a
12 member of the Space Force,” after “Coast
13 Guard Reserve”.

14 (8) EFFECT UPON ENLISTED STATUS OF AC-
15 CEPTANCE OF APPOINTMENT AS CADET OR MID-
16 SHIPMAN.—Section 516(b) is amended by inserting
17 “or in the Space Force,” after “armed force”.

18 **SEC. 1818. RETENTION AND SEPARATION GENERALLY.**

19 (a) IN GENERAL.—Subtitle F of title 10, United
20 States Code, as amended by section 1717, is further
21 amended by adding at the end the following new chapter:

22 **“CHAPTER 2009—RETENTION AND**
23 **SEPARATION GENERALLY**

“Sec.

“20401. Applicability of certain provisions of law related to separation.

“20402. Enlisted members: standards and qualifications for retention.

“20403. Officers: standards and qualifications for retention.

“20404. Selection of officers for early retirement or discharge.

“20405. Force shaping authority.

1 **“§ 20401. Applicability of certain provisions of law re-**
2 **lated to separation**

3 “(a) OFFICER SEPARATION.—Except as specified in
4 this section or otherwise modified in this chapter, the pro-
5 visions of chapter 59 of this title applicable to officers of
6 a regular component shall apply to officers of the Space
7 Force.

8 “(b) ENLISTED MEMBER SEPARATION.—Except as
9 specified in this section or otherwise modified in this chap-
10 ter, the provisions of chapter 59 of this title applicable
11 to enlisted members of a regular component shall apply
12 to enlisted members of the Space Force.

13 “(c) SEPARATION PAY UPON INVOLUNTARY DIS-
14 CHARGE OR RELEASE FROM ACTIVE DUTY.—The provi-
15 sions of section 1174 of this title—

16 “(1) pertaining to a regular officer shall apply
17 to a Space Force officer serving on sustained duty;

18 “(2) pertaining to a regular enlisted member
19 shall apply to an enlisted member of the Space
20 Force serving on sustained duty; and

21 “(3) pertaining to other members shall apply to
22 members of the Space Force not serving on sus-
23 tained duty.

1 “(d) VOLUNTARY SEPARATION INCENTIVE.—The
 2 provisions of section 1175 of this title pertaining to a vol-
 3 untary appointment, enlistment, or transfer to a reserve
 4 component shall apply to the voluntary release from active
 5 duty of a member of the Space Force on sustained duty.

6 “(e) VOLUNTARY SEPARATION PAY AND BENE-
 7 FITS.—The provisions of section 1176 of this title—

8 “(1) pertaining to a regular enlisted member
 9 shall apply to an enlisted member of the Space
 10 Force serving on sustained duty; and

11 “(2) pertaining to a reserve enlisted member
 12 serving in an active status shall apply to an enlisted
 13 member of the Space Force serving in a Space Force
 14 active status or on sustained duty.

15 **“§ 20402. Enlisted members: standards and qualifica-**
 16 **tions for retention**

17 “(a) STANDARDS AND QUALIFICATIONS FOR RETEN-
 18 TION.—Subject to such limitations as the Secretary of De-
 19 fense may prescribe, the Secretary of the Air Force shall,
 20 by regulation, prescribe—

21 “(1) standards and qualifications for the reten-
 22 tion of enlisted members of the Space Force; and

23 “(2) equitable procedures for the periodic deter-
 24 mination of the compliance of each such member
 25 with those standards and qualifications.

1 (a)(2), may be referred to a board convened under section
2 20501(a) of this title.

3 **“§ 20404. Selection of officers for early retirement or**
4 **discharge**

5 “(a) CONSIDERATION FOR EARLY RETIREMENT.—
6 The Secretary of the Air Force may convene selection
7 boards under section 20211(b) of this title to consider for
8 early retirement officers on the Space Force officer list
9 as follows:

10 “(1) Officers in the grade of lieutenant colonel
11 who have failed of selection for promotion at least
12 one time and whose names are not on a list of offi-
13 cers recommended for promotion.

14 “(2) Officers in the grade of colonel who have
15 served in that grade for at least two years and
16 whose names are not on a list of officers rec-
17 ommended for promotion.

18 “(3) Officers, other than those described in
19 paragraphs (1) and (2), holding a grade below the
20 grade of colonel—

21 “(A) who are eligible for retirement under
22 section 20601 of this title or who after two ad-
23 ditional years or less of active service would be
24 eligible for retirement under that section; and

1 “(B) whose names are not on a list of offi-
2 cers recommended for promotion.

3 “(b) CONSIDERATION FOR DISCHARGE.—

4 “(1) Subject to such limitations as the Sec-
5 retary of Defense may prescribe, the Secretary of
6 the Air Force may convene selection boards under
7 section 20211 of this title to consider for discharge
8 officers on the Space Force officer list—

9 “(A) who have served at least one year of
10 active status in the grade currently held;

11 “(B) whose names are not on a list of offi-
12 cers recommended for promotion; and

13 “(C) who are not eligible to be retired
14 under any provision of law (other than by rea-
15 son of eligibility pursuant to section 4403 of the
16 National Defense Authorization Act for Fiscal
17 Year 1993 (Public Law 102–484)) and are not
18 within two years of becoming so eligible.

19 “(2) An officer who is recommended for dis-
20 charge by a selection board convened pursuant to
21 the authority of paragraph (1) and whose discharge
22 is approved by the Secretary of the Air Force shall
23 be discharged on a date specified by the Secretary.

1 “(3) Selection of officers for discharge under
2 paragraph (1) shall be based on the needs of the
3 service.

4 “(c) DISCHARGES AND RETIREMENTS CONSIDERED
5 TO BE INVOLUNTARY.—The discharge or retirement of an
6 officer pursuant to this section shall be considered to be
7 involuntary for purposes of any other provision of law.

8 **“§ 20405. Force shaping authority**

9 “(a) AUTHORITY.—The Secretary of the Air Force
10 may, solely for the purpose of restructuring the Space
11 Force—

12 “(1) discharge an officer described in sub-
13 section (b); or

14 “(2) involuntarily release such an officer from
15 sustained duty.

16 “(b) COVERED OFFICERS.—(1) The authority under
17 this section may be exercised in the case of an officer of
18 the Space Force serving on sustained duty who—

19 “(A) has completed not more than six years of
20 service as a commissioned officer in the armed
21 forces; or

22 “(B) has completed more than six years of serv-
23 ice as a commissioned officer in the armed forces,
24 but has not completed the minimum service obliga-
25 tion applicable to that officer.

1 “(2) In this subsection, the term ‘minimum service
2 obligation’, with respect to a member of the Space Force,
3 means the initial period of required active duty service ap-
4 plicable to the member, together with any additional pe-
5 riod of required active duty service incurred by that mem-
6 ber during the member’s initial period of required active
7 duty service.

8 “(c) REGULATIONS.—The Secretary of the Air Force
9 shall prescribe regulations for the exercise of the Sec-
10 retary’s authority under this section.”.

11 (b) CONFORMING AMENDMENTS.—Section 647 of
12 title 10, United States Code, is amended—

13 (1) in subsection (b)(1), by inserting “(other
14 than an officer of the Space Force)” after “in the
15 case of an officer”;

16 (2) in subsection (c), by striking “Regular Ma-
17 rine Corps, of Regular Space Force” and inserting
18 “or Regular Marine Corps”; and

19 (3) by adding at the end the following new sub-
20 section:

21 “(e) SPACE FORCE.—For a similar provision with re-
22 spect to officers of the Space Force, see section 20405
23 of this title.”.

1 **SEC. 1819. SEPARATION OF OFFICERS FOR SUBSTANDARD**
 2 **PERFORMANCE OF DUTY OR FOR CERTAIN**
 3 **OTHER REASONS.**

4 Subtitle F of title 10, United States Code, as amend-
 5 ed by section 1718, is further amended by adding at the
 6 end the following new chapter:

7 **“CHAPTER 2011—SEPARATION OF OFFI-**
 8 **CERS FOR SUBSTANDARD PERFORM-**
 9 **ANCE OF DUTY OR FOR CERTAIN**
 10 **OTHER REASONS**

“Sec.

“20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons.

“20502. Retention boards.

“20503. Removal of officer: action by secretary upon recommendation of retention board.

“20504. Rights and procedures.

“20505. Officer considered for removal: voluntary retirement or discharge.

“20506. Officers eligible to serve on retention boards.

11 **“§ 20501. Authority to establish procedures to con-**
 12 **sider the separation of officers for sub-**
 13 **standard performance of duty and for**
 14 **certain other reasons**

15 “(a) PROCEDURES FOR REVIEW OF RECORD OF OF-
 16 FICERS RELATING TO STANDARDS OF PERFORMANCE OF
 17 DUTY.—(1) The Secretary of the Air Force shall pre-
 18 scribe, by regulation, procedures for the review at any time
 19 of the record of any commissioned officer (other than a
 20 retired officer) of the Space Force in a Space Force active

1 status to determine whether the officer shall be required,
2 because of a reason stated in paragraph (2), to show cause
3 for the officer's retention in a Space Force active status.

4 “(2) The reasons referred to in paragraph (1) are the
5 following:

6 “(A) The officer's performance of duty has fall-
7 en below standards prescribed by the Secretary of
8 Defense.

9 “(B) The officer has failed to satisfy the stand-
10 ards and qualifications established under section
11 20403 of this title by the Secretary of the Air Force.

12 “(b) PROCEDURES FOR REVIEW OF RECORD OF OF-
13 FICERS RELATING TO CERTAIN OTHER REASONS.—(1)
14 The Secretary of the Air Force shall prescribe, by regula-
15 tion, procedures for the review at any time of the record
16 of any commissioned officer (other than a retired officer)
17 of the Space Force in a Space Force active status to deter-
18 mine whether the officer should be required, because of
19 a reason stated in paragraph (2), to show cause for the
20 officer's retention in a Space Force active status.

21 “(2) The reasons referred to in paragraph (1) are the
22 following:

23 “(A) Misconduct.

24 “(B) Moral or professional dereliction.

1 “(C) The officer’s retention is not clearly con-
2 sistent with the interests of national security.

3 “(c) SECRETARY OF DEFENSE LIMITATIONS.—Regu-
4 lations prescribed by the Secretary of the Air Force under
5 this section are subject to such limitations as the Sec-
6 retary of Defense may prescribe.

7 **“§ 20502. Retention boards**

8 “(a) CONVENING OF BOARDS TO CONSIDER OFFI-
9 CERS REQUIRED TO SHOW CAUSE.—The Secretary of the
10 Air Force shall convene retention boards at such times
11 and places as the Secretary may prescribe to receive evi-
12 dence and make findings and recommendations as to
13 whether an officer who is required under section 20501
14 of this title to show cause for retention in a Space Force
15 active status should be retained in a Space Force active
16 status. Each retention board shall be composed of not less
17 than three officers having the qualifications prescribed by
18 section 20506 of this title.

19 “(b) FAIR AND IMPARTIAL HEARING.—A retention
20 board shall give a fair and impartial hearing to each offi-
21 cer required under section 20501 of this title to show
22 cause for retention in a Space Force active status.

23 “(c) EFFECT OF BOARD DETERMINATION THAT AN
24 OFFICER HAS FAILED TO ESTABLISH THAT THE OFFI-
25 CER SHOULD BE RETAINED.—(1) If a retention board de-

1 termines that the officer has failed to establish that the
2 officer should be retained in a Space Force active status,
3 the board shall recommend to the Secretary of the Air
4 Force one of the following:

5 “(A) That the officer be transferred to an inac-
6 tive status.

7 “(B) That the officer, if qualified under any
8 provision of law, be retired.

9 “(C) That the officer be discharged from the
10 Space Force.

11 “(2) Under regulations prescribed by the Secretary
12 of the Air Force, an officer as to whom a retention board
13 makes a recommendation under paragraph (1) that the
14 officer not be retained in a Space Force active status may
15 be required to take leave pending the completion of the
16 officer’s case under this chapter. The officer may be re-
17 quired to begin such leave at any time following the offi-
18 cer’s receipt of the report of the retention board, including
19 the board’s recommendation for removal from a Space
20 Force active status, and the expiration of any period al-
21 lowed for submission by the officer of a rebuttal to that
22 report. The leave may be continued until the date on which
23 action by the Secretary of the Air Force on the officer’s
24 case is completed or may be terminated at any earlier
25 time.

1 “(d) EFFECT OF BOARD DETERMINATION THAT AN
2 OFFICER HAS ESTABLISHED THAT THE OFFICER
3 SHOULD BE RETAINED.—(1) If a retention board deter-
4 mines that the officer has established that the officer
5 should be retained in a Space Force active status, the offi-
6 cer’s case is closed.

7 “(2) An officer who is required to show cause for re-
8 tention in a Space Force active status under subsection
9 (a) of section 20501 of this title and who is determined
10 under paragraph (1) to have established that the officer
11 should be retained in a Space Force active status may not
12 again be required to show cause for retention in a Space
13 Force active status under such subsection within the one-
14 year period beginning on the date of that determination.

15 “(3)(A) Subject to subparagraph (B), an officer who
16 is required to show cause for retention in a Space Force
17 active status under subsection (b) of section 20501 of this
18 title and who is determined under paragraph (1) to have
19 established that the officer should be retained in a Space
20 Force active status may again be required to show cause
21 for retention at any time.

22 “(B) An officer who has been required to show cause
23 for retention in a Space Force active status under sub-
24 section (b) of section 20501 of this title and who is there-
25 after retained in an active status may not again be re-

1 quired to show cause for retention in a Space Force active
2 status under such subsection solely because of conduct
3 which was the subject of the previous proceedings, unless
4 the findings or recommendations of the retention board
5 that considered the officer's previous case are determined
6 to have been obtained by fraud or collusion.

7 “(4) In the case of an officer described in paragraph
8 (2) or paragraph (3)(A), the retention board may rec-
9 ommend that the officer be required to complete additional
10 training, professional education, or such other develop-
11 mental programs as may be available to correct any identi-
12 fied deficiencies and improve the officer's performance
13 within the Space Force.

14 **“§ 20503. Removal of officer: action by Secretary**
15 **upon recommendation of retention board**

16 “The Secretary of the Air Force may remove an offi-
17 cer from Space Force active status if the removal of such
18 officer from Space Force active status is recommended by
19 a retention board convened under section 20502 of this
20 title.

21 **“§ 20504. Rights and procedures**

22 “(a) IN GENERAL.—Under regulations prescribed by
23 the Secretary of the Air Force, each officer required under
24 section 20501 of this title to show cause for retention in
25 a Space Force active status—

1 “(1) shall be notified in writing, at least 30
2 days before the hearing of the officer’s case by a re-
3 tention board, of the reasons for which the officer is
4 being required to show cause for retention in a
5 Space Force active status;

6 “(2) shall be allowed a reasonable time, as de-
7 termined by the board, to prepare the officer’s show-
8 ing of cause for retention in a Space Force active
9 status;

10 “(3) shall be allowed to appear either in person
11 or through electronic means and to be represented
12 by counsel at proceedings before the board; and

13 “(4) shall be allowed full access to, and shall be
14 furnished copies of, records relevant to the officer’s
15 case, except that the board shall withhold any record
16 that the Secretary determines should be withheld in
17 the interest of national security.

18 “(b) SUMMARY OF RECORDS WITHHELD IN INTER-
19 EST OF NATIONAL SECURITY.—When a record is withheld
20 under subsection (a)(4), the officer whose case is under
21 consideration shall, to the extent that the interest of na-
22 tional security permits, be furnished a summary of the
23 record so withheld.

1 **“§ 20505. Officer considered for removal: voluntary**
2 **retirement or discharge**

3 “(a) IN GENERAL.—At any time during proceedings
4 under this chapter with respect to the removal of an offi-
5 cer from a Space Force active status, the Secretary of the
6 Air Force may grant a request by the officer—

7 “(1) for voluntary retirement, if the officer is
8 qualified for retirement; or

9 “(2) for discharge in accordance with sub-
10 section (b)(2).

11 “(b) RETIREMENT OR DISCHARGE.—An officer re-
12 moved from a Space Force active status under section
13 20503 of this title shall—

14 “(1) if eligible for voluntary retirement under
15 any provision of law on the date of such removal, be
16 retired in the grade and with the retired pay for
17 which the officer would be eligible if retired under
18 such provision; and

19 “(2) if ineligible for voluntary retirement under
20 any provision of law on the date of such removal—

21 “(A) be honorably discharged in the grade
22 then held, in the case of an officer whose case
23 was brought under subsection (a) of section
24 20501 of this title; or

25 “(B) be discharged in the grade then held,
26 in the case of an officer whose case was brought

1 under subsection (b) of section 20501 of this
2 title.

3 “(c) SEPARATION PAY FOR DISCHARGED OFFI-
4 CER.—An officer who is discharged under subsection
5 (b)(2) is entitled, if eligible therefor, to separation pay
6 under section 1174(a)(2) of this title.

7 **“§ 20506. Officers eligible to serve on retention**
8 **boards**

9 “(a) IN GENERAL.—The provisions of section 1187
10 of this title apply to the membership of boards convened
11 under this chapter in the same manner as to the member-
12 ship of boards convened under chapter 60 of this title.

13 “(b) RETIRED AIR FORCE OFFICERS.—

14 “(1) AUTHORITY.—In applying subsection (b)
15 of section 1187 of this title to a board convened
16 under this chapter, the Secretary of the Air Force
17 may appoint retired officers of the Air Force, in ad-
18 dition to retired officers of the Space Force, to com-
19 plete the membership of the board.

20 “(2) LIMITATION.—A retired officer of the Air
21 Force may be appointed to a board under paragraph
22 (1) only if the officer served in a space-related ca-
23 reer field of the Air Force for sufficient time such
24 that the Secretary of the Air Force determines that
25 the retired Air Force officer has adequate knowledge

1 concerning the standards of performance and con-
 2 duct required of an officer of the Space Force.”.

3 **SEC. 1820. RETIREMENT.**

4 (a) IN GENERAL.—Subtitle F of title 10, United
 5 States Code, as amended by section 1719, is further
 6 amended by adding at the end the following new chapter:

7 **“CHAPTER 2013—VOLUNTARY**
 8 **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 retire-
 ment.

“20605. Applicability of other provisions of law relating to retirement.

9 **“§ 20601. Officers: voluntary retirement for length of**
 10 **service**

11 “(a) TWENTY YEARS OR MORE.—The Secretary of
 12 the Air Force may, upon the officer’s request, retire a
 13 commissioned officer of the Space Force who has at least
 14 20 years of service computed under section 20602 of this
 15 title, at least 10 years of which have been active service
 16 as a commissioned officer.

17 “(b) THIRTY YEARS OR MORE.—A commissioned of-
 18 ficer of the Space Force who has at least 30 years of serv-
 19 ice computed under section 20602 of this title may be re-
 20 tired upon the officer’s request, in the discretion of the
 21 President.

1 “(c) FORTY YEARS OR MORE.—Except as provided
2 in section 20503 of this title, a commissioned officer of
3 the Space Force who has at least 40 years of service com-
4 puted under section 20602 of this title shall be retired
5 upon the officer’s request.

6 **“§ 20602. Officers: computation of years of service for**
7 **voluntary retirement**

8 “(a) YEARS OF ACTIVE SERVICE.—For the purpose
9 of determining whether an officer of the Space Force may
10 be retired under section 20601 of this title, the officer’s
11 years of service are computed by adding all active service
12 in the armed forces.

13 “(b) REFERENCE TO SECTION EXCLUDING SERVICE
14 DURING CERTAIN PERIODS.—Section 972(b) of this title
15 excludes from computation of an officer’s years of service
16 for purposes of this section any time identified with re-
17 spect to that officer under that section.

18 **“§ 20603. Enlisted members: voluntary retirement for**
19 **length of service**

20 “(a) TWENTY TO THIRTY YEARS.—Under regula-
21 tions to be prescribed by the Secretary of the Air Force,
22 an enlisted member of the Space Force who has at least
23 20, but less than 30, years of service computed under sec-
24 tion 20604 of this title may, upon the member’s request,
25 be retired.

1 “(b) THIRTY YEARS OR MORE.—An enlisted member
2 of the Space Force who has at least 30 years of service
3 computed under section 20604 of this title shall be retired
4 upon the member’s request.

5 **“§ 20604. Enlisted members: computation of years of**
6 **service for voluntary retirement**

7 “(a) YEARS OF ACTIVE SERVICE.—For the purpose
8 of determining whether an enlisted member of the Space
9 Force may be retired under section 20603 of this title,
10 the member’s years of service are computed by adding all
11 active service in the armed forces.

12 “(b) REFERENCE TO SECTION EXCLUDING COUNT-
13 ING OF CERTAIN SERVICE REQUIRED TO BE MADE UP.—
14 Time required to be made up under section 972(a) of this
15 title may not be counted in computing years of service
16 under subsection (a).

17 **“§ 20605. Applicability of other provisions of law re-**
18 **lating to retirement**

19 “(a) APPLICABILITY TO MEMBERS OF THE SPACE
20 FORCE.—Except as specifically provided for by this chap-
21 ter, the provisions of this title specified in subsection (b)
22 apply to members of the Space Force as follows:

23 “(1) Provisions pertaining to an officer of the
24 Air Force shall apply to an officer of the Space
25 Force.

1 “(2) Provisions pertaining to an enlisted mem-
2 ber of the Air Force shall apply to an enlisted mem-
3 ber of the Space Force.

4 “(3) Provisions pertaining to a regular officer
5 shall apply to an officer who is on sustained duty in
6 the Space Force.

7 “(4) Provisions pertaining to a regular enlisted
8 member shall apply to an enlisted member who is on
9 sustained duty in the Space Force.

10 “(5) Provisions pertaining to a reserve officer
11 shall apply to an officer who is in a Space Force ac-
12 tive status but not on sustained duty.

13 “(6) Provisions pertaining to a reserve enlisted
14 member shall apply to an enlisted member who is in
15 a Space Force active status but not on sustained
16 duty.

17 “(7) Provisions pertaining to service in a reg-
18 ular component shall apply to service on sustained
19 duty.

20 “(8) Provisions pertaining to service in a re-
21 serve component shall apply to service in a Space
22 Force active status not on sustained duty.

23 “(9) Provisions pertaining to a member of the
24 Ready Reserve shall apply to a member of the Space

1 Force who is in a Space Force active status prior to
2 being ordered to active duty.

3 “(10) Provisions pertaining to a member of the
4 Retired Reserve shall apply to a member of the
5 Space Force who has retired under chapter 1223 of
6 this title.

7 “(b) PROVISIONS OF LAW.—The provisions of this
8 title referred to in subsection (a) are the following:

9 “(1) Chapter 61, relating to retirement or sepa-
10 ration for physical disability.

11 “(2) Chapter 63, relating to retirement for age.

12 “(3) Chapter 69, relating to retired grade.

13 “(4) Chapter 71, relating to computation of re-
14 tired pay.

15 “(5) Chapter 941, relating to retirement from
16 the Air Force for length of service.

17 “(6) Chapter 945, relating to computation of
18 retired pay.

19 “(7) Chapter 1223, relating to retired pay for
20 non-regular service.

21 “(8) Chapter 1225, relating to retired grade.”.

22 (b) CONFORMING AMENDMENTS.—Title 10, United
23 States Code, is amended as follows:

24 (1) RETIRED MEMBERS ORDERED TO ACTIVE
25 DUTY.—Section 688(b) is amended—

1 (A) in paragraph (1), by striking “Regular
2 Marine Corps, or Regular Space Force” and in-
3 serting “or Regular Marine Corps”; and

4 (B) by adding at the end the following new
5 paragraph:

6 “(4) A retired member of the Space Force.”.

7 (2) RETIRED GRADE.—Section 9341 is amend-
8 ed—

9 (A) in subsection (a), by striking “or the
10 Space Force” both places it appears;

11 (B) in subsection (b), by striking “or a
12 Regular or Reserve of the Space Force”; and

13 (C) by adding at the end the following new
14 subsection:

15 “(c) SPACE FORCE.—(1) The retired grade of a com-
16 missioned officer of the Space Force who retires other
17 than for physical disability is determined under section
18 1370 or 1370a of this title, as applicable to the officer.

19 “(2) Unless entitled to a higher retired grade under
20 some other provision of law, a member of the Space Force
21 not covered by paragraph (1) who retires other than for
22 physical disability retires in the grade that the member
23 holds on the date of the member’s retirement.”.

24 (3) RETIRED GRADE OF ENLISTED MEMBERS
25 AFTER 30 YEARS OF SERVICE.—Section 9344(b)(2)

1 is amended by striking “Regular” before “Space
2 Force”.

3 (4) RETIRED LISTS.—Section 9346 is amend-
4 ed—

5 (A) in subsection (a), by striking “or the
6 Regular Space Force” and inserting “and a
7 separate retired list containing the name of
8 each retired commissioned officer of the Space
9 Force (other than an officer whose name is on
10 the list maintained under subsection (b)(2))”;

11 (B) in subsection (b)—

12 (i) by redesignating paragraphs (1)
13 and (2) as subparagraphs (A) and (B), re-
14 spectively;

15 (ii) by inserting “(1)” after “(b)”;

16 (iii) in subparagraph (A), as redesi-
17 gnated by clause (i), by striking “, or for
18 commissioned officers of the Space Force
19 other than of the Regular Space Force”;

20 (iv) in subparagraph (B), as so redesi-
21 gnated, by striking “or the Space Force”;
22 and

23 (v) by adding at the end the following
24 new paragraph:

1 “(2) The Secretary shall maintain a retired list con-
2 taining the name of—

3 “(A) each person entitled to retired pay who as
4 a member of the Space Force qualified for retire-
5 ment under section 20601 of this title; and

6 “(B) each retired warrant officer or enlisted
7 member of the Space Force who is advanced to a
8 commissioned grade.”;

9 (C) in subsection (c), by striking “or the
10 Space Force” and inserting “and a separate re-
11 tired list containing the name of each retired
12 warrant officer of the Space Force”; and

13 (D) in subsection (d), by striking “or the
14 Regular Space Force” and inserting “and a
15 separate retired list containing the name of
16 each retired enlisted member of the Space
17 Force”.

1 **Subtitle B—Conforming Amend-**
2 **ments Related to Space Force**
3 **Military Personnel System**

4 **SEC. 1831. AMENDMENTS TO DEPARTMENT OF THE AIR**
5 **FORCE PROVISIONS OF TITLE 10, UNITED**
6 **STATES CODE.**

7 (a) PROVISIONS RELATING TO PERSONNEL.—Part II
8 of subtitle D of title 10, United States Code, is amended
9 as follows:

10 (1) GENDER-FREE BASIS FOR ACCEPTANCE OF
11 ORIGINAL ENLISTMENTS.—

12 (A) Section 9132 is amended by striking
13 “Regular” before “Space Force”.

14 (B) The heading of such section is amend-
15 ed by striking “**REGULAR SPACE FORCE**”
16 and inserting “**SPACE FORCE**”.

17 (2) REENLISTMENT AFTER SERVICE AS AN OF-
18 FICER.—

19 (A) Section 9138(a) is amended by strik-
20 ing “Regular” before “Space Force” both
21 places it appears.

22 (B) The heading of section 9138 is amend-
23 ed by striking “**REGULAR SPACE FORCE**”
24 and inserting “**SPACE FORCE**”.

1 (3) WARRANT OFFICERS: ORIGINAL APPOINT-
2 MENT; QUALIFICATIONS.—Section 9160 is amended
3 by striking “Regular” before Space Force”.

4 (4) SERVICE AS AN OFFICER TO BE COUNTED
5 AS ENLISTED SERVICE.—Section 9252 is amended
6 by striking “Regular” before “Space Force”.

7 (5) CHAPTER HEADING.—

8 (A) The heading of chapter 915 is amend-
9 ed to read as follows:

10 **“CHAPTER 915—APPOINTMENTS IN THE**
11 **REGULAR AIR FORCE AND IN THE**
12 **SPACE FORCE”.**

13 (B) The tables of chapters at the begin-
14 ning of subtitle D, and at the beginning of part
15 II of subtitle D of such title, are each amended
16 by striking the item relating to chapter 915 and
17 inserting the following new item:

“915. Appointments in the Regular Air Force and in the Space Force 9151.”.

18 (b) PROVISIONS RELATING TO TRAINING GEN-
19 ERALLY.—Section 9401 of such title is amended—

20 (1) in subsection (b)—

21 (A) by striking “or the Regular Space
22 Force” after “Regular Air Force”; and

23 (B) by inserting “or one of the Space
24 Force in a Space Force active status not on
25 sustained duty,” after “on the active-duty list,”;

1 (2) in subsection (c)—

2 (A) by striking “or Reserve of the Space
3 Force” and inserting “or member of the Space
4 Force in a Space Force active status not on
5 sustained duty”; and

6 (B) by striking “the Reserve’s consent”
7 and inserting “the member’s consent”; and

8 (3) in subsection (f)—

9 (A) by striking “the Regular Space Force”
10 and inserting “of Space Force members on sus-
11 tained duty”; and

12 (B) by striking “the Space Force Reserve”
13 and inserting “of Space Force members in an
14 active status not on sustained duty”.

15 (c) PROVISIONS RELATING TO THE AIR FORCE
16 ACADEMY.—Chapter 953 of such title is amended as fol-
17 lows:

18 (1) PERMANENT PROFESSORS; DIRECTOR OF
19 ADMISSIONS.—Section 9436 is amended—

20 (A) in subsection (a)—

21 (i) by striking “the equivalent grade
22 in” both places it appears;

23 (ii) by inserting “or the Space Force”
24 after “Regular Air Force” the first place it
25 appears;

1 (iii) by striking “and a permanent”
 2 and all that follows through “in the Reg-
 3 ular Air Force”; and

4 (B) in subsection (b)—

5 (i) by striking “the equivalent grade
 6 in” both places it appears and inserting
 7 “the grade of lieutenant colonel in”; and

8 (ii) by striking “Regular Space Force
 9 has the grade equivalent to the grade of
 10 colonel in the Regular Air Force” and in-
 11 sserting “Space Force has the grade of
 12 colonel in the Space Force”.

13 (2) APPOINTMENT OF CADETS.—Section
 14 9442(b) is amended—

15 (A) in paragraph (1)(C), by inserting “, or
 16 the Space Force,” after “members of reserve
 17 components”; and

18 (B) in paragraph (2), by striking “Reg-
 19 ular” before “Space Force”.

20 (3) AGREEMENT OF CADETS TO SERVE AS OF-
 21 FICERS.—Section 9448(a) is amended—

22 (A) in paragraph (2)(A), by striking “Reg-
 23 ular” before “Space Force”; and

24 (B) in paragraph (3)—

1 (i) in the matter preceding subpara-
 2 graph (A), by inserting “, or to terminate
 3 the officer’s order to sustained duty in the
 4 Space Force” after “resign as a regular of-
 5 ficer”;

6 (ii) in subparagraph (A), by striking
 7 “or as a Reserve in the Space Force for
 8 service in the Space Force Reserve” and
 9 inserting “or will accept further assign-
 10 ment in a Space Force active status”; and

11 (iii) in subparagraph (B), by inserting
 12 “, or the Space Force,” after “that reserve
 13 component”.

14 (4) HAZING.—Section 9452(c) is amended by
 15 striking “Marine Corps, or Space Force,” and in-
 16 serting, “or Marine Corps, or in the Space Force,”.

17 (5) COMMISSION UPON GRADUATION.—Section
 18 9453(b) is amended—

19 (A) by striking “or in the equivalent grade
 20 in the Regular Space Force”; and

21 (B) by inserting before the period the fol-
 22 lowing: “or a second lieutenant in the Space
 23 Force under section 531 or 20201 of this title”.

24 (d) PROVISIONS RELATING TO SCHOOLS AND
 25 CAMPS.—Chapter 957 of such title is amended as follows:

1 (1) PURPOSE.—Section 9481 is amended—

2 (A) by striking “to qualify them for ap-
3 pointment” and inserting “to qualify them
4 for—

5 “(1) appointment”;

6 (B) by striking “or the Space Force Re-
7 serve.” and inserting “; or”; and

8 (C) by adding at the end the following new
9 paragraph:

10 “(2) appointment as officers, or enlistment as
11 noncommissioned officers, for service in the Space
12 Force in a Space Force active status.”.

13 (2) OPERATION.—Section 9482(4) is amended
14 by striking “or the Regular Space Force” and in-
15 serting “or members of the Space Force in an active
16 status”.

17 **SEC. 1832. AMENDMENTS TO SUBTITLE A OF TITLE 10,**
18 **UNITED STATES CODE.**

19 (a) PROVISIONS RELATING TO ORGANIZATION AND
20 GENERAL MILITARY POWERS.—Part I of subtitle A of
21 title 10, United States Code, is amended as follows:

22 (1) ANNUAL DEFENSE MANPOWER REPORT.—
23 Section 115a(d)(3)(F) is amended by inserting be-
24 fore the period the following: “or, in the case of the

1 Space Force, officers ordered to active duty other
2 than under section 20105(b) of this title”.

3 (2) SUSPENSION OF END-STRENGTH AND
4 OTHER STRENGTH LIMITATIONS IN TIME OF WAR OR
5 NATIONAL EMERGENCY.—Section 123a(a)(2) is
6 amended by inserting “or the Space Force” after “a
7 reserve component”.

8 (3) DEPUTY COMMANDER OF USNORTHCOM.—
9 Section 164(e)(4) is amended—

10 (A) by inserting “(A)” after “(4)”;

11 (B) by striking “shall be a” and all that
12 follows through the period at the end and in-
13 sserting “shall be—

14 “(i) a qualified officer of a reserve
15 component who is eligible for promotion to
16 the grade of lieutenant general or, in the
17 case of the Navy, vice admiral; or

18 “(ii) a qualified officer of the Space
19 Force whose prior service includes service
20 in a Space Force active status other than
21 sustained duty and who is eligible for pro-
22 motion to the grade of lieutenant gen-
23 eral.”; and

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

1 “(B) The requirement in subparagraph (A)
2 does not apply when the officer serving as com-
3 mander of the combatant command described in
4 that subparagraph is—

5 “(i) a reserve component officer; or

6 “(ii) an officer of the Space Force
7 whose prior service includes service in a
8 Space Force active status other than sus-
9 tained duty.”.

10 (4) READINESS REPORTS.—Section 482(a) is
11 amended by inserting “and the Space Force” after
12 “active and reserve components” both places it ap-
13 pears.

14 (b) DOPMA OFFICER PERSONNEL PROVISIONS.—
15 Chapter 36 of such title is amended as follows:

16 (1) NONDISCLOSURE OF BOARD PRO-
17 CEEDINGS.—Section 613a is amended by striking
18 “573, 611, or 628” both places it appears and in-
19 serting “573, 611, 628, or 20211”.

20 (2) INFORMATION FURNISHED TO SELECTION
21 BOARDS.—Section 615(a) is amended—

22 (A) in paragraph (1), by inserting “or
23 20211” after “section 611(a)”; and

24 (B) in paragraph (3)—

1 (i) in subparagraph (B)(i), by striking
 2 “regular officer” and all that follows
 3 through the period at the end and insert-
 4 ing “regular officer or an officer in the
 5 Space Force, a grade above captain or, in
 6 the case of the Navy, lieutenant.”; and

7 (ii) in subparagraph (D)—

8 (I) by striking “major general,”
 9 and inserting “major general or”; and

10 (II) by striking “or, in the case
 11 of the Space Force, the equivalent
 12 grade,”.

13 (3) ELIGIBILITY FOR CONSIDERATION FOR PRO-
 14 MOTION: TIME-IN-GRADE AND OTHER REQUIRE-
 15 MENTS.—Section 619(a) is amended by striking
 16 “Marine Corps, or Space Force” each place it ap-
 17 pears and inserting “or Marine Corps”.

18 (4) AUTHORITY TO VACATE PROMOTIONS TO
 19 GRADES OF BRIGADIER GENERAL AND REAR ADMI-
 20 RAL (LOWER HALF).—Section 625(b) is amended—

21 (A) by striking “Marine Corps, or Space
 22 Force” and inserting “or Marine Corps”; and

23 (B) by adding at the end the following new
 24 sentence: “An officer of the Space Force whose

1 promotion is vacated under this section holds
2 the grade of colonel.”.

3 (5) ACCEPTANCE OF PROMOTIONS; OATH OF
4 OFFICE.—Section 626 is amended by striking “sec-
5 tion 624” both places it appears and inserting “sec-
6 tion 624 or 20241”.

7 (6) SPECIAL SELECTION REVIEW BOARD.—Sec-
8 tion 628a is amended—

9 (A) in subsection (a)(1)(A)—

10 (i) by striking “major general,” and
11 inserting “major general or”; and

12 (ii) by striking “, or an equivalent
13 grade in the Space Force”;

14 (B) in subsection (e)(2), by adding at the
15 end the following new sentence: “However, in
16 the case of an officer on the Space Force officer
17 list, the provisions of section 618 of this title
18 apply to the report and proceedings of a special
19 selection review board convened under this sec-
20 tion in the same manner as they apply to report
21 and proceedings of a promotion board convened
22 under section 20211 of this title.”; and

23 (C) in subsection (f)(1), by adding at the
24 end the following new sentence: “However, if
25 the report of a special selection review board

1 convened under this section recommends the
 2 sustainment of the recommendation for pro-
 3 motion to the next higher grade of an officer on
 4 the Space Force officer list who was referred to
 5 it for review under this section, and the Presi-
 6 dent approves the report, the officer shall, as
 7 soon as practicable, be appointed to the grade
 8 in accordance with subsections (b) and (c) of
 9 section 20241 of this title.”.

10 (7) REMOVAL FROM LIST OF OFFICERS REC-
 11 OMMENDED FOR PROMOTION.—Section 629 is
 12 amended—

13 (A) in subsection (b), by inserting “or
 14 20241(c)” after “section 624(c)”; and

15 (B) in subsection (c)—

16 (i) by inserting “or 20241(a)” after
 17 “section 624(a)” both places it appears;
 18 and

19 (ii) by inserting “or 20241(c)” after
 20 “section 624(c)” both places it appears.

21 (8) RETIREMENT FOR YEARS OF SERVICE.—

22 (A) LIEUTENANT COLONELS.—Section
 23 633(a) is amended—

24 (i) by inserting “(1)” before “Except
 25 as”;

1 (ii) by striking “Regular Marine
2 Corps, or Regular Space Force” and in-
3 serting “or Regular Marine Corps”; and

4 (iii) by adding at the end the fol-
5 lowing new paragraph:

6 “(2) Except as provided under section 637(b) or 637a
7 of this title, each officer of the Space Force who holds
8 the grade of lieutenant colonel who is not on a list of offi-
9 cers recommended for promotion to the grade of colonel
10 shall, if not earlier retired, be retired on the first day of
11 the month after the month in which the officer completes
12 28 years of active commissioned service.”.

13 (B) COLONELS.—Section 634(a) is amend-
14 ed—

15 (i) by inserting “(1)” before “Except
16 as”;

17 (ii) by striking “Regular Marine
18 Corps, or Regular Space Force” and in-
19 serting “or Regular Marine Corps”; and

20 (iii) by adding at the end the fol-
21 lowing new paragraph:

22 “(2) Except as provided under section 637(b) or 637a
23 of this title, each officer of the Space Force who holds
24 the grade of colonel who is not on a list of officers rec-
25 ommended for promotion to the grade of brigadier general

1 shall, if not earlier retired, be retired on the first day of
 2 the month after the month in which the officer completes
 3 30 years of active commissioned service.”.

4 (C) BRIGADIER GENERALS.—Section 635
 5 is amended—

6 (i) by inserting “(a) ARMY, NAVY, AIR
 7 FORCE, AND MARINE CORPS” before “Ex-
 8 cept as”;

9 (ii) by striking “Regular Marine
 10 Corps, or Regular Space Force” and in-
 11 serting “or Regular Marine Corps”; and

12 (iii) by adding at the end the fol-
 13 lowing new subsection:

14 “(b) SPACE FORCE.—Except as provided under sec-
 15 tion 637(b) or 637a of this title, each officer of the Space
 16 Force who holds the grade of brigadier general who is not
 17 on a list of officers recommended for promotion to the
 18 grade of major general shall, if not earlier retired, be re-
 19 tired as specified in subsection (a).”.

20 (D) OFFICERS IN GRADES ABOVE BRIGA-
 21 DIER GENERAL.—Section 636(a) is amended—

22 (i) by inserting “(1)” before “Except
 23 as”;

1 (ii) by striking “Regular Marine
2 Corps, or Regular Space Force” and in-
3 serting “or Regular Marine Corps”; and

4 (iii) by adding at the end the fol-
5 lowing new paragraph:

6 “(2) Except as provided in subsection (b) or (c) and
7 under section 637(b) or 637a of this title, each officer of
8 the Space Force who holds the grade of major general
9 shall, if not earlier retired, be retired as specified in para-
10 graph (1).”.

11 (E) SECTION HEADINGS.—

12 (i) The heading of section 633 is
13 amended by striking “**LIEUTENANT**
14 **COLONELS AND**” and inserting “**AND**
15 **SPACE FORCE LIEUTENANT COLO-**
16 **NELS; REGULAR NAVY**”.

17 (ii) The heading of section 634 is
18 amended by striking “**COLONELS AND**”
19 and inserting “**AND SPACE FORCE**
20 **COLONELS; REGULAR**”.

21 (iii) The heading of section 635 is
22 amended by striking “**BRIGADIER GEN-**
23 **ERALS AND**” and inserting “**AND SPACE**
24 **FORCE BRIGADIER GENERALS; REG-**
25 **ULAR NAVY**”.

1 (iv) The heading of section 636 is
 2 amended by striking “**OFFICERS IN**
 3 **GRADES ABOVE BRIGADIER GENERAL**
 4 **AND**” and inserting “**AND SPACE FORCE**
 5 **OFFICERS IN GRADES ABOVE BRIGA-**
 6 **DIER GENERAL; REGULAR NAVY OFFI-**
 7 **CERS IN GRADES ABOVE**”.

8 (c) MANAGEMENT POLICIES FOR JOINT QUALIFIED
 9 OFFICERS.—Section 661(a) of such title is amended—

10 (1) by striking “Marine Corps, and Space
 11 Force” and inserting “and Marine Corps”; and

12 (2) by inserting “, and officers of the Space
 13 Force on the Space Force officer list,” after “active-
 14 duty list”.

15 (d) LEAVE.—Chapter 40 of such title is amended as
 16 follows:

17 (1) ENTITLEMENT AND ACCUMULATION.—Sec-
 18 tion 701 is amended—

19 (A) in subsection (h)—

20 (i) by inserting at the end of para-
 21 graph (2) the following new subparagraph:

22 “(D) A member of the Space Force in a
 23 Space Force active status on sustained duty or
 24 subject to a call or order to active duty for a
 25 period in excess of 12 months.”; and

1 (ii) in paragraphs (5)(B) and (6), by
2 inserting “, or of the Space Force,” after
3 “member of a reserve component”; and

4 (B) in subsection (i), by inserting “, or of
5 the Space Force,” after “member of a reserve
6 component”.

7 (2) PAYMENT UPON DISAPPROVAL OF CERTAIN
8 BOARD OF INQUIRY RECOMMENDATIONS FOR EXCESS
9 LEAVE REQUIRED TO BE TAKEN.—Section
10 707a(a)(1) is amended by inserting “or 20503”
11 after “section 1182(c)(2)”.

12 (3) CAREER FLEXIBILITY TO ENHANCE RETEN-
13 TION OF MEMBERS.—Section 710 is amended—

14 (A) in subsection (a), by inserting “or of
15 the Space Force” after “regular components”;

16 (B) in subsection (b)(2), by inserting “, or
17 a Space Force officer in a Space Force active
18 status not on active duty under section
19 20105(b) of this title,” after “officer”;

20 (C) in subsection (c)(1), by inserting be-
21 fore the period at the end the following: “or, in
22 the case of a member of the Space Force on
23 sustained duty, to accept release from sustained
24 duty orders and to serve in a Space Force ac-
25 tive status”; and

1 (D) in subsection (g)(1)(A), by striking
2 “chapter 36 or 1405” and inserting “chapter
3 36, 1405, or 2005”.

4 (e) LIMITATION ON NUMBER OF OFFICERS WHO
5 MAY BE FROCKED TO A HIGHER GRADE.—Section
6 777(d)(2) of such title is amended by inserting “, or for
7 the Space Force, the Space Force officer list,” after “ac-
8 tive-duty list”.

9 (f) UNIFORM CODE OF MILITARY JUSTICE.—Chapter
10 47 of such title (the Uniform Code of Military Justice),
11 is amended as follows:

12 (1) PERSONS SUBJECT TO UCMJ.—Section 802
13 (article 2) is amended—

14 (A) in subsection (a)—

15 (i) in paragraph (1), by inserting
16 “and members of the Space Force on ac-
17 tive duty under section 20105 of this
18 title,” after “regular component of the
19 armed forces,”;

20 (ii) in paragraph (3)(A)(i), by insert-
21 ing “or the Space Force” after “reserve
22 component”;

23 (iii) in paragraph (5), by inserting “,
24 or retired members of the Space Force who
25 qualified for a non-regular retirement and

1 are receiving retired pay,” after “a reserve
2 component”; and

3 (iv) by adding at the end the following
4 new paragraph:

5 “(14) Retired members of the Space Force who
6 qualified for a regular retirement under section
7 20603 of this title and are receiving retired pay.”;
8 and

9 (B) in subsection (d)—

10 (i) in paragraph (1), by inserting “or
11 the Space Force” after “reserve compo-
12 nent”;

13 (ii) in paragraph (2), by inserting “or
14 the Space Force” after “a reserve compo-
15 nent”; and

16 (iii) in paragraph (4), by inserting “or
17 the Space Force” after “in a regular com-
18 ponent of the armed forces”.

19 (2) JURISDICTION TO TRY CERTAIN PER-
20 SONNEL.—Subsection (d) of section 803 (article 3)
21 is amended by inserting, “or the Space Force” after
22 “reserve component”.

23 (3) ARTICLES TO BE EXPLAINED.—Section 937
24 (article 137) is amended—

25 (A) in subsection (a)(1)—

1 (i) by striking “or” at the end of sub-
2 paragraph (A);

3 (ii) by striking the period at the end
4 of subparagraph (B) and inserting “; or”;
5 and

6 (iii) by adding at the end the fol-
7 lowing new subparagraph:

8 “(C) the member’s initial entrance on ac-
9 tive duty or into a Space Force active status.”;
10 (B) in subsection (a)(2)—

11 (i) by striking “and” at the end of
12 subparagraph (A);

13 (ii) by redesignating subparagraph
14 (B) as subparagraph (C); and

15 (iii) by inserting after subparagraph
16 (A) the following new subparagraph:

17 “(B) after a member of Space Force has
18 completed six months of sustained duty or in
19 the case of a member not on sustained duty,
20 after the member has completed basic or recruit
21 training; and”;

22 (C) in subsection (b)(1)(B), by inserting
23 “or the Space Force” after “in a reserve com-
24 ponent”; and

1 (D) in subsection (d)(1), by striking “or to
2 a member of a reserve component,” and insert-
3 ing “, to a member of a reserve component, or
4 to a member of the Space Force,”.

5 (g) RESTRICTION ON PERFORMANCE OF CIVIL FUNC-
6 TIONS BY OFFICERS ON ACTIVE DUTY.—Section
7 973(b)(1) of such title 10 is amended—

8 (1) by striking “and” at the end of subpara-
9 graph (B);

10 (2) by striking the period at the end of sub-
11 paragraph (C) and inserting “; and”; and

12 (3) by adding at the end the following new sub-
13 paragraph:

14 “(D) to an officer on the Space Force offi-
15 cer list serving on active duty under section
16 20105(b) of this title or under a call or order
17 to active duty for a period in excess of 270
18 days.”.

19 (h) USE OF COMMISSARY STORES AND MWR RETAIL
20 FACILITIES.—Section 1063 of such title is amended—

21 (1) in subsection (c)—

22 (A) in the heading, by inserting “AND
23 SPACE FORCE” after “RESERVE”; and

24 (B) by inserting “or the Space Force”
25 after “reserve component”;

1 (2) by redesignating subsections (d) and (e) as
2 subsections (e) and (f), respectively;

3 (3) by inserting after subsection (c) the fol-
4 lowing new subsection (d):

5 “(d) MEMBERS OF THE SPACE FORCE.—A member
6 of the Space Force in a Space Force active status who
7 is not on sustained duty shall be permitted to use com-
8 missary stores and MWR retail facilities under the same
9 conditions as specified in subsection (a) for a member of
10 the Selected Reserve.”; and

11 (4) in subsection (e), as redesignated by para-
12 graph (2), by striking “subsection (a) or (b)” in
13 paragraph (1) and inserting “subsection (a), (b), or
14 (d)”.

15 (i) MEMBERS INVOLUNTARY SEPARATED.—

16 (1) ELIGIBILITY FOR CERTAIN BENEFITS AND
17 SERVICES.—Section 1141 of such title is amended—

18 (A) by striking “and” at the end of para-
19 graph (3);

20 (B) by striking the period at the end of
21 paragraph (4) and inserting a semicolon; and

22 (C) by adding at the end the following new
23 paragraphs:

24 “(5) in the case of an officer of the Space
25 Force (other than a retired officer), the officer is in-

1 voluntarily discharged or released from active duty
2 under other than adverse conditions, as character-
3 ized by the Secretary of the Air Force; and

4 “(6) in the case of an enlisted member of the
5 Space Force, the member is—

6 “(A) denied reenlistment; or

7 “(B) involuntarily discharged or released
8 from active duty under other than adverse con-
9 ditions, as characterized by the Secretary of the
10 Air Force.”.

11 (2) SEPARATION PAY.—Section 1174(a)(2) of
12 such title is amended by striking “, Marine Corps,
13 or Space Force” both places it appears and inserting
14 “or Marine Corps”.

15 (j) BOARDS FOR THE CORRECTION OF MILITARY
16 RECORDS.—Chapter 79 of such title is amended as fol-
17 lows:

18 (1) REVIEW OF ACTIONS OF SELECTION
19 BOARDS AND CORRECTION OF MILITARY RECORDS.—
20 Section 1558 is amended—

21 (A) inserting “, or the Space Force,” after
22 “reserve component” each place it appears; and

23 (B) in subsection (b)—

1 (i) in paragraph (1)(C), by striking
2 “section 628 or 14502” and inserting
3 “section 628, 14502, or 20252”;

4 (ii) in paragraph (2)(A), by striking
5 “or 14705” and inserting “14507, or
6 20403”; and

7 (iii) in paragraph (2)(B)(i), by strik-
8 ing “or 14101(a)” and inserting
9 “14101(a), or 20211”.

10 (2) TITLE OF AIR FORCE SERVICE REVIEW
11 AGENCY.—

12 (A) Sections 1555(c)(3) and 1557(f)(3)
13 are amended by inserting “the Department of”
14 after “Air Force,”.

15 (B) Section 1556(a) is amended by insert-
16 ing “the Department of” after “the Army Re-
17 view Boards Agency,”.

18 (C) Section 1559(c)(3) is amended by in-
19 serting “the Department of” after “Air
20 Force,”.

21 (k) MILITARY FAMILY PROGRAMS.—Chapter 88 of
22 such title is amended as follows:

23 (1) MEMBERS OF DEPARTMENT OF DEFENSE
24 MILITARY READINESS COUNCIL.—Section
25 1781a(b)(1)(B)(iii) is amended—

1 (A) by striking “member and” and insert-
2 ing “member,”; and

3 (B) by inserting “, and one of whom shall
4 be the spouse or parent of a member of the
5 Space Force” after “parent of a reserve compo-
6 nent member”.

7 (2) DEPARTMENT OF DEFENSE POLICY AND
8 PLANS FOR MILITARY FAMILY READINESS.—Section
9 1781b is amended—

10 (A) in subsection (b)(3), by striking “mili-
11 tary families of members of the regular compo-
12 nents and military families of members of the
13 reserve components” and inserting “military
14 families of members of the regular components,
15 the reserve components, and the Space Force”;
16 and

17 (B) in subsection (c)(2)—

18 (i) by striking “both”; and

19 (ii) by striking “military families of
20 members of the regular components and
21 military families of members of the reserve
22 components” and inserting “military fami-
23 lies of members of the regular components,
24 members of the reserve components, and
25 members of the Space Force”.

1 (l) TRAINING AND EDUCATION PROGRAMS.—

2 (1) PAYMENT OF TUITION FOR OFF-DUTY
3 TRAINING OR EDUCATION.—Section 2007 of such
4 title is amended by adding at the end the following
5 new subsection:

6 “(g) The provisions of this section pertaining to mem-
7 bers of the Ready Reserve, the Selected Reserve, or the
8 Individual Ready Reserve also apply to members of the
9 Space Force in a Space Force active status who are not
10 on active duty.”.

11 (2) ROTC FINANCIAL ASSISTANT PROGRAM FOR
12 SPECIALLY SELECTED MEMBERS.—Section 2107 of
13 such title is amended—

14 (A) in subsection (a)—

15 (i) by striking “Navy,” and inserting
16 “Navy or”; and

17 (ii) by striking “Marine Corps, or as
18 an officer in the equivalent grade in the
19 Space Force” and inserting “or Marine
20 Corps”; and

21 (B) by adding at the end the following new
22 subsection:

23 “(k) APPLICABILITY TO SPACE FORCE.—(1) Provi-
24 sions of this section referring to a regular commission,
25 regular officer, or a commission in a regular component

1 shall be treated as also referring to the commission of an
 2 officer, or an officer, who is a commissioned officer in the
 3 Space Force serving on active duty pursuant to section
 4 20105(b) of this title.

5 “(2) Provisions of this section referring to a reserve
 6 commission, reserve officer, or a commission in a reserve
 7 component shall be treated as also referring to the com-
 8 mission of an officer, or an officer, who is a commissioned
 9 officer in the Space Force not serving on active duty pur-
 10 suant to section 20105(b) of this title.”.

11 (3) DUTY AS ROTC ADMINISTRATORS AND IN-
 12 STRUCTORS.—Section 2111 of such title is amended
 13 by adding at the end the following new sentence:
 14 “The Secretary of the Air Force may detail mem-
 15 bers of the Space Force in the same manner as reg-
 16 ular and reserve members of the Air Force.”.

17 **SEC. 1833. TITLE 38, UNITED STATES CODE (VETERANS’**
 18 **BENEFITS).**

19 (a) DEFINITIONS.—

20 (1) GENERAL DEFINITIONS.—Section 101 of
 21 title 38, United States Code, is amended—

22 (A) in paragraph (23), by inserting “, or
 23 for members of the Space Force in a Space
 24 Force active status (as defined in section
 25 101(e)(1) of title 10),” after “(including com-

1 commissioned officers of the Reserve Corps of the
2 Public Health Service)” both places it appears;
3 and

4 (B) in paragraph (27)—

5 (i) by striking subparagraph (E); and

6 (ii) by redesignating subparagraphs
7 (F), (G), and (H) as subparagraphs (E),
8 (F), and (G), respectively.

9 (2) DEFINITIONS FOR PURPOSES OF SGLI.—

10 Section 1965 of such title is amended—

11 (A) in paragraph (2)(A), by inserting “, or
12 by members of the Space Force in a Space
13 Force active status (as defined in section
14 101(e)(1) of title 10) but not on sustained duty
15 under section 20105 of title 10,” after “for Re-
16 serves”; and

17 (B) in paragraph (3)(A), by inserting “, or
18 for members of the Space Force in a Space
19 Force active status (as defined in section
20 101(e)(1) of title 10),” after “(including com-
21 missioned officers of the Reserve Corps of the
22 Public Health Service)”.

23 (b) PERSONS ELIGIBLE FOR INTERMENT IN NA-
24 TIONAL CEMETERIES.—Section 2402(a) of such title is
25 amended in paragraph (2), by inserting “any member of

1 the Space Force,” after “a Reserve component of the
2 Armed Forces,”.

3 (c) EDUCATIONAL ASSISTANCE.—

4 (1) MONTGOMERY GI BILL.—Section
5 3011(a)(3)(D) of such title is amended by inserting
6 “or for further service in the Space Force in a Space
7 Force active status not on sustained duty under sec-
8 tion 20105 of title 10” after “of the Armed
9 Forces,”.

10 (2) POST 9–11 GI BILL.—Section 3311(c)(3) of
11 such title is amended by inserting “, or for further
12 service in the Space Force in a Space Force active
13 status not on sustained duty under section 20105 of
14 title 10,” after “of the Armed Forces” the second
15 place it appears.

16 **Subtitle C—Transition Provisions**

17 **SEC. 1841. TRANSITION PERIOD.**

18 In this subtitle, the term “transition period” means
19 the period beginning on the date of the enactment of this
20 Act and ending on the last day of the fourth fiscal year
21 beginning after the date of the enactment of this Act.

22 **SEC. 1842. CHANGE OF DUTY STATUS OF MEMBERS OF THE** 23 **SPACE FORCE.**

24 (a) CHANGE OF DUTY STATUS.—

1 (1) CONVERSION OF STATUS AND ORDER TO
2 SUSTAINED DUTY.—During the transition period,
3 the Secretary of the Air Force shall change the duty
4 status of each member of the Regular Space Force
5 to Space Force active status and shall, at the same
6 time, order the member to sustained duty under sec-
7 tion 20105 of title 10, United States Code, as added
8 by section 1715 of this Act. Any such order may be
9 made without regard to any otherwise applicable re-
10 quirement that such an order be made only with the
11 consent of the member or as specified in an enlist-
12 ment agreement or active-duty service commitment.

13 (2) DEFINITIONS.—For purposes of this sec-
14 tion, the terms “Space Force active status” and
15 “sustained duty” have the meanings given those
16 terms by subsection (e) of section 101 of title 10,
17 United States Code, as added by section 1713(a).

18 (b) EFFECTIVE DATE OF CHANGE OF DUTY STA-
19 TUS.—The change of a member’s duty status and order
20 to sustained duty in accordance with subsection (a) shall
21 be effective on the date specified by the Secretary of the
22 Air Force, but not later than the last day of the transition
23 period.

1 **SEC. 1843. TRANSFER TO THE SPACE FORCE OF MEMBERS**
2 **OF THE AIR FORCE RESERVE AND THE AIR**
3 **NATIONAL GUARD.**

4 (a) TRANSFER OF MEMBERS OF THE AIR FORCE RE-
5 SERVE.—

6 (1) OFFICERS.—During the transition period,
7 the Secretary of Defense may, with the officer's con-
8 sent, transfer a covered officer of the Air Force Re-
9 serve or the Air National Guard to, and appoint the
10 officer in, the Space Force.

11 (2) ENLISTED MEMBERS.—During the transi-
12 tion period, the Secretary of the Air Force may
13 transfer each covered enlisted member of the Air
14 Force Reserve or the Air National Guard to the
15 Space Force, other than those members who do not
16 consent to the transfer.

17 (3) EFFECTIVE DATE OF TRANSFERS.—Each
18 transfer under this subsection shall be effective on
19 the date specified by the Secretary of Defense, in the
20 case of an officer, or the Secretary of the Air Force,
21 in the case of an enlisted member, but not later than
22 the last day of the transition period.

23 (b) REGULATIONS.—Transfers under subsection (a)
24 shall be carried out under regulations prescribed by the
25 Secretary of Defense. In the case of an officer, applicable

1 regulations shall include those prescribed pursuant to sec-
2 tion 716 of title 10, United States Code.

3 (c) TERM OF INITIAL ENLISTMENT IN SPACE
4 FORCE.—In the case of a covered enlisted member who
5 is transferred to the Space Force in accordance with sub-
6 section (a), the Secretary of the Air Force may accept the
7 initial enlistment of the member in the Space Force for
8 a period of less than 2 years, but only if the period of
9 enlistment in the Space Force is not less than the period
10 remaining, as of the date of the transfer, in the member's
11 term of enlistment in the Air Force Reserve.

12 (d) END STRENGTH ADJUSTMENTS UPON TRANS-
13 FERS FROM AIR FORCE RESERVE OR AIR NATIONAL
14 GUARD TO SPACE FORCE.—During the transition period,
15 upon the transfer of a mission of the Air Force Reserve
16 or the Air National Guard to the Space Force—

17 (1) the end strength authorized for the Space
18 Force pursuant to section 115(a)(1)(A) of title 10,
19 United States Code, for the fiscal year during which
20 the transfer occurs shall be increased by the number
21 of billets associated with that mission; and

22 (2) the end strength authorized for the Air
23 Force Reserve and the Air National Guard pursuant
24 to section 115(a)(2) of such title for such fiscal year
25 shall be decreased by the same number.

1 (e) ADMINISTRATIVE PROVISIONS.—For purposes of
2 the transfer of covered members of the Air Force Reserve
3 in accordance with subsection (a)—

4 (1) the Air Force Reserve, the Air National
5 Guard, and the Space Force shall be considered to
6 be components of the same Armed Force; and

7 (2) the Space Force officer list shall be consid-
8 ered to be an active-duty list of an Armed Force.

9 (f) RETRAINING AND REASSIGNMENT FOR MEMBERS
10 NOT TRANSFERRING.—If a covered member of the Air
11 Force Reserve or the Air National Guard does not consent
12 to transfer to the Space Force in accordance with sub-
13 section (a), the Secretary of the Air Force may, as deter-
14 mined appropriate by the Secretary in the case of the indi-
15 vidual member, provide the member retraining and reas-
16 signment within the Air Force Reserve.

17 (g) COVERED MEMBERS.—For purposes of this sec-
18 tion, the term “covered”, with respect to a member of the
19 Air Force Reserve or the Air National Guard, means—

20 (1) a member who as of the date of the enact-
21 ment of this Act holds an Air Force specialty code
22 for a specialty held by members of the Space Force;
23 and

1 (2) any other member designated by the Sec-
2 retary of the Air Force for the purposes of this sec-
3 tion.

4 **SEC. 1844. PLACEMENT OF OFFICERS ON THE SPACE**
5 **FORCE OFFICER LIST.**

6 (a) PLACEMENT ON LIST.—Officers of the Space
7 Force whose duty status is changed in accordance with
8 section 1742, and officers of the Air Force Reserve or the
9 Air National Guard who transfer to the Space Force in
10 accordance with section 1743, shall be placed on the Space
11 Force officer list in an order determined by their respec-
12 tive grades and dates of rank.

13 (b) OFFICERS OF SAME GRADE AND DATE OF
14 RANK.—Among officers of the same grade and date of
15 rank, placement on the Space Force officer list shall be
16 in the order of their rank as determined in accordance
17 with section 741(c) of title 10, United States Code.

18 **SEC. 1845. DISESTABLISHMENT OF REGULAR SPACE**
19 **FORCE.**

20 (a) DISESTABLISHMENT.—The Secretary of the Air
21 Force shall disestablish the Regular Space Force not later
22 than the end of the transition period, once there are no
23 longer any members remaining in the Regular Space
24 Force. The Regular Space Force shall be disestablished
25 upon the completion of the change of duty status of all

1 members of the Space Force pursuant to section 1742 and
2 certification by the Secretary of the Air Force to the con-
3 gressional defense committees that there are no longer any
4 members of the Regular Space Force.

5 (b) PUBLICATION OF NOTICE IN FEDERAL REG-
6 ISTER.—The Secretary shall publish in the Federal Reg-
7 ister notice of the disestablishment of the Regular Space
8 Force, including the date thereof, together with any cer-
9 tification submitted pursuant to subsection (a).

10 (c) CONFORMING REPEAL.—

11 (1) REPEAL.—Section 9085 of title 10, United
12 States Code, relating to the composition of the Reg-
13 ular Space Force, is repealed.

14 (2) EFFECTIVE DATE.—The amendment made
15 by this subsection shall take effect on the date on
16 which the certification is submitted under subsection
17 (a).

18 **SEC. 1846. END STRENGTH FLEXIBILITY.**

19 (a) ADDITIONAL AUTHORITY TO VARY END
20 STRENGTHS.—

21 (1) AUTHORITY.—Notwithstanding section
22 115(g) of title 10, United States Code, upon deter-
23 mination by the Secretary of the Air Force that such
24 action would enhance manning and readiness in es-
25 sential units or in critical specialties, the Secretary

1 may vary the end strength authorized by Congress
2 for a fiscal year as follows:

3 (A) Increase the end strength authorized
4 pursuant to section 115(a)(1)(A) of such title
5 for a fiscal year for the Space Force by a num-
6 ber equal to not more than 5 percent of such
7 authorized end strength.

8 (B) Decrease the end strength authorized
9 pursuant to section 115(a)(1)(A) of such title
10 for a fiscal year for the Space Force by a num-
11 ber equal to not more than 10 percent of such
12 authorized end strength.

13 (2) TERMINATION.—The authority provided
14 under paragraph (1) shall terminate on the last day
15 of the transition period.

16 (b) TEMPORARY EXEMPTION FOR THE SPACE FORCE
17 FROM END STRENGTH GRADE RESTRICTIONS.—Sections
18 517 and 523 of title 10, United States Code, shall not
19 apply to the Space Force during the transition period.

20 **SEC. 1847. PROMOTION AUTHORITY FLEXIBILITY.**

21 (a) PROMOTION AUTHORITY FLEXIBILITY.—During
22 the transition period, the Secretary of the Air Force may
23 convene selection boards to consider officers on the Space
24 Force officer list for promotion, and may promote Space
25 Force officers selected by such boards, in accordance with

1 any of the following provisions of title 10, United States
2 Code:

3 (1) Chapter 36.

4 (2) Part III of subtitle E.

5 (3) Chapter 2005, as added by section 1716.

6 (b) COORDINATION OF PROVISIONS.—(1) For a selec-
7 tion board convened pursuant to subsection (a) to consider
8 members of the Space Force for promotion in accordance
9 with chapter 36 of such title—

10 (A) provisions that apply to an officer of a reg-
11 ular component of the Armed Forces shall apply to
12 an officer of the Space Force; and

13 (B) the Space Force officer list shall be consid-
14 ered to be an active-duty list.

15 (2) For a selection board convened pursuant to sub-
16 section (a) to consider members of the Space Force for
17 promotion in accordance with part III of subtitle E of such
18 title—

19 (A) provisions that apply to an officer of a re-
20 serve component of the Armed Forces shall apply to
21 an officer of the Space Force; and

22 (B) the Space Force officer list shall be consid-
23 ered to be a reserve active-status list.

24 (3) For a selection board convened pursuant to sub-
25 section (a) to consider members of the Space Force for

1 promotion in accordance with either chapter 36 or part
2 III of subtitle E of such title—

3 (A) section 20213 of such title, as added by
4 section 1716 if this Act, shall apply to the composi-
5 tion of the selection board;

6 (B) the provisions of chapter 2005 of such title,
7 as added by such section 1716, regarding officers on
8 the Space Force officer list eligible to be considered
9 for promotion to the grade of brigadier general or
10 major general shall apply;

11 (C) section 20216 of such title, as so added,
12 shall apply; and

13 (D) the provisions of chapter 36 or part III of
14 subtitle E of such title, as the case may be, regard-
15 ing failure of selection for promotion shall apply.

16 (c) EFFECT OF USING NEW CHAPTER 2005 AU-
17 THORITIES.—If the Secretary of the Air Force convenes
18 a selection board under chapter 2005 of title 10, United
19 States Code, as added by section 1716, to consider officers
20 on the Space Force officer list in a particular grade and
21 competitive category for selection for promotion to the
22 next higher grade, the Secretary may not convene a future
23 selection board pursuant to subsection (a) to consider offi-
24 cers of the same grade and competitive category under
25 chapter 36 or part III of subtitle E of such title.

1 **Subtitle D—Other Amendments**
2 **Related to the Space Force**

3 **SEC. 1851. TITLE 10, UNITED STATES CODE.**

4 (a) AMENDMENTS RELATING TO THE DESIGNATION
5 OF GRADES FOR SPACE FORCE OFFICERS.—Title 10,
6 United States Code, is amended as follows:

7 (1) COMMISSIONED OFFICER GRADES.—Section
8 9151 is amended by inserting “and in the Space
9 Force” after “in the Regular Air Force”.

10 (2) RANK.—Section 741(a) is amended in the
11 table by striking “and Marine Corps” and inserting
12 “Marine Corps, and Space Force”.

13 (3) DEFINITION OF GENERAL OFFICER.—Sec-
14 tion 101(b)(4) is amended by striking “or Marine
15 Corps” and inserting “Marine Corps, or Space
16 Force”.

17 (4) TEMPORARY APPOINTMENTS TO POSITIONS
18 DESIGNATED TO CARRY THE GRADE OF GENERAL OR
19 LIEUTENANT GENERAL.—Section 601(e) is amend-
20 ed—

21 (A) by striking “or Marine Corps,” and in-
22 serting “Marine Corps, or Space Force or”; and

23 (B) by striking “or the commensurate
24 grades in the Space Force,”.

1 (5) RETIRED GRADE OF OFFICERS.—Section
2 1370 is amended as follows:

3 (A) Subsection (a)(2) is amended by strik-
4 ing “rear admiral in the Navy, or the equivalent
5 grade in the Space Force” both places it ap-
6 pears and inserting “or rear admiral in the
7 Navy”.

8 (B) Subsection (b) is amended —

9 (i) in paragraph (1)—

10 (I) by striking “or Marine
11 Corps” and all that follows through
12 “the Space Force,” and inserting
13 “Marine Corps, or Space Force or
14 lieutenant in the Navy,”; and

15 (II) in subparagraph (B), by
16 striking “major general” and all that
17 follows through “Space Force” and
18 inserting “major general or rear ad-
19 miral”;

20 (ii) in paragraph (4), by striking “or
21 Marine Corps” and all that follows through
22 “Space Force,” and inserting “Marine
23 Corps, or Space Force or captain in the
24 Navy,”;

25 (iii) in paragraph (5)—

1 (I) in subparagraph (A), by strik-
2 ing “or Marine Corps” and all that
3 follows through “Space Force,” and
4 inserting “Marine Corps, or Space
5 Force or lieutenant commander in the
6 Navy,”;

7 (II) in subparagraph (B), by
8 striking “or Marine Corps” and all
9 that follows through “Space Force,”
10 and inserting “Marine Corps, or
11 Space Force or commander or captain
12 in the Navy,”; and

13 (III) in subparagraph (C), by
14 striking “or Marine Corps” and all
15 that follows through “Space Force,”
16 and inserting “Marine Corps, or
17 Space Force or rear admiral (lower
18 half) or rear admiral in the Navy,”;
19 and

20 (iv) in paragraph (6), by striking “, or
21 an equivalent grade in the Space Force,”.

22 (C) Subsection (c)(1) is amended by strik-
23 ing “or Marine Corps” and all that follows
24 through “Space Force” and inserting “Marine

1 Corps, or Space Force or vice admiral or admiral in the Navy”.

3 (D) Subsection (d) is amended—

4 (i) in paragraph (1), by striking “or
5 Marine Corps” and all that follows through
6 “Space Force” and inserting “Marine
7 Corps, or Space Force or rear admiral in
8 the Navy”; and

9 (ii) in paragraph (3), by striking “or
10 Marine Corps” and all that follows through
11 “Space Force,” and inserting “Marine
12 Corps, or Space Force or captain in the
13 Navy,”.

14 (E) Subsection (e)(2) is amended by striking
15 “or Marine Corps” and all that follows
16 through “Space Force,” and inserting “Marine
17 Corps, or Space Force or vice admiral or admiral in the Navy,”.

19 (F) Subsection (f) is amended —

20 (i) in paragraph (3)—

21 (I) in subparagraph (A), by striking
22 “or Marine Corps” and all that
23 follows through “Space Force,” and
24 inserting “Marine Corps, or Space

1 Force or rear admiral in the Navy”;
2 and

3 (II) in subparagraph (B), by
4 striking “or Marine Corps” and all
5 that follows through “Space Force”
6 and inserting “Marine Corps, or
7 Space Force or vice admiral or admiral
8 in the Navy”; and

9 (ii) in paragraph (6)—

10 (I) in subparagraph (A), by striking
11 “or Marine Corps” and all that
12 follows through “Space Force,” and
13 inserting “Marine Corps, or Space
14 Force or rear admiral in the Navy”;
15 and

16 (II) in subparagraph (B), by
17 striking “or Marine Corps” and all
18 that follows through “Space Force,”
19 and inserting “Marine Corps, or
20 Space Force or vice admiral or admiral
21 in the Navy”.

22 (6) HONORARY PROMOTIONS.—Sections
23 1563(e)(1) and 1563a(a)(1) are each amended—

24 (A) by striking “general,” and inserting
25 “general or”; and

1 (B) by striking “, or an equivalent grade
2 in the Space Force”.

3 (7) AIR FORCE INSPECTOR GENERAL.—Section
4 9020(a) is amended by striking “the general, flag,
5 or equivalent officers of”.

6 (b) OTHER TITLE 10 AMENDMENTS.—Such title is
7 further amended as follows:

8 (1) LIMITATION ON NUMBER OF RETIRED MEM-
9 BERS ORDERED TO ACTIVE DUTY.—Section 690(a)
10 is amended by striking “or Marine Corps,” and in-
11 sserting “Marine Corps, or Space Force,”.

12 (2) THE UNIFORM.—Section 772(i) is amend-
13 ed—

14 (A) by striking “an Air Force School” and
15 inserting “an Air Force or Space Force school”;
16 and

17 (B) by striking “aviation badges of the Air
18 Force” and inserting “aviation or space badges
19 of the Air Force or Space Force”.

20 (3) MEMBERSHIP IN MILITARY UNIONS, ORGA-
21 NIZING OF MILITARY UNIONS, AND RECOGNITION OF
22 MILITARY UNIONS PROHIBITED.—Section
23 976(a)(1)(C) is amended by inserting “or the Space
24 Force” after “member of a Reserve component”.

1 (4) LIMITATION ON ENLISTED AIDES.—Section
2 981 is amended—

3 (A) in subsection (a), by striking “Marine
4 Corps, Air Force,” and inserting “Air Force,
5 Marine Corps, Space Force,”;

6 (B) in subsection (b), by striking “and Ma-
7 rine Corps” and inserting “Marine Corps, and
8 Space Force”; and

9 (C) in subsection (c)(1), by inserting
10 “Space Force,” after “Marine Corps,”.

11 (5) DEFINITION OF VETERAN FOR PURPOSES
12 OF FUNERAL HONORS.—Section 1491(h)(1) is
13 amended by striking “or air service” and inserting
14 “air, or space service”.

15 (6) HOUSING FOR RECRUITS.—Section 9419(d)
16 is amended by inserting “or the Space Force” after
17 “training program of the Air Force”.

18 (7) CHARTER OF CHIEF OF SPACE OPER-
19 ATIONS.—Section 9082 is amended as follows:

20 (A) CROSS-REFERENCE CORRECTION.—
21 Subsection (d)(5) is amended by striking “sec-
22 tions” and all that follows through “of law”
23 and inserting “sections 171 and 3104 of this
24 title and other provisions of law”.

1 (B) ELAPSED-TIME PROVISION.—Sub-
2 section (e)(1) is amended by striking “Com-
3 mencing” and all that follows through “the
4 Chief” and inserting “The Chief”.

5 **SEC. 1852. OTHER PROVISIONS OF LAW.**

6 (a) TRADE ACT OF 1974.—Section 233(i)(1) of the
7 Trade Act of 1974 (19 U.S.C. 2293(i)(1)) is amended by
8 inserting “, or a member of the Space Force,” after “a
9 member of a reserve component of the Armed Forces”.

10 (b) TITLE 28, UNITED STATES CODE (JUDICIARY
11 AND JUDICIAL PROCEDURE).—Section 631(c) of title 28,
12 United States Code is amended by inserting “, members
13 of the Space Force” before “, and members of the Army
14 National Guard”.

15 (c) SERVICEMEMBERS CIVIL RELIEF ACT.—The
16 Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.)
17 is amended as follows:

18 (1) DEFINITION OF MILITARY SERVICE.—Sec-
19 tion 101(2)(A) (50 U.S.C. 3911(2)(A)) is amended
20 by inserting “Space Force,” after “Marine Corps,”.

21 (2) SAME RIGHTS AND PROTECTIONS AS RE-
22 SERVES ORDERED TO REPORT FOR MILITARY SERV-
23 ICE.—Section 106 (50 U.S.C. 3917) is amended by
24 adding at the end the following new subsection:

1 “(c) TREATMENT OF MEMBERS OF SPACE FORCE.—
 2 The provisions of subsection (a) apply to a member of the
 3 Space Force who is ordered to report for military service
 4 in the same manner as to a member of a reserve compo-
 5 nent who is ordered to report for military service.”.

6 (3) EXERCISE OF RIGHTS UNDER SCRA.—Sec-
 7 tion 108(5) (50 U.S.C. 3919(5)) is amended by in-
 8 serting “or as a member of the Space Force” before
 9 the period at the end.

10 **DIVISION B—MILITARY CON-**
 11 **STRUCTION AUTHORIZA-**
 12 **TIONS**

13 **SEC. 2001. SHORT TITLE.**

14 This division may be cited as the “Military Construc-
 15 tion Authorization Act for Fiscal Year 2024”.

16 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
 17 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
 18 **LAW.**

19 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
 20 YEARS.—Except as provided in subsection (b), all author-
 21 izations contained in titles XXI through XXVII for mili-
 22 tary construction projects, land acquisition, family housing
 23 projects and facilities, and contributions to the North At-
 24 lantic Treaty Organization Security Investment Program

1 (and authorizations of appropriations therefor) shall ex-
2 pire on the later of—

3 (1) October 1, 2026; or

4 (2) the date of the enactment of an Act author-
5 izing funds for military construction for fiscal year
6 2027.

7 (b) EXCEPTION.—Subsection (a) shall not apply to
8 authorizations for military construction projects, land ac-
9 quisition, family housing projects and facilities, and con-
10 tributions to the North Atlantic Treaty Organization Se-
11 curity Investment Program (and authorizations of appro-
12 priations therefor), for which appropriated funds have
13 been obligated before the later of—

14 (1) October 1, 2026; or

15 (2) the date of the enactment of an Act author-
16 izing funds for fiscal year 2027 for military con-
17 struction projects, land acquisition, family housing
18 projects and facilities, or contributions to the North
19 Atlantic Treaty Organization Security Investment
20 Program.

21 **SEC. 2003. EFFECTIVE DATE.**

22 Titles XXI through XXVII shall take effect on the
23 later of—

24 (1) October 1, 2023; or

25 (2) the date of the enactment of this Act.

**TITLE XXI—ARMY MILITARY
CONSTRUCTION**

**SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND
ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	\$50,000,000
Georgia	Fort Eisenhower	\$163,000,000
Hawaii	Aliamanu Military Reservation	\$20,000,000
	Fort Shafter	\$23,000,000
	Helemano Military Reservation	\$33,000,000
	Schofield Barracks	\$37,000,000
Kansas	Fort Riley	\$105,000,000
Kentucky	Fort Campbell	\$38,000,000
Louisiana	Fort Johnson	\$13,400,000
Massachusetts	Soldier Systems Center Natick	\$18,500,000
Michigan	Detroit Arsenal	\$72,000,000
North Carolina	Fort Liberty	\$154,500,000
Pennsylvania	Letterkenny Army Depot	\$89,000,000
Texas	Fort Bliss	\$74,000,000
	Red River Army Depot	\$113,000,000
Washington	Joint Base Lewis-McChord	\$100,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified

1 in the funding table in section 4601, the Secretary of the
 2 Army may acquire real property and carry out military
 3 construction projects for the installations or locations out-
 4 side the United States, and in the amounts, set forth in
 5 the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Germany	Grafenwoehr	\$10,400,000
	Hohenfels	\$56,000,000

6 (c) **PROTOTYPE PROJECT.**—Using amounts appro-
 7 priated pursuant to the authorization of appropriations in
 8 section 2103(a) and available for military construction
 9 projects as specified in the funding table in section 4601,
 10 the Secretary of the Army may carry out a military con-
 11 struction project for the installation, and in the amount,
 12 set forth in the following table as a prototype project
 13 under the pilot program under section 4022(i) of title 10,
 14 United States Code, notwithstanding subchapters I and
 15 III of chapter 169 and chapters 221 and 223 of title 10,
 16 United States Code:

Army Prototype Project

State	Installation	Amount
North Carolina	Fort Liberty	\$85,000,000

17 **SEC. 2102. FAMILY HOUSING.**

18 (a) **CONSTRUCTION AND ACQUISITION.**—Using
 19 amounts appropriated pursuant to the authorization of ap-
 20 propriations in section 2103(a) and available for military

1 family housing functions as specified in the funding table
 2 in section 4601, the Secretary of the Army may construct
 3 or acquire family housing units (including land acquisition
 4 and supporting facilities) at the installations or locations,
 5 in the number of units, and in the amounts set forth in
 6 the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Baumholder	Family Housing New Construc- tion	\$78,746,000
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction ...	\$98,600,000

7 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
 8 UNITS.—Subject to section 2825 of title 10, United States
 9 Code, and using amounts appropriated pursuant to the
 10 authorization of appropriations in section 2103(a) and
 11 available for military family housing functions as specified
 12 in the funding table in section 4601, the Secretary of the
 13 Army may improve existing military family housing units
 14 in an amount not to exceed \$100,000,000.

15 (c) PLANNING AND DESIGN.—Using amounts appro-
 16 priated pursuant to the authorization of appropriations in
 17 section 2103(a) and available for military family housing
 18 functions as specified in the funding table in section 4601,
 19 the Secretary of the Army may carry out architectural and
 20 engineering services and construction design activities

1 with respect to the construction or improvement of family
2 housing units in an amount not to exceed \$27,549,000.

3 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
5 are hereby authorized to be appropriated for fiscal years
6 beginning after September 30, 2023, for military con-
7 struction, land acquisition, and military family housing
8 functions of the Department of the Army as specified in
9 the funding table in section 4601.

10 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
11 PROJECTS.—Notwithstanding the cost variations author-
12 ized by section 2853 of title 10, United States Code, and
13 any other cost variation authorized by law, the total cost
14 of all projects carried out under section 2101 of this Act
15 may not exceed the total amount authorized to be appro-
16 priated under subsection (a), as specified in the funding
17 table in section 4601.

18 **SEC. 2104. EXTENSION OF AUTHORITY TO USE CASH PAY-**
19 **MENTS IN SPECIAL ACCOUNT FROM LAND**
20 **CONVEYANCE, NATICK SOLDIER SYSTEMS**
21 **CENTER, MASSACHUSETTS.**

22 Section 2844(c)(2)(C) of the Military Construction
23 Authorization Act for Fiscal Year 2018 (division B of
24 Public Law 115–91; 131 Stat. 1865) is amended by strik-
25 ing “October 1, 2025” and inserting “October 1, 2027”.

1 **SEC. 2105. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
 2 **CAL YEAR 2018 PROJECT AT KUNSAN AIR**
 3 **BASE, KOREA.**

4 (a) **EXTENSION.**—Notwithstanding section 2002 of
 5 the Military Construction Authorization Act for Fiscal
 6 Year 2018 (division B of Public Law 115–91; 131 Stat.
 7 1817), the authorization set forth in the table in sub-
 8 section (b), as provided in section 2101(b) of that Act
 9 (131 Stat. 1819) and extended and modified by sub-
 10 sections (a) and (b) of section 2106 of the Military Con-
 11 struction Act for Fiscal Year 2023 (division B of Public
 12 Law 117–263), shall remain in effect until October 1,
 13 2024, or the date of the enactment of an Act authorizing
 14 funds for military construction for fiscal year 2025, which-
 15 ever is later.

16 (b) **TABLE.**—The table referred to in subsection (a)
 17 is as follows:

Army: Extension of 2018 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Korea	Kunsan Air Base	Unmanned Aerial Vehicle Hangar ...	\$53,000,000

18 **SEC. 2106. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 19 **TAIN FISCAL YEAR 2019 PROJECTS.**

20 (a) **ARMY CONSTRUCTION AND LAND ACQUISI-**
 21 **TION.**—

1 (1) EXTENSION.—Notwithstanding section
 2 2002 of the Military Construction Authorization Act
 3 for Fiscal Year 2019 (division B of Public Law 115–
 4 232; 132 Stat. 2240), the authorizations set forth in
 5 the table in paragraph (2), as provided in section
 6 2101 of that Act (132 Stat. 2241), shall remain in
 7 effect until October 1, 2024, or the date of the en-
 8 actment of an Act authorizing funds for military
 9 construction for fiscal year 2025, whichever is later.

10 (2) TABLE.—The table referred to in paragraph
 11 (1) is as follows:

Army: Extension of 2019 Project Authorizations

State/ Country	Installation or Location	Project	Original Au- thorized Amount
Korea	Camp Tango	Command and Con- trol Facility	\$17,500,000
Maryland	Fort Meade	Cantonment Area Roads	\$16,500,000

12 (b) OVERSEAS CONTINGENCY OPERATIONS.—

13 (1) EXTENSION.—Notwithstanding section
 14 2002 of the Military Construction Authorization Act
 15 for Fiscal Year 2019 (division B of Public Law 115–
 16 232; 132 Stat. 2240), the authorizations set forth in
 17 the table in paragraph (2), as provided in section
 18 2901 of that Act (132 Stat. 2286), shall remain in
 19 effect until October 1, 2024, or the date of the en-
 20 actment of an Act authorizing funds for military
 21 construction for fiscal year 2025, whichever is later.

1 (2) TABLE.—The table referred to in paragraph
2 (1) is as follows:

Army: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Bulgaria	Nevo Selo FOS	EDI: Ammunition Holding Area	\$5,200,000
Romania	Mihail Kogalniceanu FOS	EDI: Explosives & Ammo Load/Un-load Apron.	\$21,651,000

3 **SEC. 2107. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
4 **TAIN FISCAL YEAR 2021 PROJECTS.**

5 (a) ARMY CONSTRUCTION AND LAND ACQUI-
6 TION.—

7 (1) EXTENSION.—Notwithstanding section
8 2002 of the Military Construction Authorization Act
9 for Fiscal Year 2021 (division B of Public Law 116–
10 283; 134 Stat. 4294), the authorizations set forth in
11 the table in paragraph (2), as provided in section
12 2101(a) of that Act (134 Stat. 4295), shall remain
13 in effect until October 1, 2024, or the date of the
14 enactment of an Act authorizing funds for military
15 construction for fiscal year 2025, whichever is later.

16 (2) TABLE.—The table referred to in paragraph
17 (1) is as follows:

Army: Extension of 2021 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Arizona	Yuma Proving Ground	Ready Building	\$14,000,000

Army: Extension of 2021 Project Authorizations—Continued

State	Installation or Location	Project	Original Authorized Amount
Georgia	Fort Gillem	Forensic Lab	\$71,000,000
Louisiana	Fort Johnson	Information Systems Facility	\$25,000,000

1 (b) CHILD DEVELOPMENT CENTER, GEORGIA.—

2 (1) EXTENSION.—Notwithstanding section
 3 2002 of the Military Construction Authorization Act
 4 for Fiscal Year 2021 (division B of Public Law 116–
 5 283; 134 Stat. 4294), the authorization under sec-
 6 tion 2865 of that Act (10 U.S.C. 2802 note) for the
 7 project described in paragraph (2) in Fort Eisen-
 8 hower, Georgia, shall remain in effect until October
 9 1, 2024, or the date of the enactment of an Act au-
 10 thorizing funds for military construction for fiscal
 11 year 2025, whichever is later.

12 (2) PROJECT DESCRIBED.—The project de-
 13 scribed in this paragraph is the following:

Army: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Georgia	Fort Eisenhower	Child Development Center	\$21,000,000

**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

State	Installation or Location	Amount
California	Marine Corps Air Ground Combat Center Twentynine Palms.	\$42,100,000
.....	Port Hueneme	\$110,000,000
Connecticut	Naval Submarine Base New London	\$331,718,000
District of Columbia	Marine Barracks Washington	\$131,800,000
Florida	Naval Air Station Whiting Field	\$141,500,000
Guam	Andersen Air Force Base	\$497,620,000
.....	Joint Region Marianas	\$174,540,000
.....	Naval Base Guam	\$946,500,000
Hawaii	Marine Corps Base Kaneohe Bay	\$227,350,000
Maryland	Fort Meade	\$186,480,000
.....	Naval Air Station Patuxent River	\$141,700,000
North Carolina	Marine Corps Air Station Cherry Point	\$270,150,000
.....	Marine Corps Base Camp Lejeune	\$183,780,000
Pennsylvania	Naval Surface Warfare Center Philadelphia	\$88,200,000
Virginia	Dam Neck Annex	\$109,680,000
.....	Joint Expeditionary Base Little Creek - Fort Story.	\$35,000,000
.....	Marine Corps Base Quantico	\$127,120,000
.....	Naval Station Norfolk	\$158,095,000
.....	Naval Weapons Station Yorktown	\$221,920,000
Washington	Naval Base Kitsap	\$245,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropria-

1 tions in section 2203(a) and available for military con-
 2 struction projects outside the United States as specified
 3 in the funding table in section 4601, the Secretary of the
 4 Navy may acquire real property and carry out military
 5 construction projects for the installations or locations out-
 6 side the United States, and in the amounts, set forth in
 7 the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonnier	\$106,600,000
Italy	Naval Air Station Sigonella	\$77,072,000

8 (c) PROTOTYPE PROJECT.—Using amounts appro-
 9 priated pursuant to the authorization of appropriations in
 10 section 2203(a) and available for military construction
 11 projects as specified in the funding table in section 4601,
 12 the Secretary of the Navy may carry out a military con-
 13 struction project for the installation, and in the amount,
 14 set forth in the following table as a prototype project
 15 under the pilot program under section 4022(i) of title 10,
 16 United States Code, notwithstanding subchapters I and
 17 III of chapter 169 and chapters 221 and 223 of title 10,
 18 United States Code:

Navy Prototype Project

State	Installation	Amount
Virginia	Joint Expeditionary Base Little Creek - Fort Story.	\$35,000,000

1 **SEC. 2202. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using
 3 amounts appropriated pursuant to the authorization of ap-
 4 propriations in section 2203(a) and available for military
 5 family housing functions as specified in the funding table
 6 in section 4601, the Secretary of the Navy may construct
 7 or acquire family housing units (including land acquisition
 8 and supporting facilities) at the installations or locations,
 9 in the number of units, and in the amounts set forth in
 10 the following table:

Navy: Family Housing

Country	Installation or Location	Units	Amount
Guam	Joint Region Marianas.	Replace Andersen Housing Ph 8.	\$121,906,000
.....	Mariana Islands ..	Replace Andersen Housing (AF) PH7.	\$83,126,000

11 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
 12 UNITS.—Subject to section 2825 of title 10, United States
 13 Code, and using amounts appropriated pursuant to the
 14 authorization of appropriations in section 2203(a) and
 15 available for military family housing functions as specified
 16 in the funding table in section 4601, the Secretary of the
 17 Navy may improve existing military family housing units
 18 in an amount not to exceed \$57,740,000.

19 (c) PLANNING AND DESIGN.—Using amounts appro-
 20 priated pursuant to the authorization of appropriations in
 21 section 2203(a) and available for military family housing

1 functions as specified in the funding table in section 4601,
2 the Secretary of the Navy may carry out architectural and
3 engineering services and construction design activities
4 with respect to the construction or improvement of family
5 housing units in an amount not to exceed \$14,370,000.

6 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
8 are hereby authorized to be appropriated for fiscal years
9 beginning after September 30, 2023, for military con-
10 struction, land acquisition, and military family housing
11 functions of the Department of the Navy, as specified in
12 the funding table in section 4601.

13 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
14 PROJECTS.—Notwithstanding the cost variations author-
15 ized by section 2853 of title 10, United States Code, and
16 any other cost variation authorized by law, the total cost
17 of all projects carried out under section 2201 of this Act
18 may not exceed the total amount authorized to be appro-
19 priated under subsection (a), as specified in the funding
20 table in section 4601.

21 **SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
22 **TAIN FISCAL YEAR 2019 PROJECTS.**

23 (a) NAVY CONSTRUCTION AND LAND ACQUISITION
24 PROJECTS.—

1 (1) EXTENSION.—Notwithstanding section
 2 2002 of the Military Construction Authorization Act
 3 for Fiscal Year 2019 (division B of Public Law 115–
 4 232; 132 Stat. 2240), the authorizations set forth in
 5 the table in paragraph (2), as provided in section
 6 2201 of that Act (132 Stat. 2243), shall remain in
 7 effect until October 1, 2024, or the date of the en-
 8 actment of an Act authorizing funds for military
 9 construction for fiscal year 2025, whichever is later.

10 (2) TABLE.—The table referred to in paragraph
 11 (1) is as follows:

Navy: Extension of 2019 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Bahrain	SW Asia	Fleet Maintenance Facility & TOC.	\$26,340,000
North Carolina	Marine Corps Base Camp Lejeune.	2nd Radio BN Complex, Phase 2.	\$51,300,000
South Carolina	Marine Corps Air Station Beaufort.	Recycling/Hazardous Waste Facility.	\$9,517,000
Washington	Bangor	Pier and Maintenance Facility.	\$88,960,000

12 (b) LAUREL BAY FIRE STATION, SOUTH CARO-
 13 LINA.—

14 (1) EXTENSION.—Notwithstanding section
 15 2002 of the Military Construction Authorization Act
 16 for Fiscal Year 2019 (division B of Public Law 115–
 17 232; 132 Stat. 2240), the authorization under sec-
 18 tion 2810 of that Act (132 Stat. 2266) for the
 19 project described in paragraph (2) shall remain in

1 effect until October 1, 2024, or the date of the en-
 2 actment of an Act authorizing funds for military
 3 construction for fiscal year 2025, whichever is later.

4 (2) PROJECT DESCRIBED.—The project de-
 5 scribed in this paragraph is the following::

Navy: Extension of 2019 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
South Carolina	Marine Corps Air Station Beau- fort.	Laurel Bay Fire Station ...	\$10,750,000

6 (c) OVERSEAS CONTINGENCY OPERATIONS.—

7 (1) EXTENSION.—Notwithstanding section
 8 2002 of the Military Construction Authorization Act
 9 for Fiscal Year 2019 (division B of Public Law 115–
 10 232; 132 Stat. 2240), the authorization set forth in
 11 the table in paragraph (2), as provided in section
 12 2902 of that Act (132 Stat. 2286), shall remain in
 13 effect until October 1, 2024, or the date of the en-
 14 actment of an Act authorizing funds for military
 15 construction for fiscal year 2025, whichever is later.

16 (2) TABLE.—The table referred to in paragraph
 17 (1) is as follows:

Navy: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Greece	Naval Support Activity Sou- da Bay.	EDI: Joint Mobility Proc- essing Center.	\$41,650,000

1 **SEC. 2205. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 2 **TAIN FISCAL YEAR 2021 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2021 (division B of Public Law 116–283; 134 Stat.
 6 4294), the authorizations set forth in the table in sub-
 7 section (b), as provided in section 2201 of that Act (134
 8 Stat. 4297), shall remain in effect until October 1, 2024,
 9 or the date of the enactment of an Act authorizing funds
 10 for military construction for fiscal year 2025, whichever
 11 is later.

12 (b) TABLE.—The table referred to in subsection (a)
 13 is as follows:

Navy: Extension of 2021 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
California	Twentynine Palms.	Wastewater Treatment Plant.	\$76,500,000
Guam	Joint Region Marianas.	Joint Communication Upgrade.	\$166,000,000
Maine	NCTAMS LANT Detachment Cutler.	Perimeter Security	\$26,100,000
Nevada	Fallon	Range Training Complex, Phase I.	\$29,040,000

14 **TITLE XXIII—AIR FORCE**
 15 **MILITARY CONSTRUCTION**

16 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 17 **LAND ACQUISITION PROJECTS.**

18 (a) INSIDE THE UNITED STATES.—Using amounts
 19 appropriated pursuant to the authorization of appropria-

1 tions in section 2303(a) and available for military con-
 2 struction projects inside the United States as specified in
 3 the funding table in section 4601, the Secretary of the
 4 Air Force may acquire real property and carry out mili-
 5 tary construction projects for the installations or locations
 6 inside the United States, and in the amounts, set forth
 7 in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Florida	MacDill Air Force Base	\$131,000,000
.....	Patrick Space Force Base	\$27,000,000
.....	Tyndall Air Force Base	\$252,000,000
Georgia	Robins Air Force Base	\$115,000,000
Guam	Joint Region Marianas	\$411,000,000
Massachusetts	Hanscom Air Force Base	\$37,000,000
Mississippi	Columbus Air Force Base	\$39,500,000
South Dakota	Ellsworth Air Force Base	\$235,000,000
Texas	Joint Base San Antonio-Lackland	\$20,000,000
Utah	Hill Air Force Base	\$82,000,000
Wyoming	F.E. Warren Air Force Base	\$85,000,000

8 (b) OUTSIDE THE UNITED STATES.—Using amounts
 9 appropriated pursuant to the authorization of appropria-
 10 tions in section 2303(a) and available for military con-
 11 struction projects outside the United States as specified
 12 in the funding table in section 4601, the Secretary of the
 13 Air Force may acquire real property and carry out mili-
 14 tary construction projects for the installations or locations
 15 outside the United States, and in the amounts, set forth
 16 in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Royal Australian Air Force Base Darwin ...	\$26,000,000
.....	Royal Australian Air Force Base Tindal	\$130,500,000
Norway	Rygge Air Station	\$119,000,000
Philippines	Cesar Basa Air Base	\$35,000,000

Air Force: Outside the United States—Continued

Country	Installation or Location	Amount
Spain	Morón Air Base	\$26,000,000
United Kingdom	Royal Air Force Fairford	\$47,000,000
.....	Royal Air Force Lakenheath	\$78,000,000

1 (c) **PROTOTYPE PROJECT.**—Using amounts appro-
 2 priated pursuant to the authorization of appropriations in
 3 section 2303(a) and available for military construction
 4 projects as specified in the funding table in section 4601,
 5 the Secretary of the Air Force may carry out a military
 6 construction project for the installation, and in the
 7 amount, set forth in the following table as a prototype
 8 project under the pilot program under section 4022(i) of
 9 title 10, United States Code, notwithstanding subchapters
 10 I and III of chapter 169 and chapters 221 and 223 of
 11 title 10, United States Code:

Air Force Prototype Project

State	Installation	Amount
Massachusetts	Hanscom Air Force Base	\$37,000,000

12 **SEC. 2302. FAMILY HOUSING.**

13 (a) **IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 14 **UNITS.**—Subject to section 2825 of title 10, United States
 15 Code, and using amounts appropriated pursuant to the
 16 authorization of appropriations in section 2303(a) and
 17 available for military family housing functions as specified
 18 in the funding table in section 4601, the Secretary of the

1 Air Force may improve existing military family housing
2 units in an amount not to exceed \$229,282,000.

3 (b) PLANNING AND DESIGN.—Using amounts appro-
4 priated pursuant to the authorization of appropriations in
5 section 2303(a) and available for military family housing
6 functions as specified in the funding table in section 4601,
7 the Secretary of the Air Force may carry out architectural
8 and engineering services and construction design activities
9 with respect to the construction or improvement of family
10 housing units in an amount not to exceed \$7,815,000.

11 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**
12 **FORCE.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
14 are hereby authorized to be appropriated for fiscal years
15 beginning after September 30, 2023, for military con-
16 struction, land acquisition, and military family housing
17 functions of the Department of the Air Force, as specified
18 in the funding table in section 4601.

19 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
20 PROJECTS.—Notwithstanding the cost variations author-
21 ized by section 2853 of title 10, United States Code, and
22 any other cost variation authorized by law, the total cost
23 of all projects carried out under section 2301 of this Act
24 may not exceed the total amount authorized to be appro-

1 priated under subsection (a), as specified in the funding
 2 table in section 4601.

3 **SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 4 **TAIN FISCAL YEAR 2017 PROJECTS.**

5 (a) AIR FORCE CONSTRUCTION AND LAND ACQUISSI-
 6 TION PROJECTS.—

7 (1) EXTENSION.—Notwithstanding section
 8 2002 of the Military Construction Authorization Act
 9 for Fiscal Year 2017 (division B of Public Law 114–
 10 328; 130 Stat. 2688), the authorizations set forth in
 11 the table in paragraph (2), as provided in section
 12 2301(b) of that Act (130 Stat. 2697) and extended
 13 by section 2304 of the Military Construction Author-
 14 ization Act for Fiscal Year 2022 (division B of Pub-
 15 lic Law 117–181; 135 Stat. 2169), shall remain in
 16 effect until October 1, 2024, or the date of the en-
 17 actment of an Act authorizing funds for military
 18 construction for fiscal year 2025, whichever is later.

19 (2) TABLE.—The table referred to in paragraph
 20 (1) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	37 AS Squadron Op- erations/Aircraft Maintenance Unit	\$13,437,000
.....	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A-22	\$2,700,000

Air Force: Extension of 2017 Project Authorizations—Continued

Country	Installation or Location	Project	Original Authorized Amount
Japan	Yokota Air Force Base	C-130J Corrosion Control Hangar ...	\$23,777,000

1 (b) OVERSEAS CONTINGENCY OPERATIONS.—

2 (1) EXTENSION.—Notwithstanding section
3 2002 of the Military Construction Authorization Act
4 for Fiscal Year 2017 (division B of Public Law 114–
5 328; 130 Stat. 2688), the authorization set forth in
6 the table in paragraph (2), as provided in section
7 2902 of that Act (130 Stat. 2743) and extended by
8 section 2304 of the Military Construction Authoriza-
9 tion Act for Fiscal Year 2022 (division B of Public
10 Law 117–181; 135 Stat. 2169), shall remain in ef-
11 fect until October 1, 2024, or the date of the enact-
12 ment of an Act authorizing funds for military con-
13 struction for fiscal year 2025, whichever is later.

14 (2) TABLE.—The table referred to in paragraph
15 (1) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Spangdahlem Air Base	F/A-22 Low Observ-able/Composite Repair Facility	\$12,000,000

1 **SEC. 2305. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 2 **TAIN FISCAL YEAR 2018 PROJECTS.**

3 (a) AIR FORCE CONSTRUCTION AND LAND ACQUISSI-
 4 TION PROJECTS.—

5 (1) EXTENSION.—Notwithstanding section
 6 2002 of the Military Construction Authorization Act
 7 for Fiscal Year 2018 (division B of Public Law 115–
 8 91; 131 Stat. 1817), the authorization set forth in
 9 the table in paragraph (2), as provided in section
 10 2301(a) of that Act (131 Stat. 1825) and extended
 11 by section 2304(a) of the Military Construction Au-
 12 thorization Act for Fiscal Year 2023 (division B of
 13 Public Law 117–263), shall remain in effect until
 14 October 1, 2024, or the date of the enactment of an
 15 Act authorizing funds for military construction for
 16 fiscal year 2025, whichever is later.

17 (2) TABLE.—The table referred to in paragraph
 18 (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Florida	Tyndall Air Force Base	Fire Station	\$17,000,000

19 (b) OVERSEAS CONTINGENCY OPERATIONS.—

20 (1) EXTENSION.—Notwithstanding section
 21 2002 of the Military Construction Authorization Act
 22 for Fiscal Year 2018 (division B of Public Law 115–

1 91; 131 Stat. 1817), the authorizations set forth in
 2 the table in paragraph (2), as provided in section
 3 2903 of that Act (131 Stat. 1876) and extended by
 4 section 2304(b) of the Military Construction Author-
 5 ization Act for Fiscal Year 2023 (division B of Pub-
 6 lic Law 117–263), shall remain in effect until Octo-
 7 ber 1, 2024, or the date of the enactment of an Act
 8 authorizing funds for military construction for fiscal
 9 year 2025, whichever is later.

10 (2) TABLE.—The table referred to in paragraph
 11 (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Hungary	Keckemet Air Base	ERI: Airfield Up-grades	\$12,900,000
.....	Keckemet Air Base	ERI: Construct Par-allel Taxiway	\$30,000,000
.....	Keckemet Air Base	ERI: Increase POL Storage Capacity	\$12,500,000
Luxembourg ...	Sanem	ERI: ECAOS Deployable Air-base System Stor-age.	\$67,400,000
Slovakia	Malacky	ERI: Airfield Up-grades	\$4,000,000
.....	Malacky	ERI: Increase POL Storage Capacity	\$20,000,000

12 **SEC. 2306. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 13 **TAIN FISCAL YEAR 2019 PROJECTS.**

14 (a) AIR FORCE CONSTRUCTION AND LAND ACQUISI-
 15 TION PROJECTS.—

16 (1) EXTENSION.—Notwithstanding section
 17 2002 of the Military Construction Authorization Act

1 for Fiscal Year 2019 (division B of Public Law 115–
 2 232; 132 Stat. 2240), the authorizations set forth in
 3 the table in paragraph (2), as provided in section
 4 2301 of that Act (132 Stat. 2246), shall remain in
 5 effect until October 1, 2024, or the date of the en-
 6 actment of an Act authorizing funds for military
 7 construction for fiscal year 2025, whichever is later.

8 (2) TABLE.—The table referred to in paragraph
 9 (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Mariana Is- lands	Tinian	APR-Cargo Pad with Taxiway Ex- tension.	\$46,000,000
	Tinian	APR-Maintenance Support Facility ..	\$4,700,000
Maryland	Joint Base Andrews	Child Development Center	\$13,000,000
	Joint Base Andrews	PAR Relocate Haz Cargo Pad and EOD Range.	\$37,000,000
New Mexico	Holloman Air Force Base	MQ-9 FTU Ops Fa- cility	\$85,000,000
	Kirtland Air Force Base	Wyoming Gate Up- grade for Anti- Terrorism Compli- ance	\$7,000,000
United King- dom	Royal Air Force Lakenheath	F-35 ADAL Con- ventional Muni- tions MX	\$9,204,000
Utah	Hill Air Force Base	Composite Aircraft Antenna Calibra- tion Fac.	\$26,000,000

10 (b) OVERSEAS CONTINGENCY OPERATIONS.—

11 (1) EXTENSION.—Notwithstanding section
 12 2002 of the Military Construction Authorization Act

1 for Fiscal Year 2019 (division B of Public Law 115–
 2 232; 132 Stat. 2240), the authorizations set forth in
 3 the table in paragraph (2), as provided in section
 4 2903 of that Act (132 Stat. 2287), shall remain in
 5 effect until October 1, 2024, or the date of the en-
 6 actment of an Act authorizing funds for military
 7 construction for fiscal year 2025, whichever is later.

8 (2) TABLE.—The table referred to in paragraph
 9 (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Slovakia	Malacky	EDI: Regional Munitions Storage Area	\$59,000,000
United Kingdom	RAF Fairford	EDI: Construct DABS–FEV Storage	\$87,000,000
.....	RAF Fairford	EDI: Munitions Holding Area	\$19,000,000

10 **SEC. 2307. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 11 **TAIN FISCAL YEAR 2021 PROJECTS.**

12 (a) AIR FORCE CONSTRUCTION AND LAND ACQUISI-
 13 TION PROJECT.—

14 (1) EXTENSION.—Notwithstanding section
 15 2002 of the Military Construction Authorization Act
 16 for Fiscal Year 2021 (division B of Public Law 116–
 17 283; 134 Stat. 4294), the authorization set forth in
 18 the table in paragraph (2), as provided in section
 19 2301 of that Act (134 Stat. 4299), shall remain in

1 effect until October 1, 2024, or the date of the en-
 2 actment of an Act authorizing funds for military
 3 construction for fiscal year 2025, whichever is later.

4 (2) TABLE.—The table referred to in paragraph
 5 (1) is as follows:

Air Force: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Virginia	Joint Base Langley-Eustis	Access Control Point Main Gate with Lang Acq.	\$19,500,00

6 (b) OVERSEAS CONTINGENCY OPERATIONS.—

7 (1) EXTENSION.—Notwithstanding section
 8 2002 of the Military Construction Authorization Act
 9 for Fiscal Year 2021 (division B of Public Law 116–
 10 283; 134 Stat. 4294), the authorizations set forth in
 11 the table in paragraph (2), as provided in section
 12 2902 of that Act (134 Stat. 4373), shall remain in
 13 effect until October 1, 2024, or the date of the en-
 14 actment of an Act authorizing funds for military
 15 construction for fiscal year 2025, whichever is later.

16 (2) TABLE.—The table referred to in paragraph
 17 (1) is as follows:

Air Force: Extension of 2021 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein	EDI: Rapid Airfield Damage Repair Storage	\$36,345,000

Air Force: Extension of 2021 Project Authorizations—Continued

Country	Installation or Location	Project	Original Authorized Amount
.....	Spangdahlem Air Base	EDI: Rapid Airfield Damage Repair Storage	\$25,824,000

1 **TITLE XXIV—DEFENSE AGEN-**
2 **CIES MILITARY CONSTRUC-**
3 **TION**

4 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
5 **TION AND LAND ACQUISITION PROJECTS.**

6 (a) INSIDE THE UNITED STATES.—Using amounts
7 appropriated pursuant to the authorization of appropria-
8 tions in section 2403(a) and available for military con-
9 struction projects inside the United States as specified in
10 the funding table in section 4601, the Secretary of De-
11 fense may acquire real property and carry out military
12 construction projects for the installations or locations in-
13 side the United States, and in the amounts, set forth in
14 the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	\$147,975,000
California	Marine Corps Air Station Miramar	\$103,000,000
	Naval Base Coronado	\$51,000,000
	Naval Base San Diego	\$101,644,000
Delaware	Dover Air Force Base	\$30,500,000
Maryland	Fort Meade	\$885,000,000
	Joint Base Andrews	\$38,300,000
Montana	Great Falls International Airport	\$30,000,000
North Carolina	Marine Corps Base Camp Lejeune	\$70,000,000
Utah	Hill Air Force Base	\$14,200,000
Virginia	Fort Belvoir	\$185,000,000
	Joint Expeditionary Base Little Creek – Fort Story.	\$61,000,000
	Pentagon	\$30,600,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Washington	Joint Base Lewis – McChord	\$62,000,000
	Manchester	\$71,000,000
	Naval Undersea Warfare Center Keyport	\$37,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2403(a) and available for military con-
 4 struction projects outside the United States as specified
 5 in the funding table in section 4601, the Secretary of De-
 6 fense may acquire real property and carry out military
 7 construction projects for the installations or locations out-
 8 side the United States, and in the amounts, set forth in
 9 the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Cuba	Guantanamo Bay Naval Station	\$257,000,000
Germany	Baumholder	\$57,700,000
	Ramstein Air Base	\$181,764,000
Honduras	Soto Cano Air Base	\$41,300,000
Japan	Kadena Air Base	\$100,300,000
Spain	Naval Station Rota	\$80,000,000

10 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
 11 **SERVATION INVESTMENT PROGRAM**
 12 **PROJECTS.**

13 (a) INSIDE THE UNITED STATES.—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2403(a) and available for energy conserva-
 16 tion projects as specified in the funding table in section
 17 4601, the Secretary of Defense may carry out energy con-

1 servation projects under chapter 173 of title 10, United
 2 States Code, for the installations or locations inside the
 3 United States, and in the amounts, set forth in the fol-
 4 lowing table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
California	Marine Corps Air Station Miramar	\$30,550,000
	Naval Base San Diego	\$6,300,000
	Vandenberg Space Force Base	\$57,000,000
Colorado	Buckley Space Force Base	\$14,700,000
Georgia	Naval Submarine Base Kings Bay	\$49,500,000
Kansas	Forbes Field	\$5,850,000
Missouri	Lake City Army Ammunition Plant	\$80,100,000
Nebraska	Offutt Air Force Base	\$41,000,000
North Carolina	Fort Liberty (Camp Mackall)	\$10,500,000
Oklahoma	Fort Sill	\$76,650,000
Puerto Rico	Fort Buchanan	\$56,000,000
Texas	Fort Cavazos	\$18,250,000
Virginia	Pentagon	\$2,250,000
Washington	Joint Base Lewis – McChord	\$49,850,000
Wyoming	F.E. Warren Air Force Base	\$25,000,000

5 (b) OUTSIDE THE UNITED STATES.—Using amounts
 6 appropriated pursuant to the authorization of appropria-
 7 tions in section 2403(a) and available for energy conserva-
 8 tion projects as specified in the funding table in section
 9 4601, the Secretary of Defense may carry out energy con-
 10 servation projects under chapter 173 of title 10, United
 11 States Code, for the installations or locations outside the
 12 United States, and in the amounts, set forth in the fol-
 13 lowing table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Korea	K-16 Air Base	\$5,650,000
Kuwait	Camp Buehring	\$18,850,000

1 (c) IMPROVEMENT OF CONVEYED UTILITY SYS-
 2 TEMS.—In the case of a utility system that is conveyed
 3 under section 2688 of title 10, United States Code, and
 4 that only provides utility services to a military installation,
 5 notwithstanding subchapters I and III of chapter 169 and
 6 chapters 221 and 223 of title 10, United States Code, the
 7 Secretary of Defense or the Secretary of a military depart-
 8 ment may authorize a contract with the conveyee of the
 9 utility system to carry out the military construction
 10 projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Nebraska	Offutt Air Force Base	Microgrid and Backup Power
North Carolina ...	Fort Liberty (Camp Mackall)	Microgrid and Backup Power
Texas	Fort Cavazos	Microgrid and Backup Power
Washington	Joint Base Lewis – McChord	Power Generation and Microgrid

11 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
 12 **FENSE AGENCIES.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
 14 are hereby authorized to be appropriated for fiscal years
 15 beginning after September 30, 2023, for military con-
 16 struction, land acquisition, and military family housing
 17 functions of the Department of Defense (other than the
 18 military departments), as specified in the funding table
 19 in section 4601.

1 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
2 PROJECTS.—Notwithstanding the cost variations author-
3 ized by section 2853 of title 10, United States Code, and
4 any other cost variation authorized by law, the total cost
5 of all projects carried out under section 2401 of this Act
6 may not exceed the total amount authorized to be appro-
7 priated under subsection (a), as specified in the funding
8 table in section 4601.

9 **SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
10 **TAIN FISCAL YEAR 2018 PROJECTS.**

11 (a) EXTENSION.—Notwithstanding section 2002 of
12 the Military Construction Authorization Act for Fiscal
13 Year 2018 (division B of Public Law 115–91; 131 Stat.
14 1817), the authorizations set forth in the table in sub-
15 section (b), as provided in section 2401(b) of that Act
16 (131 Stat. 1829) and extended by section 2404 of the
17 Military Construction Authorization Act for Fiscal Year
18 2023 (division B of Public Law 117–263), shall remain
19 in effect until October 1, 2024, or the date of the enact-
20 ment of an Act authorizing funds for military construction
21 for fiscal year 2025, whichever is later.

22 (b) TABLE.—The table referred to in subsection (a)
23 is as follows:

Defense Agencies: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Japan	Iwakuni	Construct Bulk Storage Tanks PH 1	\$30,800,000
Puerto Rico	Punta Borinquen	Ramey Unit School Replacement	\$61,071,000

1 **SEC. 2405. EXTENSION AND MODIFICATION OF AUTHORITY**
2 **TO CARRY OUT CERTAIN FISCAL YEAR 2019**
3 **PROJECTS.**

4 (a) EXTENSION.—

5 (1) IN GENERAL.—Notwithstanding section
6 2002 of the Military Construction Authorization Act
7 for Fiscal Year 2019 (division B of Public Law 115–
8 232; 132 Stat. 2240), the authorizations set forth in
9 the table in paragraph (2), as provided in section
10 2401(b) of that Act (132 Stat. 2249), shall remain
11 in effect until October 1, 2024, or the date of the
12 enactment of an Act authorizing funds for military
13 construction for fiscal year 2025, whichever is later.

14 (2) TABLE.—The table referred to in paragraph
15 (1) is as follows:

Defense Agencies: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Baumholder	SOF Joint Parachute Rigging Facility	\$11,504,000
Japan	Camp McTureous	Betchel Elementary School	\$94,851,000
	Iwakuni	Fuel Pier	\$33,200,000

1 (b) MODIFICATION OF AUTHORITY TO CARRY OUT
2 FISCAL YEAR 2019 PROJECT IN BAUMHOLDER, GER-
3 MANY.—

4 (1) MODIFICATION OF PROJECT AUTHORITY.—

5 In the case of the authorization contained in the
6 table in section 2401(b) of the Military Construction
7 Authorization Act for Fiscal Year 2019 (division B
8 of Public Law 115–232; 132 Stat. 2249) for
9 Baumholder, Germany, for construction of a SOF
10 Joint Parachute Rigging Facility, the Secretary of
11 Defense may construct a 3,200 square meter facility.

12 (2) MODIFICATION OF PROJECT AMOUNTS.—

13 (A) DIVISION B TABLE.—The authoriza-
14 tion table in section 2401(b) of the Military
15 Construction Defense Authorization Act for
16 Fiscal Year 2019 (division B of Public Law
17 115–232; 132 Stat. 2249), as extended pursu-
18 ant to subsection (a), is amended in the item
19 relating to Baumholder, Germany, by striking
20 “\$11,504,000” and inserting “\$23,000,000” to
21 reflect the project modification made by para-
22 graph (1).

23 (B) DIVISION D TABLE.—The funding
24 table in section 4601 of the John S. McCain
25 National Defense Authorization Act for Fiscal

1 Year 2019 (Public Law 115–232; 132 Stat.
 2 2406) is amended in the item relating to De-
 3 fense-wide, Baumholder, Germany, SOF Joint
 4 Parachute Rigging Facility, by striking
 5 “\$11,504” in the Conference Authorized col-
 6 umn and inserting “\$23,000” to reflect the
 7 project modification made by paragraph (1).

8 **SEC. 2406. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 9 **TAIN FISCAL YEAR 2021 PROJECTS.**

10 (a) DEFENSE AGENCIES CONSTRUCTION AND LAND
 11 ACQUISITION PROJECT.—

12 (1) EXTENSION.—Notwithstanding section
 13 2002 of the Military Construction Authorization Act
 14 for Fiscal Year 2021 (division B of Public Law 116–
 15 283; 134 Stat. 4294), the authorization set forth in
 16 the table in paragraph (2), as provided in section
 17 2401(b) of that Act (134 Stat. 4305), shall remain
 18 in effect until October 1, 2024, or the date of the
 19 enactment of an Act authorizing funds for military
 20 construction for fiscal year 2025, whichever is later.

21 (2) TABLE.—The table referred to in paragraph
 22 (1) is as follows:

Defense Agencies: Extension of 2021 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Japan	Def Fuel Support Point Tsurumi	Fuel Wharf	\$49,500,000

1 (b) ENERGY RESILIENCE AND CONSERVATION IN-
 2 VESTMENT PROGRAM PROJECTS.—

3 (1) EXTENSION.—Notwithstanding section
 4 2002 of the Military Construction Authorization Act
 5 for Fiscal Year 2021 (division B of Public Law 116–
 6 283; 134 Stat. 4294), the authorizations set forth in
 7 the table in paragraph (2), as provided in section
 8 2402 of that Act (134 Stat. 4306), shall remain in
 9 effect until October 1, 2024, or the date of the en-
 10 actment of an Act authorizing funds for military
 11 construction for fiscal year 2025, whichever is later.

12 (2) TABLE.—The table referred to in subsection
 13 (a) is as follows:

ERCIP Projects: Extension of 2021 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Arkansas	Ebbing Air National Guard Base	PV Arrays and Battery Storage	\$2,600,000
California	Marine Corps Air Ground Combat Center Twentynine Palms	Install 10 Mw Battery Energy Storage for Various Buildings	\$11,646,000
	Military Ocean Terminal Concord	Military Ocean Terminal Concord Microgrid	\$29,000,000
	Naval Support Activity Monterey	Cogeneration Plant at B236	\$10,540,000
Italy	Naval Support Activity Naples	Smart Grid	\$3,490,000
Nevada	Creech Air Force Base	Central Standby Generators	\$32,000,000

ERCIP Projects: Extension of 2021 Project Authorizations—
Continued

State/Country	Installation or Location	Project	Original Authorized Amount
Virginia	Naval Medical Center Portsmouth	Retro Air Handling Units From Constant Volume; Reheat to Variable Air Volume	\$611,000

1 SEC. 2407. ADDITIONAL AUTHORITY TO CARRY OUT CER-
2 TAIN FISCAL YEAR 2022 PROJECTS.

3 In the case of a utility system that is conveyed under
4 section 2688 of title 10, United States Code, and that only
5 provides utility services to a military installation, notwith-
6 standing subchapters I and III of chapter 169 and chap-
7 ters 221 and 223 of title 10, United States Code, the Sec-
8 retary of Defense or the Secretary of a military depart-
9 ment may authorize a contract with the conveyee of the
10 utility system to carry out the military construction
11 projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Alabama	Fort Novosel	Construct a 10 MW RICE Generator Plant and Micro-Grid Controls
Georgia	Fort Moore	Construct 4.8MW Generation and Microgrid
	Fort Stewart	Construct a 10 MW Generation Plant, with Microgrid Controls
New York	Fort Drum	Well Field Expansion Project

Improvement of Conveyed Utility Systems—Continued

State	Installation or Location	Project
North Carolina ...	Fort Liberty	Construct 10 MW Microgrid Utilizing Existing and New Generators
	Fort Liberty	Fort Liberty Emergency Water System

1 SEC. 2408. ADDITIONAL AUTHORITY TO CARRY OUT CER-
2 TAIN FISCAL YEAR 2023 PROJECTS.

3 In the case of a utility system that is conveyed under
 4 section 2688 of title 10, United States Code, and that only
 5 provides utility services to a military installation, notwith-
 6 standing subchapters I and III of chapter 169 and chap-
 7 ters 221 and 223 of title 10, United States Code, the Sec-
 8 retary of Defense or the Secretary of a military depart-
 9 ment may authorize a contract with the conveyee of the
 10 utility system to carry out the military construction
 11 projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Georgia	Fort Stewart – Hunter Army Airfield	Power Generation and Microgrid
Kansas	Fort Riley	Power Generation and Microgrid
Texas	Fort Cavazos	Power Generation and Microgrid

1 **TITLE XXV—INTERNATIONAL**
2 **PROGRAMS**
3 **Subtitle A—North Atlantic Treaty**
4 **Organization Security Invest-**
5 **ment Program**

6 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
7 **ACQUISITION PROJECTS.**

8 The Secretary of Defense may make contributions for
9 the North Atlantic Treaty Organization Security Invest-
10 ment Program as provided in section 2806 of title 10,
11 United States Code, in an amount not to exceed the sum
12 of the amount authorized to be appropriated for this pur-
13 pose in section 2502 and the amount collected from the
14 North Atlantic Treaty Organization as a result of con-
15 struction previously financed by the United States.

16 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

17 Funds are hereby authorized to be appropriated for
18 fiscal years beginning after September 30, 2023, for con-
19 tributions by the Secretary of Defense under section 2806
20 of title 10, United States Code, for the share of the United
21 States of the cost of projects for the North Atlantic Treaty
22 Organization Security Investment Program authorized by
23 section 2501 as specified in the funding table in section
24 4601.

1 **Subtitle B—Host Country In-kind**
 2 **Contributions**

3 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
 4 **PROJECTS.**

5 Pursuant to agreement with the Republic of Korea
 6 for required in-kind contributions, the Secretary of De-
 7 fense may accept military construction projects for the in-
 8 stallations or locations in the Republic of Korea, and in
 9 the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Bonifas	Vehicle Maintenance Shop	\$7,700,000
Army	Camp Carroll	Humidity-Controlled Warehouse.	\$189,000,000
Army	Camp Humphreys	Airfield Services Storage Warehouse.	\$7,100,000
Army	Camp Walker	Consolidated Fire and Military Police Station.	\$48,000,000
Army	Pusan	Warehouse Facility	\$40,000,000
Navy	Chinhae	Electrical Switchgear Building.	\$6,000,000
Air Force	Osan Air Base	Consolidated Operations Group and Maintenance Group Headquarters.	\$46,000,000
Air Force	Osan Air Base	Flight Line Dining Facility	\$6,800,000
Air Force	Osan Air Base	Reconnaissance Squadron Operations and Avionics Facility.	\$30,000,000
Air Force	Osan Air Base	Repair Aircraft Maintenance Hangar B1732.	\$8,000,000
Air Force	Osan Air Base	Upgrade Electrical Distribution East, Phase 2.	\$46,000,000
Air Force	Osan Air Base	Water Supply Treatment Facility.	\$22,000,000

10 **SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION**
 11 **PROJECTS.**

12 Pursuant to agreement with the Republic of Poland
 13 for required in-kind contributions, the Secretary of De-
 14 fense may accept military construction projects for the in-

1 stallations or locations in the Republic of Poland, and in
 2 the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

Country	Installation or Location	Project	Amount
Army	Powidz	Barracks and Dining Facility.	\$93,000,000
Army	Powidz	Rotary Wing Aircraft Apron.	\$35,000,000
Army	Swietoszow	Bulk Fuel Storage	\$35,000,000
Army	Swietoszow	Rail Extension and Railroad.	\$7,300,000
Air Force	Wroclaw	Aerial Port of Debarkation Ramp.	\$59,000,000
Air Force	Wroclaw	Taxiways to Aerial Port of Debarkation Ramp.	\$39,000,000
Defense-wide ..	Lubliniec	Special Operations Forces Company Operations Facility.	\$16,200,000

3 **TITLE XXVI—GUARD AND**
 4 **RESERVE FORCES FACILITIES**

5 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
 6 **STRUCTION AND LAND ACQUISITION**
 7 **PROJECTS.**

8 Using amounts appropriated pursuant to the author-
 9 ization of appropriations in section 2606 and available for
 10 the National Guard and Reserve as specified in the fund-
 11 ing table in section 4601, the Secretary of the Army may
 12 acquire real property and carry out military construction
 13 projects for the Army National Guard locations inside the
 14 United States, and in the amounts, set forth in the fol-
 15 lowing table:

Army National Guard

State	Location	Amount
Arizona	Surprise Readiness Center	\$15,000,000
Florida	Camp Blanding	\$11,000,000
Idaho	Jerome County Regional Site	\$17,000,000

Army National Guard—Continued

State	Location	Amount
Illinois	North Riverside Armory	\$24,000,000
Kentucky	Burlington	\$16,400,000
Mississippi	Southaven	\$22,000,000
Missouri	Belle Fontaine	\$28,000,000
New Hampshire	Littleton	\$23,000,000
New Mexico	Rio Rancho Training Site	\$11,000,000
New York	Lexington Avenue Armory	\$90,000,000
Ohio	Camp Perry Joint Training Center	\$19,200,000
Oregon	Washington County Readiness Center	\$26,000,000
Pennsylvania	Hermitage Readiness Center	\$13,600,000
Rhode Island	North Kingstown	\$30,000,000
South Carolina	Aiken County Readiness Center	\$20,000,000
.....	McCrary Training Center	\$7,900,000
Virginia	Sandston RC & FMS 1	\$20,000,000
Wisconsin	Viroqua	\$18,200,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
2 **AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
4 ization of appropriations in section 2606 and available for
5 the National Guard and Reserve as specified in the fund-
6 ing table in section 4601, the Secretary of the Army may
7 acquire real property and carry out military construction
8 projects for the Army Reserve locations inside the United
9 States, and in the amounts, set forth in the following
10 table:

Army Reserve

State	Location	Amount
Alabama	Birmingham	\$57,000,000
Arizona	Queen Creek	\$12,000,000
California	Fort Hunter Liggett	\$40,000,000

1 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 2 **CORPS RESERVE CONSTRUCTION AND LAND**
 3 **ACQUISITION PROJECTS.**

4 Using amounts appropriated pursuant to the author-
 5 ization of appropriations in section 2606 and available for
 6 the National Guard and Reserve as specified in the fund-
 7 ing table in section 4601, the Secretary of the Navy may
 8 acquire real property and carry out military construction
 9 projects for the Navy Reserve and Marine Corps Reserve
 10 locations inside the United States, and in the amounts,
 11 set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Michigan	Battle Creek	\$24,549,000
Virginia	Marine Forces Reserve Dam Neck Virginia Beach	\$12,400,000

12 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
 13 **TION AND LAND ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-
 15 ization of appropriations in section 2606 and available for
 16 the National Guard and Reserve as specified in the fund-
 17 ing table in section 4601, the Secretary of the Air Force
 18 may acquire real property and carry out military construc-
 19 tion projects for the Air National Guard locations inside
 20 the United States, and in the amounts, set forth in the
 21 following table:

Air National Guard

State	Location	Amount
Alabama	Montgomery Regional Airport	\$7,000,000
Alaska	Joint Base Elmendorf – Richardson	\$7,000,000
Arizona	Tucson International Airport	\$11,600,000
Arkansas	Ebbing Air National Guard Base	\$76,000,000
Colorado	Buckley Space Force Base	\$12,000,000
Indiana	Fort Wayne International Airport	\$8,900,000
Oregon	Portland International Airport	\$71,500,000
Pennsylvania	Harrisburg International Airport	\$8,000,000
Wisconsin	Truax Field	\$5,200,000

1 SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

2
 3 Using amounts appropriated pursuant to the author-
 4 ization of appropriations in section 2606 and available for
 5 the National Guard and Reserve as specified in the fund-
 6 ing table in section 4601, the Secretary of the Air Force
 7 may acquire real property and carry out military construc-
 8 tion projects for the Air Force Reserve locations inside
 9 the United States, and in the amounts, set forth in the
 10 following table:

Air Force Reserve

State	Location	Amount
Arizona	Davis-Monthan Air Force Base	\$8,500,000
California	March Air Reserve Base	\$226,500,000
Guam	Joint Region Marianas	\$27,000,000
Louisiana	Barksdale Air Force Base	\$7,000,000
Texas	Naval Air Station Joint Reserve Base Fort Worth.	\$16,000,000

11 SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

12
 13 Funds are hereby authorized to be appropriated for
 14 fiscal years beginning after September 30, 2023, for the
 15 costs of acquisition, architectural and engineering services,

1 and construction of facilities for the Guard and Reserve
 2 Forces, and for contributions therefor, under chapter
 3 1803 of title 10, United States Code (including the cost
 4 of acquisition of land for those facilities), as specified in
 5 the funding table in section 4601.

6 **SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
 7 **CAL YEAR 2018 PROJECT AT HULMAN RE-**
 8 **GIONAL AIRPORT, INDIANA.**

9 (a) EXTENSION.—Notwithstanding section 2002 of
 10 the Military Construction Authorization Act for Fiscal
 11 Year 2018 (division B of Public Law 115–91; 131 Stat.
 12 1817), the authorization set forth in the table in sub-
 13 section (b), as provided in section 2604 of that Act (131
 14 Stat. 1836) and extended by section 2608 of the Military
 15 Construction Authorization Act for Fiscal Year 2023 (di-
 16 vision B of Public Law 117–263), shall remain in effect
 17 until October 1, 2024, or the date of the enactment of
 18 an Act authorizing funds for military construction for fis-
 19 cal year 2025, whichever is later.

20 (b) TABLE.—The table referred to in subsection (a)
 21 is as follows:

**National Guard and Reserve: Extension of 2018 Project
 Authorization**

State	Installation or Location	Project	Original Authorized Amount
Indiana	Hulman Regional Airport	Construct Small Arms Range	\$8,000,000

1 **SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
 2 **CAL YEAR 2019 PROJECT AT FRANCIS S.**
 3 **GABRESKI AIRPORT, NEW YORK.**

4 (a) **EXTENSION.**—Notwithstanding section 2002 of
 5 the Military Construction Authorization Act for Fiscal
 6 Year 2019 (division B of Public Law 115–232; 132 Stat.
 7 2240), the authorization set forth in the table in sub-
 8 section (b), as provided in section 2604 of that Act (132
 9 Stat. 2255), shall remain in effect until October 1, 2024,
 10 or the date of the enactment of an Act authorizing funds
 11 for military construction for fiscal year 2025, whichever
 12 is later.

13 (b) **TABLE.**—The table referred to in subsection (a)
 14 is as follows:

**National Guard and Reserve: Extension of 2019 Project
 Authorization**

State	Installation or Location	Project	Original Authorized Amount
New York	Francis S. Gabreski Air- port	Security Forces/Comm. Training Facility	\$20,000,000

15 **SEC. 2609. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 16 **TAIN FISCAL YEAR 2021 PROJECTS.**

17 (a) **EXTENSION.**—Notwithstanding section 2002 of
 18 the Military Construction Authorization Act for Fiscal
 19 Year 2021 (division B of Public Law 116–283; 134 Stat.
 20 4294), the authorizations set forth in the table in sub-
 21 section (b), as provided in sections 2601, 2602, and 2604

1 of that Act (134 Stat. 4312, 4313, 4314), shall remain
 2 in effect until October 1, 2024, or the date of the enact-
 3 ment of an Act authorizing funds for military construction
 4 for fiscal year 2025, whichever is later.

5 (b) TABLE.—The table referred to in subsection (a)
 6 is as follows:

National Guard and Reserve: Extension of 2021 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Arkansas	Fort Chaffee	National Guard Readiness Center	\$15,000,000
California	Bakersfield	National Guard Vehicle Maintenance Shop	\$9,300,000
Colorado	Peterson Space Force Base	National Guard Readiness Center	\$15,000,000
Guam	Joint Region Marianas	Space Control Facility #5	\$20,000,000
Ohio	Columbus	National Guard Readiness Center	\$15,000,000
Massachusetts	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	\$8,700,000
North Carolina	Asheville	Army Reserve Center/Land	\$24,000,000
Puerto Rico ...	Fort Allen	National Guard Readiness Center	\$37,000,000
South Carolina	Joint Base Charleston	National Guard Readiness Center	\$15,000,000
Texas	Fort Worth	Aircraft Maintenance Hangar Addition/Alt.	\$6,000,000
.....	Joint Base San Antonio	F-16 Mission Training Center	\$10,800,000
Virgin Islands	St. Croix	Army Aviation Support Facility (AASF)	\$28,000,000
.....	CST Ready Building	\$11,400,000

7 **SEC. 2610. MODIFICATION OF AUTHORITY TO CARRY OUT**
 8 **FISCAL YEAR 2022 PROJECT AT NICKELL ME-**
 9 **MORIAL ARMORY, KANSAS.**

10 (a) TRANSFER AUTHORITY.—From amounts appro-
 11 priated for “Military Construction, Army National Guard”

1 pursuant to the authorization of appropriations in section
2 2606 and available as specified in the funding table in sec-
3 tion 4601 of the National Defense Authorization Act for
4 Fiscal Year 2022 (Public Law 117–81, 135 Stat. 2315),
5 the Secretary of Defense may transfer not more than
6 \$420,000 to an appropriation for “Military Construction,
7 Air National Guard” for use for studying, planning, de-
8 signing, and architect and engineer services for a sensitive
9 compartmented information facility project at Nickell Me-
10 morial Armory, Kansas.

11 (b) MERGER OF AMOUNTS TRANSFERRED.—Any
12 amount transferred under subsection (a) shall be merged
13 with and available for the same purposes, and for the same
14 time period, as the “Military Construction, Air National
15 Guard” appropriation to which transferred.

16 (c) AUTHORITY.—Using amounts transferred pursu-
17 ant to subsection (a), the Secretary of the Air Force may
18 carry out study, planning, design, and architect and engi-
19 neer services activities for a sensitive compartmented in-
20 formation facility project at Nickell Memorial Armory,
21 Kansas.

1 **SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **FISCAL YEAR 2023 PROJECT AT CAMP PEN-**
3 **DLETON, CALIFORNIA.**

4 In the case of the authorization contained in the table
5 in section 2602 of the Military Construction Authorization
6 Act for Fiscal Year 2023 (division B of Public Law 117–
7 263) and specified in the funding table in section 4601
8 of the James M. Inhofe National Defense Authorization
9 Act for Fiscal Year 2023 (Public Law 117–263) for Camp
10 Pendleton, California, for construction of an Area Mainte-
11 nance Support Activity, the Secretary of the Army may
12 construct a 15,000 square foot facility.

13 **SEC. 2612. AUTHORITY TO CONDUCT RESTORATION AND**
14 **MODERNIZATION PROJECTS AT THE FIRST**
15 **CITY TROOP READINESS CENTER IN PHILA-**
16 **DELPHIA, PENNSYLVANIA.**

17 The Chief of the National Guard Bureau may expend
18 amounts available to the Army National Guard for facili-
19 ties sustainment, restoration, and modernization to con-
20 duct restoration and modernization projects at the First
21 City Troop Readiness Center in Philadelphia, Pennsyl-
22 vania, if—

23 (1) the Commonwealth of Pennsylvania has a
24 sufficient remaining lease term for such center to re-
25 alize the full lifecycle benefit of such a project;

1 (2) the Federal contribution for such a project
2 does not exceed 50 percent of the cost of the project
3 (inclusive of all project costs); and

4 (3) the Chief of the National Guard Bureau no-
5 tifies the Committees on Armed Services of the Sen-
6 ate and the House of Representatives not less than
7 15 days before awarding a contract for such a
8 project, which shall include an explanation of the
9 sufficiency of remaining lease term to justify the in-
10 vestment.

11 **TITLE XXVII—BASE REALIGN-**
12 **MENT AND CLOSURE ACTIVI-**
13 **TIES**

14 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
15 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
16 **TIES FUNDED THROUGH DEPARTMENT OF**
17 **DEFENSE BASE CLOSURE ACCOUNT.**

18 Funds are hereby authorized to be appropriated for
19 fiscal years beginning after September 30, 2023, for base
20 realignment and closure activities, including real property
21 acquisition and military construction projects, as author-
22 ized by the Defense Base Closure and Realignment Act
23 of 1990 (part A of title XXIX of Public Law 101–510;
24 10 U.S.C. 2687 note) and funded through the Department
25 of Defense Base Closure Account established by section

1 2906 of such Act, as specified in the funding table in sec-
2 tion 4601.

3 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**
4 **BASE REALIGNMENT AND CLOSURE (BRAC)**
5 **ROUND.**

6 Nothing in this Act shall be construed to authorize
7 an additional Base Realignment and Closure (BRAC)
8 round.

9 **SEC. 2703. CLOSURE AND DISPOSAL OF THE PUEBLO CHEM-**
10 **ICAL DEPOT, PUEBLO COUNTY, COLORADO.**

11 (a) IN GENERAL.—The Secretary of the Army shall
12 close the Pueblo Chemical Depot in Pueblo County, Colo-
13 rado (in this section referred to as the “Depot”), not later
14 than one year after the completion of the chemical demili-
15 tarization mission at such location in accordance with the
16 Convention on the Prohibition of the Development, Pro-
17 duction, Stockpiling and Use of Chemical Weapons and
18 on their Destruction, done at Geneva September 3, 1992,
19 and entered into force April 29, 1997 (commonly referred
20 to as the “Chemical Weapons Convention”).

21 (b) PROCEDURES.—The Secretary of the Army shall
22 carry out the closure and subsequent related property
23 management and disposal of the Depot, including the
24 land, buildings, structures, infrastructure, and associated
25 equipment, installed equipment, material, and personal

1 property that comprise the Chemical Agent–Destruction
2 Pilot Plant, in accordance with the procedures and au-
3 thorities for the closure, management, and disposal of
4 property under the Defense Base Closure and Realign-
5 ment Act of 1990 (part A of title XXIX of Public Law
6 101–510; 10 U.S.C. 2687 note).

7 (c) OFFICE OF LOCAL DEFENSE COMMUNITY CO-
8 OPERATION ACTIVITIES.—The Office of Local Defense
9 Community Cooperation of the Department of Defense
10 may make grants and supplement other Federal funds
11 pursuant to section 2391 of title 10, United States Code,
12 to support closure and reuse activities of the Depot.

13 (d) TREATMENT OF EXISTING PERMITS.—Nothing in
14 this section shall be construed to prevent the removal or
15 demolition by the Program Executive Office, Assembled
16 Chemical Weapons Alternatives of the Department of the
17 Army of existing buildings, structures, infrastructure, and
18 associated equipment, installed equipment, material, and
19 personal property of the Chemical Agent–Destruction
20 Pilot Plant at the Depot in accordance with Hazardous
21 Waste Permit Number CO–20–09–02–01 under the Solid
22 Waste Disposal Act (42 U.S.C. 6901 et seq.) (commonly
23 known as the “Resource Conservation and Recovery Act
24 of 1976”) issued by the State of Colorado, or any associ-
25 ated or follow-on permits under such Act.

1 (e) HOMELESS USE.—Given the nature of activities
 2 undertaken at the Chemical Agent–Destruction Pilot
 3 Plant at the Depot, such land, buildings, structures, infra-
 4 structure, and associated equipment, installed equipment,
 5 material, and personal property comprising the Chemical
 6 Agent–Destruction Pilot Plant is deemed unsuitable for
 7 homeless use and, in carrying out any closure, manage-
 8 ment, or disposal of property under this section, need not
 9 be screened for homeless use purposes pursuant to section
 10 2905(b)(7) of the Defense Base Closure and Realignment
 11 Act of 1990 (part A of title XXIX of Public Law 101–
 12 510; 10 U.S.C. 2687 note).

13 **TITLE XXVIII—MILITARY CON-**
 14 **STRUCTION GENERAL PROVI-**
 15 **SIONS**

16 **Subtitle A—Military Construction**
 17 **Program**

18 **SEC. 2801. AUTHORITY FOR INDO-PACIFIC POSTURE MILI-**
 19 **TARY CONSTRUCTION PROJECTS.**

20 (a) AUTHORITY.—The Commander of the United
 21 States Indo-Pacific Command (in this section referred to
 22 as the “Commander”) may carry out an unspecified mili-
 23 tary construction project not otherwise authorized by law
 24 or may authorize the Secretary of a military department
 25 to carry out such a project.

1 (b) SCOPE OF PROJECT AUTHORITY.—A project car-
2 ried out under this section may include any planning, de-
3 signing, construction, development, conversion, extension,
4 renovation, or repair, whether to satisfy temporary or per-
5 manent requirements, and, to the extent necessary, any
6 acquisition of land.

7 (c) PURPOSES.—A project carried out under this sec-
8 tion shall be for the purpose of—

9 (1) supporting the rotational deployments of
10 the Armed Forces;

11 (2) enhancing facility preparedness and military
12 installation resilience (as defined in section
13 101(e)(8) of title 10, United States Code) in support
14 of potential, planned, or anticipated national defense
15 activities; or

16 (3) providing for prepositioning and storage of
17 equipment and supplies.

18 (d) LOCATION OF PROJECTS.—A project carried out
19 under this section—

20 (1) may be located—

21 (A) at a cooperative security location, for-
22 ward operating site, or contingency location for
23 use by the Armed Forces; or

24 (B) at a location used by the Armed
25 Forces that is owned or operated by Guam,

1 American Samoa, or the Commonwealth of the
2 Northern Mariana Islands; and

3 (2) may be carried out without regard to wheth-
4 er the real property or facilities at the location are
5 under the jurisdiction of the Department of Defense
6 if the Commander determines that the United States
7 has a sufficient interest in the property or facility to
8 support the project.

9 (e) MAXIMUM AMOUNT.—The cost of any project car-
10 ried out under this section may not exceed \$15,000,000.

11 (f) AVAILABLE AMOUNTS.—In carrying out a project
12 under this section, the Commander, or the Secretary of
13 a military department when authorized by the Com-
14 mander, may use amounts authorized for—

15 (1) the INDOPACOM Military Construction
16 Pilot Program fund; and

17 (2) operation and maintenance that are made
18 available to the Commander, not to exceed 200 per-
19 cent of the amount specified in section 2805(c) of
20 title 10, United States Code.

21 (g) NOTICE TO CONGRESS.—

22 (1) IN GENERAL.—If the Commander decides
23 to carry out a project under this section with a cost
24 exceeding \$2,000,000, the Commander shall notify
25 the congressional defense committees of that deter-

1 mination in an electronic medium pursuant to sec-
2 tion 480 of title 10, United States Code.

3 (2) RELEVANT DETAILS.—Notice under para-
4 graph (1) with respect to a project shall include rel-
5 evant details of the project, including the estimated
6 cost, and may include a classified annex.

7 (3) TIMING.—A project under this section cov-
8 ered by paragraph (1) may not be carried out until
9 the end of the 14-day period beginning on the date
10 the notification under such paragraph is received by
11 the congressional defense committees.

12 (h) ANNUAL REPORT.—Not later than December 31
13 of each year, the Commander shall submit to the congres-
14 sional defense committees a report containing a list of
15 projects funded, lessons learned, and, subject to the con-
16 currence of the President, recommended adjustments to
17 the authority under this section for the most recently
18 ended fiscal year.

19 (i) PROJECT EXECUTION.—

20 (1) PROJECT SUPERVISION.—Subsections (a)
21 and (b) of section 2851 of title 10, United States
22 Code, shall not apply to projects carried out under
23 this section.

24 (2) APPLICATION OF CHAPTER 169 OF TITLE 10,
25 UNITED STATES CODE.—When exercising the au-

1 thority under subsection (a), the Commander shall,
2 for purposes of chapter 169 of title 10, United
3 States Code, be considered the Secretary concerned.

4 (j) SUNSET.—The authority to carry out a project
5 under this section expires on March 31, 2029.

6 **SEC. 2802. ORDERING AUTHORITY FOR MAINTENANCE, RE-**
7 **PAIR, AND CONSTRUCTION OF FACILITIES OF**
8 **DEPARTMENT OF DEFENSE.**

9 (a) IN GENERAL.—Subchapter I of chapter 169 of
10 title 10, United States Code, is amended by adding at the
11 end the following new section:

12 **“§ 2817. Ordering authority**

13 “(a) IN GENERAL.—The head of a department or or-
14 ganization within the Department of Defense may place
15 an order, on a reimbursable basis, with any other such
16 department or organization for a project for the mainte-
17 nance and repair of a facility of the Department of De-
18 fense or for a minor military construction project.

19 “(b) OBLIGATIONS.—An order placed by the head of
20 a department or organization under subsection (a) is
21 deemed to be an obligation of such department or organi-
22 zation in the same manner as a similar order or contract
23 placed with a private contractor.

24 “(c) CONTINGENCY EXPENSES.—An order placed
25 under subsection (a) for a project may include an amount

1 for contingency expenses that shall not exceed 10 percent
2 of the cost of the project.

3 “(d) AVAILABILITY OF AMOUNTS.—Amounts appro-
4 priated or otherwise made available to a department or
5 organization of the Department of Defense shall be avail-
6 able to pay an obligation of such department or organiza-
7 tion under this section in the same manner and to the
8 same extent as those amounts are available to pay an obli-
9 gation to a private contractor.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such subchapter is amended by adding
12 at the end the following new item:

“2817. Ordering authority.”.

13 **SEC. 2803. APPLICATION OF AREA CONSTRUCTION COST IN-**
14 **DICES OUTSIDE THE UNITED STATES.**

15 Section 2805(f) of title 10, United States Code, is
16 amended—

17 (1) in paragraph (1), by striking “inside the
18 United States”;

19 (2) by striking paragraph (2); and

20 (3) by redesignating paragraph (3) as para-
21 graph (2).

1 **SEC. 2804. AUTHORIZATION OF COST-PLUS INCENTIVE-FEE**
2 **CONTRACTING FOR MILITARY CONSTRUC-**
3 **TION PROJECTS TO MITIGATE RISK TO THE**
4 **SENTINEL PROGRAM SCHEDULE AND COST.**

5 (a) IN GENERAL.—Notwithstanding section 3323(a)
6 of title 10, United States Code, the Secretary of Defense
7 may authorize the use of contracts using cost-plus incen-
8 tive-fee contracting for military construction projects asso-
9 ciated with launch facilities, launch centers, and related
10 infrastructure of the Sentinel Program of the Department
11 of Defense for not more than one low-rate initial produc-
12 tion lot at each of the following locations:

- 13 (1) F.E. Warren Air Force Base.
14 (2) Malmstrom Air Force Base.
15 (3) Minot Air Force Base.

16 (b) BRIEFING.—Not later than 90 days after the date
17 of the enactment of this Act, and not less frequently than
18 quarterly thereafter, the Secretary of Defense shall brief
19 the congressional defense committees on the following:

- 20 (1) Uncertainties with site conditions at loca-
21 tions specified under subsection (a).
22 (2) The plan of the Department of Defense to
23 transition to firm, fixed price contracts for military
24 construction following any military construction
25 projects carried out under subsection (a).

1 (3) The acquisition process for military con-
2 struction projects carried out under subsection (a).

3 (4) Updates on the execution of military con-
4 struction projects carried out under subsection (a).

5 **SEC. 2805. EXTENSIONS TO THE MILITARY LANDS WITH-**
6 **DRAWAL ACT RELATING TO BARRY M. GOLD-**
7 **WATER RANGE.**

8 (a) RENEWAL OF CURRENT WITHDRAWAL AND RES-
9 ERVATION.—Section 3031(d)(1) of the Military Lands
10 Withdrawal Act of 1999 (Public Law 106–65; 113 Stat.
11 907) is amended by striking “25 years after the date of
12 the enactment of this Act” and inserting “on October 5,
13 2049”.

14 (b) EXTENSION.—Section 3031(e) of the Military
15 Lands Withdrawal Act of 1999 (Public Law 106–65; 113
16 Stat. 908) is amended—

17 (1) in the subsection heading, by striking “INI-
18 TIAL”; and

19 (2) in paragraph (1), by striking “initial”.

20 **SEC. 2806. AUTHORITY TO LEASE LAND PARCEL FOR HOS-**
21 **PITAL AND MEDICAL CAMPUS, BARRIGADA**
22 **TRANSMITTER SITE, GUAM.**

23 (a) NO-COST LEASE AUTHORIZED.—The Secretary
24 of the Navy (in this section referred to as the “Secretary”)
25 may lease to the Government of Guam parcels of real

1 property, including any improvements thereon, consisting
2 of approximately 102 acres of undeveloped land and ap-
3 proximately 10.877 acres of utility easements in the mu-
4 nicipality of Barrigada and Mangilao, Guam, known as the
5 Barrigada Transmitter Site, for construction of a public
6 hospital and medical campus, without fair market consid-
7 eration.

8 (b) DESCRIPTION OF PROPERTY.—The exact acreage
9 and legal description of the property to be leased under
10 subsection (a) shall be determined by a survey satisfactory
11 to the Secretary.

12 (c) APPRAISAL NOT REQUIRED.—The lease under
13 subsection (a) shall not require an appraisal.

14 (d) CONDITIONS OF LEASE.—

15 (1) SUBJECT TO CERTAIN EXISTING ENCUM-
16 BRANCES.—A lease of property under subsection (a)
17 shall be subject to all existing easements, restric-
18 tions, and covenants of record, including restrictive
19 covenants, that the Secretary determines are nec-
20 essary to ensure that—

21 (A) the use of the property is compatible
22 with continued military activities by the Armed
23 Forces of the United States in Guam;

1 (B) the environmental condition of the
2 property is compatible with the use of the prop-
3 erty as a public hospital and medical campus;

4 (C) access is available to the United States
5 to conduct environmental remediation or moni-
6 toring as required under section 120(h) of the
7 Comprehensive Environmental Response, Com-
8 pensation, and Liability Act of 1980 (42 U.S.C.
9 9620(h));

10 (D) the property is used only for a public
11 hospital and medical campus, which may in-
12 clude ancillary facilities to support the hospital
13 and campus, or as set forth in subsection (e);
14 and

15 (E) the public hospital and medical cam-
16 pus to be constructed on the property shall—

17 (i) include—

18 (I) an MV-22-capable helipad;

19 (II) recompression chamber capa-
20 bility; and

21 (III) perimeter fencing; and

22 (ii) allow for the relocation of weather
23 radar equipment owned by the United
24 States at the hospital or campus.

1 Foundation” and inserting “non-Federal Government en-
 2 tities, the Secretary of the Air Force, or both”.

3 **SEC. 2808. DEVELOPMENT AND OPERATION OF THE MA-**
 4 **RINE CORPS HERITAGE CENTER AND THE**
 5 **NATIONAL MUSEUM OF THE MARINE CORPS.**

6 (a) IN GENERAL.—Chapter 861 of title 10, United
 7 States Code, is amended by inserting after section 8617
 8 the following new section:

9 **“§ 8618. Marine Corps Heritage Center and the Na-**
 10 **tional Museum of the Marine Corps**

11 “(a) JOINT VENTURE FOR DEVELOPMENT AND CON-
 12 TINUED MAINTENANCE AND OPERATION.—The Secretary
 13 of the Navy (in this section referred to as the ‘Secretary’)
 14 may enter into a joint venture with the Marine Corps Her-
 15 itage Foundation (in this section referred to as the ‘Foun-
 16 dation’), a nonprofit entity, for the design, construction,
 17 maintenance, and operation of a multipurpose facility to
 18 be used for historical displays for public viewing, curation,
 19 and storage of artifacts, research facilities, classrooms, of-
 20 fices, and associated activities consistent with the mission
 21 of the Marine Corps University. The facility shall be
 22 known as the Marine Corps Heritage Center and the Na-
 23 tional Museum of the Marine Corps (in this section re-
 24 ferred to as the ‘Facility’).

1 “(b) DESIGN AND CONSTRUCTION.—For each phase
2 of development of the Facility, the Secretary may—

3 “(1) permit the Foundation to contract for the
4 design, construction, or both of such phase of devel-
5 opment; or

6 “(2) accept funds from the Foundation for the
7 design, construction, or both of such phase of devel-
8 opment.

9 “(c) ACCEPTANCE AUTHORITY.—Upon completion of
10 construction of any phase of development of the Facility
11 by the Foundation to the satisfaction of the Secretary, and
12 the satisfaction of any financial obligations incident there-
13 to by the Foundation, the Facility shall become the real
14 property of the Department of the Navy with all right,
15 title, and interest in and to the Facility belonging to the
16 United States.

17 “(d) MAINTENANCE, OPERATION, AND SUPPORT.—

18 “(1) IN GENERAL.—The Secretary may, for the
19 purpose of maintenance and operation of the Facil-
20 ity—

21 “(A) enter into contracts or cooperative
22 agreements, on a sole-source basis, with the
23 Foundation for the procurement of property or
24 services for the direct benefit or use of the Fa-
25 cility; and

1 “(B) notwithstanding the requirements of
2 subsection (h) of section 2667 of this title and
3 under such terms and conditions as the Sec-
4 retary considers appropriate for the joint ven-
5 ture authorized under subsection (a), lease in
6 accordance with such section 2667 portions of
7 the Facility to the Foundation for use in gener-
8 ating revenue for activities of the Facility and
9 for such administrative purposes as may be nec-
10 essary for support of the Facility.

11 “(2) CONSIDERATION FOR LEASE.—In making
12 a determination of fair market value under section
13 2667(b)(4) of this title for payment of consideration
14 pursuant to a lease described in paragraph (1)(B),
15 the Secretary may consider the entirety of the edu-
16 cational efforts of the Foundation, support by the
17 Foundation to the history division of the Marine
18 Corps Heritage Center, funding of museum pro-
19 grams and exhibits by the Foundation, or other sup-
20 port related to the Facility, in addition to the types
21 of in-kind consideration provided under section
22 2667(e) of this title.

23 “(3) USE FOR REVENUE-GENERATING ACTIVI-
24 TIES.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), the Secretary may authorize the
3 Foundation to use real or personal property
4 within the Facility to conduct revenue-gener-
5 ating activities in addition to those authorized
6 under paragraph (1)(B), as the Secretary con-
7 siders appropriate considering the work of the
8 Foundation and the needs of the Facility.

9 “(B) LIMITATION.—The Secretary may
10 only authorize the use of the Facility for a rev-
11 enue-generating activity if the Secretary deter-
12 mines the activity will not interfere with activi-
13 ties and personnel of the armed forces or the
14 activities of the Facility.

15 “(4) RETENTION OF LEASE PAYMENTS.—The
16 Secretary shall retain lease payments received under
17 paragraph (1)(B), other than in-kind consideration
18 authorized under paragraph (2) or section 2667(c)
19 of this title, solely for use in support of the Facility,
20 and funds received as lease payments shall remain
21 available until expended.

22 “(e) USE OF CERTAIN GIFTS.—

23 “(1) IN GENERAL.—Under regulations pre-
24 scribed by the Secretary, the Commandant of the
25 Marine Corps may, without regard to section 2601

1 of this title, accept, hold, administer, invest, and
2 spend any gift, devise, or bequest of personal prop-
3 erty of a value of \$250,000 or less made to the
4 United States if such gift, devise, or bequest is for
5 the benefit of the Facility.

6 “(2) EXPENSES.—The Secretary may pay or
7 authorize the payment of any reasonable and nec-
8 essary expense in connection with the conveyance or
9 transfer of a gift, devise, or bequest under para-
10 graph (1).

11 “(f) ADDITIONAL TERMS AND CONDITIONS.—The
12 Secretary may require such additional terms and condi-
13 tions in connection with the joint venture authorized under
14 subsection (a) as the Secretary considers appropriate to
15 protect the interests of the United States.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of chapter 861 of such title is amended
18 by inserting after the item relating to section 8617 the
19 following new item:

“8618. Marine Corps Heritage Center and the National Museum of the Marine
Corps.”.

20 (c) CONFORMING REPEAL.—Section 2884 of the
21 Floyd D. Spence National Defense Authorization Act for
22 Fiscal Year 2001 (Public Law 106–398; 114 Stat.
23 1654A–440) is repealed.

1 **SEC. 2809. AUTHORITY FOR ACQUISITION OF REAL PROP-**
2 **ERTY INTEREST IN PARK LAND OWNED BY**
3 **THE COMMONWEALTH OF VIRGINIA.**

4 (a) **AUTHORITY.**—The Secretary of the Navy (in this
5 section referred to as the “Secretary”) may acquire by
6 purchase or lease approximately 225 square feet of land,
7 including ingress and egress, at Westmoreland State Park,
8 Virginia, for the purpose of installing, operating, main-
9 taining, and protecting equipment to support research and
10 development activities by the Department of the Navy in
11 support of national security.

12 (b) **TERMS AND CONDITIONS.**—The acquisition of
13 property under subsection (a) shall be subject to the fol-
14 lowing terms and conditions:

15 (1) The Secretary shall pay the Commonwealth
16 of Virginia fair market value for the property to be
17 acquired, as determined by the Secretary.

18 (2) Such other terms and conditions as consid-
19 ered appropriate by the Secretary.

20 (c) **DESCRIPTION OF PROPERTY.**—The legal descrip-
21 tion of the property to be acquired under subsection (a)
22 shall be determined by a survey that is satisfactory to the
23 Secretary and the Commonwealth of Virginia.

24 (d) **APPLICABILITY OF THE LAND AND WATER CON-**
25 **SERVATION FUND ACT.**—The provisions of chapter 2003

1 of title 54, United States Code, shall not apply to the ac-
2 quisition of property under subsection (a).

3 (e) REIMBURSEMENT.—The Secretary shall reim-
4 burse the Commonwealth of Virginia for the reasonable
5 and documented administrative costs incurred by the
6 Commonwealth of Virginia to execute the acquisition by
7 the Secretary of property under subsection (a).

8 (f) TERMINATION OF REAL PROPERTY INTEREST.—
9 The real property interest acquired by the Secretary under
10 subsection (a) shall terminate, and be released without
11 cost to the Commonwealth of Virginia, when the Secretary
12 determines such real property interest is no longer re-
13 quired for national security purposes.

14 **SEC. 2810. MOVEMENT OR CONSOLIDATION OF JOINT SPEC-**
15 **TRUM CENTER TO FORT MEADE, MARYLAND,**
16 **OR ANOTHER APPROPRIATE LOCATION.**

17 (a) LEAVING CURRENT LOCATION.—Not later than
18 September 30, 2026, the Secretary of Defense shall com-
19 pletely vacate the offices of the Joint Spectrum Center of
20 the Department of Defense in Annapolis, Maryland.

21 (b) MOVEMENT OR CONSOLIDATION.—The Secretary
22 shall take appropriate action to move, consolidate, or both,
23 the offices of the Joint Spectrum Center to the head-
24 quarters building of the Defense Information Systems
25 Agency at Fort Meade, Maryland, or another appropriate

1 location chosen by the Secretary for national security pur-
2 poses to ensure the physical and cybersecurity protection
3 of personnel and missions of the Department of Defense.

4 (c) STATUS UPDATE.—Not later than January 31
5 and July 31 of each year until the Secretary has com-
6 pleted the requirements under subsections (a) and (b), the
7 Commander of the Defense Information Systems Agency
8 shall provide an in-person and written update on the sta-
9 tus of the completion of those requirements to the Com-
10 mittees on Armed Services of the Senate and the House
11 of Representatives and the congressional delegation of
12 Maryland.

13 (d) TERMINATION OF EXISTING LEASE.—Upon
14 vacating the offices of the Joint Spectrum Center in An-
15 napolis, Maryland, pursuant to subsection (a), all right,
16 title, and interest of the United States in and to the exist-
17 ing lease for the Joint Spectrum Center in such location
18 shall be terminated.

19 (e) REPEAL OF OBSOLETE AUTHORITY.—Section
20 2887 of the Military Construction Authorization Act for
21 Fiscal Year 2008 (division B of Public Law 110–181; 122
22 Stat. 569) is repealed.

1 **SEC. 2811. TEMPORARY EXPANSION OF AUTHORITY FOR**
2 **USE OF ONE-STEP TURN-KEY SELECTION**
3 **PROCEDURES FOR REPAIR PROJECTS.**

4 During the five-year period beginning on the date of
5 the enactment of this Act, section 2862(a)(2) of title 10,
6 United States Code, shall be applied and administered by
7 substituting “\$12,000,000” for “\$4,000,000”.

8 **SEC. 2812. MODIFICATION OF TEMPORARY INCREASE OF**
9 **AMOUNTS IN CONNECTION WITH AUTHORITY**
10 **TO CARRY OUT UNSPECIFIED MINOR MILI-**
11 **TARY CONSTRUCTION.**

12 (a) **IN GENERAL.**—Section 2801 of the Military Con-
13 struction Authorization Act for Fiscal Year 2023 (division
14 B of Public Law 117–263) is amended—

15 (1) by redesignating paragraphs (2) through
16 (4) as paragraphs (3) through (5), respectively; and
17 (2) by inserting after paragraph (1) the fol-
18 lowing new paragraph (2):

19 “(2) in subsection (b)(2), by substituting
20 ‘\$4,000,000’ for ‘\$2,000,000’;”.

21 (b) **EFFECTIVE DATE.**—The amendments made by
22 subsection (a) shall apply as if included in the enactment
23 of the Military Construction Authorization Act for Fiscal
24 Year 2023 (division B of Public Law 117–263).

1 **SEC. 2813. PILOT PROGRAM ON REPLACEMENT OF SUB-**
2 **STANDARD ENLISTED BARRACKS.**

3 (a) **IN GENERAL.**—The Secretary concerned may, in
4 accordance with this section, carry out a pilot program
5 under which the Secretary concerned may replace an exist-
6 ing enlisted barracks with a new enlisted barracks not oth-
7 erwise authorized by law.

8 (b) **FACILITY REQUIREMENTS.**—A new facility for an
9 enlisted barracks replaced under subsection (a)—

10 (1) may not have a greater personnel capacity
11 than the facility being replaced but may be phys-
12 ically larger than the facility being replaced;

13 (2) must be replacing a facility that is in a sub-
14 standard condition, as determined by the Secretary
15 concerned, and which determination may not be del-
16 egated, in advance of project approval;

17 (3) must be designed and utilized for the same
18 purpose as the facility being replaced;

19 (4) must be located on the same installation as
20 the facility being replaced; and

21 (5) must be designed to meet, at a minimum,
22 current standards for construction, utilization, and
23 force protection.

24 (c) **SOURCE OF FUNDS.**—The Secretary concerned,
25 in using the authority under this section, may spend
26 amounts available to the Secretary concerned for oper-

1 ation and maintenance or unspecified military construc-
2 tion.

3 (d) CONGRESSIONAL NOTIFICATION.—When a deci-
4 sion is made to carry out a replacement project under this
5 section with an estimated cost in excess of \$10,000,000,
6 the Secretary concerned shall submit, in an electronic me-
7 dium pursuant to section 480 of title 10, United States
8 Code, to the appropriate committees of Congress a report
9 containing—

10 (1) the justification for the replacement project
11 and the current estimate of the cost of the project;
12 and

13 (2) a description of the elements of military
14 construction, including the elements specified in sec-
15 tion 2802(b) of such title, incorporated into the
16 project.

17 (e) DEFINITIONS.—In this section:

18 (1) APPROPRIATE COMMITTEES OF CONGRESS;
19 FACILITY; SECRETARY CONCERNED.—The terms
20 “appropriate committees of Congress”, “facility”,
21 and “Secretary concerned” have the meanings given
22 those terms in section 2801 of title 10, United
23 States Code.

1 (2) ENLISTED BARRACKS.—The term “enlisted
2 barracks” means barracks designed and utilized for
3 housing enlisted personnel of the Armed Forces.

4 (3) PERSONNEL CAPACITY.—The term “per-
5 sonnel capacity”, with respect to an enlisted bar-
6 racks, means the design capacity for the number of
7 enlisted personnel housed in the enlisted barracks.

8 (4) SUBSTANDARD CONDITION.—The term
9 “substandard condition”, with respect to a facility,
10 means the facility can no longer meet the require-
11 ments of current standards without repair that
12 would cost more than 75 percent of the replacement
13 cost.

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

17 **SEC. 2814. EXPANSION OF DEFENSE COMMUNITY INFRA-**
18 **STRUCTURE PILOT PROGRAM TO INCLUDE**
19 **INSTALLATIONS OF THE COAST GUARD.**

20 Section 2391 of title 10, United States Code, is
21 amended—

22 (1) in subsection (d)—

23 (A) in paragraph (1)(B), in the matter
24 preceding clause (i), by inserting “, in consulta-

1 tion with the Commandant of the Coast
2 Guard,” after “The Secretary”; and

3 (B) by adding at the end the following new
4 paragraph:

5 “(5) In considering grants, agreements, or
6 other funding under paragraph (1)(A) with respect
7 to community infrastructure supportive of a military
8 installation of the Coast Guard, the Secretary of De-
9 fense shall consult with the Commandant of the
10 Coast Guard to assess the selection and
11 prioritization of the project concerned.”; and

12 (2) in subsection (e)(1), by adding at the end
13 the following new sentence: “For purposes of sub-
14 section (d), the term ‘military installation’ includes
15 an installation of the Coast Guard under the juris-
16 diction of the Department of Homeland Security.”.

17 **SEC. 2815. MODIFICATION OF PILOT PROGRAM ON IN-**
18 **CREASED USE OF SUSTAINABLE BUILDING**
19 **MATERIALS IN MILITARY CONSTRUCTION.**

20 Section 2861 of the National Defense Authorization
21 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
22 2802 note) is amended—

23 (1) in subsection (b)(1), by striking the period
24 at the end and inserting “to include, under the pilot
25 program as a whole, at a minimum—

1 “(A) one project for mass timber; and

2 “(B) one project for low carbon concrete.”;

3 (2) in subsection (d), by striking “September
4 30, 2024” and inserting “September 30, 2025”;

5 (3) by redesignating subsections (e) and (f) as
6 subsections (f) and (g), respectively;

7 (4) by inserting after subsection (d) the fol-
8 lowing new subsection (e):

9 “(e) COMMENCEMENT OF CONSTRUCTION.—Each
10 military construction project carried out under the pilot
11 program must commence construction by not later than
12 January 1, 2025.”; and

13 (5) in subsection (f)(1), as redesignated by
14 paragraph (3), by striking “December 31, 2024”
15 and inserting “December 31, 2025”.

16 **Subtitle B—Military Housing**

17 **PART I—MILITARY UNACCOMPANIED HOUSING**

18 **SEC. 2821. UNIFORM CONDITION INDEX FOR MILITARY UN-** 19 **ACCOMPANIED HOUSING.**

20 (a) IN GENERAL.—Not later than 30 days after the
21 date of the enactment of this Act, the Secretary of Defense
22 shall prescribe regulations requiring the Assistant Sec-
23 retary of Defense for Energy, Installations, and Environ-
24 ment to complete and issue a uniform facility condition
25 index for military unaccompanied housing, including such

1 housing that is existing as of the date of the enactment
2 of this Act and any such housing constructed or used on
3 or after such date of enactment.

4 (b) COMPLETION OF INDEX.—The uniform facility
5 condition index required under subsection (a) shall be
6 completed and issued by not later than October 1, 2024.

7 (c) MILITARY UNACCOMPANIED HOUSING DE-
8 FINED.—In this section, the term “military unaccom-
9 panied housing” means the following housing owned by
10 the United States Government:

11 (1) Military housing intended to be occupied by
12 members of the Armed Forces serving a tour of duty
13 unaccompanied by dependents.

14 (2) Transient housing intended to be occupied
15 by members of the Armed Forces on temporary
16 duty.

17 **SEC. 2822. CERTIFICATION OF HABITABILITY OF MILITARY**
18 **UNACCOMPANIED HOUSING.**

19 (a) IN GENERAL.—The Secretary of Defense shall in-
20 clude with the submission to Congress by the President
21 of the annual budget of the Department of Defense under
22 section 1105(a) of title 31, United States Code, a certifi-
23 cation from the Secretary of each military department to
24 the congressional defense committees that the cost for all
25 needed repairs and improvements for each occupied mili-

1 tary unaccompanied housing facility under the jurisdiction
2 of such Secretary does not exceed 20 percent of the re-
3 placement cost of such facility, as mandated by Depart-
4 ment of Defense Manual 4165.63, “DoD Housing Man-
5 agement”, or successor issuance.

6 (b) **MILITARY UNACCOMPANIED HOUSING DE-**
7 **FINED.**—In this section, the term “military unaccom-
8 panied housing” means the following housing owned by
9 the United States Government:

10 (1) Military housing intended to be occupied by
11 members of the Armed Forces serving a tour of duty
12 unaccompanied by dependents.

13 (2) Transient housing intended to be occupied
14 by members of the Armed Forces on temporary
15 duty.

16 **SEC. 2823. MAINTENANCE WORK ORDER MANAGEMENT**
17 **PROCESS FOR MILITARY UNACCOMPANIED**
18 **HOUSING.**

19 (a) **IN GENERAL.**—Not later than 30 days after the
20 date of the enactment of this Act, the Secretary of Defense
21 shall prescribe regulations to establish for each military
22 department a process associated with maintenance work
23 order management for military unaccompanied housing
24 under the jurisdiction of such military department, includ-
25 ing such housing that is existing as of the date of the en-

1 actment of this Act and any such housing constructed or
2 used on or after such date of enactment.

3 (b) USE OF PROCESS.—The processes required under
4 subsection (a) shall clearly define requirements for effec-
5 tive and timely maintenance work order management, in-
6 cluding requirements with respect to—

7 (1) quality assurance for maintenance com-
8 pleted;

9 (2) communication of maintenance progress and
10 resolution with management of military unaccom-
11 panied housing, barracks managers, and residents;
12 and

13 (3) standardized performance metrics, such as
14 the timeliness of completion of work orders.

15 (c) ADMINISTRATION.—The Secretary of each mili-
16 tary department shall administer the work order process
17 required under subsection (a) for such military depart-
18 ment and shall issue or update relevant guidance as nec-
19 essary.

20 (d) MILITARY UNACCOMPANIED HOUSING DE-
21 FINED.—In this section, the term “military unaccom-
22 panied housing” means the following housing owned by
23 the United States Government:

1 (1) Military housing intended to be occupied by
2 members of the Armed Forces serving a tour of duty
3 unaccompanied by dependents.

4 (2) Transient housing intended to be occupied
5 by members of the Armed Forces on temporary
6 duty.

7 **SEC. 2824. EXPANSION OF UNIFORM CODE OF BASIC**
8 **STANDARDS FOR MILITARY HOUSING TO IN-**
9 **CLUDE MILITARY UNACCOMPANIED HOUS-**
10 **ING.**

11 (a) IN GENERAL.—Section 2818 of the William M.
12 (Mac) Thornberry National Defense Authorization Act for
13 Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2871
14 note) is amended—

15 (1) in the section heading, by striking “**FAM-**
16 **ILY**”; and

17 (2) in subsection (a)—

18 (A) by striking “family”; and

19 (B) by inserting “, including military unac-
20 companied housing (as defined in section 2871
21 of title 10, United States Code)” before the pe-
22 riod at the end.

23 (b) IMPLEMENTATION.—

24 (1) IN GENERAL.—In implementing the amend-
25 ments made by subsection (a), the Secretary of De-

1 fense shall ensure that the standards required under
2 section 2818 of the William M. (Mac) Thornberry
3 National Defense Authorization Act for Fiscal Year
4 2021 (Public Law 116–283; 10 U.S.C. 2871 note),
5 as modified pursuant to those amendments, apply to
6 military unaccompanied housing that is existing as
7 of the date of the enactment of this Act and any
8 such housing constructed or used on or after such
9 date of enactment.

10 (2) **MILITARY UNACCOMPANIED HOUSING DE-**
11 **FINED.**—In this subsection, the term “military unac-
12 **companied housing”** means the following housing
13 owned by the United States Government:

14 (A) Military housing intended to be occu-
15 pied by members of the Armed Forces serving
16 a tour of duty unaccompanied by dependents.

17 (B) Transient housing intended to be occu-
18 pied by members of the Armed Forces on tem-
19 porary duty.

20 **SEC. 2825. OVERSIGHT OF MILITARY UNACCOMPANIED**
21 **HOUSING.**

22 (a) **CIVILIAN OVERSIGHT.**—

23 (1) **IN GENERAL.**—Not later than 30 days after
24 the date of the enactment of this Act, the Secretary
25 of Defense shall prescribe regulations to require that

1 the Secretary of each military department establish
2 a civilian employee of the Department of Defense, or
3 of the military department concerned, at the housing
4 office for each installation of the Department under
5 the jurisdiction of such Secretary to oversee military
6 unaccompanied housing at that installation.

7 (2) SUPERVISORY CHAIN.—For any installation
8 of the Department for which the unaccompanied
9 housing manager is a member of the Armed Forces,
10 the civilian employee established under paragraph
11 (1) at such installation shall report to a civilian em-
12 ployee at the housing office for such installation.

13 (b) BARRACKS OR DORMITORY MANAGER REQUIRE-
14 MENTS.—

15 (1) LIMITATION ON ROLE BY MEMBERS OF THE
16 ARMED FORCES.—No enlisted member of the Armed
17 Forces or commissioned officer may be designated as
18 a barracks manager or supervisor in charge of over-
19 seeing, managing, accepting, or compiling mainte-
20 nance records for any military unaccompanied hous-
21 ing as a collateral duty.

22 (2) POSITION DESIGNATION.—The function of a
23 barracks manager or supervisor described in para-
24 graph (1) for an installation of the Department shall
25 be completed by a civilian employee or contractor of

1 the Department who shall report to the government
2 housing office of the installation.

3 (c) MILITARY UNACCOMPANIED HOUSING DE-
4 FINED.—In this section, the term “military unaccom-
5 panied housing” means the following housing owned by
6 the United States Government:

7 (1) Military housing intended to be occupied by
8 members of the Armed Forces serving a tour of duty
9 unaccompanied by dependents.

10 (2) Transient housing intended to be occupied
11 by members of the Armed Forces on temporary
12 duty.

13 **SEC. 2826. ELIMINATION OF FLEXIBILITIES FOR ADEQUACY**
14 **OR CONSTRUCTION STANDARDS FOR MILI-**
15 **TARY UNACCOMPANIED HOUSING.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary of Defense
18 shall modify all directives, instructions, manuals, regula-
19 tions, policies, and other guidance and issuances of the
20 Department of Defense to eliminate the grant of any flexi-
21 bilities to—

22 (1) minimum adequacy standards for configura-
23 tion, privacy, condition, health, and safety for exist-
24 ing permanent party military unaccompanied hous-

1 ing to be considered suitable for assignment or occu-
2 pancy; and

3 (2) standards for the construction of new mili-
4 tary unaccompanied housing.

5 (b) MATTERS INCLUDED.—The requirement under
6 subsection (a) shall include modifications that remove the
7 flexibility provided to the military departments with re-
8 spect to standards for adequacy for assignment and new
9 construction standards for military unaccompanied hous-
10 ing, including modification of the Housing Management
11 Manual of the Department of Defense and Department
12 of Defense Manual 4165.63, “DoD Housing Manage-
13 ment”.

14 (c) MILITARY UNACCOMPANIED HOUSING DE-
15 FINED.—In this section, the term “military unaccom-
16 panied housing” means the following housing owned by
17 the United States Government:

18 (1) Military housing intended to be occupied by
19 members of the Armed Forces serving a tour of duty
20 unaccompanied by dependents.

21 (2) Transient housing intended to be occupied
22 by members of the Armed Forces on temporary
23 duty.

1 **SEC. 2827. DESIGN STANDARDS FOR MILITARY UNACCOM-**
 2 **PANIED HOUSING.**

3 (a) UNIFORM STANDARDS FOR FLOOR SPACE, NUM-
 4 BER OF MEMBERS ALLOWED, AND HABITABILITY.—

5 (1) IN GENERAL.—Section 2856 of title 10,
 6 United States Code, is amended—

7 (A) in the section heading, by striking
 8 **“local comparability of floor areas”**
 9 and inserting **“standards”**;

10 (B) by striking “In” and inserting “(a)
 11 LOCAL COMPARABILITY IN FLOOR AREAS.—
 12 In”;

13 (C) in subsection (a), as designated by
 14 subparagraph (B), by inserting “, except for
 15 purposes of meeting minimum area require-
 16 ments under subsection (b)(1)(A),” after “ex-
 17 ceed”; and

18 (D) by adding at the end the following new
 19 subsection:

20 **“(b) FLOOR SPACE, NUMBER OF MEMBERS AL-**
 21 **LOWED, AND HABITABILITY.—**

22 **“(1) IN GENERAL.—**In the design, assignment,
 23 and use of military unaccompanied housing, the Sec-
 24 retary of Defense shall establish uniform standards
 25 that—

1 “(A) provide a minimum area of floor
2 space, not including bathrooms or closets, per
3 individual occupying a unit of military unac-
4 companied housing;

5 “(B) ensure that not more than two indi-
6 viduals may occupy such a unit; and

7 “(C) provide definitions and measures for
8 habitability, specifying criteria of design and
9 materiel quality to be applied and levels of
10 maintenance to be required.

11 “(2) WAIVER.—Standards established under
12 paragraph (1) may be waived for specific units of
13 military unaccompanied housing by the Secretary
14 concerned (who may not delegate such waiver) for a
15 period not longer than one year and may not be re-
16 newed.”.

17 (2) CLERICAL AMENDMENT.—The table of sec-
18 tions at the beginning of subchapter III of chapter
19 169 of title 10, United States Code, is amended by
20 striking the item relating to section 2856 and insert-
21 ing the following new item:

“2856. Military unaccompanied housing: standards.”.

22 (b) COMPLETION AND ISSUANCE OF UNIFORM
23 STANDARDS.—Not later than 180 days after the date of
24 the enactment of this Act, the Secretary of Defense
25 shall—

1 (1)(A) ensure that the uniform standards re-
2 quired under section 2856(b)(1) of title 10, United
3 States Code, as added by subsection (a)(1)(D), are
4 completed and issued; and

5 (B) submit to the congressional defense com-
6 mittees a copy of those standards; or

7 (2) submit to the congressional defense commit-
8 tees a report, under the Secretary's signature—

9 (A) explaining in detail why those stand-
10 ards are not completed and issued;

11 (B) indicating when those standards are
12 expected to be completed and issued; and

13 (C) specifying the names of the personnel
14 responsible for the failure of the Department of
15 Defense to comply with paragraph (1).

16 (c) COMPLIANCE WITH UNIFORM STANDARDS.—

17 (1) IN GENERAL.—Not later than two years
18 after the date of the enactment of this Act, the Sec-
19 retary of each military department shall ensure that
20 all military unaccompanied housing, including
21 privatized military housing under subchapter IV of
22 chapter 169 of title 10, United States Code, located
23 on an installation under the jurisdiction of such Sec-
24 retary complies with the uniform standards estab-

1 lished under section 2856(b)(1) of title 10, United
2 States Code, as added by subsection (a)(1)(D).

3 (2) NO WAIVER.—The requirement under para-
4 graph (1) may not be waived.

5 (3) MILITARY UNACCOMPANIED HOUSING DE-
6 FINED.—In this subsection, the term “military unac-
7 companied housing” has the meaning given that
8 term in section 2871 of title 10, United States Code.

9 (d) CERTIFICATION OF BUDGET REQUIREMENTS.—
10 The Under Secretary of Defense (Comptroller) shall in-
11 clude with the submission to Congress by the President
12 of the annual budget of the Department of Defense for
13 each of fiscal years 2025 through 2029 under section
14 1105(a) of title 31, United States Code, a signed certifi-
15 cation that the Department of Defense and each of the
16 military departments has requested sufficient funds to
17 comply with this section and the amendments made by
18 this section.

19 **SEC. 2828. TERMINATION OF HABITABILITY STANDARD**
20 **WAIVERS AND ASSESSMENT AND PLAN WITH**
21 **RESPECT TO MILITARY UNACCOMPANIED**
22 **HOUSING.**

23 (a) TERMINATION OF HABITABILITY STANDARD
24 WAIVERS.—On and after February 1, 2025, any waiver
25 by the Department of Defense of habitability standards

1 for military unaccompanied housing in effect as of such
2 date shall terminate.

3 (b) ASSESSMENT.—Not later than 60 days after the
4 date of the enactment of this Act, the Secretary of De-
5 fense, in coordination with the Secretary of each military
6 department, shall submit to the congressional defense
7 committees an assessment on the following:

8 (1) The number of waivers currently in place
9 for any standards for military unaccompanied hous-
10 ing as it relates to occupancy and habitability,
11 disaggregated by Armed Force, location, and facility.

12 (2) A list of each such waiver, disaggregated by
13 Armed Force, with a notation of which official ap-
14 pointed by the President and confirmed by the Sen-
15 ate approved the waiver.

16 (3) The number of members of the Armed
17 Forces impacted by each such waiver, disaggregated
18 by location.

19 (c) PLAN.—

20 (1) IN GENERAL.—Not later than 120 days
21 after the date of the enactment of this Act, the Sec-
22 retary of Defense, in coordination with the Secretary
23 of each military department, shall submit to the
24 Committees on Armed Services of the Senate and
25 the House of Representatives and the Comptroller

1 General of the United States a plan on addressing
2 the deficiencies of military unaccompanied housing,
3 including barracks and dormitories, that led to the
4 use of waivers described in subsection (b)(1).

5 (2) ELEMENTS.—The plan required under
6 paragraph (1) shall include—

7 (A) a timeline for repairs, renovations, or
8 minor or major military construction;

9 (B) the cost of any such repair, renovation,
10 or construction; and

11 (C) an installation-by-installation get-well
12 plan.

13 (3) IMPLEMENTATION.—Not later than 60 days
14 after receiving the plan required under paragraph
15 (1), the Comptroller General shall brief the Commit-
16 tees on Armed Services of the Senate and the House
17 of Representatives on—

18 (A) the ability of the Department of De-
19 fense to execute the plan; and

20 (B) any recommendations of the Comp-
21 troller General for modifying the plan.

22 (d) MILITARY UNACCOMPANIED HOUSING DE-
23 FINED.—In this section, the term “military unaccom-
24 panied housing” means the following housing owned by
25 the United States Government:

1 (1) Military housing intended to be occupied by
2 members of the Armed Forces serving a tour of duty
3 unaccompanied by dependents.

4 (2) Transient housing intended to be occupied
5 by members of the Armed Forces on temporary
6 duty.

7 **SEC. 2829. REQUIREMENT FOR SECURITY CAMERAS IN**
8 **COMMON AREAS AND ENTRY POINTS OF MILI-**
9 **TARY UNACCOMPANIED HOUSING.**

10 (a) **NEW HOUSING.**—The Secretary of Defense shall
11 ensure that all renovations of military unaccompanied
12 housing authorized on or after the date of the enactment
13 of this Act that exceed 20 percent of the replacement cost
14 of such facility and all construction of new military unac-
15 companied housing authorized on or after such date are
16 designed and executed with security cameras in all com-
17 mon areas and entry points as part of a closed circuit tele-
18 vision system.

19 (b) **RETROFITTING.**—Not later than three years after
20 the date of the enactment of this Act, the Secretary shall
21 ensure that all military unaccompanied housing facilities
22 are retrofitted with security cameras in all common areas
23 and entry points as part of a closed circuit television sys-
24 tem.

25 (c) **DEFINITIONS.**—In this section:

1 (1) COMMON AREA.—The term “common area”
2 has the meaning given that term by the Secretary of
3 Defense and shall balance the need to increase secu-
4 rity in appropriate areas with the privacy expecta-
5 tions of members of the Armed Forces in military
6 unaccompanied housing.

7 (2) MILITARY UNACCOMPANIED HOUSING.—The
8 term “military unaccompanied housing” means the
9 following housing owned by the United States Gov-
10 ernment:

11 (A) Military housing intended to be occu-
12 pied by members of the Armed Forces serving
13 a tour of duty unaccompanied by dependents.

14 (B) Transient housing intended to be occu-
15 pied by members of the Armed Forces on tem-
16 porary duty.

17 **SEC. 2830. ANNUAL REPORT ON MILITARY UNACCOM-**
18 **PANIED HOUSING.**

19 (a) IN GENERAL.—Not later than one year after the
20 date of the enactment of this Act, and annually thereafter
21 for the following four years, the Secretary of Defense shall
22 submit to the Committees on Armed Services of the Sen-
23 ate and the House of Representatives a report on military
24 unaccompanied housing, excluding privatized military

1 housing under subchapter IV of chapter 169 of title 10,
2 United States Code.

3 (b) ELEMENTS.—Each report required under sub-
4 section (a) shall contain a section provided by each Sec-
5 retary of a military department that—

6 (1) is certified by the Secretary concerned;

7 (2) includes a list of all military unaccompanied
8 housing facilities located on each installation under
9 the jurisdiction of the Secretary concerned;

10 (3) identifies the replacement cost for each such
11 facility;

12 (4) identifies the percentage of repair costs as
13 it compares to the total replacement cost for each
14 such facility; and

15 (5) specifies the funding required to conduct all
16 needed repairs and improvements at each such facil-
17 ity.

18 (c) MILITARY UNACCOMPANIED HOUSING DE-
19 FINED.—In this section, the term “military unaccom-
20 panied housing” has the meaning given that term in sec-
21 tion 2871 of title 10, United States Code.

1 **PART II—PRIVATIZED MILITARY HOUSING**

2 **SEC. 2841. IMPROVEMENTS TO PRIVATIZED MILITARY**
3 **HOUSING.**

4 (a) **LIMITATION ON HOUSING ENHANCEMENT PAY-**
5 **MENTS.**—Section 606(a)(2) of the John S. McCain Na-
6 tional Defense Authorization Act for Fiscal Year 2019
7 (Public Law 115–232; 10 U.S.C. 2871 note) is amended—

8 (1) in subparagraph (A)—

9 (A) by striking “Each month” and insert-
10 ing “Except as provided in subparagraph (D),
11 each month”; and

12 (B) by striking “one of more” and insert-
13 ing “one or more”; and

14 (2) by adding at the end the following new sub-
15 paragraph:

16 “(D) **LIMITATION ON PAYMENT.**—

17 “(i) **IN GENERAL.**—Subject to clause
18 (ii), the Secretary of a military department
19 may not make a payment under subpara-
20 graph (A) to a lessor unless the Assistant
21 Secretary of Defense for Energy, Installa-
22 tions, and Environment determines the les-
23 sor is in compliance with the Military
24 Housing Privatization Initiative Tenant
25 Bill of Rights developed under section
26 2890 of title 10, United States Code.

1 “(ii) APPLICATION.—The limitation
2 under clause (i) shall apply to any pay-
3 ment under a housing agreement entered
4 into on or after the date of the enactment
5 of the National Defense Authorization Act
6 for Fiscal Year 2024 by the Secretary of
7 a military department with a lessor.”.

8 (b) INCLUSION OF INFORMATION ON COMPLIANCE
9 WITH TENANT BILL OF RIGHTS IN NOTICE OF LEASE
10 EXTENSION.—Section 2878(f)(2) of title 10, United
11 States Code, is amended by adding at the end the fol-
12 lowing new subparagraph:

13 “(E) An assessment of compliance by the lessor
14 with the Military Housing Privatization Initiative
15 Tenant Bill of Rights developed under section 2890
16 of this title.”.

17 (c) MODIFICATION OF AUTHORITY TO INVESTIGATE
18 REPRISALS.—Subsection (e) of section 2890 of such title
19 is amended—

20 (1) in paragraph (1)—

21 (A) by striking “Assistant Secretary of De-
22 fense for Sustainment” and inserting “Inspec-
23 tor General of the Department of Defense”;
24 and

1 (B) by striking “member of the armed
2 forces” and inserting “tenant”;

3 (2) in paragraph (2)—

4 (A) in the matter preceding subparagraph
5 (A)—

6 (i) by striking “Assistant Secretary of
7 Defense for Sustainment” and inserting
8 “Inspector General”;

9 (ii) by striking “member of the armed
10 forces” and inserting “tenant”; and

11 (iii) by striking “Assistant Secretary”
12 and inserting “Inspector General”; and

13 (B) in subparagraph (B), by striking “As-
14 sistant Secretary” and inserting “Inspector
15 General”; and

16 (3) in paragraph (3)—

17 (A) by striking “Assistant Secretary of De-
18 fense for Sustainment” and inserting “Inspec-
19 tor General of the Department of Defense”;
20 and

21 (B) by striking “Secretary of the military
22 department concerned” and inserting “Inspec-
23 tor General of the military department con-
24 cerned”.

1 **SEC. 2842. IMPLEMENTATION OF COMPTROLLER GENERAL**
2 **RECOMMENDATIONS RELATING TO**
3 **STRENGTHENING OVERSIGHT OF**
4 **PRIVATIZED MILITARY HOUSING.**

5 Not later than one year after the date of the enact-
6 ment of this Act, the Secretary of Defense shall—

7 (1) implement the recommendations of the
8 Comptroller General of the United States contained
9 in the report published by the Comptroller General
10 on April 6, 2023, reissued with revisions on April
11 20, 2023, and titled “DOD Can Further Strengthen
12 Oversight of Its Privatized Housing Program”
13 (GAO–23–105377); or

14 (2) if the Secretary does not implement any
15 such recommendation, submit to the Committees on
16 Armed Services of the Senate and the House of Rep-
17 resentatives a report explaining why the Secretary
18 has not implemented those recommendations.

19 **SEC. 2843. TREATMENT OF NONDISCLOSURE AGREEMENTS**
20 **WITH RESPECT TO PRIVATIZED MILITARY**
21 **HOUSING.**

22 Section 2890(f)(1) of title 10, United States Code,
23 is amended—

24 (1) by striking “A tenant or prospective tenant
25 of a housing unit may not be required to sign” and

1 inserting “A landlord may not request that a tenant
2 or prospective tenant of a housing unit sign”; and

3 (2) by inserting at the end the following: “The
4 military services should seek to inform members of
5 the armed forces of the possible consequences of en-
6 tering into a nondisclosure agreement and encourage
7 members to seek legal counsel before entering into
8 such an agreement if they have questions about spe-
9 cific contractual terms.”.

10 **PART III—OTHER HOUSING MATTERS**

11 **SEC. 2851. DEPARTMENT OF DEFENSE MILITARY HOUSING**

12 **READINESS COUNCIL.**

13 (a) IN GENERAL.—Subchapter I of chapter 88 of title
14 10, United States Code, is amended by inserting after sec-
15 tion 1781c the following new section:

16 **“§ 1781d. Department of Defense Military Housing**
17 **Readiness Council**

18 “(a) IN GENERAL.—There is in the Department of
19 Defense the Department of Defense Military Housing
20 Readiness Council (in this section referred to as the
21 ‘Council’).

22 “(b) MEMBERS.—

23 “(1) IN GENERAL.—The Council shall be com-
24 posed of the following members:

1 “(A) The Assistant Secretary of Defense
2 for Energy, Installations, and Environment,
3 who shall serve as chair of the Council and who
4 may designate a representative to chair the
5 Council in the absence of the Assistant Sec-
6 retary.

7 “(B) One representative of each of the
8 Army, Navy, Air Force, Marine Corps, and
9 Space Force, each of whom shall be a member
10 of the armed force to be represented and not
11 fewer than two of which shall be from an en-
12 listed component.

13 “(C) One spouse of a member of each of
14 the Army, Navy, Air Force, Marine Corps, and
15 Space Force on active duty, not fewer than two
16 of which shall be the spouse of an enlisted
17 member.

18 “(D) One professional from each of the fol-
19 lowing fields, each of whom shall possess exper-
20 tise in State and Federal housing standards in
21 their respective field:

22 “(i) Plumbing.

23 “(ii) Electrical.

24 “(iii) Heating, ventilation, and air
25 conditioning (HVAC).

1 “(iv) Certified home inspection.

2 “(v) Roofing.

3 “(vi) Structural engineering.

4 “(vii) Window fall prevention and
5 safety.

6 “(E) Two representatives of organizations
7 that advocate on behalf of military families with
8 respect to military housing.

9 “(F) One individual appointed by the Sec-
10 retary of Defense among representatives of the
11 International Code Council.

12 “(G) One individual appointed by the Sec-
13 retary of Defense among representatives of the
14 Institute of Inspection Cleaning and Restora-
15 tion Certification.

16 “(H) One individual appointed by the Sec-
17 retary of Defense among representatives of a
18 voluntary consensus standards body that devel-
19 ops construction standards (such as building,
20 plumbing, mechanical, or electrical).

21 “(I) One individual appointed by the Sec-
22 retary of Defense among representatives of a
23 voluntary consensus standards body that devel-
24 ops personnel certification standards for build-
25 ing maintenance or restoration.

1 “(2) TERMS.—The term on the Council of the
2 members specified under subparagraphs (B) through
3 (M) of paragraph (1) shall be two years and may be
4 renewed by the Secretary of Defense.

5 “(3) ATTENDANCE BY LANDLORDS.—The chair
6 of the Council shall extend an invitation to each
7 landlord for one representative of each landlord to
8 attend such meetings of the Council as the chair
9 considers appropriate.

10 “(4) ADDITIONAL REQUIREMENTS FOR CERTAIN
11 MEMBERS.—Each member appointed under para-
12 graph (1)(D) may not be affiliated with—

13 “(A) any organization that provides
14 privatized military housing; or

15 “(B) the Department of Defense.

16 “(c) MEETINGS.—The Council shall meet two times
17 each year.

18 “(d) DUTIES.—The duties of the Council shall in-
19 clude the following:

20 “(1) To review and make recommendations to
21 the Secretary of Defense regarding policies for
22 privatized military housing, including inspections
23 practices, resident surveys, landlord payment of
24 medical bills for residents of housing units that have

1 not maintained minimum standards of habitability,
2 and access to maintenance work order systems.

3 “(2) To monitor compliance by the Department
4 of Defense with and effective implementation by the
5 Department of statutory and regulatory improve-
6 ments to policies for privatized military housing, in-
7 cluding the Military Housing Privatization Initiative
8 Tenant Bill of Rights developed under section 2890
9 of this title and the complaint database established
10 under section 2894a of this title.

11 “(3) To make recommendations to the Sec-
12 retary of Defense to improve collaboration, aware-
13 ness, and promotion of accurate and timely informa-
14 tion about privatized military housing, accommoda-
15 tions available through the Exceptional Family
16 Member Program of the Department, and other sup-
17 port services among policymakers, providers of such
18 accommodations and other support services, and tar-
19 geted beneficiaries of such accommodations and
20 other support services.

21 “(e) PUBLIC REPORTING.—

22 “(1) AVAILABILITY OF DOCUMENTS.—Subject
23 to section 552 of title 5 (commonly known as the
24 ‘Freedom of Information Act’), the records, reports,
25 transcripts, minutes, appendices, working papers,

1 drafts, studies, agenda, and other documents made
2 available to or prepared for or by the Council shall
3 be available for public inspection and copying at a
4 single location in a publicly accessible format on a
5 website of the Department of Defense until the
6 Council ceases to exist.

7 “(2) MINUTES.—

8 “(A) IN GENERAL.—Detailed minutes of
9 each meeting of the Council shall be kept and
10 shall contain—

11 “(i) a record of the individuals
12 present;

13 “(ii) a complete and accurate descrip-
14 tion of matters discussed and conclusions
15 reached; and

16 “(iii) copies of all reports received,
17 issued, or approved by the Council.

18 “(B) CERTIFICATION.—The chair of the
19 Council shall certify the accuracy of the min-
20 utes of each meeting of the Council.

21 “(f) ANNUAL REPORTS.—

22 “(1) IN GENERAL.—Not later than March 1
23 each year, the Council shall submit to the Secretary
24 of Defense and the congressional defense committees
25 a report on privatized military housing readiness.

1 “(2) ELEMENTS.—Each report under this sub-
2 section shall include the following:

3 “(A) An assessment of the adequacy and
4 effectiveness of the provision of privatized mili-
5 tary housing and the activities of the Depart-
6 ment of Defense in meeting the needs of mili-
7 tary families relating to housing during the pre-
8 ceeding fiscal year.

9 “(B) A description of activities of the
10 Council during the preceding fiscal year, includ-
11 ing—

12 “(i) analyses of complaints of tenants
13 of housing units;

14 “(ii) data received by the Council on
15 maintenance response time and completion
16 of maintenance requests relating to hous-
17 ing units;

18 “(iii) assessments of dispute resolu-
19 tion processes;

20 “(iv) assessments of overall customer
21 service for tenants;

22 “(v) assessments of results of housing
23 inspections conducted with and without no-
24 tice; and

1 “(vi) any survey results conducted on
2 behalf of or received by the Council.

3 “(C) Recommendations on actions to be
4 taken to improve the capability of the provision
5 of privatized military housing and the activities
6 of the Department of Defense to meet the needs
7 and requirements of military families relating to
8 housing, including actions relating to the alloca-
9 tion of funding and other resources.

10 “(3) PUBLIC AVAILABILITY.—Each report
11 under this subsection shall be made available in a
12 publicly accessible format on a website of the De-
13 partment of Defense.

14 “(g) DEFINITIONS.—In this section:

15 “(1) LANDLORD.—The term ‘landlord’ has the
16 meaning given that term in section 2871 of this
17 title.

18 “(2) PRIVATIZED MILITARY HOUSING.—The
19 term ‘privatized military housing’ means housing
20 provided under subchapter IV of chapter 169 of this
21 title.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such subchapter is amended by insert-
24 ing after the item relating to section 1781c the following
25 new item:

“1781d. Department of Defense Military Housing Readiness Council.”.

1 **SEC. 2852. INCLUSION IN ANNUAL STATUS OF FORCES SUR-**
 2 **VEY OF QUESTIONS REGARDING LIVING CON-**
 3 **DITIONS OF MEMBERS OF THE ARMED**
 4 **FORCES.**

5 The Secretary of Defense shall include in each status
 6 of forces survey of the Department of Defense conducted
 7 on or after the date of the enactment of this Act questions
 8 specifically targeting the following areas:

9 (1) Overall satisfaction of members of the
 10 Armed Forces with their current living accommoda-
 11 tion.

12 (2) Satisfaction of such members with the phys-
 13 ical condition of their current living accommodation.

14 (3) Satisfaction of such members with the af-
 15 fordability of their current living accommodation.

16 (4) Whether the current living accommodation
 17 of such members has impacted any decision related
 18 to reenlistment in the Armed Forces.

19 **Subtitle C—Land Conveyances**

20 **SEC. 2861. LAND CONVEYANCE, BG J SUMNER JONES ARMY**
 21 **RESERVE CENTER, WHEELING, WEST VIR-**
 22 **GINIA.**

23 (a) CONVEYANCE AUTHORIZED.—

24 (1) IN GENERAL.—The Secretary of the Army
 25 (in this section referred to as the “Secretary”) may
 26 convey to the City of Wheeling, West Virginia (in

1 this section referred to as the “City”), all right,
2 title, and interest of the United States in and to a
3 parcel of real property, including any improvements
4 thereon, consisting of approximately 3.33 acres,
5 known as the former BG J Sumner Jones Army Re-
6 serve Center, located within the City, for the pur-
7 pose of providing emergency management response
8 or law enforcement services.

9 (2) CONTINUATION OF EXISTING EASEMENTS,
10 RESTRICTIONS, AND COVENANTS.—The conveyance
11 of the property under paragraph (1) shall be subject
12 to any easement, restriction, or covenant of record
13 applicable to the property and in existence on the
14 date of the enactment of this Act.

15 (b) REVISIONARY INTEREST.—

16 (1) IN GENERAL.—If the Secretary determines
17 at any time that the property conveyed under sub-
18 section (a) is not being used in accordance with the
19 purpose of the conveyance specified in such sub-
20 section, all right, title, and interest in and to the
21 property, including any improvements thereto, may,
22 at the option of the Secretary, revert to and become
23 the property of the United States, and the United
24 States may have the right of immediate entry onto
25 such property.

1 (2) DETERMINATION.—A determination by the
2 Secretary under paragraph (1) may be made on the
3 record after an opportunity for a hearing.

4 (c) PAYMENT OF COSTS OF CONVEYANCE.—

5 (1) PAYMENT REQUIRED.—The Secretary may
6 require the City to cover all costs (except costs for
7 environmental remediation of the property) to be in-
8 curred by the Secretary, or to reimburse the Sec-
9 retary for costs incurred by the Secretary, to carry
10 out the conveyance under subsection (a), including
11 costs for environmental and real estate due diligence
12 and any other administrative costs related to the
13 conveyance.

14 (2) REFUND OF EXCESS AMOUNTS.—If
15 amounts are collected from the City under para-
16 graph (1) in advance of the Secretary incurring the
17 actual costs, and the amount collected exceeds the
18 costs actually incurred by the Secretary to carry out
19 the conveyance under subsection (a), the Secretary
20 shall refund the excess amount to the City.

21 (d) LIMITATION ON SOURCE OF FUNDS.—The City
22 may not use Federal funds to cover any portion of the
23 costs required to be paid by the City under this section.

24 (e) DESCRIPTION OF PROPERTY.—The exact acreage
25 and legal description of the property to be conveyed under

1 subsection (a) shall be determined by a survey satisfactory
2 to the Secretary.

3 (f) **ADDITIONAL TERMS AND CONDITIONS.**—The Sec-
4 retary may require such additional terms and conditions
5 in connection with the conveyance under subsection (a) as
6 the Secretary considers appropriate to protect the inter-
7 ests of the United States.

8 **SEC. 2862. LAND CONVEYANCE, WETZEL COUNTY MEMO-**
9 **RIAL ARMY RESERVE CENTER, NEW**
10 **MARTINSVILLE, WEST VIRGINIA.**

11 (a) **CONVEYANCE AUTHORIZED.**—

12 (1) **IN GENERAL.**—The Secretary of the Army
13 (in this section referred to as the “Secretary”) may
14 convey to the City of New Martinsville, West Vir-
15 ginia (in this section referred to as the “City”), all
16 right, title, and interest of the United States in and
17 to a parcel of real property, including any improve-
18 ments thereon, consisting of approximately 2.96
19 acres, known as the former Wetzel County Memorial
20 Army Reserve Center, located within the City, for
21 the purpose of providing emergency management re-
22 sponse or law enforcement services.

23 (2) **CONTINUATION OF EXISTING EASEMENTS,**
24 **RESTRICTIONS, AND COVENANTS.**—The conveyance
25 of the property under paragraph (1) shall be subject

1 to any easement, restriction, or covenant of record
2 applicable to the property and in existence on the
3 date of the enactment of this Act.

4 (b) REVISIONARY INTEREST.—

5 (1) IN GENERAL.—If the Secretary determines
6 at any time that the property conveyed under sub-
7 section (a) is not being used in accordance with the
8 purpose of the conveyance specified in such sub-
9 section, all right, title, and interest in and to the
10 property, including any improvements thereto, may,
11 at the option of the Secretary, revert to and become
12 the property of the United States, and the United
13 States may have the right of immediate entry onto
14 such property.

15 (2) DETERMINATION.—A determination by the
16 Secretary under paragraph (1) may be made on the
17 record after an opportunity for a hearing.

18 (c) PAYMENT OF COSTS OF CONVEYANCE.—

19 (1) PAYMENT REQUIRED.—The Secretary may
20 require the City to cover all costs (except costs for
21 environmental remediation of the property) to be in-
22 curred by the Secretary, or to reimburse the Sec-
23 retary for costs incurred by the Secretary, to carry
24 out the conveyance under subsection (a), including
25 costs for environmental and real estate due diligence

1 and any other administrative costs related to the
2 conveyance.

3 (2) REFUND OF EXCESS AMOUNTS.—If
4 amounts are collected from the City under para-
5 graph (1) in advance of the Secretary incurring the
6 actual costs, and the amount collected exceeds the
7 costs actually incurred by the Secretary to carry out
8 the conveyance under subsection (a), the Secretary
9 shall refund the excess amount to the City.

10 (d) LIMITATION ON SOURCE OF FUNDS.—The City
11 may not use Federal funds to cover any portion of the
12 costs required to be paid by the City under this section.

13 (e) DESCRIPTION OF PROPERTY.—The exact acreage
14 and legal description of the property to be conveyed under
15 subsection (a) shall be determined by a survey satisfactory
16 to the Secretary.

17 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
18 retary may require such additional terms and conditions
19 in connection with the conveyance under subsection (a) as
20 the Secretary considers appropriate to protect the inter-
21 ests of the United States.

1 **Subtitle D—Other Matters**

2 **SEC. 2871. AUTHORITY TO CONDUCT ENERGY RESILIENCE**
3 **AND CONSERVATION PROJECTS AT INSTAL-**
4 **LATIONS WHERE NON-DEPARTMENT OF DE-**
5 **FENSE FUNDED ENERGY PROJECTS HAVE OC-**
6 **CURRED.**

7 Subsection (k) of section 2688 of title 10, United
8 States Codes, is amended to read as follows:

9 “(k) IMPROVEMENT OF CONVEYED UTILITY SYS-
10 TEM.—(1) In the case of a utility system that has been
11 conveyed under this section and that only provides utility
12 services to a military installation, the Secretary of Defense
13 or the Secretary of a military department may authorize
14 a contract on a sole source basis with the conveyee of the
15 utility system to carry out a military construction project
16 as authorized and appropriated for by law for an infra-
17 structure improvement that enhances the reliability, resil-
18 ience, efficiency, physical security, or cybersecurity of the
19 utility system.

20 “(2) The Secretary of Defense or the Secretary of
21 a military Department may convey under subsection (j)
22 any infrastructure constructed under paragraph (1) that
23 is in addition to the utility system conveyed under such
24 paragraph.”.

1 **SEC. 2872. LIMITATION ON AUTHORITY TO MODIFY OR RE-**
2 **STRICT PUBLIC ACCESS TO GREENBURY**
3 **POINT CONSERVATION AREA AT NAVAL SUP-**
4 **PORT ACTIVITY ANNAPOLIS, MARYLAND.**

5 (a) **IN GENERAL.**—Except as provided in subsection
6 (b), the Secretary of the Navy may not modify or restrict
7 public access to the Greenbury Point Conservation Area
8 at Naval Support Activity Annapolis, Maryland, until—

9 (1) the Secretary submits to Congress a report
10 describing the manner in which such access will be
11 modified or restricted; and

12 (2) a law is enacted permitting such modifica-
13 tions or restrictions.

14 (b) **EXCEPTIONS.**—Subsection (a) shall not apply
15 to—

16 (1) temporary restrictions to protect public
17 safety that are necessitated by emergent situations,
18 hazardous conditions, maintenance of existing facili-
19 ties, or live fire exercises; or

20 (2) the lease or transfer of the Greenbury Point
21 Conservation Area to another public entity.

1 **SEC. 2873. AUTHORIZATION FOR THE SECRETARY OF THE**
2 **NAVY TO RESOLVE THE ELECTRICAL UTILITY**
3 **OPERATIONS AT FORMER NAVAL AIR STA-**
4 **TION BARBERS POINT (CURRENTLY KNOWN**
5 **AS “KALAELOA”), HAWAII.**

6 (a) IN GENERAL.—The Secretary of the Navy (in this
7 section referred to as the “Secretary”) may enter into an
8 agreement with the State of Hawaii for the purpose of
9 resolving the electrical utility operations at Former Naval
10 Air Station Barbers Point, also known as “Kalaeloa”, Ha-
11 waii.

12 (b) ELEMENTS OF AGREEMENT.—An agreement en-
13 tered into under subsection (a) shall include a requirement
14 that the Secretary—

15 (1) assist with—

16 (A) the transfer of customers of the Navy
17 off of the electrical utility system of the Navy
18 in the location specified in such subsection; and

19 (B) the enhancement of the new sur-
20 rounding electrical system to accept any addi-
21 tional load from such transfer, with a priority
22 in the downtown area, which is home to nine
23 large customers, including the Hawaii Army
24 National Guard;

1 (1) in paragraph (2)—

2 (A) in subparagraph (A), by striking “;
3 and” and inserting a period;

4 (B) by striking subparagraph (B); and

5 (C) by striking “paragraph (1)” and all
6 that follows through “not more” and inserting
7 “paragraph (1), except for projects carried out
8 for the purpose of repairing a facility, not
9 more”;

10 (2) by redesignating paragraph (3) as para-
11 graph (4); and

12 (3) by inserting after paragraph (2) the fol-
13 lowing new paragraph (3):

14 “(3) USE OF AMOUNTS.—The Secretary of De-
15 fense or the Secretary of a military department may
16 carry out prototype projects under the pilot program
17 established under paragraph (1) using amounts
18 available for military construction, notwith-
19 standing—

20 “(A) subchapters I and III of chapter 169
21 of this title; and

22 “(B) chapters 221 and 223 of this title.”.

1 **SEC. 2875. REQUIREMENT THAT DEPARTMENT OF DEFENSE**
2 **INCLUDE MILITARY INSTALLATION RESIL-**
3 **IENCE IN REAL PROPERTY MANAGEMENT**
4 **AND INSTALLATION MASTER PLANNING OF**
5 **DEPARTMENT.**

6 Not later than one year after the date of the enact-
7 ment of this Act, the Secretary of Defense shall—

8 (1) update Department of Defense Instruction
9 4165.70 (relating to real property management) and
10 Unified Facilities Criteria 2–100–01 (relating to in-
11 stallation master planning) to—

12 (A) include a requirement to incorporate
13 the impact of military installation resilience in
14 all installation master plans;

15 (B) include a list of all sources of informa-
16 tion approved by the Department of Defense;

17 (C) define the 17 military installation resil-
18 ience hazards to ensure that the impacts from
19 such hazards are reported consistently across
20 the Department;

21 (D) require military installations to ad-
22 dress the rationale for determining that any
23 such hazard is not applicable to the installation;

24 (E) standardize reporting formats for mili-
25 tary installation resilience plans;

1 (F) establish and define standardized risk
2 rating categories for the use by all military de-
3 partments; and

4 (G) define criteria for determining the level
5 of risk to an installation to compare hazards be-
6 tween military departments; and

7 (2) require the Secretary of each military de-
8 partment to update the handbook for the military
9 department concerned to incorporate the require-
10 ments under paragraph (1).

11 **SEC. 2876. INCREASE OF LIMITATION ON FEE FOR ARCHI-**
12 **TECTURAL AND ENGINEERING SERVICES**
13 **PROCURED BY MILITARY DEPARTMENTS.**

14 (a) ARMY.—Section 7540(b) of title 10, United
15 States Code, is amended by striking “6 percent” and in-
16 serting “10 percent”.

17 (b) NAVY.—Section 8612(b) of such title is amended
18 by striking “6 percent” and inserting “10 percent”.

19 (c) AIR FORCE.—Section 9540(b) of such title is
20 amended by striking “6 percent” and inserting “10 per-
21 cent”.

1 **SEC. 2877. REQUIREMENT THAT ALL MATERIAL TYPES BE**
2 **CONSIDERED FOR DESIGN-BID-BUILD MILI-**
3 **TARY CONSTRUCTION PROJECTS.**

4 (a) IN GENERAL.—The Secretary concerned may not
5 proceed from the design phase of a design-bid-build mili-
6 tary construction project or solicit bids for the construc-
7 tion phase of a design-bid-build military construction
8 project until the Secretary of Defense certifies that all ma-
9 terials included in the Unified Facilities Criteria of the
10 Department of Defense have been equally considered for
11 such project.

12 (b) ANNUAL REPORT.—Not later than January 1 of
13 each year, the Under Secretary of Defense for Acquisition
14 and Sustainment shall submit to the congressional defense
15 committees a report—

16 (1) detailing the primary construction material
17 for each design-bid-build military construction
18 project for which a contract was awarded during the
19 previous fiscal year in an amount that exceeds
20 \$6,000,000; and

21 (2) identifying whether each such project was
22 designed or constructed based off a shelf design used
23 at another installation of the Department of De-
24 fense.

25 (c) SECRETARY CONCERNED DEFINED.—In this sec-
26 tion, the term “Secretary concerned” has the meaning

1 given that term in section 101(a)(9) of title 10, United
2 States Code.

3 **SEC. 2878. CONTINUING EDUCATION CURRICULUM FOR**
4 **MEMBERS OF THE MILITARY CONSTRUCTION**
5 **PLANNING AND DESIGN WORKFORCE AND**
6 **ACQUISITION WORKFORCE OF THE DEPART-**
7 **MENT OF DEFENSE.**

8 (a) IN GENERAL.—Not later than 270 days after the
9 date of the enactment of this Act, the Secretary of Defense
10 shall establish a continuing education curriculum for
11 members of the military construction planning and design
12 workforce of the Department of Defense and the acquisi-
13 tion workforce of the Department responsible for military
14 construction projects.

15 (b) CURRICULUM.—The continuing education cur-
16 riculum required under subsection (a)—

17 (1) shall be focused on improving the under-
18 standing, awareness, and utilization of innovative
19 products for construction systems with increased
20 benefits relating to—

21 (A) construction speed;

22 (B) anti-terrorism force protection;

23 (C) lateral wind, seismic activity, and fire
24 performance standards;

1 (D) designs that factor in military installa-
2 tion resilience and protection against extreme
3 weather events;

4 (E) life-cycle cost effectiveness and sus-
5 tainability;

6 (F) renewability; and

7 (G) carbon sequestration; and

8 (2) shall include instruction relating to—

9 (A) all sustainable building materials, such
10 as innovative wood products and mass timber
11 systems; and

12 (B) designs to improve military installation
13 resilience using projection data against extreme
14 weather events.

15 (c) AVAILABILITY AND UPDATE.—The Secretary
16 shall ensure that—

17 (1) the continuing education curriculum re-
18 quired under subsection (a) is made available to
19 each element of the military construction community
20 not later than 60 days after completion of the cur-
21 rriculum; and

22 (2) such curriculum is updated whenever a new
23 construction material is approved by the Unified Fa-
24 cilities Criteria of the Department.

1 (d) ACADEMIA INPUT.—In developing the continuing
2 education curriculum required under subsection (a), the
3 Secretary shall consult with academic institutions.

4 (e) TIMING.—Not later than January 1, 2025, the
5 Secretary shall ensure that—

6 (1) not less than 75 percent of the workforce
7 described in subsection (a) has completed the first
8 iteration of the continuing education curriculum re-
9 quired under such subsection; and

10 (2) such workforce receives updated information
11 on innovative construction techniques on a con-
12 tinuing basis.

13 (f) REPORT.—Not later than June 1, 2024, the Sec-
14 retary shall submit to appropriate committees of Congress
15 a report containing an update on the status of the con-
16 tinuing education curriculum required under subsection
17 (a).

18 (g) DEFINITIONS.—In this section:

19 (1) APPROPRIATE COMMITTEES OF CON-
20 GRESS.—The term “appropriate committees of Con-
21 gress” means—

22 (A) the Committee on Armed Services and
23 the Subcommittee on Military Construction,
24 Veterans Affairs and Related Agencies of the

1 Committee on Appropriations of the Senate;
2 and

3 (B) the Committee on Armed Services and
4 the Subcommittee on Military Construction,
5 Veterans Affairs and Related Agencies of the
6 Committee on Appropriations of the House of
7 Representatives.

8 (2) MILITARY INSTALLATION RESILIENCE.—
9 The term “military installation resilience” has the
10 meaning given that term in section 101(e)(8) of title
11 10, United States Code.

12 **SEC. 2879. GUIDANCE ON DEPARTMENT OF DEFENSE-WIDE**
13 **STANDARDS FOR ACCESS TO INSTALLATIONS**
14 **OF THE DEPARTMENT.**

15 (a) INTERIM GUIDANCE.—Not later than 30 days
16 after the date of the enactment of this Act, the Secretary
17 of Defense shall promulgate interim guidance to the ap-
18 propriate official or officials within the Department of De-
19 fense for purposes of establishing final standards of the
20 Department for fitness of individuals for access to installa-
21 tions of the Department, which shall include modifying
22 Department of Defense Manual 5200.08, “Physical Secu-
23 rity Program: Access to DoD Installations”, or any com-
24 parable or successor policy guidance document.

1 (b) FINAL GUIDANCE.—Not later than 180 days
2 after the date of the enactment of this Act, the Secretary
3 of Defense shall promulgate final guidance described in
4 subsection (a).

5 (c) BRIEFING.—Not later than 60 days after promul-
6 gating interim guidance required under subsection (a), the
7 Secretary of Defense shall brief the Committees on Armed
8 Services of the Senate the House of Representatives on
9 such guidance, which shall include a timeline for promul-
10 gation of final guidance as required under subsection (b).

11 **SEC. 2880. DEPLOYMENT OF EXISTING CONSTRUCTION MA-**
12 **TERIALS.**

13 (a) PLAN.—Not later than 60 days after the date of
14 the enactment of this Act, the Secretary of Defense shall
15 submit to Congress a plan to utilize, transfer, or donate
16 to States on the southern border of the United States all
17 existing excess border wall construction materials, includ-
18 ing bollards, for constructing a permanent physical barrier
19 to stop illicit human and vehicle traffic along the border
20 of the United States with Mexico.

21 (b) EXECUTION OF PLAN.—Not later than 15 days
22 after submitting to Congress the plan required under sub-
23 section (a), taking into account ongoing audits being con-
24 ducted by the Defense Contract Audit Agency and ongoing
25 construction contract negotiations by the Army Corps of

1 Engineers, so long as any ongoing audits or construction
2 contract negotiations are not a cause for delay, the Sec-
3 retary shall work with the Defense Logistics Agency to
4 execute that plan until the Department of Defense is no
5 longer incurring any costs to maintain, store, or protect
6 the materials specified under such subsection.

7 (c) REQUIREMENTS OF REQUESTING STATES.—Any
8 State requesting border wall construction materials made
9 available under this section must certify, in writing, that
10 the materials it accepts will be exclusively used for the
11 construction of a permanent physical barrier along the
12 border of the United States with Mexico.

13 (d) REPORT.—Not later than 90 days after the date
14 of the enactment of this Act, the Secretary of Defense
15 shall submit to Congress a report containing the following:

16 (1) A detailed description of the decision proc-
17 ess of the Secretary to forgo the excess property dis-
18 posal process of the Department of Defense and in-
19 stead pay to store border wall panels.

20 (2) A list of entities the Department is paying
21 for use of their privately owned land to store unused
22 border wall construction materials, with appropriate
23 action taken to protect personally identifiable infor-
24 mation, such as by making the list of entities avail-

1 able in an annex that is labeled as controlled unclas-
2 sified information.

3 (3) An explanation of the process through
4 which the Department contracted with private land-
5 owners to store unused border wall construction ma-
6 terials, including whether there was a competitive
7 contracting process and whether the landowners
8 have instituted an inventory review system.

9 (4) A description of any investigations by the
10 Inspector General of the Department that have been
11 opened related to storing border wall construction
12 materials.

13 **SEC. 2881. TECHNICAL CORRECTIONS.**

14 (a) NUMU NEWE SPECIAL MANAGEMENT AREA.—
15 Section 2902(c) of the Military Construction Authoriza-
16 tion Act for Fiscal Year 2023 (16 U.S.C. 460gggg(c)) is
17 amended by striking “217,845” and inserting “209,181”.

18 (b) REDUCTION OF IMPACT OF FALLON RANGE
19 TRAINING COMPLEX MODERNIZATION.—Section
20 2995(a)(3)(A) of the Military Land Withdrawals Act of
21 2013 (title XXIX of Public Law 113–66), as added by
22 section 2901 of the Military Construction Authorization
23 Act for Fiscal Year 2023 (division B of Public Law 117–
24 263; 136 Stat. 3016) is amended by inserting “Gas” after
25 “Basin”.

1 **DIVISION C—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **AUTHORIZATIONS AND**
4 **OTHER AUTHORIZATIONS**
5 **TITLE XXXI—DEPARTMENT OF**
6 **ENERGY NATIONAL SECURITY**
7 **PROGRAMS**
8 **Subtitle A—National Security**
9 **Programs and Authorizations**

10 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
11 **TION.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
13 are hereby authorized to be appropriated to the Depart-
14 ment of Energy for fiscal year 2024 for the activities of
15 the National Nuclear Security Administration in carrying
16 out programs as specified in the funding table in section
17 4701.

18 (b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—
19 From funds referred to in subsection (a) that are available
20 for carrying out plant projects, the Secretary of Energy
21 may carry out new plant projects for the National Nuclear
22 Security Administration as follows:

23 Project 24–D–513, Z-Pinch Experimental Un-
24 derground System Test Bed Facilities Improvement,

1 Nevada National Security Site, Nye County, Ne-
2 vada, \$80,000,000.

3 Project 24–D–512, TA–46 Protective Force
4 Facility, Los Alamos National Laboratory, Los Ala-
5 mos, New Mexico, \$48,500,000.

6 Project 24–D–511, Plutonium Production
7 Building, Los Alamos National Laboratory, Los Ala-
8 mos, New Mexico, \$48,500,000.

9 Project 24–D–510, Analytic Gas Laboratory,
10 Pantex Plant, Panhandle, Texas, \$35,000,000.

11 Project 24–D–530, Naval Reactors Facility
12 Medical Science Complex, Idaho Falls, Idaho,
13 \$36,584,000.

14 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
16 are hereby authorized to be appropriated to the Depart-
17 ment of Energy for fiscal year 2024 for defense environ-
18 mental cleanup activities in carrying out programs as
19 specified in the funding table in section 4701.

20 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
21 From funds referred to in subsection (a) that are available
22 for carrying out plant projects, the Secretary of Energy
23 may carry out, for defense environmental cleanup activi-
24 ties, the following new plant projects:

1 Project 24–D–401, Environmental Restoration
2 Disposal Facility Super Cell 11 Expansion Project,
3 Hanford Site, Richland, Washington, \$1,000,000.

4 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

5 Funds are hereby authorized to be appropriated to
6 the Department of Energy for fiscal year 2024 for other
7 defense activities in carrying out programs as specified in
8 the funding table in section 4701.

9 **SEC. 3104. NUCLEAR ENERGY.**

10 Funds are hereby authorized to be appropriated to
11 the Department of Energy for fiscal year 2024 for nuclear
12 energy as specified in the funding table in section 4701.

13 **Subtitle B— Program Authoriza-**
14 **tions, Restrictions, and Limita-**
15 **tions**

16 **SEC. 3111. LIMITATION ON USE OF FUNDS FOR NAVAL NU-**
17 **CLEAR FUEL SYSTEMS BASED ON LOW-EN-**
18 **RICED URANIUM.**

19 None of the funds authorized to be appropriated by
20 this Act for fiscal year 2024 for the National Nuclear Se-
21 curity Administration for the purpose of conducting re-
22 search and development of an advanced naval nuclear fuel
23 system based on low-enriched uranium may be obligated
24 or expended until the following determinations are sub-
25 mitted to the congressional defense committees:

1 (1) A determination made jointly by the Sec-
2 retary of Energy and the Secretary of Defense with
3 respect to whether the determination made jointly by
4 the Secretary of Energy and the Secretary of the
5 Navy pursuant to section 3118(c)(1) of the National
6 Defense Authorization Act for Fiscal Year 2016
7 (Public Law 114–92; 129 Stat. 1196) and submitted
8 to the congressional defense committees on March
9 25, 2018, that the United States should not pursue
10 research and development of an advanced naval nu-
11 clear fuel system based on low-enriched uranium, re-
12 mains valid.

13 (2) A determination by the Secretary of the
14 Navy with respect to whether an advanced naval nu-
15 clear fuel system based on low-enriched uranium can
16 be produced that would not reduce vessel capability,
17 increase expense, or reduce operational availability
18 as a result of refueling requirements.

19 **SEC. 3112. PROHIBITION ON ARIES EXPANSION BEFORE RE-**
20 **ALIZATION OF 30 PIT PER YEAR BASE CAPA-**
21 **BILITY.**

22 Section 4219 of the Atomic Energy Defense Act (50
23 U.S.C. 2538a) is amended by—

24 (a) redesignating subsection (f) as subsection (g); and

1 (b) inserting after subsection (e) the following new
2 subsection (f):

3 “(f) PROHIBITION ON ARIES EXPANSION BEFORE
4 REALIZATION OF 30 PIT PER YEAR BASE CAPABILITY.—

5 “(1) IN GENERAL.—Unless the Administrator
6 certifies to the congressional defense committees
7 that the base capability to produce 30 plutonium
8 pits per year has been established at Los Alamos
9 National Laboratory, the Advanced Recovery and
10 Integrated Extraction System (commonly known as
11 ‘ARIES’) spaces at the Plutonium Facility at Tech-
12 nical Area 55 (commonly known as ‘PF-4’) may not
13 be modified, including by installing additional equip-
14 ment.

15 “(2) EXCEPTIONS.—Paragraph (1) shall not
16 apply with respect to—

17 “(A) the planning and design of an addi-
18 tional ARIES capability; or

19 “(B) the transfer of the ARIES capability
20 to a location other than PF-4.”.

21 **SEC. 3113. PLUTONIUM MODERNIZATION PROGRAM MAN-**
22 **AGEMENT.**

23 Section 4219 of the Atomic Energy Defense Act (50
24 U.S.C. 2538a) is amended by adding at the end the fol-
25 lowing new subsection:

1 “(h) Not later than 570 days after the date of the
2 enactment of this Act, the Administrator for Nuclear Se-
3 curity shall ensure that the plutonium modernization pro-
4 gram established by the Office of Defense Programs of
5 the National Nuclear Security Administration, or any sub-
6 sequently developed program designed to meet the require-
7 ments under subsection (a), is managed in accordance
8 with the requirements of the Enhanced Management A
9 program management category described in the execution
10 instruction of the Office of Defense Programs entitled ‘DP
11 Program Execution Instruction: NA–10 Program Man-
12 agement Tools and Processes’ and issued on January 14,
13 2016, or any subsequent directive.”.

14 **SEC. 3114. PANTEX EXPLOSIVES MANUFACTURING CAPA-**
15 **BILITY.**

16 Subtitle A of title XLII of the Atomic Energy De-
17 fense Act (50 U.S.C. 2521 et seq.) is amended by adding
18 at the end the following new section:

19 **“SEC. 4225. PANTEX EXPLOSIVES MANUFACTURING CAPA-**
20 **BILITY.**

21 “(a) IN GENERAL.—Not later than the date on which
22 the W87–1 modification program enters into phase 6.5 of
23 the joint nuclear weapons life cycle process (as defined in
24 section 4220), the Administrator shall establish at the
25 Pantex Plant a conventional high explosives production ca-

1 pability with sufficient capacity to support full rate pro-
2 duction of the main explosives used for the W87-1 war-
3 head.

4 “(b) BRIEFING.—On the day after the date that the
5 budget of the President is submitted to Congress under
6 section 1105(a) of title 31, United States Code, for fiscal
7 year 2025 and each fiscal year thereafter, the Adminis-
8 trator shall brief the congressional defense committees on
9 the progress of the Administration in achieving the capa-
10 bility described in subsection (a).

11 “(c) TERMINATION.—Subsection (b) shall terminate
12 upon the date that the Administrator certifies to the con-
13 gressional defense committees that the capability de-
14 scribed in subsection (a) has been achieved.”.

15 **SEC. 3115. LIMITATION ON ESTABLISHING AN ENDURING**
16 **BIOASSURANCE PROGRAM WITHIN THE NA-**
17 **TIONAL NUCLEAR SECURITY ADMINISTRA-**
18 **TION.**

19 (a) IN GENERAL.—Subtitle B of title XLVIII of the
20 Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is
21 amended by adding at the end the following section:

1 **“SEC. 4815. LIMITATION ON ESTABLISHING AN ENDURING**
2 **BIOASSURANCE PROGRAM WITHIN THE AD-**
3 **MINISTRATION.**

4 “(a) IN GENERAL.—The Administrator may not es-
5 tablish a program within the Administration for the pur-
6 poses of executing an enduring national security research
7 and development effort to broaden the role of the Depart-
8 ment of Energy in national biodefense.

9 “(b) RULE OF CONSTRUCTION.—The limitation de-
10 scribed in subsection (a) shall not be interpreted—

11 “(1) to prohibit the establishment of a bioassur-
12 ance program for the purpose of executing enduring
13 national security research and development in any
14 component of the Department of Energy other than
15 the Administration or in any other Federal agency;
16 or

17 “(2) to impede the use of resources of the Ad-
18 ministration, including resources provided by a na-
19 tional security laboratory or a nuclear weapons pro-
20 duction facility site, to support the execution of a
21 bioassurance program, if such support is provided—

22 “(A) on a cost-reimbursable basis to an en-
23 tity that is not a component of the Department
24 of Energy; and

25 “(B) in a manner that does not interfere
26 with mission of such laboratory or facility.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 for the Atomic Energy Defense Act is amended by insert-
3 ing after the item relating to section 4814 the following
4 new item:

“Sec. 4815. Limitation on establishing an enduring bioassurance program with-
in the Administration.”.

5 **SEC. 3116. EXTENSION OF AUTHORITY ON ACCEPTANCE OF**
6 **CONTRIBUTIONS FOR ACCELERATION OR RE-**
7 **MOVAL OR SECURITY OF FISSILE MATERIALS,**
8 **RADIOLOGICAL MATERIALS, AND RELATED**
9 **EQUIPMENT AT VULNERABLE SITES WORLD-**
10 **WIDE.**

11 Section 4306B(f)(6) of the Atomic Energy Defense
12 Act (50 U.S.C. 2569(f)(6)) is amended by striking “2028”
13 and inserting “2033”.

14 **SEC. 3117. MODIFICATION OF REPORTING REQUIREMENTS**
15 **FOR PROGRAM ON VULNERABLE SITES.**

16 (a) IN GENERAL.—Section 4306B of the Atomic En-
17 ergy Defense Act (50 U.S.C. 2569) is amended—

18 (1) by striking subsection (d);

19 (2) by redesignating subsections (e), (f), and
20 (g) as subsections (d), (e), and (f), respectively; and

21 (3) in paragraph (6) of subsection (e), as so re-
22 designated, by striking “2028” and inserting
23 “2030”.

1 (b) CONFORMING AMENDMENT.—Section 4309(e)(7)
2 of the Atomic Energy Defense Act (50 U.S.C. 2575(e)(7))
3 is amended by striking “section 3132(f) of the Ronald W.
4 Reagan National Defense Authorization Act for Fiscal
5 Year 2005 (50 U.S.C. 2569(f))” and inserting “section
6 4306B(e)”.

7 **SEC. 3118. IMPLEMENTATION OF ENHANCED MISSION DE-**
8 **LIVERY INITIATIVE.**

9 (a) IN GENERAL.—Concurrent with the submission
10 of the budget of the President to Congress under section
11 1105(a) of title 31, United States Code, for each of fiscal
12 years 2025 through 2029, the Administrator for Nuclear
13 Security, acting through the Director for Cost Estimating
14 and Program Evaluation, shall brief the congressional de-
15 fense committees on the status of implementing the 18
16 principal recommendations and associated subelements of
17 the report entitled “Evolving the Nuclear Security Enter-
18 prise: A Report of the Enhanced Mission Delivery Initia-
19 tive”, published by the National Nuclear Security Admin-
20 istration in September 2022.

21 (b) ELEMENTS OF BRIEFINGS.—Each briefing re-
22 quired by subsection (a) shall address—

23 (1) the status of implementing each rec-
24 ommendation described in subsection (a);

1 (2) with respect to each recommendation that
2 has been implemented, whether the outcome of such
3 implementation is achieving the desired result;

4 (3) with respect to each recommendation that
5 has not been implemented, the reason for not imple-
6 menting such recommendation;

7 (4) whether additional legislation is required in
8 order to implement a recommendation; and

9 (5) such other matters as the Administrator
10 considers necessary.

11 **SEC. 3119. LIMITATION ON USE OF FUNDS UNTIL PROVI-**
12 **SION OF SPEND PLAN FOR W80-4 ALT WEAP-**
13 **ON DEVELOPMENT.**

14 Of the funds authorized to be appropriated by this
15 Act for fiscal year 2024 for operations of the Office of
16 the Administrator for Nuclear Security, not more than 50
17 percent may be obligated or expended until the date on
18 which the Administrator for Nuclear Security submits to
19 the congressional defense committees the spend plan for
20 the warhead associated with the sea-launched cruise mis-
21 sile required by section 1642(d) of the National Defense
22 Authorization Act for Fiscal Year 2023 (Public Law 117-
23 263).

1 **SEC. 3120. ANALYSES OF NUCLEAR PROGRAMS OF FOREIGN**
2 **COUNTRIES.**

3 (a) CAPABILITY TO CONDUCT ANALYSES OF NU-
4 CLEAR PROGRAMS.—The Secretary of Energy shall, using
5 existing authorities of the Secretary, take such actions as
6 are necessary to improve the ability of the Department
7 of Energy to conduct comprehensive, integrated analyses
8 of the nuclear programs of foreign countries.

9 (b) ADDITIONAL ANALYSES REQUIRED.—The Sec-
10 retary shall conduct analyses of—

11 (1) countries that may pursue nuclear weapons
12 programs in the future;

13 (2) developing technologies that make it easier
14 for the governments of countries or for non-state ac-
15 tors to acquire nuclear weapons; and

16 (3) entities that may be developing the ability
17 to supply sensitive nuclear technologies but may not
18 yet have effective programs in place to ensure com-
19 pliance with export controls.

20 **SEC. 3121. ENHANCING NATIONAL NUCLEAR SECURITY AD-**
21 **MINISTRATION SUPPLY CHAIN RELIABILITY.**

22 (a) IN GENERAL.—Subtitle A of title XLVIII of the
23 Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is
24 amended by adding at the end the following new section:

1 **“SEC. 4808. SUPPLY CHAIN RELIABILITY ASSURANCE PRO-**
2 **GRAM.**

3 “The Administrator shall establish a supply chain re-
4 liability assurance program—

5 “(1) to facilitate collaboration with the Depart-
6 ment of Defense and industrial partners to maintain
7 a reliable domestic supplier base for critical mate-
8 rials to meet engineering and performance require-
9 ments of the Administration and the Department of
10 Defense; and

11 “(2) to improve coordination with the Infra-
12 structure and Operations Program and the Pro-
13 grammatic Recapitalization Working Group to im-
14 prove planning for material requirements and poten-
15 tial disruptions to commercial or contractor supply
16 chains, including with respect to—

17 “(A) assisting in coordination for fore-
18 casting future needs in both legacy inventories
19 and new procurements;

20 “(B) establishing clear requirements for
21 nuclear security enterprise assurance and, when
22 cost-effective, to use capabilities of the Adminis-
23 tration to restore mission schedules at risk; and

24 “(C) collaborating with the Department of
25 Defense and industrial partners to establish
26 processes to mitigate manufacturing challenges

1 and to develop strategies to lower long-term
2 costs, while identifying and preserving produc-
3 tion of materials and components by the Ad-
4 ministration.”.

5 (b) CLERICAL AMENDMENT.—The table of contents
6 for the Atomic Energy Defense Act is amended by insert-
7 ing after the item relating to section 4807 the following
8 new item:

“Sec. 4808. Supply chain reliability assurance program.”.

9 **SEC. 3122. TRANSFER OF CYBERSECURITY RESPONSIBIL-**
10 **ITIES TO ADMINISTRATOR FOR NUCLEAR SE-**
11 **CURITY.**

12 The National Nuclear Security Administration Act
13 (50 U.S.C. 2401 et seq.) is amended—

14 (1) in section 3212(b) (50 U.S.C. 2402(b)), by
15 adding at the end the following new paragraph:

16 “(20) Information resources management, in-
17 cluding cybersecurity.”; and

18 (2) in section 3232(b)(3)(50 U.S.C.
19 2422(b)(3)), by striking “and cyber”.

20 **SEC. 3123. REDESIGNATING DUTIES RELATED TO DEPART-**
21 **MENTAL RADIOLOGICAL AND NUCLEAR INCI-**
22 **DENT RESPONSES.**

23 (a) DEPUTY ADMINISTRATOR FOR DEFENSE PRO-
24 GRAMS.—Section 3214(b) of the National Nuclear Secu-

1 rity Administration Act (50 U.S.C. 2404 (b)) is amended
2 by striking paragraph (3).

3 (b) ADMINISTRATOR FOR NUCLEAR SECURITY.—Sec-
4 tion 3212(b)(7) of the National Nuclear Security Adminis-
5 tration Act (50 U.S.C. 2402(b)(7)) is amended by insert-
6 ing “and Nuclear Emergency Support Team capabilities,
7 including all field-deployed and remote technical support
8 to public health and safety missions, countering weapons
9 of mass destruction operations, technical and operational
10 nuclear forensics, and responses to United States nuclear
11 weapon accidents” after “management”.

12 **SEC. 3124. MODIFICATION OF AUTHORITY TO ESTABLISH**
13 **CERTAIN CONTRACTING, PROGRAM MANAGE-**
14 **MENT, SCIENTIFIC, ENGINEERING, AND**
15 **TECHNICAL POSITIONS.**

16 Section 3241 of the National Nuclear Security Ad-
17 ministration Act (50 U.S.C. 2441) is amended by striking
18 “800” and inserting “1,200”.

19 **SEC. 3125. TECHNICAL AMENDMENTS TO THE ATOMIC EN-**
20 **ERGY DEFENSE ACT.**

21 The Atomic Energy Defense Act (50 U.S.C. 2501 et
22 seq.) is amended—

23 (1) in section 4306(d)—

1 (A) in paragraph (1), by striking “Not
2 later than March 15, 2005, the” and inserting
3 “The”; and

4 (B) in paragraph (2), by striking “Not
5 later than January 1, 2006, the” and inserting
6 “The”; and

7 (2) in section 4807(f)(1), by striking “2022”
8 and inserting “2030”.

9 **SEC. 3126. AMENDMENT TO PERIOD FOR BRIEFING RE-**
10 **QUIREMENTS.**

11 Section 4807(f)(1) of the Atomic Energy Defense Act
12 (50 U.S.C. 2787(f)(1)) is amended by striking “2022”
13 and inserting “2032”.

14 **SEC. 3127. REPEAL OF REPORTING REQUIREMENTS FOR**
15 **URANIUM CAPABILITIES REPLACEMENT**
16 **PROJECT.**

17 Section 3123(g) of the National Defense Authoriza-
18 tion Act for Fiscal Year 2013 (Public Law 112–239; 126
19 Stat. 2178) is repealed.

20 **Subtitle C—Budget and Financial**
21 **Management Matters**

22 **SEC. 3131. UPDATED FINANCIAL INTEGRATION POLICY.**

23 Not later than 180 days after the date of the enact-
24 ment of this Act, the Administrator for Nuclear Security

1 shall issue an updated financial integration policy, which
2 shall include the following:

3 (1) Updated responsibilities for offices of the
4 National Nuclear Security Administration and re-
5 quirements for management and operating contrac-
6 tors, including contractors at sites that are not sites
7 of the Administration.

8 (2) Guidance for how offices of the Administra-
9 tion should use common financial data, including
10 guidance requiring that such data be used as the
11 primary source of financial data by program offices,
12 to the extent practicable.

13 (3) Processes recommended by the Government
14 Accountability Office to improve financial integra-
15 tion efforts of the Administration, including an in-
16 ternal process to verify how management and oper-
17 ating contractors crosswalk data from their systems
18 to the appropriate work breakdown structure of the
19 Administration and apply common cost element defi-
20 nitions.

21 (4) Any other matters the Administrator con-
22 siders appropriate.

1 **Subtitle D—Other Matters**

2 **SEC. 3141. INTEGRATION OF TECHNICAL EXPERTISE OF DE-**
3 **PARTMENT OF ENERGY INTO POLICYMAKING.**

4 The Secretary of Energy shall take such measures
5 as are necessary to improve the integration of the sci-
6 entific and technical expertise of the Department of En-
7 ergy, especially the expertise of the national laboratories,
8 into policymaking, including by—

9 (1) ensuring that such expertise is involved dur-
10 ing interagency discussions, regardless of the topic
11 of such discussions;

12 (2) decreasing restrictions on personnel of lab-
13 oratories and other facilities of the Department
14 working in the Department headquarters for 2- to 3-
15 year rotations;

16 (3) increasing collaboration among program
17 managers and personnel of laboratories and other
18 facilities of the Department during policy delibera-
19 tions; and

20 (4) creating mechanisms for providing technical
21 advice to officials of the Department responsible for
22 nonproliferation policy.

1 **SEC. 3142. AMENDMENTS TO THE ENERGY EMPLOYEES OC-**
2 **CUPATIONAL ILLNESS COMPENSATION PRO-**
3 **GRAM ACT OF 2000.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Beryllium Testing Fairness Act”.

6 (b) **MODIFICATION OF DEMONSTRATION OF BERYL-**
7 **LIUM SENSITIVITY.**—Section 3621(8)(A) of the Energy
8 Employees Occupational Illness Compensation Program
9 Act of 2000 (42 U.S.C. 7384l(8)(A)) is amended—

10 (1) by striking “established by an abnormal”
11 and inserting the following: “established by—

12 “(i) an abnormal”;

13 (2) by striking the period at the end and insert-
14 ing “; or”; and

15 (3) by adding at the end the following:

16 “(ii) three borderline beryllium lym-
17 phocyte proliferation tests performed on
18 blood cells over a period of 3 years.”.

19 (c) **EXTENSION OF ADVISORY BOARD ON TOXIC SUB-**
20 **STANCES AND WORKER HEALTH.**—Section 3687(j) of the
21 Energy Employees Occupational Illness Compensation
22 Program Act of 2000 (42 U.S.C. 7385s–16(j)) is amended
23 by striking “10 years” and inserting “15 years”.

1 **SEC. 3143. PROHIBITION ON SALES OF PETROLEUM PROD-**
2 **UCTS FROM THE STRATEGIC PETROLEUM RE-**
3 **SERVE TO CERTAIN COUNTRIES.**

4 (a) PROHIBITIONS.—Notwithstanding any other pro-
5 vision of law, unless a waiver has been issued under sub-
6 section (b), the Secretary of Energy shall not draw down
7 and sell petroleum products from the Strategic Petroleum
8 Reserve—

9 (1) to any entity that is under the ownership or
10 control of the Chinese Communist Party, the Peo-
11 ple’s Republic of China, the Russian Federation, the
12 Democratic People’s Republic of Korea, or the Is-
13 lamic Republic of Iran; or

14 (2) except on the condition that such petroleum
15 products will not be exported to the People’s Repub-
16 lic of China, the Russian Federation, the Democratic
17 People’s Republic of Korea, or the Islamic Republic
18 of Iran.

19 (b) WAIVER.—

20 (1) IN GENERAL.—On application by a bidder,
21 the Secretary of Energy may waive, prior to the date
22 of the applicable auction, the prohibitions described
23 in subsection (a) with respect to the sale of crude oil
24 to that bidder at that auction.

25 (2) REQUIREMENT.—The Secretary of Energy
26 may issue a waiver under this subsection only if the

1 Secretary determines that the waiver is in the inter-
2 est of the national security of the United States.

3 (3) APPLICATIONS.—A bidder seeking a waiver
4 under this subsection shall submit to the Secretary
5 of Energy an application by such date, in such form,
6 and containing such information as the Secretary of
7 Energy may require.

8 (4) NOTICE TO CONGRESS.—Not later than 15
9 days after issuing a waiver under this subsection,
10 the Secretary of Energy shall provide a copy of the
11 waiver to the Committee on Energy and Natural Re-
12 sources of the Senate and the Committee on Energy
13 and Commerce of the House of Representatives.

14 **SEC. 3144. U.S. NUCLEAR FUEL SECURITY INITIATIVE.**

15 (a) SHORT TITLE.—This section may be cited as the
16 “Nuclear Fuel Security Act of 2023”.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the Department should—

20 (A) prioritize activities to increase domes-
21 tic production of low-enriched uranium; and

22 (B) accelerate efforts to establish a domes-
23 tic high-assay, low-enriched uranium enrich-
24 ment capability; and

1 (2) if domestic enrichment of high-assay, low-
2 enriched uranium will not be commercially available
3 at the scale needed in time to meet the needs of the
4 advanced nuclear reactor demonstration projects of
5 the Department, the Secretary shall consider and
6 implement, as necessary—

7 (A) all viable options to make high-assay,
8 low-enriched uranium produced from inven-
9 tories owned by the Department available in a
10 manner that is sufficient to maximize the po-
11 tential for the Department to meet the needs
12 and schedules of advanced nuclear reactor de-
13 velopers, without impacting existing Depart-
14 ment missions, until such time that commercial
15 enrichment and deconversion capability for
16 high-assay, low-enriched uranium exists at a
17 scale sufficient to meet future needs; and

18 (B) all viable options for partnering with
19 countries that are allies or partners of the
20 United States to meet those needs and sched-
21 ules until that time.

22 (c) OBJECTIVES.—The objectives of this section
23 are—

24 (1) to expeditiously increase domestic produc-
25 tion of low-enriched uranium;

1 (2) to expeditiously increase domestic produc-
2 tion of high-assay, low-enriched uranium by an an-
3 nual quantity, and in such form, determined by the
4 Secretary to be sufficient to meet the needs of—

5 (A) advanced nuclear reactor developers;

6 and

7 (B) the consortium;

8 (3) to ensure the availability of domestically
9 produced, converted, enriched, deconverted, and re-
10 duced uranium in a quantity determined by the Sec-
11 retary, in consultation with U.S. nuclear energy
12 companies, to be sufficient to address a reasonably
13 anticipated supply disruption;

14 (4) to address gaps and deficiencies in the do-
15 mestic production, conversion, enrichment,
16 deconversion, and reduction of uranium by
17 partnering with countries that are allies or partners
18 of the United States if domestic options are not
19 practicable;

20 (5) to ensure that, in the event of a supply dis-
21 ruption in the nuclear fuel market, a reserve of nu-
22 clear fuels is available to serve as a backup supply
23 to support the nuclear nonproliferation and civil nu-
24 clear energy objectives of the Department;

1 (6) to support enrichment, deconversion, and
2 reduction technology deployed in the United States;
3 and

4 (7) to ensure that, until such time that domes-
5 tic enrichment and deconversion of high-assay, low-
6 enriched uranium is commercially available at the
7 scale needed to meet the needs of advanced nuclear
8 reactor developers, the Secretary considers and im-
9 plements, as necessary—

10 (A) all viable options to make high-assay,
11 low-enriched uranium produced from inven-
12 tories owned by the Department available in a
13 manner that is sufficient to maximize the po-
14 tential for the Department to meet the needs
15 and schedules of advanced nuclear reactor de-
16 velopers; and

17 (B) all viable options for partnering with
18 countries that are allies or partners of the
19 United States to meet those needs and sched-
20 ules.

21 (d) DEFINITIONS.—In this section:

22 (1) ADVANCED NUCLEAR REACTOR.—The term
23 “advanced nuclear reactor” has the meaning given
24 the term in section 951(b) of the Energy Policy Act
25 of 2005 (42 U.S.C. 16271(b)).

1 (2) ASSOCIATED ENTITY.—The term “associ-
2 ated entity” means an entity that—

3 (A) is owned, controlled, or dominated
4 by—

5 (i) the government of a country that
6 is an ally or partner of the United States;

7 or

8 (ii) an associated individual; or

9 (B) is organized under the laws of, or oth-
10 erwise subject to the jurisdiction of, a country
11 that is an ally or partner of the United States,
12 including a corporation that is incorporated in
13 such a country.

14 (3) ASSOCIATED INDIVIDUAL.—The term “asso-
15 ciated individual” means an alien who is a national
16 of a country that is an ally or partner of the United
17 States.

18 (4) CONSORTIUM.—The term “consortium”
19 means the consortium established under section
20 2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C.
21 16281(a)(2)(F)).

22 (5) DEPARTMENT.—The term “Department”
23 means the Department of Energy.

24 (6) HIGH-ASSAY, LOW-ENRICHED URANIUM;
25 HALEU.—The term “high-assay, low-enriched ura-

1 nium” or “HALEU” means high-assay low-enriched
2 uranium (as defined in section 2001(d) of the En-
3 ergy Act of 2020 (42 U.S.C. 16281(d))).

4 (7) LOW-ENRICHED URANIUM; LEU.—The term
5 “low-enriched uranium” or “LEU” means each of—

6 (A) low-enriched uranium (as defined in
7 section 3102 of the USEC Privatization Act
8 (42 U.S.C. 2297h)); and

9 (B) low-enriched uranium (as defined in
10 section 3112A(a) of that Act (42 U.S.C.
11 2297h–10a(a))).

12 (8) PROGRAMS.—The term “Programs”
13 means—

14 (A) the Nuclear Fuel Security Program es-
15 tablished under subsection (e)(1);

16 (B) the American Assured Fuel Supply
17 Program of the Department; and

18 (C) the HALEU for Advanced Nuclear Re-
19 actor Demonstration Projects Program estab-
20 lished under subsection (e)(3).

21 (9) SECRETARY.—The term “Secretary” means
22 the Secretary of Energy.

23 (10) U.S. NUCLEAR ENERGY COMPANY.—The
24 term “U.S. nuclear energy company” means a com-
25 pany that—

1 (A) is organized under the laws of, or oth-
2 erwise subject to the jurisdiction of, the United
3 States; and

4 (B) is involved in the nuclear energy indus-
5 try.

6 (e) ESTABLISHMENT AND EXPANSION OF PRO-
7 GRAMS.—The Secretary, consistent with the objectives de-
8 scribed in subsection (c), shall—

9 (1) establish a program, to be known as the
10 “Nuclear Fuel Security Program”, to increase the
11 quantity of LEU and HALEU produced by U.S. nu-
12 clear energy companies;

13 (2) expand the American Assured Fuel Supply
14 Program of the Department to ensure the avail-
15 ability of domestically produced, converted, enriched,
16 deconverted, and reduced uranium in the event of a
17 supply disruption; and

18 (3) establish a program, to be known as the
19 “HALEU for Advanced Nuclear Reactor Dem-
20 onstration Projects Program”—

21 (A) to maximize the potential for the De-
22 partment to meet the needs and schedules of
23 advanced nuclear reactor developers until such
24 time that commercial enrichment and
25 deconversion capability for HALEU exists in

1 the United States at a scale sufficient to meet
2 future needs; and

3 (B) where practicable, to partner with
4 countries that are allies or partners of the
5 United States to meet those needs and sched-
6 ules until that time.

7 (f) NUCLEAR FUEL SECURITY PROGRAM.—

8 (1) IN GENERAL.—In carrying out the Nuclear
9 Fuel Security Program, the Secretary—

10 (A) shall—

11 (i) not later than 180 days after the
12 date of enactment of this Act, enter into 2
13 or more contracts to begin acquiring not
14 less than 100 metric tons per year of LEU
15 by December 31, 2026 (or the earliest
16 operationally feasible date thereafter), to
17 ensure diversity of supply in domestic ura-
18 nium mining, conversion, enrichment, and
19 deconversion capacity and technologies, in-
20 cluding new capacity, among U.S. nuclear
21 energy companies;

22 (ii) not later than 180 days after the
23 date of enactment of this Act, enter into 2
24 or more contracts with members of the
25 consortium to begin acquiring not less than

1 20 metric tons per year of HALEU by De-
2 cember 31, 2027 (or the earliest operation-
3 ally feasible date thereafter), from U.S.
4 nuclear energy companies;

5 (iii) utilize only uranium produced,
6 converted, enriched, deconverted, and re-
7 duced in—

8 (I) the United States; or

9 (II) if domestic options are not
10 practicable, a country that is an ally
11 or partner of the United States; and

12 (iv) to the maximum extent prac-
13 ticable, ensure that the use of domestic
14 uranium utilized as a result of that pro-
15 gram does not negatively affect the eco-
16 nomic operation of nuclear reactors in the
17 United States; and

18 (B)(i) may not make commitments under
19 this subsection (including cooperative agree-
20 ments (used in accordance with section 6305 of
21 title 31, United States Code), purchase agree-
22 ments, guarantees, leases, service contracts, or
23 any other type of commitment) for the purchase
24 or other acquisition of HALEU or LEU un-
25 less—

1 (I) funds are specifically provided for
2 those purposes in advance in appropria-
3 tions Acts enacted after the date of enact-
4 ment of this Act; or

5 (II) the commitment is funded en-
6 tirely by funds made available to the Sec-
7 retary from the account described in sub-
8 section (j)(2)(B); and

9 (ii) may make a commitment described in
10 clause (i) only—

11 (I) if the full extent of the anticipated
12 costs stemming from the commitment is
13 recorded as an obligation at the time that
14 the commitment is made; and

15 (II) to the extent of that up-front ob-
16 ligation recorded in full at that time.

17 (2) CONSIDERATIONS.—In carrying out para-
18 graph (1)(A)(ii), the Secretary shall consider and, if
19 appropriate, implement—

20 (A) options to ensure the quickest avail-
21 ability of commercially enriched HALEU, in-
22 cluding—

23 (i) partnerships between 2 or more
24 commercial enrichers; and

1 (ii) utilization of up to 10-percent en-
2 riched uranium as feedstock in demonstra-
3 tion-scale or commercial HALEU enrich-
4 ment facilities;

5 (B) options to partner with countries that
6 are allies or partners of the United States to
7 provide LEU and HALEU for commercial pur-
8 poses;

9 (C) options that provide for an array of
10 HALEU—

11 (i) enrichment levels;

12 (ii) output levels to meet demand; and

13 (iii) fuel forms, including uranium
14 metal and oxide; and

15 (D) options—

16 (i) to replenish, as necessary, Depart-
17 ment stockpiles of uranium that were in-
18 tended to be downblended for other pur-
19 poses, but were instead used in carrying
20 out activities under the HALEU for Ad-
21 vanced Nuclear Reactor Demonstration
22 Projects Program;

23 (ii) to continue supplying HALEU to
24 meet the needs of the recipients of an
25 award made pursuant to the funding op-

1 portunity announcement of the Depart-
2 ment numbered DE-FOA-0002271 for
3 Pathway 1, Advanced Reactor Demonstra-
4 tions; and

5 (iii) to make HALEU available to
6 other advanced nuclear reactor developers
7 and other end-users.

8 (3) AVOIDANCE OF MARKET DISRUPTIONS.—In
9 carrying out the Nuclear Fuel Security Program, the
10 Secretary, to the extent practicable and consistent
11 with the purposes of that program, shall not disrupt
12 or replace market mechanisms by competing with
13 U.S. nuclear energy companies.

14 (g) EXPANSION OF THE AMERICAN ASSURED FUEL
15 SUPPLY PROGRAM.—The Secretary, in consultation with
16 U.S. nuclear energy companies, shall—

17 (1) expand the American Assured Fuel Supply
18 Program of the Department by merging the oper-
19 ations of the Uranium Reserve Program of the De-
20 partment with the American Assured Fuel Supply
21 Program; and

22 (2) in carrying out the American Assured Fuel
23 Supply Program of the Department, as expanded
24 under paragraph (1)—

1 (A) maintain, replenish, diversify, or in-
2 crease the quantity of uranium made available
3 by that program in a manner determined by the
4 Secretary to be consistent with the purposes of
5 that program and the objectives described in
6 subsection (c);

7 (B) utilize only uranium produced, con-
8 verted, enriched, deconverted, and reduced in—

9 (i) the United States; or

10 (ii) if domestic options are not prac-
11 ticable, a country that is an ally or partner
12 of the United States;

13 (C) make uranium available from the
14 American Assured Fuel Supply, subject to
15 terms and conditions determined by the Sec-
16 retary to be reasonable and appropriate;

17 (D) refill and expand the supply of ura-
18 nium in the American Assured Fuel Supply, in-
19 cluding by maintaining a limited reserve of ura-
20 nium to address a potential event in which a
21 domestic or foreign recipient of uranium experi-
22 ences a supply disruption for which uranium
23 cannot be obtained through normal market
24 mechanisms or under normal market conditions;
25 and

1 (E) take other actions that the Secretary
2 determines to be necessary or appropriate to
3 address the purposes of that program and the
4 objectives described in subsection (c).

5 (h) HALEU FOR ADVANCED NUCLEAR REACTOR
6 DEMONSTRATION PROJECTS PROGRAM.—

7 (1) ACTIVITIES.—On enactment of this Act, the
8 Secretary shall immediately accelerate and, as nec-
9 essary, initiate activities to make available from in-
10 ventories or stockpiles owned by the Department and
11 made available to the consortium, HALEU for use
12 in advanced nuclear reactors that cannot operate on
13 uranium with lower enrichment levels or on alternate
14 fuels, with priority given to the awards made pursu-
15 ant to the funding opportunity announcement of the
16 Department numbered DE-FOA-0002271 for Path-
17 way 1, Advanced Reactor Demonstrations, with ad-
18 ditional HALEU to be made available to other ad-
19 vanced nuclear reactor developers, as the Secretary
20 determines to be appropriate.

21 (2) QUANTITY.—In carrying out activities
22 under this subsection, the Secretary shall consider
23 and implement, as necessary, all viable options to
24 make HALEU available in quantities and forms suf-
25 ficient to maximize the potential for the Department

1 to meet the needs and schedules of advanced nuclear
2 reactor developers, including by seeking to make
3 available—

4 (A) by September 30, 2024, not less than
5 3 metric tons of HALEU;

6 (B) by December 31, 2025, not less than
7 an additional 8 metric tons of HALEU; and

8 (C) by June 30, 2026, not less than an ad-
9 ditional 10 metric tons of HALEU.

10 (3) FACTORS FOR CONSIDERATION.—In car-
11 rying out activities under this subsection, the Sec-
12 retary shall take into consideration—

13 (A) options for providing HALEU from a
14 stockpile of uranium owned by the Department,
15 including—

16 (i) uranium that has been declared ex-
17 cess to national security needs during or
18 prior to fiscal year 2023;

19 (ii) uranium that—

20 (I) directly meets the needs of
21 advanced nuclear reactor developers;
22 but

23 (II) has been previously used or
24 fabricated for another purpose;

1 (iii) uranium that can meet the needs
2 of advanced nuclear reactor developers
3 after removing radioactive or other con-
4 taminants that resulted from previous use
5 or fabrication of the fuel for research, de-
6 velopment, demonstration, or deployment
7 activities of the Department, including ac-
8 tivities that reduce the environmental li-
9 ability of the Department by accelerating
10 the processing of uranium from stockpiles
11 designated as waste;

12 (iv) uranium from a high-enriched
13 uranium stockpile (excluding stockpiles in-
14 tended for national security needs), which
15 can be blended with lower assay uranium
16 to become HALEU to meet the needs of
17 advanced nuclear reactor developers; and

18 (v) uranium from stockpiles intended
19 for other purposes (excluding stockpiles in-
20 tended for national security needs), but for
21 which uranium could be swapped or re-
22 placed in time in such a manner that
23 would not negatively impact the missions
24 of the Department;

1 (B) options for expanding, or establishing
2 new, capabilities or infrastructure to support
3 the processing of uranium from Department in-
4 ventories;

5 (C) options for accelerating the availability
6 of HALEU from HALEU enrichment dem-
7 onstration projects of the Department;

8 (D) options for providing HALEU from
9 domestically enriched HALEU procured by the
10 Department through a competitive process pur-
11 suant to the Nuclear Fuel Security Program es-
12 tablished under subsection (e)(1);

13 (E) options to replenish, as needed, De-
14 partment stockpiles of uranium made available
15 pursuant to subparagraph (A) with domestically
16 enriched HALEU procured by the Department
17 through a competitive process pursuant to the
18 Nuclear Fuel Security Program established
19 under subsection (e)(1); and

20 (F) options that combine 1 or more of the
21 approaches described in subparagraphs (A)
22 through (E) to meet the deadlines described in
23 paragraph (2).

24 (4) LIMITATIONS.—

1 (A) CERTAIN SERVICES.—The Secretary
2 shall not barter or otherwise sell or transfer
3 uranium in any form in exchange for services
4 relating to—

5 (i) the final disposition of radioactive
6 waste from uranium that is the subject of
7 a contract for sale, resale, transfer, or
8 lease under this subsection; or

9 (ii) environmental cleanup activities.

10 (B) CERTAIN COMMITMENTS.—In carrying
11 out activities under this subsection, the Sec-
12 retary—

13 (i) may not make commitments under
14 this subsection (including cooperative
15 agreements (used in accordance with sec-
16 tion 6305 of title 31, United States Code),
17 purchase agreements, guarantees, leases,
18 service contracts, or any other type of com-
19 mitment) for the purchase or other acquisi-
20 tion of HALEU or LEU unless—

21 (I) funds are specifically provided
22 for those purposes in advance in ap-
23 propriations Acts enacted after the
24 date of enactment of this Act; or

1 (II) the commitment is funded
2 entirely by funds made available to
3 the Secretary from the account de-
4 scribed in subsection (j)(2)(B); and
5 (ii) may make a commitment de-
6 scribed in clause (i) only—

7 (I) if the full extent of the antici-
8 pated costs stemming from the com-
9 mitment is recorded as an obligation
10 at the time that the commitment is
11 made; and

12 (II) to the extent of that up-front
13 obligation recorded in full at that
14 time.

15 (5) SUNSET.—The authority of the Secretary to
16 carry out activities under this subsection shall termi-
17 nate on the date on which the Secretary notifies
18 Congress that the HALEU needs of advanced nu-
19 clear reactor developers can be fully met by commer-
20 cial HALEU suppliers in the United States, as de-
21 termined by the Secretary, in consultation with U.S.
22 nuclear energy companies.

23 (i) DOMESTIC SOURCING CONSIDERATIONS.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), the Secretary may only carry out an ac-

1 tivity in connection with 1 or more of the Programs
2 if—

3 (A) the activity promotes manufacturing in
4 the United States associated with uranium sup-
5 ply chains; or

6 (B) the activity relies on resources, mate-
7 rials, or equipment developed or produced—

8 (i) in the United States; or

9 (ii) in a country that is an ally or
10 partner of the United States by—

11 (I) the government of that coun-
12 try;

13 (II) an associated entity; or

14 (III) a U.S. nuclear energy com-
15 pany.

16 (2) WAIVER.—The Secretary may waive the re-
17 quirements of paragraph (1) with respect to an ac-
18 tivity if the Secretary determines a waiver to be nec-
19 essary to achieve 1 or more of the objectives de-
20 scribed in subsection (c).

21 (j) REASONABLE COMPENSATION.—

22 (1) IN GENERAL.—In carrying out activities
23 under this section, the Secretary shall ensure that
24 any LEU and HALEU made available by the Sec-
25 retary under 1 or more of the Programs is subject

1 to reasonable compensation, taking into account the
2 fair market value of the LEU or HALEU and the
3 purposes of this section.

4 (2) AVAILABILITY OF CERTAIN FUNDS.—

5 (A) IN GENERAL.—Notwithstanding sec-
6 tion 3302(b) of title 31, United States Code,
7 revenues received by the Secretary from the
8 sale or transfer of fuel feed material acquired
9 by the Secretary pursuant to a contract entered
10 into under clause (i) or (ii) of subsection
11 (f)(1)(A) shall—

12 (i) be deposited in the account de-
13 scribed in subparagraph (B);

14 (ii) be available to the Secretary for
15 carrying out the purposes of this section,
16 to reduce the need for further appropria-
17 tions for those purposes; and

18 (iii) remain available until expended.

19 (B) REVOLVING FUND.—There is estab-
20 lished in the Treasury an account into which
21 the revenues described in subparagraph (A)
22 shall be—

23 (i) deposited in accordance with clause

24 (i) of that subparagraph; and

1 (ii) made available in accordance with
2 clauses (ii) and (iii) of that subparagraph.

3 (k) NUCLEAR REGULATORY COMMISSION.—The Nu-
4 clear Regulatory Commission shall prioritize and expedite
5 consideration of any action related to the Programs to the
6 extent permitted under the Atomic Energy Act of 1954
7 (42 U.S.C. 2011 et seq.) and related statutes.

8 (l) USEC PRIVATIZATION ACT.—The requirements
9 of section 3112(d)(2) of the USEC Privatization Act (42
10 U.S.C. 2297h–10(d)(2)) shall not apply to activities re-
11 lated to the Programs.

12 (m) NATIONAL SECURITY NEEDS.—The Secretary
13 shall only make available to a member of the consortium
14 under this section for commercial use or use in a dem-
15 onstration project material that the President has deter-
16 mined is not necessary for national security needs during
17 or prior to fiscal year 2023, subject to the condition that
18 the material made available shall not include any material
19 that the Secretary determines to be necessary for the Na-
20 tional Nuclear Security Administration or any critical mis-
21 sion of the Department.

22 (n) INTERNATIONAL AGREEMENTS.—This section
23 shall be applied in a manner consistent with the obliga-
24 tions of the United States under international agreements.

1 (o) REPORT ON CIVIL NUCLEAR CREDIT PRO-
2 GRAM.—Not later than 180 days after the date of enact-
3 ment of this Act, the Secretary shall submit to the appro-
4 priate committees of Congress a report that identifies the
5 anticipated funding requirements for the civil nuclear
6 credit program described in section 40323 of the Infra-
7 structure Investment and Jobs Act (42 U.S.C. 18753),
8 taking into account—

9 (1) the zero-emission nuclear power production
10 credit authorized by section 45U of the Internal
11 Revenue Code of 1986; and

12 (2) any increased fuel costs associated with the
13 use of domestic fuel that may arise from the imple-
14 mentation of that program.

15 (p) SUPPLY CHAIN INFRASTRUCTURE AND WORK-
16 FORCE CAPACITY BUILDING.—

17 (1) SUPPLY CHAIN INFRASTRUCTURE.—Section
18 10781(b)(1) of Public Law 117–167 (commonly
19 known as the “CHIPS and Science Act of 2022”)
20 (42 U.S.C. 19351(b)(1)) is amended by striking
21 “and demonstration of advanced nuclear reactors”
22 and inserting “demonstration, and deployment of
23 advanced nuclear reactors and associated supply
24 chain infrastructure”.

1 (2) WORKFORCE CAPACITY BUILDING.—Section
2 954(b) of the Energy Policy Act of 2005 (42 U.S.C.
3 16274(b)) is amended—

4 (A) in the subsection heading, by striking
5 “Graduate”;

6 (B) by striking “graduate” each place it
7 appears;

8 (C) in paragraph (2)(A), by inserting
9 “community colleges, trade schools, registered
10 apprenticeship programs, pre-apprenticeship
11 programs,” after “universities,”;

12 (D) in paragraph (3), by striking “2021
13 through 2025” and inserting “2023 through
14 2027”;

15 (E) by redesignating paragraph (3) as
16 paragraph (4); and

17 (F) by inserting after paragraph (2) the
18 following:

19 “(A) FOCUS AREAS.—In carrying out the
20 subprogram under this subsection, the Sec-
21 retary may implement traineeships in focus
22 areas that, in the determination of the Sec-
23 retary, are necessary to support the nuclear en-
24 ergy sector in the United States, including—

25 “(i) research and development;

1 “(ii) construction and operation;
 2 “(iii) associated supply chains; and
 3 “(iv) workforce training and retrain-
 4 ing to support transitioning workforces.”.

5 **TITLE XXXII—DEFENSE NU-**
 6 **CLEAR FACILITIES SAFETY**
 7 **BOARD**

8 **SEC. 3201. AUTHORIZATION.**

9 There are authorized to be appropriated for fiscal
 10 year 2024, \$47,230,000 for the operation of the Defense
 11 Nuclear Facilities Safety Board under chapter 21 of the
 12 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

13 **TITLE XXXV—MARITIME**
 14 **ADMINISTRATION**

15 **SEC. 3501. MARITIME ADMINISTRATION.**

16 Section 109 of title 49, United States Code, is
 17 amended to read as follows:

18 **“§ 109. Maritime Administration**

19 “(a) ORGANIZATION AND MISSION.—The Maritime
 20 Administration is an administration in the Department of
 21 Transportation. The mission of the Maritime Administra-
 22 tion is to foster, promote, and develop the merchant mari-
 23 time industry of the United States.

24 “(b) MARITIME ADMINISTRATOR.—The head of the
 25 Maritime Administration is the Maritime Administrator,

1 who is appointed by the President by and with the advice
2 and consent of the Senate. The Administrator shall report
3 directly to the Secretary of Transportation and carry out
4 the duties prescribed by the Secretary.

5 “(c) DEPUTY MARITIME ADMINISTRATOR.—The
6 Maritime Administration shall have a Deputy Maritime
7 Administrator, who is appointed in the competitive service
8 by the Secretary, after consultation with the Adminis-
9 trator. The Deputy Administrator shall carry out the du-
10 ties prescribed by the Administrator. The Deputy Admin-
11 istrator shall be Acting Administrator during the absence
12 or disability of the Administrator and, unless the Sec-
13 retary designates another individual, during a vacancy in
14 the office of Administrator.

15 “(d) DUTIES AND POWERS VESTED IN SEC-
16 RETARY.—All duties and powers of the Maritime Adminis-
17 tration are vested in the Secretary.

18 “(e) REGIONAL OFFICES.—The Maritime Adminis-
19 tration shall have regional offices for the Atlantic, Gulf,
20 Great Lakes, and Pacific port ranges, and may have other
21 regional offices as necessary. The Secretary shall appoint
22 a qualified individual as Director of each regional office.
23 The Secretary shall carry out appropriate activities and
24 programs of the Maritime Administration through the re-
25 gional offices.

1 “(f) INTERAGENCY AND INDUSTRY RELATIONS.—

2 The Secretary shall establish and maintain liaison with
3 other agencies, and with representative trade organiza-
4 tions throughout the United States, concerned with the
5 transportation of commodities by water in the export and
6 import foreign commerce of the United States, for the pur-
7 pose of securing preference to vessels of the United States
8 for the transportation of those commodities.

9 “(g) DETAILING OFFICERS FROM ARMED FORCES.—

10 To assist the Secretary in carrying out duties and powers
11 relating to the Maritime Administration, not more than
12 five officers of the Armed Forces may be detailed to the
13 Secretary at any one time, in addition to details author-
14 ized by any other law. During the period of a detail, the
15 Secretary shall pay the officer an amount that, when
16 added to the officer’s pay and allowances as an officer in
17 the Armed Forces, makes the officer’s total pay and allow-
18 ances equal to the amount that would be paid to an indi-
19 vidual performing work the Secretary considers to be of
20 similar importance, difficulty, and responsibility as that
21 performed by the officer during the detail.

22 “(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND
23 AUDITS.—

24 “(1) CONTRACTS AND COOPERATIVE AGREE-
25 MENTS.—In the same manner that a private cor-

1 poration may make a contract within the scope of its
2 authority under its charter, the Secretary may make
3 contracts and cooperative agreements for the United
4 States Government and disburse amounts to—

5 “(A) carry out the Secretary’s duties and
6 powers under this section, subtitle V of title 46,
7 and all other Maritime Administration pro-
8 grams; and

9 “(B) protect, preserve, and improve collat-
10 eral held by the Secretary to secure indebted-
11 ness.

12 “(2) AUDITS.—The financial transactions of
13 the Secretary under paragraph (1) shall be audited
14 by the Comptroller General. The Comptroller Gen-
15 eral shall allow credit for an expenditure shown to
16 be necessary because of the nature of the business
17 activities authorized by this section or subtitle V of
18 title 46. At least once a year, the Comptroller Gen-
19 eral shall report to Congress any departure by the
20 Secretary from this section or subtitle V of title 46.

21 “(i) GRANT ADMINISTRATIVE EXPENSES.—Except as
22 otherwise provided by law, the administrative and related
23 expenses for the administration of any grant programs by
24 the Maritime Administrator may not exceed 3 percent.

25 “(j) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—Except as otherwise pro-
2 vided in this subsection, there are authorized to be
3 appropriated such amounts as may be necessary to
4 carry out the duties and powers of the Secretary re-
5 lating to the Maritime Administration.

6 “(2) LIMITATIONS.—Only those amounts spe-
7 cifically authorized by law may be appropriated for
8 the use of the Maritime Administration for—

9 “(A) acquisition, construction, or recon-
10 struction of vessels;

11 “(B) construction-differential subsidies in-
12 cident to the construction, reconstruction, or re-
13 conditioning of vessels;

14 “(C) costs of national defense features;

15 “(D) payments of obligations incurred for
16 operating-differential subsidies;

17 “(E) expenses necessary for research and
18 development activities, including reimbursement
19 of the Vessel Operations Revolving Fund for
20 losses resulting from expenses of experimental
21 vessel operations;

22 “(F) the Vessel Operations Revolving
23 Fund;

24 “(G) National Defense Reserve Fleet ex-
25 penses;

1 “(H) expenses necessary to carry out part
2 B of subtitle V of title 46; and

3 “(I) other operations and training expenses
4 related to the development of waterborne trans-
5 portation systems, the use of waterborne trans-
6 portation systems, and general administra-
7 tion.”.

8 **DIVISION D—FUNDING TABLES**

9 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 10 **BLES.**

11 (a) **IN GENERAL.**—Whenever a funding table in this
12 division specifies a dollar amount authorized for a project,
13 program, or activity, the obligation and expenditure of the
14 specified dollar amount for the project, program, or activ-
15 ity is hereby authorized, subject to the availability of ap-
16 propriations.

17 (b) **MERIT-BASED DECISIONS.**—A decision to com-
18 mit, obligate, or expend funds with or to a specific entity
19 on the basis of a dollar amount authorized pursuant to
20 subsection (a) shall—

21 (1) be based on merit-based selection proce-
22 dures in accordance with the requirements of sec-
23 tions 3201 and 4024 of title 10, United States Code,
24 or on competitive procedures; and

1 (2) comply with other applicable provisions of
2 law.

3 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-
4 MING AUTHORITY.—An amount specified in the funding
5 tables in this division may be transferred or repro-
6 grammed under a transfer or reprogramming authority
7 provided by another provision of this Act or by other law.
8 The transfer or reprogramming of an amount specified in
9 such funding tables shall not count against a ceiling on
10 such transfers or reprogrammings under section 1001 of
11 this Act or any other provision of law, unless such transfer
12 or reprogramming would move funds between appropria-
13 tion accounts.

14 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This
15 section applies to any classified annex that accompanies
16 this Act.

17 (e) ORAL OR WRITTEN COMMUNICATIONS.—No oral
18 or written communication concerning any amount speci-
19 fied in the funding tables in this division shall supersede
20 the requirements of this section.

1 **TITLE XLI—PROCUREMENT**

2 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
3	FUTURE UAS FAMILY	53,453	53,453
5	SMALL UNMANNED AIRCRAFT SYSTEMS	20,769	20,769
ROTARY			
6	AH-64 APACHE BLOCK IIIA REMAN	718,578	718,578
7	AH-64 APACHE BLOCK IIIA REMAN	110,360	110,360
8	UH-60 BLACKHAWK M MODEL (MYP)	668,258	668,258
9	UH-60 BLACKHAWK M MODEL (MYP)	92,494	92,494
10	UH-60 BLACK HAWK L AND V MODELS	153,196	153,196
11	CH-47 HELICOPTER	202,487	202,487
12	CH-47 HELICOPTER	18,936	18,936
MODIFICATION OF AIRCRAFT			
13	MQ-1 PAYLOAD	13,650	13,650
14	GRAY EAGLE MODS2	14,959	14,959
16	AH-64 MODS	113,127	113,127
17	CH-47 CARGO HELICOPTER MODS (MYP)	20,689	20,689
22	UTILITY HELICOPTER MODS	35,879	35,879
23	NETWORK AND MISSION PLAN	32,418	32,418
24	COMMS, NAV SURVEILLANCE	74,912	74,912
25	DEGRADED VISUAL ENVIRONMENT	16,838	16,838
26	AVIATION ASSURED PNT	67,383	67,383
27	GATM ROLLUP	8,924	8,924
29	UAS MODS	2,258	2,258
GROUND SUPPORT AVIONICS			
30	AIRCRAFT SURVIVABILITY EQUIPMENT	161,731	161,731
31	SURVIVABILITY CM	6,526	6,526
32	CMWS	72,041	72,041
33	COMMON INFRARED COUNTERMEASURES (CIRCM)	261,384	261,384
OTHER SUPPORT			
34	COMMON GROUND EQUIPMENT	25,752	25,752
35	AIRCREW INTEGRATED SYSTEMS	22,097	22,097
36	AIR TRAFFIC CONTROL	21,216	21,216
37	LAUNCHER, 2.75 ROCKET	2,125	2,125
	TOTAL AIRCRAFT PROCUREMENT, ARMY	3,012,440	3,012,440
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	6,625	6,625
3	M-SHORAD—PROCUREMENT	400,697	400,697
4	MSE MISSILE	1,212,832	1,212,832
6	PRECISION STRIKE MISSILE (PRSM)	384,071	384,071
7	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	313,189	313,189
8	MID-RANGE CAPABILITY (MIRC)	169,519	169,519
AIR-TO-SURFACE MISSILE SYSTEM			
9	HELLFIRE SYS SUMMARY	21,976	21,976
10	JOINT AIR-TO-GROUND MSLs (JAGM)	303,409	303,409
12	LONG-RANGE HYPERSONIC WEAPON	156,821	156,821
ANTI-TANK/ASSAULT MISSILE SYS			
13	JAVELIN (AAWS-M) SYSTEM SUMMARY	199,509	199,509
14	TOW 2 SYSTEM SUMMARY	120,475	120,475
15	GUIDED MLRS ROCKET (GMLRS)	886,367	886,367
16	GUIDED MLRS ROCKET (GMLRS)	55,913	55,913
17	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	10,334	10,334
18	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	179,230	179,230
19	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	7,307	7,307
MODIFICATIONS			
21	PATRIOT MODS	212,247	212,247
22	STINGER MODS	36,484	36,484
23	AVENGER MODS	22,274	22,274
25	MLRS MODS	168,198	168,198
26	HIMARS MODIFICATIONS	76,266	76,266
SPARES AND REPAIR PARTS			
27	SPARES AND REPAIR PARTS	6,573	6,573
SUPPORT EQUIPMENT & FACILITIES			
28	AIR DEFENSE TARGETS	11,701	11,701
	TOTAL MISSILE PROCUREMENT, ARMY	4,962,017	4,962,017
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
1	ARMORED MULTI PURPOSE VEHICLE (AMPV)	554,777	554,777
3	MOBILE PROTECTED FIREPOWER	394,635	394,635

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
MODIFICATION OF TRACKED COMBAT VEHICLES			
4	STRYKER UPGRADE	614,282	614,282
5	BRADLEY FIRE SUPPORT TEAM (BFIST) VEHICLE	5,232	5,232
6	BRADLEY PROGRAM (MOD)	158,274	158,274
7	M109 FOV MODIFICATIONS	90,986	90,986
8	PALADIN INTEGRATED MANAGEMENT (PIM)	469,152	469,152
9	IMPROVED RECOVERY VEHICLE (M88 HERCULES)	41,058	41,058
12	JOINT ASSAULT BRIDGE	159,804	159,804
13	ABRAMS UPGRADE PROGRAM	697,883	697,883
14	ABRAMS UPGRADE PROGRAM	102,440	102,440
WEAPONS & OTHER COMBAT VEHICLES			
16	PERSONAL DEFENSE WEAPON (ROLL)	510	510
17	M240 MEDIUM MACHINE GUN (7.62MM)	425	425
19	MACHINE GUN, CAL .50 M2 ROLL	3,420	3,420
20	MORTAR SYSTEMS	8,013	8,013
21	LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS)	3,174	3,174
22	XM320 GRENADE LAUNCHER MODULE (GLM)	14,143	14,143
23	PRECISION SNIPER RIFLE	5,248	5,248
24	CARBINE	571	571
25	NEXT GENERATION SQUAD WEAPON	292,850	292,850
26	HANDGUN	32	32
MOD OF WEAPONS AND OTHER COMBAT VEH			
28	M777 MODS	18,920	18,920
31	M119 MODIFICATIONS	13,097	13,097
32	MORTAR MODIFICATION	423	423
SUPPORT EQUIPMENT & FACILITIES			
33	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	1,148	1,148
34	PRODUCTION BASE SUPPORT (WOCV-WTCV)	115,024	115,024
TOTAL PROCUREMENT OF W&TCV, ARMY		3,765,521	3,765,521
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
1	CTG, 5.56MM, ALL TYPES	90,853	90,853
2	CTG, 7.62MM, ALL TYPES	63,370	63,370
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	191,244	191,244
4	CTG, HANDGUN, ALL TYPES	6,597	6,597
5	CTG, .50 CAL, ALL TYPES	41,534	41,534
6	CTG, 20MM, ALL TYPES	7,925	7,925
7	CTG, 25MM, ALL TYPES	38,760	38,760
8	CTG, 30MM, ALL TYPES	107,805	107,805
9	CTG, 40MM, ALL TYPES	148,970	148,970
10	CTG, 50MM, ALL TYPES	28,000	28,000
MORTAR AMMUNITION			
11	60MM MORTAR, ALL TYPES	35,160	35,160
12	81MM MORTAR, ALL TYPES	40,562	40,562
13	120MM MORTAR, ALL TYPES	106,784	106,784
TANK AMMUNITION			
14	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	300,368	300,368
ARTILLERY AMMUNITION			
15	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	21,298	21,298
16	ARTILLERY PROJECTILE, 155MM, ALL TYPES	150,839	150,839
18	PRECISION ARTILLERY MUNITIONS	96,406	96,406
19	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	172,947	172,947
MINES			
20	MINES & CLEARING CHARGES, ALL TYPES	71,182	71,182
21	CLOSE TERRAIN SHAPING OBSTACLE	55,374	55,374
ROCKETS			
22	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	18,630	18,630
23	ROCKET, HYDRA 70, ALL TYPES	87,293	87,293
OTHER AMMUNITION			
24	CAD/PAD, ALL TYPES	6,564	6,564
25	DEMOLITION MUNITIONS, ALL TYPES	24,238	24,238
26	GRENADES, ALL TYPES	48,374	48,374
27	SIGNALS, ALL TYPES	23,252	23,252
28	SIMULATORS, ALL TYPES	11,309	11,309
MISCELLANEOUS			
30	AMMO COMPONENTS, ALL TYPES	3,976	3,976
31	NON-LETHAL AMMUNITION, ALL TYPES	3,281	3,281
32	ITEMS LESS THAN \$5 MILLION (AMMO)	17,436	17,436
33	AMMUNITION PECULIAR EQUIPMENT	13,133	13,133
34	FIRST DESTINATION TRANSPORTATION (AMMO)	18,068	18,068
35	CLOSEOUT LIABILITIES	102	102
PRODUCTION BASE SUPPORT			
36	INDUSTRIAL FACILITIES	726,135	726,135
37	CONVENTIONAL MUNITIONS DEMILITARIZATION	183,752	183,752
38	ARMS INITIATIVE	4,057	4,057
TOTAL PROCUREMENT OF AMMUNITION, ARMY		2,967,578	2,967,578

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
OTHER PROCUREMENT, ARMY			
TACTICAL VEHICLES			
1	SEMITRAILERS, FLATBED:	22,751	22,751
2	SEMITRAILERS, TANKERS	40,359	40,359
3	HI MOB MULTI-PURP WHLD VEH (HMMWV)	25,904	25,904
4	GROUND MOBILITY VEHICLES (GMV)	36,223	36,223
6	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	839,413	839,413
7	TRUCK, DUMP, 20T (CCE)	20,075	20,075
8	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	110,734	110,734
9	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	28,745	28,745
10	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	55,340	55,340
11	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	66,428	66,428
12	PLS ESP	51,868	51,868
14	TACTICAL WHEELED VEHICLE PROTECTION KITS	3,792	3,792
15	MODIFICATION OF IN SVC EQUIP	80,326	80,326
NON-TACTICAL VEHICLES			
16	PASSENGER CARRYING VEHICLES	2,203	2,203
17	NONTACTICAL VEHICLES, OTHER	8,246	8,246
COMM—JOINT COMMUNICATIONS			
18	SIGNAL MODERNIZATION PROGRAM	161,585	161,585
19	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	358,646	358,646
20	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	254	254
21	JCSE EQUIPMENT (USRDECOM)	5,097	5,097
COMM—SATELLITE COMMUNICATIONS			
24	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,181	101,181
25	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	54,849	54,849
26	SHF TERM	41,634	41,634
27	ASSURED POSITIONING, NAVIGATION AND TIMING	202,370	202,370
28	EHF SATELLITE COMMUNICATION	19,122	19,122
30	GLOBAL BRDCST SVC—GBS	531	531
COMM—C3 SYSTEM			
31	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	77,999	77,999
COMM—COMBAT COMMUNICATIONS			
32	HANDHELD MANPACK SMALL FORM FIT (HMS)	765,109	765,109
33	ARMY LINK 16 SYSTEMS	60,767	60,767
35	UNIFIED COMMAND SUITE	18,999	18,999
36	COTS COMMUNICATIONS EQUIPMENT	492,001	492,001
37	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,374	1,374
38	ARMY COMMUNICATIONS & ELECTRONICS	52,485	52,485
COMM—INTELLIGENCE COMM			
39	CI AUTOMATION ARCHITECTURE-INTEL	16,767	16,767
41	MULTI-DOMAIN INTELLIGENCE	119,989	119,989
INFORMATION SECURITY			
42	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	701	701
43	COMMUNICATIONS SECURITY (COMSEC)	159,712	159,712
44	DEFENSIVE CYBER OPERATIONS	13,848	13,848
45	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,502	1,502
47	BIOMETRIC ENABLING CAPABILITY (BEC)	453	453
COMM—LONG HAUL COMMUNICATIONS			
49	BASE SUPPORT COMMUNICATIONS	23,278	23,278
COMM—BASE COMMUNICATIONS			
50	INFORMATION SYSTEMS	32,608	32,608
51	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,949	4,949
52	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	243,011	243,011
ELECT EQUIP—TACT INT REL ACT (TIARA)			
55	JTT/CIBS-M	8,543	8,543
56	TERRESTRIAL LAYER SYSTEMS (TLS)	85,486	85,486
58	DCGS-A-INTEL	2,980	2,980
60	TROJAN	30,649	30,649
61	MOD OF IN-SVC EQUIP (INTEL SPT)	4,169	4,169
62	BIOMETRIC TACTICAL COLLECTION DEVICES	932	932
ELECT EQUIP—ELECTRONIC WARFARE (EW)			
63	EW PLANNING & MANAGEMENT TOOLS (EWPM/T)	21,278	21,278
64	AIR VIGILANCE (AV)	6,641	6,641
65	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	15,941	15,941
67	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	22,833	22,833
68	CI MODERNIZATION	434	434
ELECT EQUIP—TACTICAL SURV. (TAC SURV)			
69	SENTINEL MODS	161,886	161,886
70	NIGHT VISION DEVICES	141,143	141,143
71	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	15,484	15,484
73	FAMILY OF WEAPON SIGHTS (FWS)	185,634	185,634
74	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	3,652	3,652
75	FORWARD LOOKING INFRARED (IFLIR)	20,438	20,438
76	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	365,376	365,376
77	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	215,290	215,290
78	JOINT EFFECTS TARGETING SYSTEM (JETS)	8,932	8,932
79	COMPUTER BALLISTICS: LHMCB XM32	2,965	2,965

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
80	MORTAR FIRE CONTROL SYSTEM	8,024	8,024
81	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,399	7,399
82	COUNTERFIRE RADARS	99,782	99,782
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
83	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....)	78,512	78,512
84	FIRE SUPPORT C2 FAMILY	10,052	10,052
85	AIR & MSL DEFENSE PLANNING & CONTROL SYS	68,892	68,892
86	LAMD BATTLE COMMAND SYSTEM	412,556	412,556
87	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,270	4,270
88	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	37,194	37,194
89	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	1,987	1,987
90	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	5,318	5,318
91	MOD OF IN-SVC EQUIPMENT (ENFIRE)	4,997	4,997
	ELECT EQUIP—AUTOMATION		
92	ARMY TRAINING MODERNIZATION	10,130	10,130
93	AUTOMATED DATA PROCESSING EQUIP	61,489	61,489
94	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	4,198	4,198
96	HIGH PERF COMPUTING MOD PGM (HPCMP)	76,053	76,053
97	CONTRACT WRITING SYSTEM	6,061	6,061
98	CSS COMMUNICATIONS	56,804	56,804
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	1,781	1,781
	CHEMICAL DEFENSIVE EQUIPMENT		
102	BASE DEFENSE SYSTEMS (BDS)	70,781	70,781
103	CBRN DEFENSE	63,198	63,198
	BRIDGING EQUIPMENT		
104	TACTICAL BRIDGING	1,157	1,157
105	TACTICAL BRIDGE, FLOAT-RIBBON	82,228	82,228
106	BRIDGE SUPPLEMENTAL SET	4,414	4,414
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
110	ROBOTICS AND APPLIQUE SYSTEMS	68,893	68,893
112	FAMILY OF BOATS AND MOTORS	4,785	4,785
	COMBAT SERVICE SUPPORT EQUIPMENT		
113	HEATERS AND ECU'S	7,617	7,617
115	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	5,356	5,356
116	GROUND SOLDIER SYSTEM	167,129	167,129
117	MOBILE SOLDIER POWER	15,967	15,967
118	FORCE PROVIDER	34,200	34,200
120	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	45,792	45,792
121	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	12,118	12,118
	PETROLEUM EQUIPMENT		
123	QUALITY SURVEILLANCE EQUIPMENT	2,507	2,507
124	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	40,989	40,989
	MEDICAL EQUIPMENT		
125	COMBAT SUPPORT MEDICAL	86,829	86,829
	MAINTENANCE EQUIPMENT		
126	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	17,287	17,287
	CONSTRUCTION EQUIPMENT		
128	TRACTOR, FULL TRACKED	29,878	29,878
129	ALL TERRAIN CRANES	27,725	27,725
131	FAMILY OF DIVER SUPPORT EQUIPMENT	1,811	1,811
132	CONST EQUIP ESP	8,898	8,898
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
133	ARMY WATERCRAFT ESP	30,592	30,592
134	MANEUVER SUPPORT VESSEL (MSV)	149,449	149,449
	GENERATORS		
136	GENERATORS AND ASSOCIATED EQUIP	78,364	78,364
137	TACTICAL ELECTRIC POWER RECAPITALIZATION	11,088	11,088
	MATERIAL HANDLING EQUIPMENT		
138	FAMILY OF FORKLIFTS	12,982	12,982
	TRAINING EQUIPMENT		
139	COMBAT TRAINING CENTERS SUPPORT	56,619	56,619
140	TRAINING DEVICES, NONSYSTEM	226,379	226,379
141	SYNTHETIC TRAINING ENVIRONMENT (STE)	234,965	234,965
142	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,698	9,698
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
143	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,149	36,149
144	TEST EQUIPMENT MODERNIZATION (TEMOD)	32,623	32,623
	OTHER SUPPORT EQUIPMENT		
145	PHYSICAL SECURITY SYSTEMS (OPA3)	132,739	132,739
146	BASE LEVEL COMMON EQUIPMENT	34,460	34,460
147	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	35,239	35,239
148	BUILDING, PRE-FAB, RELOCATABLE	31,011	31,011
149	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	52,481	52,481
	OPA2		
151	INITIAL SPARES—C&E	9,169	9,169
	TOTAL OTHER PROCUREMENT, ARMY	8,672,979	8,672,979

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
AIRCRAFT PROCUREMENT, NAVY			
COMBAT AIRCRAFT			
1	F/A-18E/F (FIGHTER) HORNET	41,329	41,329
2	JOINT STRIKE FIGHTER CV	2,410,569	2,410,569
3	JOINT STRIKE FIGHTER CV	189,425	189,425
4	JSF STOVL	2,126,317	2,126,317
5	JSF STOVL	193,125	193,125
6	CH-53K (HEAVY LIFT)	1,698,050	1,698,050
7	CH-53K (HEAVY LIFT)	456,567	456,567
8	V-22 (MEDIUM LIFT)	27,216	27,216
9	H-1 UPGRADES (UH-1Y/AH-1Z)	4,292	4,292
10	P-8A POSEIDON	31,257	31,257
11	E-2D ADV HAWKEYE	182,817	182,817
TRAINER AIRCRAFT			
13	MULTI-ENGINE TRAINING SYSTEM (METS)	289,141	289,141
OTHER AIRCRAFT			
15	KC-130J	241,291	241,291
17	MQ-4 TRITON	416,010	416,010
19	MQ-8 UAV	1,546	1,546
21	MQ-25	545,697	545,697
22	MQ-25	50,576	50,576
23	MARINE GROUP 5 UAS	89,563	89,563
MODIFICATION OF AIRCRAFT			
24	F-18 A-D UNIQUE	116,551	116,551
25	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	605,416	605,416
26	MARINE GROUP 5 UAS SERIES	98,063	98,063
27	AEA SYSTEMS	24,110	24,110
28	AV-8 SERIES	22,829	22,829
29	INFRARED SEARCH AND TRACK (IRST)	179,193	179,193
30	ADVERSARY	69,336	69,336
31	F-18 SERIES	640,236	640,236
32	H-53 SERIES	41,414	41,414
33	MH-60 SERIES	106,495	106,495
34	H-1 SERIES	114,284	114,284
35	EP-3 SERIES	8,548	8,548
36	E-2 SERIES	183,246	183,246
37	TRAINER A/C SERIES	16,376	16,376
39	C-130 SERIES	198,220	198,220
40	FEWSG	651	651
41	CARGO/TRANSPORT A/C SERIES	13,930	13,930
42	E-6 SERIES	164,571	164,571
43	EXECUTIVE HELICOPTERS SERIES	60,498	60,498
44	T-45 SERIES	170,357	170,357
45	POWER PLANT CHANGES	21,079	21,079
46	JPATS SERIES	28,005	28,005
48	COMMON ECM EQUIPMENT	53,614	53,614
49	COMMON AVIONICS CHANGES	136,199	136,199
50	COMMON DEFENSIVE WEAPON SYSTEM	6,585	6,585
51	ID SYSTEMS	13,085	13,085
52	P-8 SERIES	316,168	316,168
53	MAGTF EW FOR AVIATION	24,901	24,901
54	MQ-8 SERIES	14,700	14,700
55	V-22 (TILT/ROTOR ACFT) OSPREY	215,997	215,997
56	NEXT GENERATION JAMMER (NGJ)	426,396	426,396
57	F-35 STOVL SERIES	311,921	311,921
58	F-35 CV SERIES	166,909	166,909
59	QRC	28,206	28,206
60	MQ-4 SERIES	93,951	93,951
AIRCRAFT SPARES AND REPAIR PARTS			
62	SPARES AND REPAIR PARTS	2,451,244	2,451,244
AIRCRAFT SUPPORT EQUIP & FACILITIES			
63	COMMON GROUND EQUIPMENT	566,156	566,156
64	AIRCRAFT INDUSTRIAL FACILITIES	133,815	133,815
65	WAR CONSUMABLES	44,632	44,632
66	OTHER PRODUCTION CHARGES	49,907	49,907
67	SPECIAL SUPPORT EQUIPMENT	404,178	404,178
TOTAL AIRCRAFT PROCUREMENT, NAVY		17,336,760	17,336,760
WEAPONS PROCUREMENT, NAVY			
MODIFICATION OF MISSILES			
1	CONVENTIONAL PROMPT STRIKE	341,434	341,434
2	TRIDENT II MODS	1,284,705	1,284,705
SUPPORT EQUIPMENT & FACILITIES			
3	MISSILE INDUSTRIAL FACILITIES	7,954	7,954
STRATEGIC MISSILES			
4	TOMAHAWK	72,908	72,908
TACTICAL MISSILES			
5	AMRAAM	439,153	439,153

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
6	SIDEWINDER	78,165	78,165
7	STANDARD MISSILE	969,525	969,525
8	STANDARD MISSILE	227,320	227,320
9	SMALL DIAMETER BOMB II	63,863	63,863
10	RAM	114,896	114,896
11	JOINT AIR GROUND MISSILE (JAGM)	79,292	79,292
12	HELLFIRE	6,923	6,923
13	AERIAL TARGETS	176,588	176,588
14	OTHER MISSILE SUPPORT	3,687	3,687
15	LRASM	639,636	639,636
16	NAVAL STRIKE MISSILE (NSM)	29,925	29,925
17	NAVAL STRIKE MISSILE (NSM)	5,755	5,755
	MODIFICATION OF MISSILES		
18	TOMAHAWK MODS	540,944	540,944
19	ESSM	290,129	290,129
20	AARGM-ER	162,429	162,429
21	AARGM-ER	33,273	33,273
22	STANDARD MISSILES MODS	89,255	89,255
	SUPPORT EQUIPMENT & FACILITIES		
23	WEAPONS INDUSTRIAL FACILITIES	2,037	2,037
	ORDNANCE SUPPORT EQUIPMENT		
25	ORDNANCE SUPPORT EQUIPMENT	208,154	208,154
	TORPEDOES AND RELATED EQUIP		
26	SSTD	4,830	4,830
27	MK-48 TORPEDO	308,497	308,497
28	ASW TARGETS	14,817	14,817
	MOD OF TORPEDOES AND RELATED EQUIP		
29	MK-54 TORPEDO MODS	104,086	104,086
30	MK-48 TORPEDO ADCAP MODS	20,714	20,714
31	MARITIME MINES	58,800	58,800
	SUPPORT EQUIPMENT		
32	TORPEDO SUPPORT EQUIPMENT	133,187	133,187
33	ASW RANGE SUPPORT	4,146	4,146
	DESTINATION TRANSPORTATION		
34	FIRST DESTINATION TRANSPORTATION	5,811	5,811
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	14,165	14,165
	MODIFICATION OF GUNS AND GUN MOUNTS		
36	CIWS MODS	4,088	4,088
37	COAST GUARD WEAPONS	53,172	53,172
38	GUN MOUNT MODS	82,682	82,682
39	LCS MODULE WEAPONS	3,264	3,264
40	AIRBORNE MINE NEUTRALIZATION SYSTEMS	14,357	14,357
	SPARES AND REPAIR PARTS		
42	SPARES AND REPAIR PARTS	177,819	177,819
	TOTAL WEAPONS PROCUREMENT, NAVY	6,876,385	6,876,385
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	43,519	43,519
2	JDAM	73,689	73,689
3	AIRBORNE ROCKETS, ALL TYPES	67,423	67,423
4	MACHINE GUN AMMUNITION	11,862	11,862
5	PRACTICE BOMBS	52,481	52,481
6	CARTRIDGES & CART ACTUATED DEVICES	72,426	72,426
7	AIR EXPENDABLE COUNTERMEASURES	104,529	104,529
8	JATOS	7,433	7,433
9	5 INCH/54 GUN AMMUNITION	30,871	30,871
10	INTERMEDIATE CALIBER GUN AMMUNITION	41,261	41,261
11	OTHER SHIP GUN AMMUNITION	44,044	44,044
12	SMALL ARMS & LANDING PARTY AMMO	48,478	48,478
13	PYROTECHNIC AND DEMOLITION	9,521	9,521
14	AMMUNITION LESS THAN \$5 MILLION	1,679	1,679
15	EXPEDITIONARY LOITERING MUNITIONS	249,575	249,575
	MARINE CORPS AMMUNITION		
16	MORTARS	61,274	61,274
17	DIRECT SUPPORT MUNITIONS	73,338	73,338
18	INFANTRY WEAPONS AMMUNITION	178,240	178,240
19	COMBAT SUPPORT MUNITIONS	15,897	15,897
20	AMMO MODERNIZATION	17,941	17,941
21	ARTILLERY MUNITIONS	82,452	82,452
22	ITEMS LESS THAN \$5 MILLION	5,340	5,340
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	1,293,273	1,293,273
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	2,443,598	2,443,598
2	OHIO REPLACEMENT SUBMARINE	3,390,734	3,390,734

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
OTHER WARSHIPS			
3	CARRIER REPLACEMENT PROGRAM	1,115,296	1,115,296
4	CVN-81	800,492	800,492
5	VIRGINIA CLASS SUBMARINE	7,129,965	7,129,965
6	VIRGINIA CLASS SUBMARINE	3,215,539	3,215,539
8	CVN REFUELING OVERHAULS	817,646	817,646
9	DDG 1000	410,400	410,400
10	DDG-51	4,199,179	4,199,179
11	DDG-51	284,035	284,035
13	FFG-FRIGATE	2,173,698	2,173,698
AMPHIBIOUS SHIPS			
14	LPD FLIGHT II	0	1,863,000
	Program increase for LPD-33—USMC UFR		[1,863,000]
18	LHA REPLACEMENT	1,830,149	1,830,149
AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST			
21	AS SUBMARINE TENDER	1,733,234	1,733,234
22	TAO FLEET OILER	815,420	815,420
25	LCU 1700	62,532	62,532
26	OUTFITTING	557,365	557,365
28	SERVICE CRAFT	63,815	63,815
29	AUXILIARY PERSONNEL LIGHTER	0	72,000
	Additional APL-67 class berthing barge		[72,000]
30	LCAC SLEP	15,286	15,286
31	AUXILIARY VESSELS (USED SEALIFT)	142,008	142,008
32	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,648,559	1,648,559
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	32,848,950	34,783,950
OTHER PROCUREMENT, NAVY			
SHIP PROPULSION EQUIPMENT			
1	SURFACE POWER EQUIPMENT	14,003	14,003
GENERATORS			
2	SURFACE COMBATANT HM&E	105,441	105,441
NAVIGATION EQUIPMENT			
3	OTHER NAVIGATION EQUIPMENT	110,286	110,286
OTHER SHIPBOARD EQUIPMENT			
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	262,951	262,951
5	DDG MOD	628,532	628,532
6	FIREFIGHTING EQUIPMENT	34,782	34,782
7	COMMAND AND CONTROL SWITCHBOARD	2,458	2,458
8	LHA/LHD MIDLIFE	104,369	104,369
9	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	10,529	10,529
10	POLLUTION CONTROL EQUIPMENT	23,272	23,272
11	SUBMARINE SUPPORT EQUIPMENT	112,526	112,526
12	VIRGINIA CLASS SUPPORT EQUIPMENT	32,076	32,076
13	LCS CLASS SUPPORT EQUIPMENT	18,832	18,832
14	SUBMARINE BATTERIES	28,221	28,221
15	LPD CLASS SUPPORT EQUIPMENT	91,890	91,890
16	DDG 1000 CLASS SUPPORT EQUIPMENT	232,124	232,124
17	STRATEGIC PLATFORM SUPPORT EQUIP	25,058	25,058
18	DSSP EQUIPMENT	4,623	4,623
20	LCAC	10,794	10,794
21	UNDERWATER EOD EQUIPMENT	19,549	19,549
22	ITEMS LESS THAN \$5 MILLION	86,001	86,001
23	CHEMICAL WARFARE DETECTORS	3,288	3,288
REACTOR PLANT EQUIPMENT			
24	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	2,746,313	2,746,313
25	REACTOR POWER UNITS	2,016	2,016
26	REACTOR COMPONENTS	390,148	390,148
OCEAN ENGINEERING			
27	DIVING AND SALVAGE EQUIPMENT	18,086	18,086
SMALL BOATS			
28	STANDARD BOATS	74,963	74,963
PRODUCTION FACILITIES EQUIPMENT			
29	OPERATING FORCES IPE	187,495	187,495
OTHER SHIP SUPPORT			
30	LCS COMMON MISSION MODULES EQUIPMENT	49,060	49,060
31	LCS MCM MISSION MODULES	93,961	93,961
33	LCS SUW MISSION MODULES	12,102	12,102
34	LCS IN-SERVICE MODERNIZATION	171,704	171,704
35	SMALL & MEDIUM UUV	61,951	61,951
LOGISTIC SUPPORT			
36	LSD MIDLIFE & MODERNIZATION	7,594	7,594
SHIP SONARS			
37	SPQ-9B RADAR	7,267	7,267
38	AN/SQQ-89 SURF ASW COMBAT SYSTEM	138,065	138,065
39	SSN ACOUSTIC EQUIPMENT	463,577	463,577
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	23,452	23,452
ASW ELECTRONIC EQUIPMENT			

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Line	Item	FY 2024 Request	Senate Authorized
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	46,726	46,726
42	SSTD	14,560	14,560
43	FIXED SURVEILLANCE SYSTEM	420,069	420,069
44	SURTASS	33,910	33,910
	ELECTRONIC WARFARE EQUIPMENT		
45	AN/SLQ-32	329,513	329,513
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT	379,230	379,230
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	4,082	4,082
	OTHER SHIP ELECTRONIC EQUIPMENT		
48	COOPERATIVE ENGAGEMENT CAPABILITY	37,677	37,677
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,374	15,374
50	ATDLS	50,148	50,148
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,918	3,918
52	MINESWEEPING SYSTEM REPLACEMENT	16,814	16,814
54	NAVSTAR GPS RECEIVERS (SPACE)	37,319	37,319
55	AMERICAN FORCES RADIO AND TV SERVICE	2,750	2,750
56	STRATEGIC PLATFORM SUPPORT EQUIP	6,437	6,437
	AVIATION ELECTRONIC EQUIPMENT		
57	ASHORE ATC EQUIPMENT	89,237	89,237
58	AFLOAT ATC EQUIPMENT	90,487	90,487
59	ID SYSTEMS	59,234	59,234
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	3,343	3,343
61	NAVAL MISSION PLANNING SYSTEMS	39,180	39,180
	OTHER SHORE ELECTRONIC EQUIPMENT		
62	MARITIME INTEGRATED BROADCAST SYSTEM	6,994	6,994
63	TACTICAL/MOBILE C4I SYSTEMS	52,026	52,026
64	DCGS-N	16,579	16,579
65	CANES	467,587	467,587
66	RADIAC	16,475	16,475
67	CANES-INTELL	48,207	48,207
68	GPETE	25,761	25,761
69	MASF	16,475	16,475
70	INTEG COMBAT SYSTEM TEST FACILITY	6,345	6,345
71	EMI CONTROL INSTRUMENTATION	4,282	4,282
73	IN-SERVICE RADARS AND SENSORS	255,256	255,256
	SHIPBOARD COMMUNICATIONS		
74	BATTLE FORCE TACTICAL NETWORK	74,180	74,180
75	SHIPBOARD TACTICAL COMMUNICATIONS	29,776	29,776
76	SHIP COMMUNICATIONS AUTOMATION	96,916	96,916
77	COMMUNICATIONS ITEMS UNDER \$5M	14,107	14,107
	SUBMARINE COMMUNICATIONS		
78	SUBMARINE BROADCAST SUPPORT	73,791	73,791
79	SUBMARINE COMMUNICATION EQUIPMENT	83,178	83,178
	SATELLITE COMMUNICATIONS		
80	SATELLITE COMMUNICATIONS SYSTEMS	72,871	72,871
81	NAVY MULTIBAND TERMINAL (NMT)	37,921	37,921
	SHORE COMMUNICATIONS		
82	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,065	5,065
	CRYPTOGRAPHIC EQUIPMENT		
83	INFO SYSTEMS SECURITY PROGRAM (ISSP)	154,890	154,890
84	MIO INTEL EXPLOITATION TEAM	1,079	1,079
	CRYPTOLOGIC EQUIPMENT		
85	CRYPTOLOGIC COMMUNICATIONS EQUIP	17,483	17,483
	OTHER ELECTRONIC SUPPORT		
86	COAST GUARD EQUIPMENT	77,458	77,458
	SONOBUOYS		
88	SONOBUOYS—ALL TYPES	311,177	311,177
	AIRCRAFT SUPPORT EQUIPMENT		
89	MINOTAUR	5,396	5,396
90	WEAPONS RANGE SUPPORT EQUIPMENT	147,556	147,556
91	AIRCRAFT SUPPORT EQUIPMENT	162,273	162,273
92	ADVANCED ARRESTING GEAR (AAG)	11,930	11,930
93	ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM (EMALS)	17,836	17,836
94	METEOROLOGICAL EQUIPMENT	19,703	19,703
95	LEGACY AIRBORNE MCM	12,202	12,202
97	AVIATION SUPPORT EQUIPMENT	82,115	82,115
98	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	152,687	152,687
99	ARCHITECT & CAP FOR AUTONOMY IN NAV ENTER (AR)	1,612	1,612
	SHIP GUN SYSTEM EQUIPMENT		
100	SHIP GUN SYSTEMS EQUIPMENT	6,404	6,404
	SHIP MISSILE SYSTEMS EQUIPMENT		
101	HARPOON SUPPORT EQUIPMENT	227	227
102	SHIP MISSILE SUPPORT EQUIPMENT	294,511	294,511
103	TOMAHAWK SUPPORT EQUIPMENT	92,432	92,432
	FBM SUPPORT EQUIPMENT		
104	STRATEGIC MISSILE SYSTEMS EQUIP	325,318	325,318
	ASW SUPPORT EQUIPMENT		

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(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
105	SSN COMBAT CONTROL SYSTEMS	133,063	133,063
106	ASW SUPPORT EQUIPMENT	27,469	27,469
	OTHER ORDNANCE SUPPORT EQUIPMENT		
107	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	27,864	27,864
108	ITEMS LESS THAN \$5 MILLION	6,171	6,171
	OTHER EXPENDABLE ORDNANCE		
109	ANTI-SHIP MISSILE DECOY SYSTEM	56,630	56,630
110	SUBMARINE TRAINING DEVICE MODS	76,954	76,954
111	SURFACE TRAINING EQUIPMENT	209,487	209,487
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
112	PASSENGER CARRYING VEHICLES	3,827	3,827
113	GENERAL PURPOSE TRUCKS	4,570	4,570
114	CONSTRUCTION & MAINTENANCE EQUIP	56,829	56,829
115	FIRE FIGHTING EQUIPMENT	16,583	16,583
116	TACTICAL VEHICLES	24,236	24,236
117	AMPHIBIOUS EQUIPMENT	4,504	4,504
118	POLLUTION CONTROL EQUIPMENT	3,898	3,898
119	ITEMS LESS THAN \$5 MILLION	67,286	67,286
120	PHYSICAL SECURITY VEHICLES	1,286	1,286
	SUPPLY SUPPORT EQUIPMENT		
121	SUPPLY EQUIPMENT	33,258	33,258
122	FIRST DESTINATION TRANSPORTATION	6,977	6,977
123	SPECIAL PURPOSE SUPPLY SYSTEMS	659,529	659,529
	TRAINING DEVICES		
124	TRAINING SUPPORT EQUIPMENT	2,083	2,083
125	TRAINING AND EDUCATION EQUIPMENT	106,542	106,542
	COMMAND SUPPORT EQUIPMENT		
126	COMMAND SUPPORT EQUIPMENT	44,448	44,448
127	MEDICAL SUPPORT EQUIPMENT	12,529	12,529
129	NAVAL MIP SUPPORT EQUIPMENT	5,408	5,408
130	OPERATING FORCES SUPPORT EQUIPMENT	12,105	12,105
131	CHSR EQUIPMENT	7,670	7,670
132	ENVIRONMENTAL SUPPORT EQUIPMENT	52,597	52,597
133	PHYSICAL SECURITY EQUIPMENT	108,901	108,901
134	ENTERPRISE INFORMATION TECHNOLOGY	42,154	42,154
	OTHER		
139	NEXT GENERATION ENTERPRISE SERVICE	177,585	177,585
140	CYBERSPACE ACTIVITIES	23,176	23,176
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	16,290	16,290
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	645,900	645,900
143	VIRGINIA CLASS (VACL) SPARES AND REPAIR PARTS	470,000	470,000
	TOTAL OTHER PROCUREMENT, NAVY	14,535,257	14,535,257
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	3,353	3,353
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	557,564	557,564
3	LAV PIP	42,052	42,052
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	489	489
5	ARTILLERY WEAPONS SYSTEM	163,268	163,268
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	14,004	14,004
	GUIDED MISSILES		
7	TOMAHAWK	105,192	105,192
8	NAVAL STRIKE MISSILE (NSM)	169,726	169,726
9	NAVAL STRIKE MISSILE (NSM)	39,244	39,244
10	GROUND BASED AIR DEFENSE	249,103	253,603
	Program increase		[4,500]
11	ANTI-ARMOR MISSILE-JAVELIN	54,883	54,883
12	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	23,627	23,627
13	ANTI-ARMOR MISSILE-TOW	2,007	2,007
14	GUIDED MLRS ROCKET (GMLRS)	8,867	8,867
	COMMAND AND CONTROL SYSTEMS		
15	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	75,382	75,382
	REPAIR AND TEST EQUIPMENT		
16	REPAIR AND TEST EQUIPMENT	53,590	53,590
	OTHER SUPPORT (TEL)		
17	MODIFICATION KITS	1,782	1,782
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
18	ITEMS UNDER \$5 MILLION (COMM & ELEC)	122,917	122,917
19	AIR OPERATIONS C2 SYSTEMS	23,744	23,744
	RADAR + EQUIPMENT (NON-TEL)		
20	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	66,291	66,291
	INTELL/COMM EQUIPMENT (NON-TEL)		
21	ELECTRO MAGNETIC SPECTRUM OPERATIONS (EMSO)	177,270	177,270
22	GCSS-MC	4,144	4,144

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Line	Item	FY 2024 Request	Senate Authorized
23	FIRE SUPPORT SYSTEM	58,483	58,483
24	INTELLIGENCE SUPPORT EQUIPMENT	148,062	148,062
26	UNMANNED AIR SYSTEMS (INTEL)	52,273	52,273
27	DCGS-MC	68,289	68,289
28	UAS PAYLOADS	19,088	19,088
	OTHER SUPPORT (NON-TEL)		
31	EXPEDITIONARY SUPPORT EQUIPMENT	2,010	2,010
32	MARINE CORPS ENTERPRISE NETWORK (MCEN)	259,044	259,044
33	COMMON COMPUTER RESOURCES	27,966	27,966
34	COMMAND POST SYSTEMS	71,109	71,109
35	RADIO SYSTEMS	544,059	544,059
36	COMM SWITCHING & CONTROL SYSTEMS	46,276	46,276
37	COMM & ELEC INFRASTRUCTURE SUPPORT	27,111	27,111
38	CYBERSPACE ACTIVITIES	27,583	27,583
40	UNMANNED EXPEDITIONARY SYSTEMS	13,564	13,564
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	2,799	2,799
	ADMINISTRATIVE VEHICLES		
43	COMMERCIAL CARGO VEHICLES	34,169	34,169
	TACTICAL VEHICLES		
44	MOTOR TRANSPORT MODIFICATIONS	17,299	17,299
45	JOINT LIGHT TACTICAL VEHICLE	232,501	232,501
46	TRAILERS	2,034	2,034
	ENGINEER AND OTHER EQUIPMENT		
47	TACTICAL FUEL SYSTEMS	12,956	12,956
48	POWER EQUIPMENT ASSORTED	28,899	28,899
49	AMPHIBIOUS SUPPORT EQUIPMENT	15,691	15,691
50	EOD SYSTEMS	41,200	41,200
	MATERIALS HANDLING EQUIPMENT		
51	PHYSICAL SECURITY EQUIPMENT	53,949	53,949
	GENERAL PROPERTY		
52	FIELD MEDICAL EQUIPMENT	5,457	5,457
53	TRAINING DEVICES	96,577	96,577
54	FAMILY OF CONSTRUCTION EQUIPMENT	29,883	29,883
55	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	17,034	17,034
	OTHER SUPPORT		
56	ITEMS LESS THAN \$5 MILLION	27,691	27,691
	SPARES AND REPAIR PARTS		
57	SPARES AND REPAIR PARTS	35,657	35,657
	TOTAL PROCUREMENT, MARINE CORPS	3,979,212	3,983,712
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
1	B-21 RAIDER	1,617,093	1,617,093
2	B-21 RAIDER	708,000	708,000
	TACTICAL FORCES		
3	F-35	4,877,121	4,877,121
4	F-35	402,000	402,000
5	F-15EX	2,670,039	2,469,591
	DAF requested realignment of funds		[-200,448]
6	F-15EX	228,000	228,000
	TACTICAL AIRLIFT		
7	KC-46A MDAP	2,882,590	2,882,590
	OTHER AIRLIFT		
8	C-130J	34,921	34,921
	HELICOPTERS		
11	MH-139A	228,807	228,807
12	COMBAT RESCUE HELICOPTER	282,533	282,533
	MISSION SUPPORT AIRCRAFT		
13	CIVIL AIR PATROL A/C	3,013	3,013
	OTHER AIRCRAFT		
15	TARGET DRONES	42,226	42,226
17	E-11 BACN/HAG	67,367	67,367
	STRATEGIC AIRCRAFT		
19	B-2A	107,980	107,980
20	B-1B	12,757	9,782
	DAF requested realignment of funds		[-2,975]
21	B-52	65,815	51,798
	DAF requested realignment of funds		[-14,017]
22	LARGE AIRCRAFT INFRARED COUNTERMEASURES	21,723	21,723
	TACTICAL AIRCRAFT		
24	E-11 BACN/HAG	58,923	58,923
25	F-15	34,830	155,278
	DAF requested realignment of funds		[120,448]
26	F-16	297,342	297,342
27	F-22A	794,676	794,676
28	F-35 MODIFICATIONS	451,798	451,798
29	F-15 EPAW	280,658	280,658

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Line	Item	FY 2024 Request	Senate Authorized
AIRLIFT AIRCRAFT			
31	C-5	24,377	24,377
32	C-17A	140,560	140,560
33	C-32A	19,060	19,060
34	C-37A	13,454	13,454
TRAINER AIRCRAFT			
35	GLIDER MODS	5,270	5,270
36	T-6	2,942	2,942
37	T-1	10,950	10,950
38	T-38	125,340	125,340
OTHER AIRCRAFT			
40	U-2 MODS	54,727	54,727
42	C-12	446	446
44	VC-25A MOD	29,707	29,707
45	C-40	8,921	8,921
46	C-130	71,177	71,177
47	C-130J MODS	121,258	121,258
48	C-135	153,595	153,595
49	COMPASS CALL	144,686	144,686
50	COMBAT FLIGHT INSPECTION—CFIN	446	446
51	RC-135	220,138	240,138
	RC-135 alternate PNT upgrades		[20,000]
52	E-3	1,350	1,350
53	E-4	13,055	13,055
56	H-1	816	816
57	H-60	4,207	4,207
60	HC/MC-130 MODIFICATIONS	101,055	101,055
61	OTHER AIRCRAFT	54,134	73,403
	DAF requested realignment of funds		[11,619]
	DAF requested realignment of funds for SLPA-A		[7,650]
62	MQ-9 MODS	98,063	98,063
64	SENIOR LEADER C3 SYSTEM—AIRCRAFT	24,847	24,847
65	CV-22 MODS	153,006	153,006
AIRCRAFT SPARES AND REPAIR PARTS			
66	INITIAL SPARES/REPAIR PARTS	781,521	772,877
	DAF requested realignment of funds		[-8,644]
COMMON SUPPORT EQUIPMENT			
67	AIRCRAFT REPLACEMENT SUPPORT EQUIP	157,664	157,664
POST PRODUCTION SUPPORT			
68	B-2A	1,838	1,838
69	B-2B	15,207	15,207
72	MC-130J	10,117	10,117
74	F-16	1,075	1,075
75	F-22A	38,418	38,418
INDUSTRIAL PREPAREDNESS			
79	INDUSTRIAL RESPONSIVENESS	18,874	18,874
WAR CONSUMABLES			
80	WAR CONSUMABLES	27,482	27,482
OTHER PRODUCTION CHARGES			
81	OTHER PRODUCTION CHARGES	1,478,044	1,558,044
	DAF requested realignment of funds		[80,000]
CLASSIFIED PROGRAMS			
9999	CLASSIFIED PROGRAMS	17,165	17,165
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	20,315,204	20,328,837
MISSILE PROCUREMENT, AIR FORCE			
MISSILE REPLACEMENT EQUIPMENT—BALLISTIC			
1	MISSILE REPLACEMENT EQ-BALLISTIC	69,319	69,319
BALLISTIC MISSILES			
3	GROUND BASED STRATEGIC DETERRENT	539,300	539,300
STRATEGIC			
TACTICAL			
4	LONG RANGE STAND-OFF WEAPON	66,816	66,816
5	REPLAC EQUIP & WAR CONSUMABLES	37,318	37,318
6	JOINT AIR-SURFACE STANDOFF MISSILE	915,996	915,996
7	JOINT AIR-SURFACE STANDOFF MISSILE	769,672	769,672
8	JOINT STRIKE MISSILE	161,011	161,011
9	LRASM0	87,796	87,796
10	LRASM0	99,871	99,871
11	SIDEWINDER (AIM-9X)	95,643	95,643
12	AMRAAM	489,049	489,049
13	AMRAAM	212,410	212,410
14	PREDATOR HELLFIRE MISSILE	1,049	1,049
15	SMALL DIAMETER BOMB	48,734	48,734
16	SMALL DIAMETER BOMB II	291,553	291,553
17	STAND-IN ATTACK WEAPON (SIAW)	41,947	41,947
INDUSTRIAL FACILITIES			
18	INDUSTRIAL PREPAREDNESS/POL PREVENTION	793	793

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Line	Item	FY 2024 Request	Senate Authorized
	CLASS IV		
19	ICBM FUZE MOD	115,745	115,745
20	ICBM FUZE MOD	43,044	43,044
21	MM III MODIFICATIONS	48,639	48,639
22	AIR LAUNCH CRUISE MISSILE (ALCM)	41,494	41,494
	MISSILE SPARES AND REPAIR PARTS		
23	MSL SPRS/REPAIR PARTS (INITIAL)	6,840	6,840
24	MSL SPRS/REPAIR PARTS (REPLEN)	75,191	75,191
	SPECIAL PROGRAMS		
29	SPECIAL UPDATE PROGRAMS	419,498	419,498
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	851,718	851,718
	TOTAL MISSILE PROCUREMENT, AIR FORCE	5,530,446	5,530,446
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	18,483	18,483
	CARTRIDGES		
2	CARTRIDGES	101,104	101,104
	BOMBS		
4	GENERAL PURPOSE BOMBS	142,118	142,118
5	MASSIVE ORDNANCE PENETRATOR (MOP)	14,074	14,074
6	JOINT DIRECT ATTACK MUNITION	132,364	132,364
7	B-61	68	68
8	B61-12 TRAINER	10,100	10,100
	OTHER ITEMS		
9	CAD/PAD	51,487	51,487
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,707	6,707
11	SPARES AND REPAIR PARTS	585	585
13	FIRST DESTINATION TRANSPORTATION	2,299	2,299
14	ITEMS LESS THAN \$5,000,000	5,115	5,115
	FLARES		
15	EXPENDABLE COUNTERMEASURES	79,786	79,786
	FUZES		
16	FUZES	109,562	109,562
	SMALL ARMS		
17	SMALL ARMS	29,306	29,306
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	703,158	703,158
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
1	AF SATELLITE COMM SYSTEM	64,345	64,345
3	COUNTERSPACE SYSTEMS	52,665	52,665
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	25,057	25,057
5	FABT FORCE ELEMENT TERMINAL	121,634	121,634
7	GENERAL INFORMATION TECH—SPACE	3,451	3,451
8	GPSIII FOLLOW ON	119,700	119,700
9	GPS III SPACE SEGMENT	121,770	121,770
10	GLOBAL POSITIONING (SPACE)	893	893
11	HERITAGE TRANSITION	6,110	6,110
12	JOINT TACTICAL GROUND STATIONS	580	580
13	SPACEBORNE EQUIP (COMSEC)	83,168	83,168
14	MILSATCOM	44,672	44,672
15	SBIR HIGH (SPACE)	39,438	39,438
16	SPECIAL SPACE ACTIVITIES	840,913	380,213
	Space Force realignment of funds		[−497,000]
	Space Force Unfunded Priorities List Classified Program A		[36,300]
17	MOBILE USER OBJECTIVE SYSTEM	101,147	101,147
18	NATIONAL SECURITY SPACE LAUNCH	2,142,846	2,142,846
20	PTES HUB	56,482	56,482
21	ROCKET SYSTEMS LAUNCH PROGRAM	74,848	74,848
22	SPACE DEVELOPMENT AGENCY LAUNCH	529,468	529,468
23	SPACE MODS	166,596	166,596
24	SPACELIFT RANGE SYSTEM SPACE	114,505	114,505
	SPARES		
25	SPARES AND REPAIR PARTS	906	906
	SUPPORT EQUIPMENT		
26	POWER CONDITIONING EQUIPMENT	3,100	3,100
	TOTAL PROCUREMENT, SPACE FORCE	4,714,294	4,253,594
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	6,123	6,123
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	3,961	3,961
3	CAP VEHICLES	1,027	1,027
4	CARGO AND UTILITY VEHICLES	45,036	47,338
	DAF requested realignment of funds		[328]

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Line	Item	FY 2024 Request	Senate Authorized
	DAF requested realignment of funds from OMAF SAG 11R		[1,974]
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	57,780	57,780
6	SECURITY AND TACTICAL VEHICLES	390	390
7	SPECIAL PURPOSE VEHICLES	79,023	82,803
	DAF requested realignment of funds		[340]
	DAF requested realignment of funds from OMAF SAG 11R		[3,440]
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	70,252	70,252
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	73,805	75,895
	DAF requested realignment of funds from OMAF SAG 11R		[1,805]
	DAF requested realignment of funds from OPAF line 11		[285]
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	22,030	22,030
11	BASE MAINTENANCE SUPPORT VEHICLES	223,354	240,634
	DAF requested realignment of funds		[-953]
	DAF requested realignment of funds from OMAF SAG 11R		[18,233]
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	98,600	98,600
	INTELLIGENCE PROGRAMS		
15	INTERNATIONAL INTEL TFECH & ARCHITECTURES	5,393	5,393
16	INTELLIGENCE TRAINING EQUIPMENT	5,012	5,012
17	INTELLIGENCE COMM EQUIPMENT	40,042	40,042
	ELECTRONICS PROGRAMS		
18	AIR TRAFFIC CONTROL & LANDING SYS	67,581	67,581
19	NATIONAL AIRSPACE SYSTEM	3,841	3,841
20	BATTLE CONTROL SYSTEM—FIXED	1,867	1,867
22	3D EXPEDITIONARY LONG-RANGE RADAR	83,735	83,735
23	WEATHER OBSERVATION FORECAST	28,530	28,530
24	STRATEGIC COMMAND AND CONTROL	73,593	73,593
25	CHEYENNE MOUNTAIN COMPLEX	8,221	8,221
26	MISSION PLANNING SYSTEMS	17,078	17,078
29	STRATEGIC MISSION PLANNING & EXECUTION SYSTEM	3,861	3,861
	SPCL COMM-ELECTRONICS PROJECTS		
30	GENERAL INFORMATION TECHNOLOGY	206,142	237,093
	DAF requested realignment of funds		[30,951]
31	AF GLOBAL COMMAND & CONTROL SYS	2,582	2,582
32	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	30	30
33	MOBILITY COMMAND AND CONTROL	3,768	3,768
34	AIR FORCE PHYSICAL SECURITY SYSTEM	208,704	208,704
35	COMBAT TRAINING RANGES	346,340	346,340
36	MINIMUM ESSENTIAL EMERGENCY COMM N	84,102	84,102
37	WIDE AREA SURVEILLANCE (WAS)	11,594	11,594
38	C3 COUNTERMEASURES	148,818	148,818
44	AIR & SPACE OPERATIONS CENTER (AOC)	5,032	5,032
	AIR FORCE COMMUNICATIONS		
46	BASE INFORMATION TRANSP T INFRAST (BITI) WIRED	108,532	322,704
	DAF requested realignment of funds		[214,172]
47	AFNET	154,911	154,911
48	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,381	5,381
49	USCENTCOM	18,025	18,025
50	USSTRATCOM	4,436	4,436
51	USSPACECOM	27,073	27,073
	ORGANIZATION AND BASE		
52	TACTICAL C-E EQUIPMENT	226,819	226,819
53	RADIO EQUIPMENT	30,407	30,407
54	BASE COMM INFRASTRUCTURE	113,563	113,563
	MODIFICATIONS		
55	COMM ELECT MODS	98,224	98,224
	PERSONAL SAFETY & RESCUE EQUIP		
56	PERSONAL SAFETY AND RESCUE EQUIPMENT	60,473	60,473
	DEPOT PLANT+MTRLS HANDLING EQ		
57	POWER CONDITIONING EQUIPMENT	9,235	9,235
58	MECHANIZED MATERIAL HANDLING EQUIP	15,662	15,662
	BASE SUPPORT EQUIPMENT		
59	BASE PROCURED EQUIPMENT	77,875	77,875
60	ENGINEERING AND EOD EQUIPMENT	280,734	288,968
	DAF requested realignment of funds		[2,284]
	DAF requested realignment of funds from OMAF SAG 11R		[5,950]
61	MOBILITY EQUIPMENT	207,071	232,271
	DAF requested realignment of funds from OMAF SAG 11R		[25,200]
62	FUELS SUPPORT EQUIPMENT (FSE)	218,790	218,790
63	BASE MAINTENANCE AND SUPPORT EQUIPMENT	51,914	51,914
	SPECIAL SUPPORT PROJECTS		
65	DARP RC135	28,882	28,882
66	DCGS-AF	129,655	129,655
70	SPECIAL UPDATE PROGRAM	1,042,833	1,042,833

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
CLASSIFIED PROGRAMS			
9999	CLASSIFIED PROGRAMS	25,456,490	25,456,490
SPARES AND REPAIR PARTS			
71	SPARES AND REPAIR PARTS (CYBER)	1,032	1,032
72	SPARES AND REPAIR PARTS	12,628	12,628
	TOTAL OTHER PROCUREMENT, AIR FORCE	30,417,892	30,721,901
PROCUREMENT, DEFENSE-WIDE			
MAJOR EQUIPMENT, DCSA			
29	MAJOR EQUIPMENT	2,135	2,135
MAJOR EQUIPMENT, DHRA			
43	PERSONNEL ADMINISTRATION	3,704	3,704
MAJOR EQUIPMENT, DISA			
11	INFORMATION SYSTEMS SECURITY	12,275	12,275
12	TELEPORT PROGRAM	42,399	42,399
14	ITEMS LESS THAN \$5 MILLION	47,538	47,538
15	DEFENSE INFORMATION SYSTEM NETWORK	39,472	39,472
16	WHITE HOUSE COMMUNICATION AGENCY	118,523	118,523
17	SENIOR LEADERSHIP ENTERPRISE	94,591	94,591
18	JOINT REGIONAL SECURITY STACKS (JRSS)	22,714	15,714
	Program reduction		[-7,000]
19	JOINT SERVICE PROVIDER	107,637	107,637
20	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	33,047	33,047
MAJOR EQUIPMENT, DLA			
28	MAJOR EQUIPMENT	30,355	30,355
MAJOR EQUIPMENT, DMACT			
50	MAJOR EQUIPMENT	13,012	13,012
MAJOR EQUIPMENT, DODEA			
49	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,358	1,358
MAJOR EQUIPMENT, DPAA			
1	MAJOR EQUIPMENT, DPAA	516	516
MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY			
46	VEHICLES	366	366
47	OTHER MAJOR EQUIPMENT	12,787	12,787
48	DTRA CYBER ACTIVITIES	21,413	21,413
MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY			
31	THAAD	216,782	216,782
33	AEGIS BMD	374,756	374,756
35	BMDs AN/TPY-2 RADARS	29,108	29,108
36	SM-3 HAS	432,824	432,824
37	ARROW 3 UPPER TIER SYSTEMS	80,000	80,000
38	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	40,000	40,000
39	DEFENSE OF GUAM PROCUREMENT	169,627	169,627
40	AEGIS ASHORE PHASE III	2,390	2,390
41	IRON DOME	80,000	80,000
42	AEGIS BMD HARDWARE AND SOFTWARE	27,825	27,825
MAJOR EQUIPMENT, OSD			
2	MAJOR EQUIPMENT, OSD	186,006	186,006
MAJOR EQUIPMENT, TJS			
30	MAJOR EQUIPMENT, TJS	3,747	3,747
MAJOR EQUIPMENT, USCYBERCOM			
51	CYBERSPACE OPERATIONS	129,082	160,082
	Modernization of Department of Defense Internet Gateway Cyber Defense		[31,000]
CLASSIFIED PROGRAMS			
9999	CLASSIFIED PROGRAMS	658,529	658,529
AVIATION PROGRAMS			
53	ARMED OVERWATCH/TARGETING	266,846	266,846
54	MANNED ISR	7,000	7,000
55	MC-12	600	600
57	ROTARY WING UPGRADES AND SUSTAINMENT	261,012	261,012
58	UNMANNED ISR	26,997	26,997
59	NON-STANDARD AVIATION	25,782	25,782
60	U-28	7,198	7,198
61	MH-47 CHINOOK	149,883	149,883
62	CV-22 MODIFICATION	75,981	75,981
63	MQ-9 UNMANNED AERIAL VEHICLE	17,684	17,684
64	PRECISION STRIKE PACKAGE	108,497	108,497
65	AC/MC-130J	319,754	319,754
66	C-130 MODIFICATIONS	18,796	18,796
SHIPBUILDING			
67	UNDERWATER SYSTEMS	66,111	78,171
	Seal Delivery Vehicle (SDV) Sonar Payload for Subsea Seabed Acceleration		[12,060]
AMMUNITION PROGRAMS			
68	ORDNANCE ITEMS <\$5M	147,831	147,831
OTHER PROCUREMENT PROGRAMS			
69	INTELLIGENCE SYSTEMS	203,400	203,400
70	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,718	5,718
71	OTHER ITEMS <\$5M	108,816	108,816

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
72	COMBATANT CRAFT SYSTEMS	55,064	55,064
73	SPECIAL PROGRAMS	20,412	20,412
74	TACTICAL VEHICLES	56,561	56,561
75	WARRIOR SYSTEMS <\$5M	329,837	344,637
	Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat Acceleration		[14,800]
76	COMBAT MISSION REQUIREMENTS	4,987	4,987
77	OPERATIONAL ENHANCEMENTS INTELLIGENCE	23,639	23,639
78	OPERATIONAL ENHANCEMENTS	322,341	322,341
	CBDP		
79	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	159,884	159,884
80	CB PROTECTION & HAZARD MITIGATION	231,826	236,826
	Chemical nerve agent countermeasures		[5,000]
	TOTAL PROCUREMENT, DEFENSE-WIDE	6,056,975	6,112,835
	TOTAL PROCUREMENT	167,988,341	169,840,643

1 **TITLE XLII—RESEARCH, DEVEL-**
 2 **OPMENT, TEST, AND EVALUA-**
 3 **TION**
 4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601102A	DEFENSE RESEARCH SCIENCES	296,670	296,670
2	0601103A	UNIVERSITY RESEARCH INITIATIVES	75,672	75,672
3	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	108,946	108,946
4	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,459	5,459
5	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,708	10,708
		SUBTOTAL BASIC RESEARCH	497,455	497,455
		APPLIED RESEARCH		
6	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RESEARCH.	5,613	5,613
8	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	6,242	6,242
9	0602141A	LETHALITY TECHNOLOGY	85,578	85,578
10	0602142A	ARMY APPLIED RESEARCH	34,572	34,572
11	0602143A	SOLDIER LETHALITY TECHNOLOGY	104,470	114,470
		Airborne Pathfinder		[10,000]
12	0602144A	GROUND TECHNOLOGY	60,005	80,005
		Critical hybrid advanced materials processing		[7,000]
		Engineered repair materials for roadways		[3,000]
		Polar proving ground and training program		[5,000]
		Titanium metal powder production technology		[5,000]
13	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	166,500	181,500
		Fuel cells for next generation combat vehicles		[5,000]
		Hydrogen fuel source research and development		[10,000]
14	0602146A	NETWORK C3I TECHNOLOGY	81,618	81,618
15	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	34,683	34,683
16	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	73,844	73,844
17	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	33,301	38,301
		Counter-Unmanned Aircraft Systems technology		[5,000]
18	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	24,142	24,142
19	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	14,297	14,297
20	0602182A	C3I APPLIED RESEARCH	30,659	30,659
21	0602183A	AIR PLATFORM APPLIED RESEARCH	48,163	48,163
22	0602184A	SOLDIER APPLIED RESEARCH	18,986	18,986
23	0602213A	C3I APPLIED CYBER	22,714	22,714
24	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	16,736	16,736
25	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	19,969	19,969

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
26	0602787A	MEDICAL TECHNOLOGY	66,266	71,266
		Preventing trauma-related stress disorder		[5,000]
		SUBTOTAL APPLIED RESEARCH	948,358	1,003,358
		ADVANCED TECHNOLOGY DEVELOPMENT		
27	0603002A	MEDICAL ADVANCED TECHNOLOGY	4,147	4,147
28	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	16,316	16,316
29	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	23,156	23,156
30	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES	13,187	18,187
		Tactical artificial intelligence and machine learning		[5,000]
31	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	33,332	33,332
32	0603042A	C3I ADVANCED TECHNOLOGY	19,225	19,225
33	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	14,165	14,165
34	0603044A	SOLDIER ADVANCED TECHNOLOGY	1,214	1,214
36	0603116A	LETHALITY ADVANCED TECHNOLOGY	20,582	20,582
37	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	136,280	136,280
38	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	102,778	102,778
39	0603119A	GROUND ADVANCED TECHNOLOGY	40,597	45,597
		Advanced composites and multi-material protective systems		[5,000]
40	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	21,672	21,672
41	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	59,871	59,871
42	0603457A	C3I CYBER ADVANCED DEVELOPMENT	28,847	28,847
43	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	255,772	263,772
		High Performance Computing Modernization Program increase		[10,000]
44	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY	217,394	224,394
		Advanced Manufacturing Center of Excellence		[7,000]
45	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	105,549	105,549
46	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	153,024	158,024
		Aluminum-Lithium Alloy Solid Rocket Motor		[5,000]
47	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	158,795	158,795
48	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	21,015	26,015
		Rapid Assurance Modernization Program-Test		[5,000]
49	0603920A	HUMANITARIAN DEMINING	9,068	9,068
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,455,986	1,492,986
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
51	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	12,904	12,904
52	0603308A	ARMY SPACE SYSTEMS INTEGRATION	19,120	19,120
54	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	47,537	47,537
55	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	91,323	91,323
56	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	43,026	43,026
57	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,550	3,550
58	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	65,567	65,567
59	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	73,675	73,675
60	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	31,720	31,720
61	0603790A	NATO RESEARCH AND DEVELOPMENT	4,143	4,143
62	0603801A	AVIATION—ADV DEV	1,502,160	1,502,160
63	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	7,604	7,604
64	0603807A	MEDICAL SYSTEMS—ADV DEV	1,602	1,602
65	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	27,681	27,681
66	0604017A	ROBOTICS DEVELOPMENT	3,024	3,024
67	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	97,018	97,018
68	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING	117,557	117,557
69	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	38,851	38,851
70	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	191,394	191,394
71	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV	10,626	10,626
72	0604100A	ANALYSIS OF ALTERNATIVES	11,095	11,095
73	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	5,144	5,144
74	0604103A	ELECTRONIC WARFARE PLANNING AND MANAGEMENT TOOL (EWPMT)	2,260	2,260
75	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	53,143	53,143
76	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	816,663	816,663
77	0604115A	TECHNOLOGY MATURATION INITIATIVES	281,314	281,314
78	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	281,239	281,239
79	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	204,914	204,914
80	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) ..	40,930	40,930

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
81	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	109,714	109,714
82	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	16,426	16,426
83	0604135A	STRATEGIC MID-RANGE FIRES	31,559	31,559
84	0604182A	HYPERSONICS	43,435	43,435
85	0604403A	FUTURE INTERCEPTOR	8,040	8,040
86	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT.	64,242	64,242
87	0604541A	UNIFIED NETWORK TRANSPORT	40,915	40,915
9999	9999999999	CLASSIFIED PROGRAMS	19,200	19,200
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	4,420,315	4,420,315
		SYSTEM DEVELOPMENT & DEMONSTRATION		
91	0604201A	AIRCRAFT AVIONICS	13,673	13,673
92	0604270A	ELECTRONIC WARFARE DEVELOPMENT	12,789	12,789
93	0604601A	INFANTRY SUPPORT WEAPONS	64,076	64,076
94	0604604A	MEDIUM TACTICAL VEHICLES	28,226	28,226
95	0604611A	JAVELIN	7,827	7,827
96	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	44,197	44,197
97	0604633A	AIR TRAFFIC CONTROL	1,134	1,134
98	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	142,125	142,125
99	0604642A	LIGHT TACTICAL WHEELED VEHICLES	53,564	53,564
100	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	102,201	102,201
101	0604710A	NIGHT VISION SYSTEMS—ENG DEV	48,720	56,220
		Enhanced Night Vision Goggle—Binocular capability enhancements ..		[7,500]
102	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,223	2,223
103	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	21,441	21,441
104	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	74,738	74,738
105	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	30,985	30,985
106	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	13,626	13,626
107	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	8,802	8,802
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	20,828	20,828
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV	243,851	243,851
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	37,420	42,420
		Ultra-Lightweight Camouflage Net System		[5,000]
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	34,214	34,214
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	6,496	6,496
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	13,581	13,581
114	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	168,574	168,574
115	0604820A	RADAR DEVELOPMENT	94,944	94,944
116	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	2,965	2,965
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	11,333	11,333
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD.	79,250	79,250
119	0604854A	ARTILLERY SYSTEMS—EMD	42,490	42,490
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	104,024	104,024
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A).	102,084	102,084
123	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	18,662	18,662
124	0605031A	JOINT TACTICAL NETWORK (JTN)	30,328	30,328
125	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	11,509	11,509
126	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD) ...	1,050	1,050
128	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	27,714	27,714
129	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	4,318	4,318
130	0605047A	CONTRACT WRITING SYSTEM	16,355	16,355
131	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM)	27,571	27,571
132	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	24,900	24,900
133	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	196,248	196,248
134	0605053A	GROUND ROBOTICS	35,319	35,319
135	0605054A	EMERGING TECHNOLOGY INITIATIVES	201,274	201,274
137	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	36,970	36,970
139	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	132,136	132,136
140	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	81,657	81,657
141	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	31,284	31,284
142	0605206A	CI AND HUMINT EQUIPMENT PROGRAM-ARMY (CIHEP-A) ...	2,170	2,170
143	0605216A	JOINT TARGETING INTEGRATED COMMAND AND COORDINATION SUITE (JTIC2S).	9,290	9,290
144	0605224A	MULTI-DOMAIN INTELLIGENCE	41,003	41,003
146	0605231A	PRECISION STRIKE MISSILE (PRSM)	272,786	272,786
147	0605232A	HYPERSONICS EMD	900,920	900,920
148	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	27,361	27,361

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
149	0605235A	STRATEGIC MID-RANGE CAPABILITY	348,855	348,855
150	0605236A	INTEGRATED TACTICAL COMMUNICATIONS	22,901	22,901
151	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	3,014	3,014
152	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) ..	284,095	284,095
153	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION.	36,016	36,016
154	0605625A	MANNED GROUND VEHICLE	996,653	996,653
155	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	15,129	15,129
156	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	27,243	27,243
157	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,167	1,167
158	0303032A	TROJAN—RH12	3,879	3,879
159	0304270A	ELECTRONIC WARFARE DEVELOPMENT	137,186	137,186
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	5,639,364	5,651,864
		MANAGEMENT SUPPORT		
160	0604256A	THREAT SIMULATOR DEVELOPMENT	38,492	38,492
161	0604258A	TARGET SYSTEMS DEVELOPMENT	11,873	11,873
162	0604759A	MAJOR T&E INVESTMENT	76,167	76,167
163	0605103A	RAND ARROYO CENTER	37,078	37,078
164	0605301A	ARMY KWAJALEIN ATOLL	314,872	314,872
165	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	95,551	95,551
167	0605601A	ARMY TEST RANGES AND FACILITIES	439,118	449,118
		Radar Range Replacement Program		[10,000]
168	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TAR- GETS.	42,220	42,220
169	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	37,518	37,518
170	0605606A	AIRCRAFT CERTIFICATION	2,718	2,718
172	0605706A	MATERIEL SYSTEMS ANALYSIS	26,902	26,902
173	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,805	7,805
174	0605712A	SUPPORT OF OPERATIONAL TESTING	75,133	75,133
175	0605716A	ARMY EVALUATION CENTER	71,118	71,118
176	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG PROGRAMWIDE ACTIVITIES	11,204	11,204
177	0605801A	TECHNICAL INFORMATION ACTIVITIES	93,895	93,895
178	0605803A	TECHNICAL INFORMATION ACTIVITIES	31,327	31,327
179	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	50,409	50,409
180	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,629	1,629
181	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,843	55,843
182	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE.	91,340	91,340
183	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	6,348	6,348
185	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	6,025	6,025
		SUBTOTAL MANAGEMENT SUPPORT	1,624,585	1,634,585
		OPERATIONAL SYSTEMS DEVELOPMENT		
187	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	14,465	14,465
188	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	7,472	7,472
189	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PRO- GRAMS.	8,425	8,425
190	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	1,507	11,507
		Program increase		[10,000]
191	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	9,265	19,265
		Program increase		[10,000]
192	0607139A	IMPROVED TURBINE ENGINE PROGRAM	201,247	201,247
193	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	3,014	3,014
194	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	25,393	25,393
195	0607145A	APACHE FUTURE DEVELOPMENT	10,547	20,547
		Apache future development program increase		[10,000]
196	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	54,167	54,167
197	0607150A	INTEL CYBER DEVELOPMENT	4,345	4,345
198	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	19,000	19,000
199	0607313A	ELECTRONIC WARFARE DEVELOPMENT	6,389	6,389
200	0607315A	ENDURING TURBINE ENGINES AND POWER SYSTEMS	2,411	2,411
201	0607665A	FAMILY OF BIOMETRICS	797	797
202	0607865A	PATRIOT PRODUCT IMPROVEMENT	177,197	177,197
203	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	42,177	42,177
204	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	146,635	146,635
205	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	122,902	122,902
207	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	146	146
208	0203758A	DIGITIZATION	1,515	1,515
209	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PRO- GRAM.	4,520	4,520

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210	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	10,044	10,044
211	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	281	281
212	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,952	75,952
213	0208053A	JOINT TACTICAL GROUND SYSTEM	203	203
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	301	301
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,323	15,323
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	13,082	13,082
219	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	26,838	26,838
222	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	9,456	9,456
225	0305219A	MQ-1C GRAY EAGLE UAS	6,629	6,629
227	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	75,317	75,317
9999	9999999999	CLASSIFIED PROGRAMS	8,786	8,786
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,105,748	1,135,748
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	83,570	83,570
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	83,570	83,570
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	15,775,381	15,919,881
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	96,355	96,355
2	0601153N	DEFENSE RESEARCH SCIENCES	540,908	540,908
		SUBTOTAL BASIC RESEARCH	637,263	637,263
		APPLIED RESEARCH		
3	0602114N	POWER PROJECTION APPLIED RESEARCH	23,982	23,982
4	0602123N	FORCE PROTECTION APPLIED RESEARCH	142,148	142,148
5	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	59,208	59,208
6	0602235N	COMMON PICTURE APPLIED RESEARCH	52,090	52,090
7	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	74,722	82,722
		Research on foreign malign influence operations		[8,000]
8	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	92,473	92,473
9	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.	80,806	87,806
		Intelligent Autonomous Systems for Seabed Warfare		[7,000]
10	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	7,419	7,419
11	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	61,503	61,503
12	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	182,662	182,662
13	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.	30,435	30,435
14	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	133,828	133,828
15	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	85,063	85,063
		SUBTOTAL APPLIED RESEARCH	1,026,339	1,041,339
		ADVANCED TECHNOLOGY DEVELOPMENT		
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	29,512	29,512
17	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY ..	8,418	8,418
18	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS.	112,329	112,329
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .. Adaptive Future Force	308,217	323,217
		Hardware In the Loop capabilities		[5,000]
		Next generation unmanned aerial system distribution platform		[5,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	15,556	15,556
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	264,700	264,700
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	61,843	61,843
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	5,100	9,100
		Balloon catheter hemorrhage control device		[4,000]
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	75,898	75,898
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	2,048	2,048
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	132,931	132,931
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,016,552	1,035,552

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ADVANCED COMPONENT DEVELOPMENT & PROTO-TYPES				
27	0603128N	UNMANNED AERIAL SYSTEM	108,225	108,225
28	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV)	117,400	117,400
29	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	40,653	40,653
30	0603216N	AVIATION SURVIVABILITY	20,874	20,874
31	0603239N	NAVAL CONSTRUCTION FORCES	7,821	7,821
32	0603254N	ASW SYSTEMS DEVELOPMENT	17,090	17,090
33	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,721	3,721
34	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	6,216	6,216
35	0603502N	SURFACE AND SHALLOW WATER MINE COUNTER-MEASURES.	34,690	34,690
36	0603506N	SURFACE SHIP TORPEDO DEFENSE	730	730
37	0603512N	CARRIER SYSTEMS DEVELOPMENT	6,095	6,095
38	0603525N	PILOT FISH	916,208	916,208
39	0603527N	RETRACT LARCH	7,545	7,545
40	0603536N	RETRACT JUNIPER	271,109	271,109
41	0603542N	RADIOLOGICAL CONTROL	811	811
42	0603553N	SURFACE ASW	1,189	1,189
43	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	88,415	88,415
44	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	15,119	15,119
45	0603563N	SHIP CONCEPT ADVANCED DESIGN	89,939	89,939
46	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	121,402	121,402
47	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	319,656	319,656
48	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	133,911	133,911
49	0603576N	CHALK EAGLE	116,078	116,078
50	0603581N	LITTORAL COMBAT SHIP (LCS)	32,615	32,615
51	0603582N	COMBAT SYSTEM INTEGRATION	18,610	18,610
52	0603595N	OHIO REPLACEMENT	257,076	262,076
		Advanced composites for wet submarine applications		[5,000]
53	0603596N	LCS MISSION MODULES	31,464	31,464
54	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	10,809	10,809
55	0603599N	FRIGATE DEVELOPMENT	112,972	112,972
56	0603609N	CONVENTIONAL MUNITIONS	9,030	9,030
57	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	128,782	128,782
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT ...	44,766	44,766
59	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	10,751	10,751
60	0603721N	ENVIRONMENTAL PROTECTION	24,457	24,457
61	0603724N	NAVY ENERGY PROGRAM	72,214	72,214
62	0603725N	FACILITIES IMPROVEMENT	10,149	10,149
63	0603734N	CHALK CORAL	687,841	687,841
64	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,712	4,712
65	0603746N	RETRACT MAPLE	420,455	420,455
66	0603748N	LINK PLUMERIA	2,100,474	2,100,474
67	0603751N	RETRACT ELM	88,036	88,036
68	0603764M	LINK EVERGREEN	547,005	547,005
69	0603790N	NATO RESEARCH AND DEVELOPMENT	6,265	6,265
70	0603795N	LAND ATTACK TECHNOLOGY	1,624	1,624
71	0603851M	JOINT NON-LETHAL WEAPONS TESTING	31,058	31,058
72	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	22,590	22,590
73	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	52,129	52,129
74	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	32,127	32,127
75	0604027N	DIGITAL WARFARE OFFICE	181,001	181,001
76	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES ...	110,506	110,506
77	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES ...	71,156	71,156
78	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION..	214,100	214,100
79	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	6,900	6,900
80	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	118,182	118,182
82	0604127N	SURFACE MINE COUNTERMEASURES	16,127	16,127
83	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER-MEASURES (TADIRCM).	34,684	34,684
84	0604289M	NEXT GENERATION LOGISTICS	5,991	5,991
85	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	2,100	2,100
86	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	131,763	131,763
87	0604454N	LX (R)	21,319	21,319
88	0604536N	ADVANCED UNDERSEA PROTOTYPING	104,328	104,328
89	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	11,567	11,567
90	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM ...	5,976	195,976
		Nuclear-armed sea-launched cruise missile		[190,000]
91	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	9,993	9,993
92	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT.	237,655	237,655
93	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS)	85,800	85,800
94	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES	176,261	176,261

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95	0605514M	GROUND BASED ANTI-SHIP MISSILE	36,383	36,383
96	0605516M	LONG RANGE FIRES	36,763	36,763
97	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	901,064	901,064
98	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	10,167	10,167
99	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	539	539
100	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	1,250	1,250
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,734,483	9,929,483
		SYSTEM DEVELOPMENT & DEMONSTRATION		
101	0603208N	TRAINING SYSTEM AIRCRAFT	44,120	44,120
102	0604038N	MARITIME TARGETING CELL	30,922	30,922
103	0604212M	OTHER HELO DEVELOPMENT	101,209	101,209
104	0604212N	OTHER HELO DEVELOPMENT	2,604	2,604
105	0604214M	AV-8B AIRCRAFT—ENG DEV	8,263	8,263
106	0604215N	STANDARDS DEVELOPMENT	4,039	4,039
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	62,350	62,350
108	0604221N	P-3 MODERNIZATION PROGRAM	771	771
109	0604230N	WARFARE SUPPORT SYSTEM	109,485	109,485
110	0604231N	COMMAND AND CONTROL SYSTEMS	87,457	87,457
111	0604234N	ADVANCED HAWKEYE	399,919	399,919
112	0604245M	H-1 UPGRADES	29,766	29,766
113	0604261N	ACOUSTIC SEARCH SENSORS	51,531	51,531
114	0604262N	V-22A	137,597	137,597
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	42,155	42,155
116	0604269N	EA-18	172,507	172,507
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	171,384	171,384
118	0604273M	EXECUTIVE HELO DEVELOPMENT	35,376	35,376
119	0604274N	NEXT GENERATION JAMMER (NGJ)	40,477	40,477
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	451,397	451,397
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	250,577	250,577
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	453,311	453,311
124	0604329N	SMALL DIAMETER BOMB (SDB)	52,211	52,211
125	0604366N	STANDARD MISSILE IMPROVEMENTS	418,187	418,187
126	0604373N	AIRBORNE MCM	11,368	11,368
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	66,445	66,445
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	0	13,000
		Program increase		[13,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS	115,396	115,396
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION	93,435	93,435
131	0604504N	AIR CONTROL	42,656	42,656
132	0604512N	SHIPBOARD AVIATION SYSTEMS	10,442	10,442
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,359	11,359
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	90,307	90,307
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	10,658	10,658
136	0604558N	NEW DESIGN SSN	234,356	234,356
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	71,516	71,516
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	22,462	22,462
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,279	4,279
140	0604601N	MINE DEVELOPMENT	104,731	104,731
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	229,668	229,668
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	9,064	9,064
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV.	62,329	62,329
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS.	9,319	9,319
145	0604727N	JOINT STANDOFF WEAPON SYSTEMS	1,964	1,964
146	0604753N	SHIP SELF DEFENSE (DETECT & CONTROL)	158,426	158,426
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	47,492	47,492
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	125,206	125,206
149	0604761N	INTELLIGENCE ENGINEERING	19,969	19,969
150	0604771N	MEDICAL DEVELOPMENT	6,061	6,061
151	0604777N	NAVIGATION/ID SYSTEM	45,262	45,262
154	0604850N	SSN(X)	361,582	361,582
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	22,663	22,663
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	282,138	282,138
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	8,340	8,340
158	0605180N	TACAMO MODERNIZATION	213,743	213,743
159	0605212M	CH-53K RDTE	222,288	222,288
160	0605215N	MISSION PLANNING	86,448	86,448
161	0605217N	COMMON AVIONICS	81,076	81,076
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	1,343	1,343
163	0605327N	T-AO 205 CLASS	71	71
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	220,404	220,404
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	384	384
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	36,027	36,027
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	132,449	132,449

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168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	103,236	103,236
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,609	2,609
170	0204202N	DDG-1000	231,778	231,778
171	0301377N	COUNTERING ADVANCED CONVENTIONAL WEAPONS (CACW).	17,531	17,531
172	0304785N	ISR & INFO OPERATIONS	174,271	174,271
173	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	2,068	2,068
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,962,234	6,975,234
		MANAGEMENT SUPPORT		
174	0604256N	THREAT SIMULATOR DEVELOPMENT	22,918	22,918
175	0604258N	TARGET SYSTEMS DEVELOPMENT	18,623	18,623
176	0604759N	MAJOR T&E INVESTMENT	74,221	74,221
177	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,229	3,229
178	0605154N	CENTER FOR NAVAL ANALYSES	45,672	45,672
180	0605804N	TECHNICAL INFORMATION SERVICES	1,000	1,000
181	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT ..	124,328	124,328
182	0605856N	STRATEGIC TECHNICAL SUPPORT	4,053	4,053
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	203,447	203,447
184	0605864N	TEST AND EVALUATION SUPPORT	481,975	484,975
		Atlantic Undersea Test and Evaluation Center improvements		[3,000]
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	29,399	29,399
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	27,504	27,504
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	9,183	9,183
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	34,976	34,976
189	0605898N	MANAGEMENT HQ—R&D	41,331	41,331
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,340	37,340
191	0305327N	INSIDER THREAT	2,246	2,246
192	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	2,168	2,168
		SUBTOTAL MANAGEMENT SUPPORT	1,163,613	1,166,613
		OPERATIONAL SYSTEMS DEVELOPMENT		
196	0604840M	F-35 C2D2	544,625	544,625
197	0604840N	F-35 C2D2	543,834	543,834
198	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS	99,860	99,860
199	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	153,440	153,440
200	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	321,648	331,648
		Fleet Ballistic Missile Strategic Weapon System		[10,000]
201	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	62,694	62,694
202	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	92,869	92,869
203	0101402N	NAVY STRATEGIC COMMUNICATIONS	51,919	51,919
204	0204136N	F/A-18 SQUADRONS	333,783	333,783
205	0204228N	SURFACE SUPPORT	8,619	8,619
206	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPIC).	122,834	122,834
207	0204311N	INTEGRATED SURVEILLANCE SYSTEM	76,279	76,279
208	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	1,103	1,103
209	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,991	1,991
210	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	92,674	92,674
211	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	115,894	115,894
212	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	61,677	61,677
213	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	59,555	59,555
214	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,973	29,973
215	0205632N	MK-48 ADCAP	213,165	213,165
216	0205633N	AVIATION IMPROVEMENTS	143,277	143,277
217	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	152,546	152,546
218	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	192,625	192,625
219	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	12,565	12,565
220	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	83,900	83,900
221	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	27,794	27,794
222	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	47,762	47,762
223	0206629M	AMPHIBIOUS ASSAULT VEHICLE	373	373
224	0207161N	TACTICAL AIM MISSILES	36,439	36,439
225	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	29,198	29,198
226	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,565	3,565
230	0303138N	AFLOAT NETWORKS	49,995	49,995
231	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,390	33,390
232	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	7,304	7,304
233	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	11,235	11,235

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
234	0305205N	UAS INTEGRATION AND INTEROPERABILITY	16,409	16,409
235	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	51,192	51,192
236	0305220N	MQ-4C TRITON	12,094	12,094
237	0305231N	MQ-8 UAV	29,700	29,700
238	0305232M	RQ-11 UAV	2,107	2,107
239	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	2,999	2,999
240	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,460	49,460
241	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	13,005	13,005
242	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,000	2,000
243	0305421N	RQ-4 MODERNIZATION	300,378	300,378
244	0307577N	INTELLIGENCE MISSION DATA (IMD)	788	788
245	0308601N	MODELING AND SIMULATION SUPPORT	10,994	10,994
246	0702207N	DEPOT MAINTENANCE (NON-IF)	23,248	23,248
247	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,284	3,284
9999	9999999999	CLASSIFIED PROGRAMS	2,021,376	2,021,376
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	6,359,438	6,369,438
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
249	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM	11,748	11,748
250	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM	10,555	10,555
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	22,303	22,303
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	26,922,225	27,177,225
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	401,486	401,486
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	182,372	182,372
		SUBTOTAL BASIC RESEARCH	583,858	583,858
		APPLIED RESEARCH		
3	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	90,713	90,713
4	0602022F	UNIVERSITY AFFILIATED RESEARCH CENTER (UARC)—TACTICAL AUTONOMY	8,018	8,018
5	0602102F	MATERIALS	142,325	151,325
		Advanced materials science for manufacturing research		[9,000]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	161,268	161,268
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	146,921	146,921
8	0602203F	AEROSPACE PROPULSION	184,867	184,867
9	0602204F	AEROSPACE SENSORS	216,269	216,269
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT—MAJOR HEADQUARTERS ACTIVITIES	10,303	10,303
12	0602602F	CONVENTIONAL MUNITIONS	160,599	160,599
13	0602605F	DIRECTED ENERGY TECHNOLOGY	129,961	118,452
		DAF requested realignment of funds to 6601SF		[-11,509]
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	182,076	220,076
		Distributed quantum information sciences networking testbed		[5,000]
		Future Flag experimentation testbed		[15,000]
		Ion trapped quantum information sciences computer		[8,000]
		Multi-domain radio frequency spectrum testing environment		[5,000]
		Secure interference-avoiding connectivity of autonomous artificially intelligent machines		[5,000]
		SUBTOTAL APPLIED RESEARCH	1,433,320	1,468,811
		ADVANCED TECHNOLOGY DEVELOPMENT		
15	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	255,855	213,655
		Program reduction		[-42,200]
16	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	30,372	30,372
17	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	10,478	10,478
18	0603203F	ADVANCED AEROSPACE SENSORS	48,046	48,046
19	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	51,896	61,896
		Semiautonomous adversary air platform		[10,000]
20	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	56,789	56,789
21	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,510	32,510
22	0603273F	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS	70,321	70,321
23	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	2	2
24	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	15,593	15,593
25	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	132,311	132,311
26	0603605F	ADVANCED WEAPONS TECHNOLOGY	102,997	102,997
27	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	44,422	49,422
		Additive manufacturing for aerospace parts		[5,000]

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28	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	37,779	37,779
29	0207412F	CONTROL AND REPORTING CENTER (CRC)	2,005	2,005
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	891,376	864,176
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
30	0603036F	MODULAR ADVANCED MISSILE	105,238	105,238
31	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	6,237	6,237
32	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,298	21,298
33	0603790F	NATO RESEARCH AND DEVELOPMENT	2,208	2,208
34	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	45,319	75,319
		Enhanced ICBM guidance capability and testing		[30,000]
35	0604001F	NC3 ADVANCED CONCEPTS	10,011	10,011
37	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	500,575	500,575
38	0604004F	ADVANCED ENGINE DEVELOPMENT	595,352	595,352
39	0604005F	NC3 COMMERCIAL DEVELOPMENT & PROTOTYPING	78,799	78,799
40	0604006F	DEPT OF THE AIR FORCE TECH ARCHITECTURE	2,620	0
		DAF requested realignment of funds to 64858F		[-2,620]
41	0604007F	E-7	681,039	681,039
42	0604009F	AFWERX PRIME	83,336	83,336
43	0604015F	LONG RANGE STRIKE—BOMBER	2,984,143	2,984,143
44	0604025F	RAPID DEFENSE EXPERIMENTATION RESERVE (RDER)	154,300	154,300
45	0604032F	DIRECTED ENERGY PROTOTYPING	1,246	1,246
46	0604033F	HYPERSONICS PROTOTYPING	150,340	0
		Air-Launched Rapid Response Weapon reduction		[-150,340]
47	0604183F	HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM).	381,528	381,528
48	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	18,041	18,041
49	0604257F	ADVANCED TECHNOLOGY AND SENSORS	27,650	27,650
50	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER (SAOC)	888,829	888,829
51	0604317F	TECHNOLOGY TRANSFER	26,638	26,638
52	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	19,266	19,266
53	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	37,121	37,121
55	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS)	37,026	37,026
56	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	31,833	31,833
57	0604858F	TECH TRANSITION PROGRAM	210,806	235,476
		DAF requested realignment of funds from OMAF SAG 11R		[17,550]
		DAF requested realignment of funds from OMAF SAG 11Z		[4,500]
		DAF requested realignment of funds from RDAF 64006F		[2,620]
58	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE	46,305	46,305
59	0605164F	AIR REFUELING CAPABILITY MODERNIZATION	19,400	19,400
61	0207110F	NEXT GENERATION AIR DOMINANCE	2,326,128	2,326,128
62	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS	118,826	101,013
		DAF requested realignment of funds		[-17,813]
63	0207420F	COMBAT IDENTIFICATION	1,902	1,902
64	0207453F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,763	19,763
65	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	78,867	78,867
66	0208030F	WAR RESERVE MATERIEL—AMMUNITION	8,175	8,175
68	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	25,157	25,157
69	0305601F	MISSION PARTNER ENVIRONMENTS	17,727	17,727
72	0708051F	RAPID SUSTAINMENT MODERNIZATION (RSM)	43,431	43,431
73	0808737F	INTEGRATED PRIMARY PREVENTION	9,364	9,364
74	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	28,294	28,294
75	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT.	14,892	14,892
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,859,030	9,742,927
		SYSTEM DEVELOPMENT & DEMONSTRATION		
76	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	9,757	9,757
77	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	163,156	163,156
78	0604222F	NUCLEAR WEAPONS SUPPORT	45,884	45,884
79	0604270F	ELECTRONIC WARFARE DEVELOPMENT	13,804	13,804
80	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	74,023	79,023
		DAF requested realignment of funds		[5,000]
81	0604287F	PHYSICAL SECURITY EQUIPMENT	10,605	10,605
82	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	5,918	5,918
83	0604604F	SUBMUNITIONS	3,345	3,345
84	0604617F	AGILE COMBAT SUPPORT	21,967	21,967
85	0604706F	LIFE SUPPORT SYSTEMS	39,301	39,301
86	0604735F	COMBAT TRAINING RANGES	152,569	152,569
87	0604932F	LONG RANGE STANDOFF WEAPON	911,406	891,406
		DAF realignment of funds		[-20,000]
88	0604933F	ICBM FUZE MODERNIZATION	71,732	71,732
89	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,256	2,256

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90	0605031F	JOINT TACTICAL NETWORK (JTN)	452	452
91	0605056F	OPEN ARCHITECTURE MANAGEMENT	36,582	36,582
92	0605057F	NEXT GENERATION AIR-REFUELING SYSTEM	7,928	7,928
93	0605223F	ADVANCED PILOT TRAINING	77,252	77,252
94	0605229F	HH-60W	48,268	48,268
95	0605238F	GROUND BASED STRATEGIC DETERRENT EMD	3,746,935	3,739,285
		DAF requested realignment of funds		[-7,650]
96	0207171F	F-15 EPAWSS	13,982	13,982
97	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY ...	56,225	56,225
98	0207328F	STAND IN ATTACK WEAPON	298,585	298,585
99	0207701F	FULL COMBAT MISSION TRAINING	7,597	7,597
100	0208036F	MEDICAL C-CBRNE PROGRAMS	2,006	2,006
102	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	30,000	30,000
103	0401221F	KC-46A TANKER SQUADRONS	124,662	124,662
104	0401319F	VC-25B	490,701	470,701
		5G interference mitigation for critical aircraft navigation and sensor systems on the Presidential Aircraft Fleet.		[30,000]
		Program reduction		[-50,000]
105	0701212F	AUTOMATED TEST SYSTEMS	12,911	12,911
106	0804772F	TRAINING DEVELOPMENTS	1,922	1,922
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,481,731	6,439,081
		MANAGEMENT SUPPORT		
107	0604256F	THREAT SIMULATOR DEVELOPMENT	16,626	16,626
108	0604759F	MAJOR T&E INVESTMENT	31,143	31,143
109	0605101F	RAND PROJECT AIR FORCE	38,398	38,398
110	0605502F	SMALL BUSINESS INNOVATION RESEARCH	1,466	1,466
111	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,736	13,736
112	0605807F	TEST AND EVALUATION SUPPORT	913,213	946,026
		DAF requested realignment of funds		[32,813]
113	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	317,901	317,901
114	0605828F	ACQ WORKFORCE- GLOBAL REACH	541,677	541,677
115	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	551,213	536,513
		DAF requested realignment of funds		[-14,700]
117	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	243,780	273,780
		DAF requested realignment of funds		[30,000]
118	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	109,030	77,030
		DAF requested realignment of funds		[-32,000]
119	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	336,788	336,788
120	0605898F	MANAGEMENT HQ—R&D	5,005	6,705
		DAF requested realignment of funds		[1,700]
121	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	87,889	87,889
122	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	35,065	35,065
123	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	89,956	89,956
124	0606398F	MANAGEMENT HQ—T&E	7,453	7,453
126	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	20,871	40,871
		NC3 network sensor demonstration		[10,000]
		NC3 Rapid Engineering Architecture Collaboration Hub (REACH) ...		[10,000]
127	0308602F	ENTREPRISE INFORMATION SERVICES (EIS)	100,357	100,357
128	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	20,478	20,478
129	0804731F	GENERAL SKILL TRAINING	796	6,796
		Security Work Readiness for Duty		[6,000]
132	1001004F	INTERNATIONAL ACTIVITIES	3,917	3,917
		SUBTOTAL MANAGEMENT SUPPORT	3,486,758	3,530,571
		OPERATIONAL SYSTEMS DEVELOPMENT		
134	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	41,464	41,464
135	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	40,000	40,000
136	0604445F	WIDE AREA SURVEILLANCE	8,018	8,018
137	0604617F	AGILE COMBAT SUPPORT	5,645	5,645
139	0604840F	F-35 C2D2	1,275,268	1,270,268
		DAF requested realignment of funds		[-5,000]
140	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	40,203	40,203
141	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	49,613	49,613
142	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	93,881	93,881
143	0605278F	HC/MC-130 RECAP RDT&E	36,536	36,536
144	0606018F	NC3 INTEGRATION	22,910	22,910
145	0101113F	B-52 SQUADRONS	950,815	964,832
		DAF requested realignment of funds		[14,017]
146	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	290	290
147	0101126F	B-1B SQUADRONS	12,619	12,619
148	0101127F	B-2 SQUADRONS	87,623	87,623
149	0101213F	MINUTEMAN SQUADRONS	33,237	33,237
150	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	24,653	24,653

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151	0101318F	SERVICE SUPPORT TO STRATCOM—GLOBAL STRIKE	7,562	7,562
153	0101328F	ICBM REENTRY VEHICLES	475,415	475,415
155	0102110F	MH-139A	25,737	25,737
156	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MOD-ERNIZATION PROGRAM.	831	831
157	0102412F	NORTH WARNING SYSTEM (NWS)	102	102
158	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	428,754	428,754
159	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	15,498	19,498
		DAF requested realignment of funds		[4,000]
160	0205219F	MQ-9 UAV	81,123	81,123
161	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	2,303	2,303
162	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT ...	7,312	7,312
164	0207133F	F-16 SQUADRONS	98,633	98,633
165	0207134F	F-15E SQUADRONS	50,965	50,965
166	0207136F	MANNED DESTRUCTIVE SUPPRESSION	16,543	16,543
167	0207138F	F-22A SQUADRONS	725,889	725,889
168	0207142F	F-35 SQUADRONS	97,231	97,231
169	0207146F	F-15EX	100,006	100,006
170	0207161F	TACTICAL AIM MISSILES	41,958	41,958
171	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	53,679	53,679
172	0207227F	COMBAT RESCUE—PARARESCUE	726	726
173	0207238F	E-11A	64,888	64,888
174	0207247F	AF TENCAP	25,749	25,749
175	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	11,872	11,872
176	0207253F	COMPASS CALL	66,932	66,932
177	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	55,223	55,223
178	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	132,937	132,937
179	0207327F	SMALL DIAMETER BOMB (SDB)	37,518	37,518
180	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	72,059	72,059
181	0207412F	CONTROL AND REPORTING CENTER (CRC)	17,498	17,498
183	0207418F	AFSPECWAR—TACP	2,106	2,106
185	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	72,010	72,010
186	0207438F	THEATER BATTLE MANAGEMENT (TBM) CH	6,467	6,467
187	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR).	10,388	10,388
188	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,060	10,060
189	0207452F	DCAPES	8,233	8,233
190	0207521F	AIR FORCE CALIBRATION PROGRAMS	2,172	2,172
192	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	2,049	2,049
193	0207590F	SEEK EAGLE	33,478	33,478
195	0207605F	WARGAMING AND SIMULATION CENTERS	11,894	11,894
197	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,811	3,811
198	0208006F	MISSION PLANNING SYSTEMS	96,272	96,272
199	0208007F	TACTICAL DECEPTION	26,533	26,533
201	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	50,122	50,122
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	113,064	113,064
208	0208288F	INTEL DATA APPLICATIONS	967	967
209	0301025F	GEOBASE	1,514	1,514
211	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	8,476	8,476
218	0301401F	AF MULTI-DOMAIN NON-TRADITIONAL ISR BATTLESPACE AWARENESS.	2,890	3,390
		Military Cyber Cooperation Activities with the Kingdom of Jordan		[500]
219	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	39,868	39,868
220	0303004F	EIT CONNECT	32,900	32,900
221	0303089F	CYBERSPACE OPERATIONS SYSTEMS	4,881	4,881
222	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	33,567	33,567
223	0303133F	HIGH FREQUENCY RADIO SYSTEMS	40,000	40,000
224	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	95,523	95,523
226	0303248F	ALL DOMAIN COMMON PLATFORM	71,296	71,296
227	0303260F	JOINT MILITARY DECEPTION INITIATIVE	4,682	4,682
228	0304100F	STRATEGIC MISSION PLANNING & EXECUTION SYSTEM (SMPES).	64,944	64,944
230	0304260F	AIRBORNE SIGINT ENTERPRISE	108,947	108,947
231	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,635	4,635
234	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES	13,751	13,751
235	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,660	1,660
236	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	18,680	18,680
237	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	5,031	5,031
238	0305103F	CYBER SECURITY INITIATIVE	301	301
239	0305111F	WEATHER SERVICE	26,329	35,329
		Weather service data migration		[9,000]
240	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL).	8,751	8,751
241	0305116F	AERIAL TARGETS	6,915	6,915
244	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	352	352
245	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	6,930	6,930

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246	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	21,588	21,588
247	0305202F	DRAGON U-2	16,842	16,842
248	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	43,158	43,158
249	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,330	14,330
250	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	88,854	88,854
251	0305220F	RQ-4 UAV	1,242	1,242
252	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	12,496	12,496
253	0305238F	NATO AGS	2	2
254	0305240F	SUPPORT TO DCGS ENTERPRISE	31,589	31,589
255	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	15,322	15,322
256	0305881F	RAPID CYBER ACQUISITION	8,830	8,830
257	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,764	2,764
258	0307577F	INTELLIGENCE MISSION DATA (IMD)	7,090	7,090
259	0401115F	C-130 AIRLIFT SQUADRON	5,427	5,427
260	0401119F	C-5 AIRLIFT SQUADRONS (IF)	29,502	29,502
261	0401130F	C-17 AIRCRAFT (IF)	2,753	2,753
262	0401132F	C-130J PROGRAM	19,100	19,100
263	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCIM)	5,982	5,982
264	0401218F	KC-135S	51,105	51,105
265	0401318F	CV-22	18,127	18,127
266	0408011F	SPECIAL TACTICS / COMBAT CONTROL	9,198	9,198
268	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	17,520	17,520
269	0801380F	AF LVC OPERATIONAL TRAINING (LVC-OT)	25,144	25,144
270	0804743F	OTHER FLIGHT TRAINING	2,265	2,265
272	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,266	2,266
273	0901218F	CIVILIAN COMPENSATION PROGRAM	4,006	4,006
274	0901220F	PERSONNEL ADMINISTRATION	3,078	3,078
275	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	5,309	5,309
276	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	4,279	4,279
277	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS) ...	45,925	45,925
278	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	9,778	9,778
9999	9999999999	CLASSIFIED PROGRAMS	16,814,245	16,814,245
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	23,829,283	23,851,800
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	46,565,356	46,481,224
		RESEARCH, DEVELOPMENT, TEST & EVAL, SF APPLIED RESEARCH		
4	1206601SF	SPACE TECHNOLOGY	206,196	350,663
		Advanced analog microelectronics		[8,600]
		Advanced isotope power systems		[5,000]
		DAF requested realignment of funds		[84,397]
		Ground-based interferometry		[16,000]
		Lunar surface-based domain awareness		[5,000]
		Solar cruiser		[10,000]
		Space modeling, simulation, and analysis hub		[15,470]
		SUBTOTAL APPLIED RESEARCH	206,196	350,663
		ADVANCED TECHNOLOGY DEVELOPMENT		
5	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	472,493	477,493
		Human performance optimization		[5,000]
6	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO ...	110,033	158,033
		DAF requested realignment of funds		[40,000]
		Modular multi-mode propulsion system		[8,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	582,526	635,526
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
7	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH	849	849
8	1203010SF	SPACE FORCE IT, DATA ANALYTICS, DIGITAL SOLUTIONS	61,723	61,723
9	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	353,807	353,807
10	1203622SF	SPACE WARFIGHTING ANALYSIS	95,541	95,541
11	1203710SF	EO/IR WEATHER SYSTEMS	95,615	112,115
		Weather satellite risk reduction		[16,500]
13	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	2,081,307	2,081,307
16	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	145,948	105,948
		DAF requested realignment of funds to 6616SF		[-40,000]
17	1206438SF	SPACE CONTROL TECHNOLOGY	58,374	58,374
18	1206458SF	TECH TRANSITION (SPACE)	164,649	179,649
		Encouraging the establishment of the outernet		[15,000]
19	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	59,784	59,784
20	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	76,554	76,554

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21	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	360,126	360,126
22	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	632,833	632,833
23	1206857SF	SPACE RAPID CAPABILITIES OFFICE	12,036	12,036
24	1206862SF	TACTICALLY RESPONSE SPACE	30,000	30,000
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	4,229,146	4,220,646
		SYSTEM DEVELOPMENT & DEMONSTRATION		
25	1203269SF	GPS III FOLLOW-ON (GPS III-F)	308,999	308,999
27	1206421SF	COUNTERSPACE SYSTEMS	36,537	36,537
28	1206422SF	WEATHER SYSTEM FOLLOW-ON	79,727	79,727
29	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	372,827	372,827
30	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	4,068	4,068
31	1206432SF	POLAR MILSATCOM (SPACE)	73,757	73,757
32	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE)	49,445	49,445
33	1206440SF	NEXT-GEN OPIR—GROUND	661,367	661,367
34	1206442SF	NEXT GENERATION OPIR	222,178	222,178
35	1206443SF	NEXT-GEN OPIR—GEO	719,731	719,731
36	1206444SF	NEXT-GEN OPIR—POLAR	1,013,478	1,013,478
37	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	73,501	73,501
38	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO). DAF requested realignment of funds	1,266,437	1,519,222
39	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO). DAF requested realignment of funds	538,208	790,992
40	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT. DAF requested realignment of funds to 6446SF	505,569	0
		DAF requested realignment of funds to 6447SF		[−252,784]
41	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	82,188	82,188
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,008,017	6,008,017
		MANAGEMENT SUPPORT		
43	1203622SF	SPACE WARFIGHTING ANALYSIS	3,568	3,568
46	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	258,969	276,500
		DAF requested realignment of funds		[17,531]
47	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	13,694	15,053
		DAF requested realignment of funds		[1,359]
48	1206601SF	SPACE TECHNOLOGY	91,778	0
		DAF requested realignment of funds		[−91,778]
49	1206759SF	MAJOR T&E INVESTMENT—SPACE	146,797	146,797
50	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	18,023	18,023
52	1206864SF	SPACE TEST PROGRAM (STP)	30,192	30,192
		SUBTOTAL MANAGEMENT SUPPORT	563,021	490,133
		OPERATIONAL SYSTEMS DEVELOPMENT		
55	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	91,369	91,369
56	1203040SF	DCO-SPACE	76,003	76,003
57	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	230,785	230,785
58	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	86,465	86,465
59	1203154SF	LONG RANGE KILL CHAINS	243,036	243,036
61	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	22,039	22,039
62	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	41,483	41,483
63	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,175	11,175
65	1203330SF	SPACE SUPERIORITY ISR	28,730	28,730
67	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	20,752	28,752
		Perimeter Acquisition Radar Attack Characterization System (PARCS) radar.		[8,000]
68	1203906SF	NCMC—TWAA SYSTEM	25,545	25,545
69	1203913SF	NUDET DETECTION SYSTEM (SPACE)	93,391	93,391
70	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	264,966	264,966
71	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	317,309	317,309
75	1206770SF	ENTERPRISE GROUND SERVICES	155,825	155,825
76	1208053SF	JOINT TACTICAL GROUND SYSTEM	14,568	14,568
9999	9999999999	CLASSIFIED PROGRAMS	5,764,667	6,225,367
		Space Force realignment of funds for classified program		[270,000]
		Space Force Unfunded Priorities List Classified Program B		[83,000]
		Space Force Unfunded Priorities List Classified Program C		[53,000]
		Space Force Unfunded Priorities List Classified Program D		[54,700]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	7,488,108	7,956,808
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		

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78	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM.	122,326	122,326
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	122,326	122,326
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, SF.	19,199,340	19,784,119
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	14,761	14,761
2	0601101E	DEFENSE RESEARCH SCIENCES	311,531	311,531
3	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	16,329	16,329
4	0601110D8Z	BASIC RESEARCH INITIATIVES	71,783	96,783
		Defense Established Program to Stimulate Competitive Research (DEPSCoR).		[25,000]
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	50,430	50,430
6	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	159,549	169,549
		Enhanced civics education program		[10,000]
7	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	100,467	100,467
8	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	36,235	36,235
		SUBTOTAL BASIC RESEARCH	761,085	796,085
		APPLIED RESEARCH		
9	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,157	19,157
10	0602115E	BIOMEDICAL TECHNOLOGY	141,081	141,081
11	0602128D8Z	PROMOTION AND PROTECTION STRATEGIES	3,219	3,219
12	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	55,160	55,160
13	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,858	46,858
14	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	66,866	66,866
15	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	333,029	333,029
17	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	240,610	240,610
18	0602668D8Z	CYBER SECURITY RESEARCH	17,437	20,437
		Semiconductor industry cybersecurity research		[3,000]
19	0602675D8Z	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY	4,718	4,718
20	0602702E	TACTICAL TECHNOLOGY	234,549	234,549
21	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	344,986	344,986
22	0602716E	ELECTRONICS TECHNOLOGY	572,662	572,662
23	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	208,870	208,870
24	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	11,168	11,168
25	0602890D8Z	HIGH ENERGY LASER RESEARCH	48,804	48,804
26	0602891D8Z	FSRM MODELLING	2,000	2,000
27	1160401BB	SOF TECHNOLOGY DEVELOPMENT	52,287	52,287
		SUBTOTAL APPLIED RESEARCH	2,403,461	2,406,461
		ADVANCED TECHNOLOGY DEVELOPMENT		
28	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	37,706	37,706
29	0603021D8Z	NATIONAL SECURITY INNOVATION CAPITAL	15,085	15,085
30	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	30,102	30,102
31	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	75,593	105,593
		Loitering munition development		[5,000]
		U.S.-Israel defense collaboration on emerging technologies		[25,000]
32	0603133D8Z	FOREIGN COMPARATIVE TESTING	27,078	27,078
33	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	400,947	405,947
		Advanced manufacturing of energetic materials		[5,000]
34	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	7,990	7,990
35	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	17,825	17,825
36	0603180C	ADVANCED RESEARCH	21,461	21,461
37	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION.	52,292	52,292
38	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.	19,567	19,567
39	0603260BR	INTELLIGENCE ADVANCED DEVELOPMENT	10,000	10,000
40	0603286E	ADVANCED AEROSPACE SYSTEMS	331,753	331,753
41	0603287E	SPACE PROGRAMS AND TECHNOLOGY	134,809	134,809
42	0603288D8Z	ANALYTIC ASSESSMENTS	24,328	24,328
43	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	55,626	55,626
44	0603300D8Z	QUANTUM APPLICATION	75,000	75,000
46	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	104,729	104,729
47	0603375D8Z	TECHNOLOGY INNOVATION	123,837	123,837
48	0603379D8Z	ADVANCED TECHNICAL INTEGRATION	11,000	11,000
49	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	267,073	292,073

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		Generative Unconstrained Intelligent Drug Engineering-Enhanced Biodefense.		[25,000]
50	0603527D8Z	RETRACT LARCH	57,401	57,401
51	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	19,793	19,793
53	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	11,197	11,197
54	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM. Additive manufacturing at scale	252,965	264,965
		Digital manufacturing modernization		[7,000]
55	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	46,404	46,404
56	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS. STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	16,580	16,580
57	0603716D8Z	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT. JOINT WARFIGHTING PROGRAM	60,387	60,387
58	0603720S	ADVANCED ELECTRONICS TECHNOLOGIES	144,707	144,707
59	0603727D8Z	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	2,749	2,749
60	0603739E	NETWORK-CENTRIC WARFARE TECHNOLOGY	254,033	254,033
61	0603760E	SENSOR TECHNOLOGY	321,591	321,591
62	0603766E	SOFTWARE ENGINEERING INSTITUTE	885,425	885,425
63	0603767E	DEFENSE INNOVATION ACCELERATION (DIA)	358,580	358,580
65	0603781D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	16,699	16,699
66	0603838D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	257,110	257,110
67	0603924D8Z	AUKUS INNOVATION INITIATIVES	111,799	111,799
68	0603941D8Z	NATIONAL SECURITY INNOVATION NETWORK	345,384	345,384
69	0603945D8Z	National Security Innovation Network	25,000	25,000
70	0603950D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	21,575	28,575
71	0604055D8Z	Increase for tristructural-isotropic fuel	171,668	181,668
72	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	156,097	[10,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	5,380,945	5,469,945
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
74	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P. WALKOFF	76,764	76,764
75	0603600D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM. Sustainable Technology Evaluation and Demonstration program increase.	143,486	143,486
76	0603851D8Z	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT. BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEVAL. BALLISTIC MISSILE DEFENSE SENSORS	117,196	123,196
77	0603881C	BMD ENABLING PROGRAMS	220,311	220,311
78	0603882C	SPECIAL PROGRAMS—MDA	903,633	903,633
79	0603884BP	AEGIS BMD	316,853	316,853
80	0603884C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI. BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT. MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC). REGARDING TRENCH	693,727	693,727
81	0603890C	U.S.-Israel cooperation on directed energy capabilities	554,201	554,201
82	0603891C	Hypersonic Targets and Countermeasures Program	48,248	48,248
83	0603892C	COALITION WARFARE	50,549	50,549
84	0603896C	Next Generation Information Communications Technology (5G). DEPARTMENT OF DEFENSE CORROSION PROGRAM	12,564	27,564
85	0603904C	Program increase—MDA UFR		[15,000]
86	0603906C	SEA BASED X-BAND RADAR (SBX)	177,868	177,868
87	0603907C	ISRAELI COOPERATIVE PROGRAMS	300,000	325,000
88	0603913C	U.S.-Israel cooperation on directed energy capabilities		[25,000]
89	0603914C	BALLISTIC MISSILE DEFENSE TEST	360,455	360,455
90	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	570,258	580,258
91	0603923D8Z	COALITION WARFARE		[10,000]
92	0604011D8Z	Next Generation Information Communications Technology (5G). DEPARTMENT OF DEFENSE CORROSION PROGRAM	12,103	12,103
93	0604016D8Z	GUAM DEFENSE DEVELOPMENT	179,278	179,278
94	0604102C	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP. HYPERSONIC DEFENSE	3,185	3,185
95	0604124D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	397,578	397,578
96	0604181C	TRUSTED & ASSURED MICROELECTRONICS	34,350	34,350
97	0604250D8Z	RAPID PROTOTYPING PROGRAM	208,997	208,997
98	0604294D8Z	RAPID PROTOTYPING PROGRAM	1,085,826	1,085,826
99	0604331D8Z	RAPID PROTOTYPING PROGRAM	810,839	810,839
100	0604331J	RAPID PROTOTYPING PROGRAM	110,291	110,291
101	0604331J	RAPID PROTOTYPING PROGRAM	9,880	9,880

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
104	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,643	2,643
105	0604551BR	CATAPULT INFORMATION SYSTEM	8,328	8,328
106	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T.	53,726	53,726
108	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,206	3,206
109	0604790D8Z	RAPID DEFENSE EXPERIMENTATION RESERVE (RDER)	79,773	79,773
110	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	28,517	28,517
111	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	103,517	103,517
112	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	2,130,838	2,130,838
113	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	47,577	47,577
114	0604878C	AEGIS BMD TEST	193,484	193,484
115	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	111,049	111,049
116	0604880C	LAND-BASED SM-3 (LBSM3)	22,163	22,163
117	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST.	41,824	41,824
118	0202057C	SAFETY PROGRAM MANAGEMENT	2,484	2,484
119	0208059JCY	CYBERCOM ACTIVITIES	65,484	65,484
120	0208085JCY	ROBUST INFRASTRUCTURE AND ACCESS	170,182	170,182
121	0208086JCY	CYBER TRAINING ENVIRONMENT (CTE)	114,980	114,980
122	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,156	2,156
123	0305103C	CYBER SECURITY INITIATIVE	2,760	2,760
124	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS.	3,000	3,000
125	0305251JCY	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,669	2,669
126	0901579D8Z	OFFICE OF STRATEGIC CAPITAL (OSC)	99,000	99,000
129	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	109,483	109,483
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	12,187,050	12,243,050
		SYSTEM DEVELOPMENT & DEMONSTRATION		
130	0604123D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—DEM/VAL ACTIVITIES.	615,246	615,246
131	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	6,229	6,229
132	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD ...	382,977	382,977
133	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	9,775	9,775
134	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,414	14,414
135	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	6,953	6,953
136	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	9,292	9,292
137	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	18,981	18,981
138	0605027D8Z	OSD(C) IT DEVELOPMENT INITIATIVES	5,456	5,456
140	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM.	32,629	32,629
141	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	9,316	9,316
142	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	6,899	6,899
143	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	297,586	297,586
145	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	4,110	4,110
146	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM).	8,159	8,159
147	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	14,471	14,471
148	0505167D8Z	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION.	3,770	3,770
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	1,446,263	1,446,263
		MANAGEMENT SUPPORT		
149	0603829J	JOINT CAPABILITY EXPERIMENTATION	12,402	12,402
150	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	12,746	12,746
151	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,426	8,426
152	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	833,792	833,792
153	0604942D8Z	ASSESSMENTS AND EVALUATIONS	5,810	5,810
154	0605001E	MISSION SUPPORT	99,090	99,090
155	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	187,421	187,421
156	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	61,477	61,477
158	0605142D8Z	SYSTEMS ENGINEERING	39,949	39,949
159	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	6,292	6,292
160	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	21,043	21,043

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
161	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	10,504	10,504
162	0605200D8Z	GENERAL SUPPORT TO OUSD(INTELLIGENCE AND SECURITY).	2,980	2,980
163	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	74,382	74,382
170	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,831	3,831
171	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	38,923	38,923
172	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	60,404	60,404
173	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) Information Analysis Centers reduction	65,715	60,715 [-5,000]
174	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	26,037	26,037
175	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	37,353	37,353
176	0605898E	MANAGEMENT HQ—R&D	14,833	14,833
177	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,752	3,752
178	0606005D8Z	SPECIAL ACTIVITIES	18,088	18,088
179	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	14,427	14,427
180	0606114D8Z	ANALYSIS WORKING GROUP (AWG) SUPPORT	4,200	4,200
181	0606135D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO) ACTIVITIES.	17,247	17,247
182	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,386	3,386
183	0606300D8Z	DEFENSE SCIENCE BOARD	2,352	2,352
184	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	213	213
186	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY	45,194	45,194
187	0606853BR	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT ..	11,919	11,919
188	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,112	3,112
189	0204571J	JOINT STAFF ANALYTICAL SUPPORT	4,916	4,916
190	0208045K	C4I INTEROPERABILITY	66,152	66,152
195	0305172K	COMBINED ADVANCED APPLICATIONS	5,366	5,366
197	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,069	3,069
199	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	101,319	101,319
200	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	740	740
201	0901598C	MANAGEMENT HQ—MDA	28,363	28,363
202	0903235K	JOINT SERVICE PROVIDER (JSP)	5,177	5,177
9999	9999999999	CLASSIFIED PROGRAMS	36,315	63,315
		All Domain Anomaly Resolution Office		[27,000]
		SUBTOTAL MANAGEMENT SUPPORT	1,998,717	2,020,717
		OPERATIONAL SYSTEMS DEVELOPMENT		
203	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	42,482	42,482
205	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT. Domestic advanced microelectronics packaging	1,017,141	1,045,141 [5,000]
		Rapid Innovation Program		[20,000]
		Shipbuilding and ship repair workforce development		[3,000]
206	0607310D8Z	COUNTERPROLIFERATION SPECIAL PROJECTS: OPERATIONAL SYSTEMS DEVELOPMENT.	12,713	12,713
207	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,503	8,503
208	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	80,495	80,495
209	0208097JCY	CYBER COMMAND AND CONTROL (CYBER C2)	95,733	95,733
210	0208099JCY	DATA AND UNIFIED PLATFORM (D&U)	138,558	138,558
214	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	19,299	19,299
215	0303126K	LONG-HAUL COMMUNICATIONS—DCS	37,726	37,726
216	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	5,037	5,037
218	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	97,171	97,171
220	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,351	8,351
222	0303153K	DEFENSE SPECTRUM ORGANIZATION	35,995	35,995
223	0303171K	JOINT PLANNING AND EXECUTION SERVICES	5,677	5,677
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	3,196	3,196
228	0305104D8Z	DEFENSE INDUSTRIAL BASE (DIB) CYBER SECURITY INITIATIVE.	25,655	25,655
232	0305133V	INDUSTRIAL SECURITY ACTIVITIES	2,134	2,134
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	2,295	2,295
236	0305172D8Z	COMBINED ADVANCED APPLICATIONS	52,736	52,736
239	0305186D8Z	POLICY R&D PROGRAMS	6,263	6,263
240	0305199D8Z	NET CENTRICITY	23,275	23,275
242	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,214	6,214
249	0305327V	INSIDER THREAT	2,971	2,971
250	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	1,879	1,879
257	0306250JCY	CYBER OPERATIONS TECHNOLOGY SUPPORT	469,385	480,385

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
		Locked Shield Exercise		[4,000]
		Modernization of Department of Defense Internet Gateway Cyber Defense.		[7,000]
261	0505167D8Z	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION.	1,760	1,760
262	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,420	1,420
263	0708012S	PACIFIC DISASTER CENTERS	1,905	1,905
264	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	3,249	3,249
265	1105219BB	MQ-9 UAV	37,188	37,188
267	1160403BB	AVIATION SYSTEMS	216,174	216,174
268	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	86,737	86,737
269	1160408BB	OPERATIONAL ENHANCEMENTS	216,135	216,135
270	1160431BB	WARRIOR SYSTEMS	263,374	280,514
		Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat Acceleration.		[11,250]
		Next-Generation Blue Force Tracker		[5,890]
271	1160432BB	SPECIAL PROGRAMS	529	529
272	1160434BB	UNMANNED ISR	6,727	6,727
273	1160480BB	SOF TACTICAL VEHICLES	9,335	9,335
274	1160483BB	MARITIME SYSTEMS	158,231	158,231
275	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	15,749	15,749
9999	9999999999	CLASSIFIED PROGRAMS	8,463,742	8,463,742
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	11,683,139	11,739,279
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
278	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	21,355	21,355
279	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	33,166	33,166
9999	9999999999	CLASSIFIED PROGRAMS	270,653	270,653
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	325,174	325,174
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	36,185,834	36,446,974
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	169,544	169,544
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	103,252	103,252
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	58,693	58,693
		SUBTOTAL MANAGEMENT SUPPORT	331,489	331,489
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	331,489	331,489
		TOTAL RDT&E	144,979,625	146,140,912

1 **TITLE XLIII—OPERATION AND**
2 **MAINTENANCE**

3 **SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	3,943,409	3,943,409
020	MODULAR SUPPORT BRIGADES	225,238	225,238
030	ECHELONS ABOVE BRIGADE	947,395	947,395
040	THEATER LEVEL ASSETS	2,449,141	2,449,141
050	LAND FORCES OPERATIONS SUPPORT	1,233,070	1,233,070
060	AVIATION ASSETS	2,046,144	2,046,144
070	FORCE READINESS OPERATIONS SUPPORT	7,149,427	7,149,427
080	LAND FORCES SYSTEMS READINESS	475,435	475,435
090	LAND FORCES DEPOT MAINTENANCE	1,423,560	1,423,560
100	MEDICAL READINESS	951,499	951,499
110	BASE OPERATIONS SUPPORT	9,943,031	9,943,031
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	5,381,757	5,381,757

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	313,612	313,612
140	ADDITIONAL ACTIVITIES	454,565	454,565
150	RESET	447,987	447,987
160	US AFRICA COMMAND	414,680	414,680
170	US EUROPEAN COMMAND	408,529	408,529
180	US SOUTHERN COMMAND	285,692	285,692
190	US FORCES KOREA	88,463	88,463
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS ..	507,845	507,845
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	704,667	704,667
	SUBTOTAL OPERATING FORCES	39,795,146	39,795,146
	MOBILIZATION		
230	STRATEGIC MOBILITY	470,143	470,143
240	ARMY PREPOSITIONED STOCKS	433,909	433,909
250	INDUSTRIAL PREPAREDNESS	4,244	4,244
	SUBTOTAL MOBILIZATION	908,296	908,296
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	178,428	178,428
270	RECRUIT TRAINING	78,235	78,235
280	ONE STATION UNIT TRAINING	114,777	114,777
290	SENIOR RESERVE OFFICERS TRAINING CORPS	551,462	551,462
300	SPECIALIZED SKILL TRAINING	1,147,431	1,147,431
310	FLIGHT TRAINING	1,398,415	1,398,415
320	PROFESSIONAL DEVELOPMENT EDUCATION	200,779	200,779
330	TRAINING SUPPORT	682,896	682,896
340	RECRUITING AND ADVERTISING	690,280	833,336
	Army Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[138,056]
350	EXAMINING	195,009	195,009
360	OFF-DUTY AND VOLUNTARY EDUCATION	260,235	260,235
370	CIVILIAN EDUCATION AND TRAINING	250,252	250,252
380	JUNIOR RESERVE OFFICER TRAINING CORPS	204,895	204,895
	SUBTOTAL TRAINING AND RECRUITING	5,953,094	6,096,150
	ADMIN & SRVWIDE ACTIVITIES		
400	SERVICEWIDE TRANSPORTATION	718,323	718,323
410	CENTRAL SUPPLY ACTIVITIES	900,624	900,624
420	LOGISTIC SUPPORT ACTIVITIES	828,059	828,059
430	AMMUNITION MANAGEMENT	464,029	464,029
440	ADMINISTRATION	537,837	537,837
450	SERVICEWIDE COMMUNICATIONS	1,962,059	1,962,059
460	MANPOWER MANAGEMENT	361,553	361,553
470	OTHER PERSONNEL SUPPORT	829,248	829,248
480	OTHER SERVICE SUPPORT	2,370,107	2,370,107
490	ARMY CLAIMS ACTIVITIES	203,323	203,323
500	REAL ESTATE MANAGEMENT	286,682	286,682
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	455,928	455,928
520	DEF ACQUISITION WORKFORCE DEVELOPMENT AC- COUNT	39,867	39,867
530	INTERNATIONAL MILITARY HEADQUARTERS	610,201	610,201
540	MISC. SUPPORT OF OTHER NATIONS	38,948	38,948
999	CLASSIFIED PROGRAMS	2,291,229	2,291,229
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	12,898,017	12,898,017
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-337,600
	Foreign currency fluctuations		[-208,000]
	Unobligated balances		[-129,600]
	SUBTOTAL UNDISTRIBUTED	0	-337,600
	TOTAL OPERATION & MAINTENANCE, ARMY	59,554,553	59,360,009
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	15,208	15,208
020	ECHELONS ABOVE BRIGADE	720,802	720,802
030	THEATER LEVEL ASSETS	143,400	143,400
040	LAND FORCES OPERATIONS SUPPORT	707,654	707,654
050	AVIATION ASSETS	134,346	134,346

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
060	FORCE READINESS OPERATIONS SUPPORT	451,178	451,178
070	LAND FORCES SYSTEMS READINESS	97,564	97,564
080	LAND FORCES DEPOT MAINTENANCE	45,711	45,711
090	BASE OPERATIONS SUPPORT	608,079	608,079
100	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	495,435	495,435
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS ..	3,153	3,153
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	19,591	19,591
	SUBTOTAL OPERATING FORCES	3,470,904	3,470,904
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	19,155	19,155
150	ADMINISTRATION	21,668	21,668
160	SERVICEWIDE COMMUNICATIONS	44,118	44,118
170	MANPOWER MANAGEMENT	7,127	7,127
180	RECRUITING AND ADVERTISING	67,976	74,651
	Recruiting and advertising increase		[6,675]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	160,044	166,719
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-14,300
	Foreign currency fluctuations		[-10,900]
	Unobligated balances		[-3,400]
	SUBTOTAL UNDISTRIBUTED	0	-14,300
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,630,948	3,623,323
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	925,071	925,071
020	MODULAR SUPPORT BRIGADES	201,781	201,781
030	ECHELONS ABOVE BRIGADE	840,373	840,373
040	THEATER LEVEL ASSETS	107,392	107,392
050	LAND FORCES OPERATIONS SUPPORT	62,908	62,908
060	AVIATION ASSETS	1,113,908	1,113,908
070	FORCE READINESS OPERATIONS SUPPORT	832,946	832,946
080	LAND FORCES SYSTEMS READINESS	50,696	50,696
090	LAND FORCES DEPOT MAINTENANCE	231,784	231,784
100	BASE OPERATIONS SUPPORT	1,249,066	1,249,066
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	1,081,561	1,081,561
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,468,857	1,468,857
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS ..	9,566	9,566
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	15,710	15,710
	SUBTOTAL OPERATING FORCES	8,191,619	8,191,619
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	7,251	7,251
160	ADMINISTRATION	66,025	66,025
170	SERVICEWIDE COMMUNICATIONS	113,366	113,366
180	MANPOWER MANAGEMENT	8,663	8,663
190	OTHER PERSONNEL SUPPORT	292,426	343,146
	Recruiting and advertising increase		[50,720]
200	REAL ESTATE MANAGEMENT	3,754	3,754
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	491,485	542,205
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-52,400
	Foreign currency fluctuations		[-29,000]
	Unobligated balances		[-23,400]
	SUBTOTAL UNDISTRIBUTED	0	-52,400
	TOTAL OPERATION & MAINTENANCE, ARNG	8,683,104	8,681,424
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	241,950	241,950
020	SYRIA	156,000	156,000

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	397,950	397,950
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	397,950	397,950
	OPERATION & MAINTENANCE, NAVY OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	7,882,504	7,882,504
020	FLEET AIR TRAINING	2,773,957	2,773,957
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	73,047	73,047
040	AIR OPERATIONS AND SAFETY SUPPORT	213,862	213,862
050	AIR SYSTEMS SUPPORT	1,155,463	1,158,463
	Advanced nucleated foam engine performance and restoration program		[3,000]
060	AIRCRAFT DEPOT MAINTENANCE	1,857,021	1,857,021
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	66,822	66,822
080	AVIATION LOGISTICS	1,871,670	1,871,670
090	MISSION AND OTHER SHIP OPERATIONS	7,015,796	7,015,796
100	SHIP OPERATIONS SUPPORT & TRAINING	1,301,108	1,301,108
110	SHIP DEPOT MAINTENANCE	11,164,249	11,164,249
120	SHIP DEPOT OPERATIONS SUPPORT	2,728,712	2,728,712
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,776,881	1,776,881
140	SPACE SYSTEMS AND SURVEILLANCE	389,915	389,915
150	WARFARE TACTICS	1,005,998	1,005,998
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	455,330	455,330
170	COMBAT SUPPORT FORCES	2,350,089	2,356,089
	Naval Small Craft Instruction and Technical Training School		[6,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	189,044	189,044
200	COMBATANT COMMANDERS CORE OPERATIONS	92,504	92,504
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	352,980	352,980
230	CYBERSPACE ACTIVITIES	522,180	522,180
240	FLEET BALLISTIC MISSILE	1,763,238	1,763,238
250	WEAPONS MAINTENANCE	1,640,642	1,640,642
260	OTHER WEAPON SYSTEMS SUPPORT	696,653	696,653
270	ENTERPRISE INFORMATION	1,780,645	1,780,645
280	SUSTAINMENT, RESTORATION AND MODERNIZATION	4,406,192	4,406,192
290	BASE OPERATING SUPPORT	6,223,827	6,271,827
	Navy divestment of electrical utility operations at former Naval Air Station Barbers Point		[48,000]
	SUBTOTAL OPERATING FORCES	61,750,329	61,807,329
	MOBILIZATION		
300	SHIP PREPOSITIONING AND SURGE	475,255	475,255
310	READY RESERVE FORCE	701,060	701,060
320	SHIP ACTIVATIONS/INACTIVATIONS	302,930	302,930
330	EXPEDITIONARY HEALTH SERVICES SYSTEMS	151,966	151,966
340	COAST GUARD SUPPORT	21,464	21,464
	SUBTOTAL MOBILIZATION	1,652,675	1,652,675
	TRAINING AND RECRUITING		
350	OFFICER ACQUISITION	201,555	201,555
360	RECRUIT TRAINING	16,521	16,521
370	RESERVE OFFICERS TRAINING CORPS	175,171	175,171
380	SPECIALIZED SKILL TRAINING	1,238,894	1,238,894
390	PROFESSIONAL DEVELOPMENT EDUCATION	335,603	335,603
400	TRAINING SUPPORT	390,931	390,931
410	RECRUITING AND ADVERTISING	269,483	355,328
	Navy Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[80,845]
420	OFF-DUTY AND VOLUNTARY EDUCATION	90,452	90,452
430	CIVILIAN EDUCATION AND TRAINING	73,406	73,406
440	JUNIOR ROTC	58,970	58,970
	SUBTOTAL TRAINING AND RECRUITING	2,850,986	2,936,831
	ADMIN & SRVWD ACTIVITIES		
450	ADMINISTRATION	1,350,449	1,350,449
460	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	242,760	242,760

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	745,666	745,666
490	MEDICAL ACTIVITIES	323,978	323,978
500	DEF ACQUISITION WORKFORCE DEVELOPMENT AC- COUNT		
		67,357	67,357
510	SERVICEWIDE TRANSPORTATION	248,822	248,822
530	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	616,816	616,816
540	ACQUISITION, LOGISTICS, AND OVERSIGHT	850,906	850,906
550	INVESTIGATIVE AND SECURITY SERVICES	888,508	888,508
999	CLASSIFIED PROGRAMS	655,281	655,281
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,990,543	5,990,543
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-498,400
	Foreign currency fluctuations		[-236,300]
	Unobligated balances		[-262,100]
	SUBTOTAL UNDISTRIBUTED	0	-498,400
	TOTAL OPERATION & MAINTENANCE, NAVY	72,244,533	71,888,978
	OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES		
010	OPERATIONAL FORCES	1,799,964	1,799,964
020	FIELD LOGISTICS	1,878,228	1,878,228
030	DEPOT MAINTENANCE	211,460	211,460
040	MARITIME PREPOSITIONING	137,831	137,831
060	CYBERSPACE ACTIVITIES	205,449	205,449
070	SUSTAINMENT, RESTORATION & MODERNIZATION	1,211,183	1,211,183
080	BASE OPERATING SUPPORT	3,124,551	3,124,551
	SUBTOTAL OPERATING FORCES	8,568,666	8,568,666
	TRAINING AND RECRUITING		
090	RECRUIT TRAINING	26,284	26,284
100	OFFICER ACQUISITION	1,316	1,316
110	SPECIALIZED SKILL TRAINING	133,176	133,176
120	PROFESSIONAL DEVELOPMENT EDUCATION	66,213	66,213
130	TRAINING SUPPORT	570,152	570,152
140	RECRUITING AND ADVERTISING	246,586	300,903
	Marine Corps Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[49,317]
150	OFF-DUTY AND VOLUNTARY EDUCATION	55,230	55,230
160	JUNIOR ROTC	29,616	29,616
	SUBTOTAL TRAINING AND RECRUITING	1,128,573	1,182,890
	ADMIN & SRVWD ACTIVITIES		
180	SERVICEWIDE TRANSPORTATION	90,366	90,366
190	ADMINISTRATION	428,650	428,650
999	CLASSIFIED PROGRAMS	65,658	65,658
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	584,674	584,674
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-108,900
	Foreign currency fluctuations		[-33,800]
	Unobligated balances		[-75,100]
	SUBTOTAL UNDISTRIBUTED	0	-108,900
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	10,281,913	10,227,330
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	731,113	731,113
020	INTERMEDIATE MAINTENANCE	10,122	10,122
030	AIRCRAFT DEPOT MAINTENANCE	167,811	167,811
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	103	103
050	AVIATION LOGISTICS	29,185	29,185
060	COMBAT COMMUNICATIONS	20,806	20,806
070	COMBAT SUPPORT FORCES	186,590	186,590
080	CYBERSPACE ACTIVITIES	296	296
090	ENTERPRISE INFORMATION	32,467	32,467
100	SUSTAINMENT, RESTORATION AND MODERNIZATION	63,726	63,726

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
110	BASE OPERATING SUPPORT	121,064	121,064
	SUBTOTAL OPERATING FORCES	1,363,283	1,363,283
	ADMIN & SRVWD ACTIVITIES		
120	ADMINISTRATION	2,025	2,025
130	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,401	13,401
140	ACQUISITION AND PROGRAM MANAGEMENT	2,101	2,101
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	17,527	17,527
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-8,100
	Foreign currency fluctuations		[-3,900]
	Unobligated balances		[-4,200]
	SUBTOTAL UNDISTRIBUTED	0	-8,100
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,380,810	1,372,710
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	128,468	128,468
020	DEPOT MAINTENANCE	20,967	20,967
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	46,589	46,589
040	BASE OPERATING SUPPORT	120,808	120,808
	SUBTOTAL OPERATING FORCES	316,832	316,832
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	12,563	12,563
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	12,563	12,563
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-4,900
	Foreign currency fluctuations		[-3,900]
	Unobligated balances		[-1,000]
	SUBTOTAL UNDISTRIBUTED	0	-4,900
	TOTAL OPERATION & MAINTENANCE, MC RE- SERVE	329,395	324,495
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	980,768	966,068
	DAF requested realignment of funds		[-14,700]
020	COMBAT ENHANCEMENT FORCES	2,665,924	2,665,924
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,630,552	1,630,552
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	4,632,693	4,632,693
050	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	4,252,815	4,194,663
	DAF requested realignment of funds		[-58,152]
060	CYBERSPACE SUSTAINMENT	229,440	229,440
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	9,537,192	9,537,192
080	FLYING HOUR PROGRAM	6,697,549	6,697,549
090	BASE SUPPORT	11,633,510	11,425,018
	DAF requested realignment of funds		[-223,192]
	DAF requested realignment of funds from SAG 11A		[14,700]
100	GLOBAL C3I AND EARLY WARNING	1,350,827	1,319,876
	DAF requested realignment of funds		[-30,951]
110	OTHER COMBAT OPS SPT PROGRAMS	1,817,941	1,817,941
120	CYBERSPACE ACTIVITIES	807,966	807,966
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	267,615	267,615
160	US NORTHCOM/NORAD	245,263	245,263
170	US STRATCOM	541,720	541,720
190	US CENTCOM	335,220	329,220
	Office of Security Cooperation-Iraq reduction		[-6,000]
200	US SOCOM	27,511	27,511
210	US TRANSCOM	607	607
220	CENTCOM CYBERSPACE SUSTAINMENT	1,415	1,415
230	USSPACECOM	373,989	373,989
240	MEDICAL READINESS	564,880	562,596
	DAF requested realignment of funds		[-2,284]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
999	CLASSIFIED PROGRAMS	1,465,926	1,465,926
	SUBTOTAL OPERATING FORCES	51,527,249	51,206,670
	MOBILIZATION		
260	AIRLIFT OPERATIONS	3,012,287	3,012,287
270	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	137,647
310	SPECIALIZED SKILL TRAINING	588,131	588,131
320	FLIGHT TRAINING	875,230	875,230
330	PROFESSIONAL DEVELOPMENT EDUCATION	301,262	301,262
340	TRAINING SUPPORT	194,609	194,609
350	RECRUITING AND ADVERTISING	204,318	250,182
	Air Force Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[40,864]
360	EXAMINING	7,775	7,775
370	OFF-DUTY AND VOLUNTARY EDUCATION	263,421	263,421
380	CIVILIAN EDUCATION AND TRAINING	343,039	343,039
390	JUNIOR ROTC	75,666	75,666
	SUBTOTAL TRAINING AND RECRUITING	3,222,759	3,268,623
	ADMIN & SRVWD 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	30,268	30,268
440	OTHER SERVICEWIDE ACTIVITIES	1,851,856	1,856,376
	DAF requested realignment of funds		[4,520]
450	CIVIL AIR PATROL	30,901	30,901
460	DEF ACQUISITION WORKFORCE DEVELOPMENT AC- COUNT	42,759	42,759
480	INTERNATIONAL SUPPORT	115,267	115,267
999	CLASSIFIED PROGRAMS	1,506,624	1,506,624
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	7,718,432	7,722,952
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-442,200
	Foreign currency fluctuations		[-208,500]
	Unobligated balances		[-233,700]
	SUBTOTAL UNDISTRIBUTED	0	-442,200
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	65,722,645	65,010,250
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	642,201	642,201
020	SPACE LAUNCH OPERATIONS	356,162	356,162
030	SPACE OPERATIONS	866,547	866,547
040	EDUCATION & TRAINING	199,181	217,353
	DAF requested realignment of funds		[18,172]
050	SPECIAL PROGRAMS	383,233	383,233
060	DEPOT MAINTENANCE	67,757	67,757
070	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	678,648	678,648
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,380,350	1,380,350
090	SPACE OPERATIONS -BOS	188,760	188,760
999	CLASSIFIED PROGRAMS	71,475	71,475
	SUBTOTAL OPERATING FORCES	4,834,314	4,852,486
	ADMINISTRATION AND SERVICE WIDE ACTIVI- TIES		
100	LOGISTICS OPERATIONS	34,046	34,046
110	ADMINISTRATION	149,108	130,936
	DAF requested realignment of funds		[-18,172]
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	183,154	164,982

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-87,100
	Foreign currency fluctuations		[-14,100]
	Unobligated balances		[-73,000]
	SUBTOTAL UNDISTRIBUTED	0	-87,100
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	5,017,468	4,930,368
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,088,949	2,116,429
	Military technician (dual status) end strength		[27,480]
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	4,004,860
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	107,281	107,281
090	RECRUITING AND ADVERTISING	9,373	11,248
	Recruiting and advertising increase		[1,875]
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	15,563	15,563
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,174	6,174
120	AUDIOVISUAL	485	485
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	138,876	140,751
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-46,700
	Foreign currency fluctuations		[-12,500]
	Unobligated balances		[-34,200]
	SUBTOTAL UNDISTRIBUTED	0	-46,700
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	4,116,256	4,098,911
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,498,675	2,498,675
020	MISSION SUPPORT OPERATIONS	656,714	796,394
	Military technician (dual status) end strength		[139,680]
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	1,280,003	1,280,003
060	BASE SUPPORT	1,089,579	1,089,579
070	CYBERSPACE SUSTAINMENT	19,708	19,708
080	CYBERSPACE ACTIVITIES	49,476	49,476
	SUBTOTAL OPERATING FORCES	7,136,244	7,275,924
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	68,417	68,417
100	RECRUITING AND ADVERTISING	49,033	72,433
	Recruiting and advertising increase		[23,400]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	117,450	140,850
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-46,200
	Foreign currency fluctuations		[-24,300]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	Unobligated balances		[-21,900]
	SUBTOTAL UNDISTRIBUTED	0	-46,200
	TOTAL OPERATION & MAINTENANCE, ANG	7,253,694	7,370,574
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	461,370	457,770
	Unobligated balances		[-3,600]
020	JOINT CHIEFS OF STAFF—JTEEP	701,081	701,081
030	JOINT CHIEFS OF STAFF—CYBER	8,210	8,210
040	OFFICE OF THE SECRETARY OF DEFENSE—MISO	252,480	252,480
060	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,012,953	2,012,953
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,210,930	1,206,930
	MQ-9 Unmanned Aerial Vehicle unjustified increase		[-4,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	202,574	202,574
090	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,346,004	3,351,004
	Special Operations Forces cyber training		[5,000]
100	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	49,757	49,757
110	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,391,402	1,391,402
120	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,438,967	1,438,967
130	CYBERSPACE OPERATIONS	1,318,614	1,328,614
	Modernization of Department of Defense Internet Gateway Cyber Defense		[10,000]
140	USCYBERCOM HEADQUARTERS	332,690	332,690
	SUBTOTAL OPERATING FORCES	12,727,032	12,734,432
	TRAINING AND RECRUITING		
150	DEFENSE ACQUISITION UNIVERSITY	183,342	183,342
160	JOINT CHIEFS OF STAFF	118,172	118,172
170	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DEVELOPMENT EDUCATION	33,855	33,855
	SUBTOTAL TRAINING AND RECRUITING	335,369	335,369
	ADMIN & SRVWIDE ACTIVITIES		
180	CIVIL MILITARY PROGRAMS	142,240	139,740
	Unobligated balances		[-2,500]
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	4,870	4,870
200	DEFENSE CONTRACT AUDIT AGENCY	667,943	665,243
	Unobligated balances		[-2,700]
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,567,119	1,551,619
	Unobligated balances		[-15,500]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	30,279	20,279
	Cybersecurity Maturity Model Certification program reduction		[-10,000]
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	1,062,123	1,062,123
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,835	9,835
260	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	27,517	27,517
270	DEFENSE HUMAN RESOURCES ACTIVITY	1,033,789	1,033,789
300	DEFENSE INFORMATION SYSTEMS AGENCY	2,567,698	2,557,798
	Unobligated balances		[-9,900]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	526,893	526,893
320	DEFENSE LEGAL SERVICES AGENCY	241,779	219,379
	Unobligated balances		[-22,400]
330	DEFENSE LOGISTICS AGENCY	446,731	446,731
340	DEFENSE MEDIA ACTIVITY	246,840	246,840
360	DEFENSE POW/MIA OFFICE	195,959	195,959
370	DEFENSE SECURITY COOPERATION AGENCY	2,379,100	2,389,100
	Irregular Warfare Functional Center		[10,000]
380	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	41,722	41,722
390	DEFENSE THREAT REDUCTION AGENCY	984,272	984,272
410	DEFENSE THREAT REDUCTION AGENCY—CYBER	70,548	70,548
420	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,451,625	3,531,625
	Impact Aid		[50,000]
	Impact Aid for children with severe disabilities		[30,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
430	MISSILE DEFENSE AGENCY	564,078	564,078
440	OFFICE OF THE LOCAL DEFENSE COMMUNITY CO- OPERATION	118,216	138,216
	Defense Manufacturing Community Support Program		[20,000]
480	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	92,176	92,176
490	OFFICE OF THE SECRETARY OF DEFENSE	2,676,416	2,718,116
	Bien Hoa dioxin cleanup		[15,000]
	Centers for Disease Control and Prevention Nation-wide human health assessment		[5,000]
	Readiness and Environmental Protection Integration program		[20,200]
	United States Telecommunications Training Institute		[1,500]
530	WASHINGTON HEADQUARTERS SERVICES	440,947	440,947
999	CLASSIFIED PROGRAMS	20,114,447	20,114,447
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	39,705,162	39,793,862
	TOTAL OPERATION AND MAINTENANCE, DE- FENSE-WIDE	52,767,563	52,863,663
	UNDISTRIBUTED		
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
997	UNDISTRIBUTED	0	-51,000
	Program reduction—USSOCOM		[-51,000]
998	UNDISTRIBUTED	0	-15,000
	Unobligated balances		[-15,000]
	SUBTOTAL UNDISTRIBUTED	0	-66,000
	TOTAL OPERATION & MAINTENANCE, DEFENSE- WIDE	0	-66,000
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DE- FENSE	16,620	16,620
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF	16,620	16,620
	TOTAL MISCELLANEOUS APPROPRIATIONS	16,620	16,620
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID ...	114,900	114,900
	SUBTOTAL OVERSEAS HUMANITARIAN, DIS- ASTER, AND CIVIC AID	114,900	114,900
	TOTAL MISCELLANEOUS APPROPRIATIONS	114,900	114,900
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	350,999	350,999
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	350,999	350,999
	TOTAL MISCELLANEOUS APPROPRIATIONS	350,999	350,999
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	54,977	54,977
	SUBTOTAL ACQUISITION WORKFORCE DEVELOP- MENT	54,977	54,977
	TOTAL MISCELLANEOUS APPROPRIATIONS	54,977	54,977
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	198,760	198,760
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	198,760	198,760

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	TOTAL MISCELLANEOUS APPROPRIATIONS	198,760	198,760
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,240	335,240
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	335,240	335,240
	TOTAL MISCELLANEOUS APPROPRIATIONS	335,240	335,240
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	349,744	349,744
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	349,744	349,744
	TOTAL MISCELLANEOUS APPROPRIATIONS	349,744	349,744
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,965	8,965
	SUBTOTAL ENVIRONMENTAL RESTORATION, DE- FENSE	8,965	8,965
	TOTAL MISCELLANEOUS APPROPRIATIONS	8,965	8,965
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	232,806	232,806
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	232,806	232,806
	TOTAL MISCELLANEOUS APPROPRIATIONS	232,806	232,806
	TOTAL OPERATION & MAINTENANCE	293,043,843	291,746,996

1 **TITLE XLIV—MILITARY**
2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
	Item	FY 2024 Request	Senate Authorized
	MILITARY PERSONNEL		
	MILITARY PERSONNEL APPROPRIATIONS		
	MILITARY PERSONNEL APPROPRIATIONS	168,320,510	166,779,670
	Air Force end strength underexecution		[-564,000]
	Air National Guard AGR end strength underexecution		[-45,600]
	Air National Reserve AGR end strength underexecution		[-8,040]
	Navy end strength underexecution		[-600,000]
	Unobligated balances		[-323,200]
	SUBTOTAL MILITARY PERSONNEL APPRO- PRIATIONS	168,320,510	166,779,670
	MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS		
	MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	10,553,456	10,553,456

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
Item	FY 2024 Request	Senate Authorized	
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	10,553,456	10,553,456	
TOTAL MILITARY PERSONNEL	178,873,966	177,333,126	

1 **TITLE XLV—OTHER**
 2 **AUTHORIZATIONS**
 3 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
WORKING CAPITAL FUND			
WORKING CAPITAL FUND, ARMY			
010	INDUSTRIAL OPERATIONS	27,551	27,551
020	SUPPLY MANAGEMENT—ARMY	1,662	1,662
	SUBTOTAL WORKING CAPITAL FUND, ARMY	29,213	29,213
WORKING CAPITAL FUND, AIR FORCE			
020	SUPPLIES AND MATERIALS	83,587	83,587
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	83,587	83,587
NATIONAL DEFENSE STOCKPILE TRANSACTION FUND			
010	DEFENSE STOCKPILE	7,629	7,629
	SUBTOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND	7,629	7,629
WORKING CAPITAL FUND, DEFENSE-WIDE			
010	DEFENSE AUTOMATION & PRODUCTION SERVICES	4	4
040	ENERGY MANAGEMENT—DEF	114,663	114,663
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	114,667	114,667
WORKING CAPITAL FUND, DECA			
010	WORKING CAPITAL FUND, DECA	1,447,612	1,447,612
	SUBTOTAL WORKING CAPITAL FUND, DECA	1,447,612	1,447,612
	TOTAL WORKING CAPITAL FUND	1,682,708	1,682,708
CHEM AGENTS & MUNITIONS DESTRUCTION OPERATION & MAINTENANCE			
1	CHEM DEMILITARIZATION—O&M	89,284	89,284
	SUBTOTAL OPERATION & MAINTENANCE	89,284	89,284
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION			
2	CHEM DEMILITARIZATION—RDT&E	1,002,560	1,002,560
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	1,002,560	1,002,560
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION ...	1,091,844	1,091,844
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF DRUG INTRDCTN			
010	COUNTER-NARCOTICS SUPPORT	643,848	643,848
	SUBTOTAL DRUG INTRDCTN	643,848	643,848
DRUG DEMAND REDUCTION PROGRAM			
020	DRUG DEMAND REDUCTION PROGRAM	134,313	134,313
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	134,313	134,313
NATIONAL GUARD COUNTER-DRUG PROGRAM			
030	NATIONAL GUARD COUNTER-DRUG PROGRAM	102,272	102,272

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	102,272	102,272
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
040	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,993	5,993
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,993	5,993
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	886,426	886,426
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OPERATION AND MAINTENANCE	518,919	518,919
020	OPERATION AND MAINTENANCE	1,948	1,948
030	RDT&E	3,400	3,400
040	PROCUREMENT	1,098	1,098
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	520,867	520,867
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	3,400	3,400
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	1,098	1,098
	TOTAL OFFICE OF THE INSPECTOR GENERAL	525,365	525,365
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	10,044,342	10,044,342
020	PRIVATE SECTOR CARE	19,893,028	19,893,028
030	CONSOLIDATED HEALTH SUPPORT	2,007,012	2,007,012
040	INFORMATION MANAGEMENT	2,327,816	2,327,816
050	MANAGEMENT ACTIVITIES	347,446	347,446
060	EDUCATION AND TRAINING	336,111	336,111
070	BASE OPERATIONS/COMMUNICATIONS	2,144,551	2,144,551
	SUBTOTAL OPERATION & MAINTENANCE	37,100,306	37,100,306
	RDT&E		
080	R&D RESEARCH	40,311	40,311
090	R&D EXPLORATORY DEVELOPMENT	178,892	178,892
100	R&D ADVANCED DEVELOPMENT	327,040	327,040
110	R&D DEMONSTRATION/VALIDATION	172,351	172,351
120	R&D ENGINEERING DEVELOPMENT	107,753	107,753
130	R&D MANAGEMENT AND SUPPORT	87,096	87,096
140	R&D CAPABILITIES ENHANCEMENT	18,330	18,330
	SUBTOTAL RDT&E	931,773	931,773
	PROCUREMENT		
150	PROC INITIAL OUTFITTING	22,344	22,344
160	PROC REPLACEMENT & MODERNIZATION	238,435	238,435
170	PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	29,537	29,537
180	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	74,055	74,055
190	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	17,510	17,510
	SUBTOTAL PROCUREMENT	381,881	381,881
	TOTAL DEFENSE HEALTH PROGRAM	38,413,960	38,413,960
	TOTAL OTHER AUTHORIZATIONS	42,600,303	42,600,303

1 **TITLE XLVI—MILITARY**
 2 **CONSTRUCTION**

3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
	Alabama			
Army	Anniston Army Depot	OPEN STORAGE (P&D)	0	270
Army	Redstone Arsenal	SUBSTATION	50,000	50,000
	Alaska			
Army	Fort Wainwright	COST TO COMPLETE: ENLISTED UNACCOMPANIED PERS HSG	34,000	34,000
Army	Fort Wainwright	SOLDER PERFORMANCE READINESS CENTER (P&D)	0	7,900
	Georgia			
Army	Fort Eisenhower	CYBER INSTRUCTIONAL FACILITY (CLASSROOMS)	163,000	73,000
	Germany			
Army	Grafenwoehr	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	10,400	10,400
Army	Hohenfels	SIMULATIONS CENTER	56,000	56,000
	Hawaii			
Army	Aliamahu Military Reservation	WATER STORAGE TANK	20,000	20,000
Army	Fort Shafter	CLEARWELL AND BOOSTER PUMP	0	23,000
Army	Helemano Military Reservation	WELLS AND STORAGE TANK	0	33,000
Army	Schofield Barracks	ELEVATED TANK AND DISTRIBUTION LINE	0	21,000
Army	Schofield Barracks	WATER STORAGE TANK	0	16,000
Army	Wheeler Army Airfield	AIR TRAFFIC CONTROL TOWER (P&D)	0	5,400
	Indiana			
Army	Crane Army Ammunition Plant	EARTH COVERED MAGAZINES (P&D)	0	1,195
	Kansas			
Army	Fort Riley	AIR TRAFFIC CONTROL TOWER (P&D)	0	1,600
Army	Fort Riley	AIRCRAFT MAINTENANCE HANGER	105,000	105,000
	Kentucky			
Army	Blue Grass Army Depot	SMALL ARMS MODERNIZATION (P&D)	0	3,300
Army	Fort Campbell	AIR TRAFFIC CONTROL TOWER (P&D)	0	2,500
Army	Fort Campbell	MULTIPURPOSE TRAINING RANGE	38,000	38,000
Army	Fort Knox	MIDDLE SCHOOL ADDITION (P&D)	0	6,600
	Kwajalein			
Army	Kwajalein Atoll	COST TO COMPLETE: PIER	0	15,000
	Louisiana			
Army	Fort Johnson	MULTIPURPOSE ATHLETIC FIELD	0	13,400
	Massachusetts			
Army	Soldier Systems Center Natick	BARRACKS ADDITION	18,500	18,500
	Michigan			
Army	Detroit Arsenal	GROUND TRANSPORT EQUIPMENT BUILDING	72,000	72,000
	New Mexico			
Army	White Sands Missile Range	J-DETC DIRECTED ENERGY FACILITY (P&D)	0	5,500
	New York			
Army	Watervliet Arsenal	TANK FARM (P&D)	0	160
	North Carolina			
Army	Fort Liberty	AUTOMATED RECORD FIRE RANGE	19,500	19,500
Army	Fort Liberty	BARRACKS	50,000	50,000
Army	Fort Liberty	BARRACKS (FACILITY PROTOTYPING)	85,000	85,000
	Oklahoma			
Army	McAlester Army Ammunition Plant	WATER TREATMENT PLANT (P&D)	0	1,194
	Pennsylvania			
Army	Letterkenny Army Depot	ANECHOIC CHAMBER (P&D)	0	275
Army	Letterkenny Army Depot	GUIDED MISSILE MAINTENANCE BUILDING	89,000	89,000
Army	Tobyhanna Army Depot	HELIPAD (P&D)	0	311
Army	Tobyhanna Army Depot	RADAR MAINTENANCE SHOP (P&D)	0	259
	Poland			
Army	Various Locations	PLANNING & DESIGN	0	25,710

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Army	South Carolina Fort Jackson	COST TO COMPLETE. RECEPTION BARRACKS COMPLEX, PHASE 2	0	66,000
	Texas			
Army	Fort Bliss	RAIL YARD	74,000	74,000
Army	Fort Cavazos	BARRACKS (P&D)	0	20,000
Army	Fort Cavazos	TACTICAL EQUIPMENT MAINTENANCE FACILITIES (P&D)	0	5,800
Army	Red River Army Depot	COMPONENT REBUILD SHOP	113,000	46,400
Army	Red River Army Depot	NON-DESTRUCTIVE TESTING FACILITY (P&D)	0	280
Army	Red River Army Depot	STANDBY GENERATOR (P&D)	0	270
	Virginia			
Army	Fort Belvoir	EQUINE TRAINING FACILITY (P&D)	0	4,000
	Washington			
Army	Joint Base Lewis-McChord	BARRACKS	100,000	100,000
Army	Joint Base Lewis-McChord	VEHICLE MAINTENANCE SHOP (P&D)	0	7,500
	Worldwide Unspecified			
Army	Unspecified Worldwide	BARRACKS REPLACEMENT FUND	0	50,000
Army	Unspecified Worldwide Locations	HOST NATION SUPPORT	26,000	26,000
Army	Unspecified Worldwide Locations	MINOR CONSTRUCTION	76,280	76,280
Army	Unspecified Worldwide Locations	PLANNING & DESIGN	270,875	270,875
Subtotal Military Construction, Army			1,470,555	1,651,379
NAVY				
	Australia			
Navy	Royal Australian Air Force Base Darwin	PDI: AIRCRAFT PARKING APRON (INC)	134,624	134,624
	California			
Navy	Marine Corps Air Ground Combat Center Twentynine Palms	COMMUNICATIONS TOWERS	42,100	42,100
Navy	Port Hueneme	LABORATORY COMPOUND FACILITIES IMPROVEMENTS	110,000	15,000
	Connecticut			
Navy	Naval Submarine Base New London	SUBMARINE PIER 31 EXTENSION	112,518	36,718
Navy	Naval Submarine Base New London	WEAPONS MAGAZINE & ORDNANCE OPERATIONS FAC.	219,200	19,200
	District of Columbia			
Navy	Marine Barracks Washington	BACHELOR ENLISTED QUARTERS & SUPPORT FACILITY	131,800	16,800
	Djibouti			
Navy	Camp Lemonnier	ELECTRICAL POWER PLANT	0	20,000
	Florida			
Navy	Naval Air Station Whiting Field	AHTS HANGAR	0	50,000
	Guam			
Navy	Andersen Air Force Base	PDI: CHILD DEVELOPMENT CENTER	105,220	55,220
Navy	Andersen Air Force Base	PDI: JOINT CONSOL. COMM. CENTER (INC)	107,000	107,000
Navy	Joint Region Marianas	PDI: JOINT COMMUNICATION UPGRADE (INC)	292,830	31,330
Navy	Joint Region Marianas	PDI: MISSILE INTEGRATION TEST FACILITY	174,540	44,540
Navy	Naval Base Guam	PDI: 9TH ESB TRAINING COMPLEX	23,380	23,380
Navy	Naval Base Guam	PDI: ARTILLERY BATTERY FACILITIES	137,550	67,550
Navy	Naval Base Guam	PDI: CONSOLIDATED MEB HQ/NCIS PHH	19,740	19,740
Navy	Naval Base Guam	PDI: RECREATION CENTER	34,740	34,740
Navy	Naval Base Guam	PDI: RELIGIOUS MINISTRY SERVICES FACILITY	46,350	46,350
Navy	Naval Base Guam	PDI: SATELLITE COMMUNICATIONS FACILITY (INC)	166,159	56,159
Navy	Naval Base Guam	PDI: TRAINING CENTER	89,640	89,640
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	DRY DOCK 3 REPLACEMENT (INC)	1,318,711	1,318,711
Navy	Joint Base Pearl Harbor-Hickam	WATERFRONT PRODUCTION FACILITY (P&D)	0	60,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Navy	Marine Corps Base Kaneohe Bay	WATER RECLAMATION FACILITY COM-PLIANCE UPGRADE	0	40,000
Navy	Italy Naval Air Station Sigonella	EDI: ORDNANCE MAGAZINES	77,072	77,072
Navy	Maine Portsmouth Naval Shipyard	MULTI-MISSION DRYDOCK #1 EXTENSION (INC)	544,808	544,808
Navy	Maryland Fort Meade	CYBERSECURITY OPERATIONS FACILITY	186,480	60,580
Navy	Naval Air Station Patuxent River	AIRCRAFT DEVELOPMENT AND MAINTENANCE FACILITIES	141,700	62,000
Navy	North Carolina Marine Corps Air Station Cherry Point	2D LAAD MAINTENANCE AND OPERATIONS FACILITIES	0	50,000
Navy	Marine Corps Air Station Cherry Point	AIRCRAFT MAINTENANCE HANGAR (INC)	19,529	19,529
Navy	Marine Corps Air Station Cherry Point	MAINTENANCE FACILITY & MARINE AIR GROUP HQS	125,150	40,150
Navy	Marine Corps Base Camp Lejeune	10TH MARINES MAINTENANCE & OPERATIONS COMPLEX	0	20,000
Navy	Marine Corps Base Camp Lejeune	CORROSION REPAIR FACILITY REPLACEMENT	0	20,000
Navy	Pennsylvania Naval Surface Warfare Center Philadelphia	AI MACHINERY CONTROL DEVELOPMENT CENTER	0	88,200
Navy	Virginia Dam Neck Annex	MARITIME SURVEILLANCE SYSTEM FACILITY	109,680	109,680
Navy	Joint Expeditionary Base Little Creek—Fort Story	CHILD DEVELOPMENT CENTER	35,000	35,000
Navy	Marine Corps Base Quantico	WATER TREATMENT PLANT	127,120	37,120
Navy	Naval Station Norfolk	CHILD DEVELOPMENT CENTER	43,600	43,600
Navy	Naval Station Norfolk	MQ-25 AIRCRAFT LAYDOWN FACILITIES	114,495	11,495
Navy	Naval Station Norfolk	SUBMARINE PIER 3 (INC)	99,077	99,077
Navy	Naval Weapons Station Yorktown	WEAPONS MAGAZINES	221,920	46,920
Navy	Norfolk Naval Shipyard	DRY DOCK SALTWATER SYSTEM FOR CVN-78 (INC)	81,082	81,082
Navy	Washington Naval Base Kitsap	ALTERNATE POWER TRANSMISSION LINE	0	19,000
Navy	Naval Base Kitsap	ARMORED FIGHTING VEHICLE SUPPORT FACILITY	0	31,000
Navy	Naval Base Kitsap	SHIPYARD ELECTRICAL BACKBONE	195,000	15,000
Navy	Worldwide Unspecified			
Navy	Unspecified Worldwide	BARRACKS REPLACEMENT FUND	0	75,000
Navy	Unspecified Worldwide	INDOPACOM PLANNING & DESIGN	0	69,000
Navy	Unspecified Worldwide	STOP (P&D)	0	50,000
Navy	Unspecified Worldwide	PLANNING & DESIGN	578,942	578,942
Navy	Locations			
Navy	Unspecified Worldwide	PLANNING & DESIGN	21,000	21,000
Navy	Locations			
Navy	Unspecified Worldwide	UNSPECIFIED MINOR CONSTRUCTION	34,430	34,430
Navy	Locations			
Subtotal Military Construction, Navy			6,022,187	4,668,487
AIR FORCE				
	Alaska			
Air Force	Eielson Air Force Base	CONSOLIDATED MUNITIONS COMPLEX (P&D)	0	1,200
Air Force	Eielson Air Force Base	JOINT PACIFIC ALASKA RANGE COMPLEX (JPARC) OPS FACILITY (P&D)	0	1,100
Air Force	Joint Base Elmendorf-Richardson	EXTEND RUNWAY 16/34 (INC 3)	107,500	107,500
Air Force	Joint Base Elmendorf-Richardson	PRECISION GUIDED MISSILE COMPLEX (P&D)	0	6,100
	Arizona			
Air Force	Luke Air Force Base	GILA BEND (P&D)	0	2,600
	Australia			
Air Force	Royal Australian Air Force Base Darwin	PDI: SQUADRON OPERATIONS FACILITY	26,000	26,000
Air Force	Royal Australian Air Force Base Tindal	PDI: AIRCRAFT MAINTENANCE SUPPORT FACILITY	17,500	17,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Air Force	Royal Australian Air Force Base Tindal	PDI: SQUADRON OPERATIONS FACILITY	20,000	20,000
Air Force	Royal Australian Air Force Base Tindal	PDI: BOMBER APRON	93,000	93,000
	Florida			
Air Force	MacDill Air Force Base	KC-46A ADAL AIRCRAFT CORROSION CONTROL	25,000	25,000
Air Force	MacDill Air Force Base	KC-46A ADAL AIRCRAFT MAINTENANCE HANGAR	27,000	27,000
Air Force	MacDill Air Force Base	KC-46A ADAL APRON & HYDRANT FUELING PITS	61,000	61,000
Air Force	MacDill Air Force Base	KC-46A ADAL FUEL SYSTEM MAINTENANCE DOCK	18,000	18,000
Air Force	Patrick Space Force Base	COMMERCIAL VEHICLE INSPECTION	15,000	15,000
Air Force	Patrick Space Force Base	COST TO COMPLETE: CONSOLIDATED COMMUNICATIONS CENTER	15,000	15,000
Air Force	Patrick Space Force Base	FINAL DENIAL BARRIERS, SOUTH GATE	12,000	12,000
Air Force	Tyndall Air Force Base	NATURAL DISASTER RECOVERY	0	252,000
	Georgia			
Air Force	Robins Air Force Base	BATTLE MANAGEMENT COMBINED OPERATIONS COMPLEX	115,000	115,000
	Guam			
Air Force	Joint Region Marianas	PDI: NORTH AIRCRAFT PARKING RAMP (INC)	109,000	109,000
	Japan			
Air Force	Kadena Air Base	PDI: HELO RESCUE OPS MAINTENANCE HANGAR (INC 3)	46,000	46,000
Air Force	Kadena Air Base	PDI: THEATER A/C CORROSION CONTROL CTR (INC)	42,000	42,000
	Louisiana			
Air Force	Barksdale Air Force Base	CHILD DEVELOPMENT CENTER (P&D)	0	2,000
Air Force	Barksdale Air Force Base	DORMITORY (P&D)	0	7,000
Air Force	Barksdale Air Force Base	WEAPONS GENERATION FACILITY (INC 3)	112,000	112,000
	Mariana Islands			
Air Force	Tinian	PDI: AIRFIELD DEVELOPMENT, PHASE 1 (INC 3)	26,000	26,000
Air Force	Tinian	PDI: FUEL TANKS W/PIPELINE & HYDRANT (INC 3)	20,000	20,000
Air Force	Tinian	PDI: PARKING APRON (INC 3)	32,000	32,000
	Massachusetts			
Air Force	Hanscom Air Force Base	CHILD DEVELOPMENT CENTER	37,000	37,000
Air Force	Hanscom Air Force Base	MIT-LINCOLN LAB (WEST LAB CSL/MIF) (INC 4)	70,000	70,000
	Mississippi			
Air Force	Columbus Air Force Base	T-7A GROUND BASED TRAINING SYSTEM FACILITY	30,000	30,000
Air Force	Columbus Air Force Base	T-7A UNIT MAINTENANCE TRAINING FACILITY	9,500	9,500
Air Force	Keesler Air Force Base	AIR TRAFFIC CONTROL TOWER (P&D)	0	2,000
	Nebraska			
Air Force	Offutt Air Force Base	55 CES MAINTENANCE/WAREHOUSE (P&D)	0	4,500
Air Force	Offutt Air Force Base	BASE OPERATIONS/MOBILITY CENTER (P&D)	0	5,000
Air Force	Offutt Air Force Base	LOGISTICS READINESS SQUADRON TRANSPORTATION FACILITY (P&D)	0	3,500
	Nevada			
Air Force	Nellis Air Force Base	F-35 COALITION HANGAR (P&D)	0	5,500
Air Force	Nellis Air Force Base	F-35 DATA LAB SUPPORT FACILITY (P&D)	0	700
	New Mexico			
Air Force	Cannon Air Force Base	SATELLITE FIRE STATION (P&D)	0	5,000
Air Force	Kirtland Air Force Base	COST TO COMPLETE: WYOMING GATE UPGRADE FOR ANTITERRORISM COMPLIANCE	0	24,400
	Norway			
Air Force	Rygge Air Station	EDI: DABS-FEV STORAGE	88,000	88,000
Air Force	Rygge Air Station	EDI: MUNITIONS STORAGE AREA	31,000	31,000
	Ohio			
Air Force	Wright-Patterson Air Force Base	ACQUISITION MANAGEMENT COMPLEX PHASE V (P&D)	0	19,500
	Oklahoma			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Air Force	Tinker Air Force Base	KC-46 3-BAY DEPOT MAINTENANCE HANGAR (INC 3)	78,000	78,000
Air Force	Vance Air Force Base	CONSOLIDATED UNDERGRADUATE PILOT TRAINING CENTER (P&D)	0	8,400
	Philippines			
Air Force	Cesar Basa Air Base	PDI: TRANSIENT AIRCRAFT PARKING APRON	35,000	35,000
	South Dakota			
Air Force	Ellsworth Air Force Base	B-21 FUEL SYSTEM MAINTENANCE DOCK	75,000	75,000
Air Force	Ellsworth Air Force Base	B-21 PHASE HANGAR	160,000	160,000
Air Force	Ellsworth Air Force Base	B-21 WEAPONS GENERATION FACILITY (INC)	160,000	160,000
	Spain			
Air Force	Morón Air Base	EDI: MUNITIONS STORAGE	26,000	26,000
	Texas			
Air Force	Joint Base San Antonio-Lackland	CHILD DEVELOPMENT CENTER	20,000	20,000
	United Kingdom			
Air Force	Royal Air Force Fairford	COST TO COMPLETE: EDI DABS-FEV STORAGE	0	28,000
Air Force	Royal Air Force Fairford	COST TO COMPLETE: EDI MUNITIONS HOLDING AREA	0	20,000
Air Force	Royal Air Force Fairford	EDI: RADR STORAGE FACILITY	47,000	47,000
Air Force	Royal Air Force Lakenheath	EDI: RADR STORAGE FACILITY	28,000	28,000
Air Force	Royal Air Force Lakenheath	SURETY DORMITORY	50,000	50,000
	Utah			
Air Force	Hill Air Force Base	F-35 T-7A EAST CAMPUS INFRASTRUCTURE	82,000	82,000
	Worldwide Unspecified			
Air Force	Unspecified Worldwide	BARRACKS REPLACEMENT FUND	0	50,000
Air Force	Unspecified Worldwide Locations	EDI: PLANNING & DESIGN	5,648	5,648
Air Force	Unspecified Worldwide Locations	PLANNING & DESIGN	338,985	338,985
Air Force	Unspecified Worldwide Locations	PLANNING & DESIGN	90,281	90,281
Air Force	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION	64,900	64,900
	Wyoming			
Air Force	F.E. Warren Air Force Base	COST TO COMPLETE: CONSOLIDATED HELO/TRF OPS/AMU AND ALERT FACILITY	0	18,000
Air Force	F.E. Warren Air Force Base	GBSD INTEGRATED COMMAND CENTER (INC 2)	27,000	27,000
Air Force	F.E. Warren Air Force Base	GBSD INTEGRATED TRAINING CENTER	85,000	85,000
Air Force	F.E. Warren Air Force Base	GBSD MISSILE HANDLING COMPLEX (INC 2)	28,000	28,000
Subtotal Military Construction, Air Force			2,605,314	3,071,814
DEFENSE-WIDE				
	Alabama			
Defense-Wide	Redstone Arsenal	GROUND TEST FACILITY INFRASTRUCTURE	147,975	77,975
	California			
Defense-Wide	Marine Corps Air Station Miramar	AMBULATORY CARE CENTER—DENTAL CLINIC ADD/ALT	103,000	20,600
Defense-Wide	Marine Corps Air Station Miramar	ELECTRICAL INFRASTRUCTURE, ON-SITE GENERATION, AND MICROGRID IMPROVEMENTS	0	30,550
Defense-Wide	Monterey	COST TO COMPLETE: COGEN PLANT AT B236	0	5,460
Defense-Wide	Naval Base Coronado	COST TO COMPLETE: ATC OPERATIONS SUPPORT FACILITY	0	11,400
Defense-Wide	Naval Base Coronado	SOF NAVAL SPECIAL WARFARE COMMAND OPERATIONS SUPPORT FACILITY, PHASE 2	0	51,000
Defense-Wide	Naval Base San Diego	AMBULATORY CARE CENTER—DENTAL CLINIC REPLMT	101,644	22,185
Defense-Wide	Naval Base San Diego	MICROGRID AND BACKUP POWER	0	6,300
Defense-Wide	Naval Base Ventura County	COST TO COMPLETE: GROUND MOUNTED SOLAR PV	0	16,840

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Defense-Wide	Vandenberg Space Force Base	MICROGRID WITH BACKUP POWER	0	57,000
	Colorado			
Defense-Wide	Buckley Space Force Base	REDUNDANT ELECTRICAL SUPPLY	0	9,000
Defense-Wide	Buckley Space Force Base	REPLACEMENT WATER WELL	0	5,700
	Cuba			
Defense-Wide	Guantanamo Bay Naval Station	AMBULATORY CARE CENTER (INC 1)	60,000	60,000
	Delaware			
Defense-Wide	Dover Air Force Base	ARMED SERVICES WHOLE BLOOD PROCESSING LABORATORY	0	30,500
	Djibouti			
Defense-Wide	Camp Lemonnier	COST TO COMPLETE: ENHANCE ENERGY SECURITY AND CONTROL SYSTEMS	0	5,200
	Georgia			
Defense-Wide	Naval Submarine Base Kings Bay	ELECTRICAL TRANSMISSION AND DISTRIBUTION IMPROVEMENTS, PHASE 2	0	49,500
	Germany			
Defense-Wide	Baumholder	HUMAN PERFORMANCE TRAINING CENTER	0	16,700
Defense-Wide	Baumholder	SOF COMPANY OPERATIONS FACILITY	41,000	41,000
Defense-Wide	Baumholder	SOF JOINT PARACHUTE RIGGING FACILITY	23,000	23,000
Defense-Wide	Kaiserslautern Air Base	KAISERSLAUTERN MIDDLE SCHOOL	21,275	21,275
Defense-Wide	Ramstein Air Base	RAMSTEIN MIDDLE SCHOOL	181,764	181,764
Defense-Wide	Rhine Ordnance Barracks	MEDICAL CENTER REPLACEMENT (INC 11)	77,210	77,210
Defense-Wide	Stuttgart	ROBINSON BARRACKS ELEM SCHOOL REPLACEMENT	8,000	8,000
	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam	COST TO COMPLETE: FY20 500 KW PV COVERED PARKING EV CHARGING STATION	0	7,476
Defense-Wide	Joint Base Pearl Harbor-Hickam	COST TO COMPLETE: PRIMARY ELECTRICAL DISTRIBUTION	0	13,040
	Honduras			
Defense-Wide	Soto Cano Air Base	FUEL FACILITIES	41,300	41,300
	Italy			
Defense-Wide	Naples	COST TO COMPLETE: SMART GRID	0	7,610
	Japan			
Defense-Wide	Fleet Activities Yokosuka	KINNICK HIGH SCHOOL (INC)	70,000	70,000
Defense-Wide	Kadena Air Base	PDI SOF MAINTENANCE HANGAR	88,900	88,900
Defense-Wide	Kadena Air Base	PDI: SOF COMPOSITE MAINTENANCE FACILITY	11,400	11,400
	Kansas			
Defense-Wide	Forbes Field	MICROGRID AND BACKUP POWER	0	5,850
Defense-Wide	Fort Riley	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	15,468
	Korea			
Defense-Wide	K-16 Air Base	K-16 EMERGENCY BACKUP POWER	0	5,650
	Kuwait			
Defense-Wide	Camp Arifjan	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	8,197
Defense-Wide	Camp Buehring	MICROGRID AND BACKUP POWER	0	18,850
	Louisiana			
Defense-Wide	Naval Air Station Joint Reserve Base New Orleans	COST TO COMPLETE: DISTRIBUTION SWITCHGEAR	0	6,453
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDICAL CENTER ADDITION/ALTERATION (INC 7)	101,816	101,816
Defense-Wide	Fort Meade	NSAW MISSION OPS AND RECORDS CENTER (INC)	105,000	105,000
Defense-Wide	Fort Meade	NSAW RECAP BUILDING 4 (INC)	315,000	315,000
Defense-Wide	Fort Meade	NSAW RECAP BUILDING 5 (ECB 5) (INC)	65,000	65,000
Defense-Wide	Joint Base Andrews	HYDRANT FUELING SYSTEM	38,300	38,300
	Missouri			
Defense-Wide	Lake City Army Ammunition Plant	MICROGRID AND BACKUP POWER	0	80,100
	Montana			
Defense-Wide	Great Falls International Airport	FUEL FACILITIES	30,000	30,000
	Nebraska			

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Defense-Wide	Offutt Air Force Base	DEFENSE POW/MIA ACCOUNTABILITY AGENCY LABORATORY (P&D)	0	5,000
Defense-Wide	Offutt Air Force Base	MICROGRID AND BACKUP POWER	0	41,000
Defense-Wide	North Carolina Fort Liberty (Camp Mackall)	MICROGRID AND BACKUP POWER	0	10,500
Defense-Wide	Marine Corps Base Camp Lejeune	MARINE RAIDER BATTALION OPERATIONS FACILITY	0	70,000
Defense-Wide	Oklahoma Fort Sill	MICROGRID AND BACKUP POWER	0	76,650
Defense-Wide	Pennsylvania Fort Indiantown Gap	COST TO COMPLETE: GEOTHERMAL AND SOLAR PV	0	9,250
Defense-Wide	Puerto Rico Fort Buchanan	MICROGRID AND BACKUP POWER	0	56,000
Defense-Wide	Juana Díaz	COST TO COMPLETE: MICROGRID CONTROLS, 690 KW PV, 275KW GEN, 570 KWH BESS	0	7,680
Defense-Wide	Ramey	COST TO COMPLETE: MICROGRID CONTROL SYSTEM, 460 KW PV, 275KW GEN, 660 KWH BESS	0	6,360
Defense-Wide	Spain Naval Station Rota	BULK TANK FARM, PHASE 1	80,000	80,000
Defense-Wide	Texas Fort Cavazos	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	18,900
Defense-Wide	Fort Cavazos	MICROGRID AND BACKUP POWER	0	18,250
Defense-Wide	Utah Hill Air Force Base	OPEN STORAGE	14,200	14,200
Defense-Wide	Virginia Fort Belvoir	DIA HEADQUARTERS ANNEX	185,000	25,000
Defense-Wide	Hampton Roads	COST TO COMPLETE: BACKUP POWER GENERATION	0	1,200
Defense-Wide	Joint Expeditionary Base Little Creek— Fort Story	SOF SDVT2 OPERATIONS SUPPORT FACILITY	61,000	61,000
Defense-Wide	Fort Belvoir (NGA Campus East)	COST TO COMPLETE: CHILLED WATER REDUNDANCY	0	550
Defense-Wide	Pentagon	HVAC EFFICIENCY UPGRADES	0	2,250
Defense-Wide	Pentagon	SEC OPS AND PEDESTRIAN ACCESS FACS	30,600	30,600
Defense-Wide	Washington Joint Base Lewis-McChord	POWER GENERATION AND MICROGRID	0	49,850
Defense-Wide	Joint Base Lewis-McChord	SOF CONSOLIDATED RIGGING FACILITY	62,000	62,000
Defense-Wide	Manchester	BULK STORAGE TANKS, PHASE 2	71,000	71,000
Defense-Wide	Naval Undersea Warfare Center Keyport	SOF COLD WATER TRAINING AUSTERE ENVIRONMENT FACILITY	0	37,000
Defense-Wide	Worldwide Unspecified Unspecified Worldwide	INDOPACOM UNSPECIFIED MINOR MILITARY CONSTRUCTION	0	62,000
Defense-Wide	Unspecified Worldwide Locations	ENERGY RESILIENCE AND CONSERV. INVEST. PROG.	548,000	0
Defense-Wide	Unspecified Worldwide Locations	ERCIP PLANNING & DESIGN	86,250	86,250
Defense-Wide	Unspecified Worldwide Locations	EXERCISE RELATED MINOR CONSTRUCTION	11,107	11,107
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	49,610	49,610
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	32,579	32,579
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	30,215	30,215
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	25,130	25,130
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	24,000	24,000
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	8,568	8,568
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	3,068	3,068
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	2,000	2,000
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	1,035	1,035
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	590	590

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Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	19,271	19,271
Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	3,000	3,000
Defense-Wide	Various Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	4,875	4,875
Defense-Wide	Wyoming F.E. Warren Air Force Base	MICROGRID AND BATTERY STORAGE	0	25,000
Subtotal Military Construction, Defense-Wide			2,984,682	3,006,107
ARMY NATIONAL GUARD				
Alabama				
Army National Guard	Fort McClellan	COST TO COMPLETE: ENLISTED BARRACKS, TT	0	7,000
Army National Guard	Huntsville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	4,650
Arizona				
Army National Guard	Surprise Readiness Center	NATIONAL GUARD READINESS CENTER	15,000	15,000
Arkansas				
Army National Guard	Fort Chaffee	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	610
California				
Army National Guard	Bakersfield	COST TO COMPLETE: VEHICLE MAINTENANCE SHOP	0	1,000
Army National Guard	Camp Roberts	COST TO COMPLETE: AUTOMATED MULTIPURPOSE MACHINE GUN (MPMG) RANGE	0	5,000
Colorado				
Army National Guard	Peterson Space Force Base	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	3,000
Connecticut				
Army National Guard	Putnam	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	6,125
Florida				
Army National Guard	Camp Blanding	MULTIPURPOSE MACHINE GUN RANGE	0	11,000
Guam				
Army National Guard	Barrigada	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	6,900
Idaho				
Army National Guard	Jerome	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	1,250
Army National Guard	Jerome County Regional Site	NATIONAL GUARD VEHICLE MAINTENANCE SHOP	17,000	17,000
Illinois				
Army National Guard	Bloomington	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	5,250
Army National Guard	North Riverside Armory	NATIONAL GUARD VEHICLE MAINTENANCE SHOP	24,000	24,000
Indiana				
Army National Guard	Shelbyville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER ADD/ALT	0	5,000
Kansas				
Army National Guard	Topeka	COST TO COMPLETE: NATIONAL GUARD/RESERVE CENTER BUILDING	0	5,856
Kentucky				
Army National Guard	Burlington	VEHICLE MAINTENANCE SHOP	0	16,400
Army National Guard	Frankfort	COST TO COMPLETE: NATIONAL GUARD/RESERVE CENTER BUILDING	0	2,000
Louisiana				
Army National Guard	Camp Beauregard	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)	0	2,400
Army National Guard	Camp Beauregard	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	2,000
Army National Guard	Camp Minden	COST TO COMPLETE: COLLECTIVE TRAINING UNACCOMPANIED HOUSING, OPEN BAY	0	3,718
Maine				
Army National Guard	Northern Maine Range Complex	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE (P&D)	0	2,800
Army National Guard	Saco	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	7,420
Massachusetts				

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Army National Guard	Camp Edwards	COST TO COMPLETE: AUTOMATED MULTIPURPOSE MACHINE GUN (MPMG) RANGE	0	3,000
	Mississippi			
Army National Guard	Camp Shelby	CAMP SHELBY JFTC RAILHEAD EXPANSION (P&D)	0	2,200
Army National Guard	Camp Shelby	COST TO COMPLETE: MANEUVER AREA TRAINING EQUIPMENT SITE ADDITION	0	5,425
Army National Guard	Southaven	NATIONAL GUARD READINESS CENTER	0	22,000
	Missouri			
Army National Guard	Belle Fontaine	NATIONAL GUARD READINESS CENTER	28,000	28,000
	Nebraska			
Army National Guard	Bellevue	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	9,090
Army National Guard	Greenleaf Training Site	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)	0	1,200
Army National Guard	Mead Training Site	COST TO COMPLETE: COLLECTIVE TRAINING UNACCOMPANIED HOUSING, OPEN BAY	0	1,913
Army National Guard	North Platte	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	400
	New Hampshire			
Army National Guard	Concord	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	200
Army National Guard	Littleton	NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADD	23,000	23,000
	New Jersey			
Army National Guard	Joint Base McGuire-Dix-Lakehurst	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	605
	New Mexico			
Army National Guard	Rio Rancho Training Site	NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADD	11,000	11,000
	New York			
Army National Guard	Lexington Avenue Armory	NATIONAL GUARD READINESS CENTER	0	70,000
	North Carolina			
Army National Guard	Salisbury	ARMY AVIATION SUPPORT FACILITIES (P&D)	0	2,200
	North Dakota			
Army National Guard	Camp Grafton	INSTITUTIONAL POST-INITIAL MILITARY TRAINING, UNACCOMPANIED HOUSING (P&D)	0	1,950
Army National Guard	Dickinson	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	5,425
	Ohio			
Army National Guard	Camp Perry Joint Training Center	NATIONAL GUARD READINESS CENTER	19,200	19,200
Army National Guard	Columbus	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	4,000
	Oklahoma			
Army National Guard	Ardmore	COST TO COMPLETE: VEHICLE MAINTENANCE SHOP	0	400
	Oregon			
Army National Guard	Washington County Readiness Center	NATIONAL GUARD READINESS CENTER	26,000	26,000
	Pennsylvania			
Army National Guard	Hermitage Readiness Center	NATIONAL GUARD READINESS CENTER	13,600	13,600
Army National Guard	Moon Township	COST TO COMPLETE: COMBINED SUPPORT MAINTENANCE SHOP	0	3,100
	Puerto Rico			
Army National Guard	Fort Allen	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	3,676
	Rhode Island			
Army National Guard	Camp Fogarty Training Site	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)	0	1,990
Army National Guard	North Kingstown	NATIONAL GUARD READINESS CENTER	0	30,000
	South Carolina			
Army National Guard	Aiken County Readiness Center	NATIONAL GUARD READINESS CENTER	20,000	20,000
Army National Guard	Joint Base Charleston	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	4,373

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Army National Guard	McCrary Training Center South Dakota Sioux Falls	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	7,900	7,900
Army National Guard	Tennessee Campbell Army Air Field	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	5,250
Army National Guard	McMinnville	ARMY AIR TRAFFIC CONTROL TOWERS (P&D)	0	2,500
Army National Guard	Texas Fort Cavazos	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	500
Army National Guard	Fort Worth	GENERAL INSTRUCTION BUILDING (P&D)	0	2,685
Army National Guard	Fort Worth	COST TO COMPLETE: AIRCRAFT MAINTENANCE HANGAR ADD/ALT	0	6,489
Army National Guard	Fort Worth	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	381
Army National Guard	Utah Camp Williams	COLLECTIVE TRAINING UNACCOMPANIED HOUSING, SENIOR NCO AND OFFICER (P&D)	0	2,875
Army National Guard	Vermont Bennington	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	3,415
Army National Guard	Virgin Islands St. Croix	COST TO COMPLETE: ARMY AVIATION SUPPORT FACILITY	0	4,200
Army National Guard	St. Croix	COST TO COMPLETE: READY BUILDING	0	1,710
Army National Guard	Virginia Sandston Re & FMS 1	AIRCRAFT MAINTENANCE HANGAR	20,000	20,000
Army National Guard	Troutville	COST TO COMPLETE: COMBINED SUPPORT MAINTENANCE SHOP ADDITION	0	2,415
Army National Guard	Troutville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER ADDITION	0	2,135
Army National Guard	West Virginia Parkersburg	NATIONAL GUARD READINESS CENTER (P&D)	0	3,300
Army National Guard	Wisconsin Viroqua	NATIONAL GUARD READINESS CENTER	18,200	18,200
Army National Guard	Worldwide Unspecified Unspecified Worldwide Locations	PLANNING & DESIGN	34,286	34,286
Army National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	63,000	63,000
Subtotal Military Construction, Army National Guard			340,186	650,567
ARMY RESERVE				
Army Reserve	Alabama Birmingham	ARMY RESERVE CENTER/AMSA/LAND	57,000	57,000
Army Reserve	Arizona San Tan Valley	AREA MAINTENANCE SUPPORT ACTIVITY	12,000	12,000
Army Reserve	California Camp Pendleton	COST TO COMPLETE: AREA MAINTENANCE SUPPORT ACTIVITY	0	3,000
Army Reserve	Fort Hunter Liggett	NETWORK ENTERPRISE CENTER	0	40,000
Army Reserve	Florida Perrine	COST TO COMPLETE: ARMY RESERVE CENTER	0	3,000
Army Reserve	North Carolina Asheville	COST TO COMPLETE: ARMY RESERVE CENTER	0	12,000
Army Reserve	Ohio Wright-Patterson Air Force Base	COST TO COMPLETE: ARMY RESERVE CENTER	0	5,000
Army Reserve	Worldwide Unspecified Unspecified Worldwide Locations	PLANNING & DESIGN	23,389	23,389
Army Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	14,687	14,687
Subtotal Military Construction, Army Reserve			107,076	170,076

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NAVY RESERVE & MARINE CORPS RESERVE				
	Michigan			
Navy Reserve & Marine Corps Reserve	Battle Creek	ORGANIC SUPPLY FACILITIES	24,549	24,549
	Virginia			
Navy Reserve & Marine Corps Reserve	Marine Forces Reserve Dam Neck Virginia Beach	G/ATOR SUPPORT FACILITIES	12,400	12,400
	Worldwide Unspecified			
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR PLANNING & DESIGN	6,495	6,495
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR UNSPECIFIED MINOR CONSTRUCTION	7,847	7,847
Subtotal Military Construction, Navy Reserve & Marine Corps Reserve			51,291	51,291
AIR NATIONAL GUARD				
	Alabama			
Air National Guard	Montgomery Regional Airport	F-35 ADAL SQ OPS BLDG 1303	7,000	7,000
	Alaska			
Air National Guard	Eielson Air Force Base	AMC STANDARD DUAL BAY HANGAR (P&D)	0	3,700
Air National Guard	Joint Base Elmendorf-Richardson	ADAL ALERT CREW FACILITY HGR 18	0	7,000
	Arizona			
Air National Guard	Tucson International Airport	MCCA: AIRCRAFT ARRESTING SYSTEM (NEW RWY)	11,600	11,600
	Arkansas			
Air National Guard	Ebbing Air National Guard Base	3-BAY HANGAR	0	54,000
Air National Guard	Ebbing Air National Guard Base	AIRCREW FLIGHT EQUIPMENT/STEP	0	9,300
Air National Guard	Ebbing Air National Guard Base	SPECIAL ACCESS PROGRAM FACILITY	0	12,700
	Colorado			
Air National Guard	Buckley Space Force Base	AIRCRAFT CORROSION CONTROL	12,000	12,000
	Indiana			
Air National Guard	Fort Wayne International Airport	FIRE STATION	8,900	8,900
	Mississippi			
Air National Guard	Field Air National Guard Base	COST TO COMPLETE: 172ND AIRLIFT WING FIRE/CRASH RESCUE STATION	0	8,000
	Missouri			
Air National Guard	Rosecrans Air National Guard Base	139TH AIRLIFT WING ENTRY CONTROL POINT (P&D)	0	2,000
Air National Guard	Rosecrans Air National Guard Base	ENTRY CONTROL POINT (P&D)	0	2,000
	Oregon			
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 1	22,000	22,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 2	18,500	18,500
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 3	0	20,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 4	0	11,000
	Pennsylvania			
Air National Guard	Harrisburg International Airport	ENTRY CONTROL FACILITY	0	8,000
	Wisconsin			
Air National Guard	Truax Field	F-35: MM&I FAC, B701	0	5,200
Air National Guard	Volk Air National Guard Base	FIRE/CRASH RESCUE STATION (P&D)	0	670
	Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	PLANNING & DESIGN	35,600	35,600
Air National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	63,122	63,122
Subtotal Military Construction, Air National Guard			178,722	322,292
AIR FORCE RESERVE				
	Arizona			
Air Force Reserve	Davis-Monthan Air Force Base	GUARDIAN ANGEL POTFF FACILITY	0	8,500
	California			

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Air Force Reserve	March Air Reserve Base	KC-46 ADD/ALTER B1244 FUT/CARGO PALLET STORAGE	17,000	17,000
Air Force Reserve	March Air Reserve Base	KC-46 ADD/ALTER B6000 SIMULATOR FACILITY	8,500	8,500
Air Force Reserve	March Air Reserve Base	KC-46 TWO BAY MAINTENANCE/FUEL HANGAR	201,000	201,000
Air Force Reserve	Guam Joint Region Marianas	AERIAL PORT FACILITY	27,000	27,000
Air Force Reserve	Louisiana Barksdale Air Force Base	307 BW MEDICAL FACILITY ADDITION	0	7,000
Air Force Reserve	Ohio Youngstown Air Reserve Station	BASE FIRE STATION (P&D)	0	2,500
Air Force Reserve	Texas Naval Air Station Joint Reserve Base Fort Worth	LRS WAREHOUSE	16,000	16,000
Air Force Reserve	Worldwide Unspecified Locations	PLANNING & DESIGN	12,146	12,146
Air Force Reserve	Worldwide Unspecified Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION	9,926	9,926
Subtotal Military Construction, Air Force Reserve			291,572	309,572
NATO SECURITY INVESTMENT PROGRAM				
NATO	Worldwide Unspecified NATO Security Investment Program	NATO SECURITY INVESTMENT PROGRAM	293,434	293,434
Subtotal NATO Security Investment Program			293,434	293,434
INDOPACIFIC COMBATANT COMMAND				
MILCON, INDOPACOM	Worldwide Unspecified Unspecified Worldwide Locations	INDOPACOM MILITARY CONSTRUCTION PILOT PROGRAM	0	150,000
Subtotal Base Realignment and Closure—Defense-Wide			0	150,000
TOTAL INDOPACIFIC COMBATANT COMMAND			0	150,000
TOTAL MILITARY CONSTRUCTION			14,345,019	14,345,019
FAMILY HOUSING				
FAMILY HOUSING CONSTRUCTION, ARMY				
Fam Hsg Con, Army	Georgia Fort Eisenhower	FORT EISENHOWER MHPI EQUITY INVESTMENT	50,000	50,000
Fam Hsg Con, Army	Germany Baumholder	FAMILY HOUSING NEW CONSTRUCTION	78,746	78,746
Fam Hsg Con, Army	Kwajalein Kwajalein Atoll	FAMILY HOUSING REPLACEMENT CONSTRUCTION	98,600	98,600
Fam Hsg Con, Army	Missouri Fort Leonard Wood	FORT LEONARD WOOD MHPI EQUITY INVESTMENT	50,000	50,000
Fam Hsg Con, Army	Worldwide Unspecified Locations	FAMILY HOUSING P&D	27,549	27,549
Subtotal Family Housing Construction, Army			304,895	304,895
FAMILY HOUSING O&M, ARMY				
Fam Hsg O&M, Army	Worldwide Unspecified Unspecified Worldwide Locations	FURNISHINGS	12,121	12,121
Fam Hsg O&M, Army	Worldwide Unspecified Locations	HOUSING PRIVATIZATION SUPPORT	86,019	86,019
Fam Hsg O&M, Army	Worldwide Unspecified Locations	LEASING	112,976	112,976
Fam Hsg O&M, Army	Worldwide Unspecified Locations	MAINTENANCE	86,706	86,706
Fam Hsg O&M, Army	Worldwide Unspecified Locations	MANAGEMENT	41,121	41,121
Fam Hsg O&M, Army	Worldwide Unspecified Locations	MISCELLANEOUS	554	554

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Fam Hsg O&M, Army	Unspecified Worldwide Locations	SERVICES	7,037	7,037
Fam Hsg O&M, Army	Unspecified Worldwide Locations	UTILITIES	38,951	38,951
Subtotal Family Housing Operation And Maintenance, Army			385,485	385,485
FAMILY HOUSING CONSTRUCTION, NAVY & MARINE CORPS				
Guam				
Fam Hsg Con, Navy & Marine Corps	Joint Region Marianas	REPLACE ANDERSEN HOUSING, PHASE 8	121,906	121,906
Fam Hsg Con, Navy & Marine Corps	Naval Support Activity Andersen	REPLACE ANDERSEN HOUSING (AF), PHASE 7	83,126	83,126
Worldwide Unspecified				
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	DESIGN, WASHINGTON DC	4,782	4,782
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	IMPROVEMENTS, WASHINGTON DC	57,740	57,740
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	USMC DPRI/GUAM PLANNING & DESIGN	9,588	9,588
Subtotal Family Housing Construction, Navy & Marine Corps			277,142	277,142
FAMILY HOUSING O&M, NAVY & MARINE CORPS				
Worldwide Unspecified				
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	FURNISHINGS	17,744	17,744
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	65,655	65,655
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	LEASING	60,214	60,214
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	MAINTENANCE	101,356	101,356
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	MANAGEMENT	61,896	61,896
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	MISCELLANEOUS	419	419
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	SERVICES	13,250	13,250
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	UTILITIES	43,320	43,320
Subtotal Family Housing Operation & Maintenance, Navy & Marine Corps.			363,854	363,854
FAMILY HOUSING CONSTRUCTION, AIR FORCE				
Alabama				
Fam Hsg Con, Air Force	Maxwell Air Force Base	MHPI RESTRUCTURE-AETC GROUP II	65,000	65,000
Colorado				
Fam Hsg Con, Air Force	U.S. Air Force Academy	CONSTRUCTION IMPROVEMENT—CARLTON HOUSE	9,282	9,282
Hawaii				
Fam Hsg Con, Air Force	Joint Base Pearl Harbor-Hickam	MHPI RESTRUCTURE-JOINT BASE PEARL HARBOR-HICKAM	75,000	75,000
Mississippi				
Fam Hsg Con, Air Force	Keesler Air Force Base	MHPI RESTRUCTURE-SOUTHERN GROUP	80,000	80,000
Worldwide Unspecified				
Fam Hsg Con, Air Force	Unspecified Worldwide Locations	PLANNING & DESIGN	7,815	7,815
Subtotal Family Housing Construction, Air Force			237,097	237,097
FAMILY HOUSING O&M, AIR FORCE				
Worldwide Unspecified				
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	FURNISHINGS	12,884	23,884
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	31,803	31,803
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	LEASING	5,143	5,143
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	MAINTENANCE	135,410	124,410
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	MANAGEMENT	68,023	68,023
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	MISCELLANEOUS	2,377	2,377
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	SERVICES	10,692	10,692

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	UTILITIES	48,054	48,054
Subtotal Family Housing Operation And Maintenance, Air Force			314,386	314,386
FAMILY HOUSING O&M, DEFENSE-WIDE				
Worldwide Unspecified				
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	FURNISHINGS	673	673
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	FURNISHINGS	89	89
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	LEASING	32,042	32,042
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	LEASING	13,658	13,658
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	MAINTENANCE	35	35
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	UTILITIES	4,273	4,273
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	UTILITIES	15	15
Subtotal Family Housing Operation And Maintenance, Defense-Wide			50,785	50,785
FAMILY HOUSING IMPROVEMENT FUND				
Worldwide Unspecified				
Family Housing Improvement Fund	Unspecified Worldwide Locations	ADMINISTRATIVE EXPENSES—FHIF	6,611	6,611
Subtotal Family Housing Improvement Fund			6,611	6,611
UNACCOMPANIED HOUSING IMPROVEMENT FUND				
Worldwide Unspecified				
Unaccompanied Housing Improvement Fund	Unspecified Worldwide Locations	ADMINISTRATIVE EXPENSES—UHIF	496	496
Subtotal Unaccompanied Housing Improvement Fund			496	496
TOTAL FAMILY HOUSING			1,940,751	1,940,751
DEFENSE BASE REALIGNMENT AND CLOSURE				
BASE REALIGNMENT AND CLOSURE, ARMY				
Worldwide Unspecified				
BRAC, Army	Unspecified Worldwide Locations	BASE REALIGNMENT AND CLOSURE	150,640	150,640
Subtotal Base Realignment and Closure—Army			150,640	150,640
BASE REALIGNMENT AND CLOSURE, NAVY				
Worldwide Unspecified				
BRAC, Navy	Unspecified Worldwide Locations	BASE REALIGNMENT AND CLOSURE	108,818	108,818
Subtotal Base Realignment and Closure—Navy			108,818	108,818
BASE REALIGNMENT AND CLOSURE, AIR FORCE				
Worldwide Unspecified				
BRAC, Air Force	Unspecified Worldwide Locations	BASE REALIGNMENT AND CLOSURE	123,990	123,990
Subtotal Base Realignment and Closure—Air Force			123,990	123,990
BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE				
Worldwide Unspecified				
BRAC, Defense-Wide	Unspecified Worldwide Locations	INT-4: DLA ACTIVITIES	5,726	5,726
Subtotal Base Realignment and Closure—Defense-Wide			5,726	5,726
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			389,174	389,174
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			16,674,944	16,674,944

1 **TITLE XLVII—DEPARTMENT OF**
 2 **ENERGY NATIONAL SECURITY**
 3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
 5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Senate Authorized
Discretionary Summary by Appropriation		
Energy and Water Development and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	177,733	177,733
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Weapons Activities	18,832,947	19,108,947
Defense Nuclear Nonproliferation	2,508,959	2,483,959
Naval Reactors	1,964,100	1,964,100
Federal Salaries and Expenses	538,994	538,994
Total, National Nuclear Security Administration	23,845,000	24,096,000
Defense Environmental Cleanup	7,073,587	7,073,587
Defense Uranium Enrichment D&D	427,000	0
Other Defense Activities	1,075,197	1,075,197
Total, Atomic Energy Defense Activities	32,420,784	32,244,784
Total, Discretionary Funding	32,598,517	32,422,517
Nuclear Energy		
Safeguards and security	177,733	177,733
Total, Nuclear Energy	177,733	177,733
National Nuclear Security Administration		
Weapons Activities		
Stockpile management		
Stockpile major modernization		
B61 Life extension program	449,850	449,850
W88 Alteration program	178,823	178,823
W80-4 Life extension program	1,009,929	1,009,929
W80-4 ALT Nuclear-armed sea-launched cruise missile	0	75,000
Program increase		(75,000)
W87-1 Modification Program	1,068,909	1,068,909
W93	389,656	389,656
Subtotal, Stockpile major modernization	3,097,167	3,172,167
Stockpile sustainment	1,276,578	1,276,578
Weapons dismantlement and disposition	53,718	53,718
Production operations	710,822	710,822
Nuclear enterprise assurance	66,614	66,614
Total, Stockpile management	5,204,899	5,279,899
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	833,100	833,100
21-D-512 Plutonium Pit Production Project, LANL	670,000	670,000
15-D-302 TA-55 Reinvestments Project, Phase 3, LANL	30,000	30,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
07-D-220-04 Transuranic Liquid Waste Facility, LANL	0	0
04-D-125 Chemistry and Metallurgy Research Replacement Project, LANL	227,122	227,122
Subtotal, Los Alamos Plutonium Modernization	1,760,222	1,760,222
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	62,764	62,764
21-D-511 Savannah River Plutonium Processing Facility, SRS	858,235	858,235
Subtotal, Savannah River Plutonium Modernization	920,999	920,999
Enterprise Plutonium Support	87,779	87,779
Total, Plutonium Modernization	2,769,000	2,769,000
High Explosives & Energetics		
High Explosives & Energetics	93,558	93,558
23-D-516 Energetic Materials Characterization Facility, LANL	0	19,000
Restore project		(19,000)
21-D-510 HE Synthesis, Formulation, and Production, PX	0	110,000
Restore project		(110,000)
15-D-301 HE Science & Engineering Facility, PX	101,356	101,356
Subtotal, High Explosives & Energetics	194,914	323,914
Total, Primary Capability Modernization	2,963,914	3,092,914
Secondary Capability Modernization		
Secondary Capability Modernization	666,914	666,914
18-D-690 Lithium Processing Facility, Y-12	210,770	210,770
06-D-141 Uranium Processing Facility, Y-12	760,000	760,000
Total, Secondary Capability Modernization	1,637,684	1,637,684
Tritium and Domestic Uranium Enrichment		
Tritium and Domestic Uranium Enrichment	592,992	592,992
18-D-650 Tritium Finishing Facility, SRS	0	0
Total, Tritium and Domestic Uranium Enrichment	592,992	592,992
Non-Nuclear Capability Modernization		
Non-Nuclear Capability Modernization	166,990	166,990
22-D-513 Power Sources Capability, SNL	37,886	37,886
Total, Non-Nuclear Capability Modernization	204,876	204,876
Capability Based Investments	156,462	156,462
Total, Production Modernization	5,555,928	5,684,928
Stockpile research, technology, and engineering		
Assessment Science		
Assessment Science	917,751	926,751
Program increase for Krypton Fluoride laser		(9,000)
14-D-640 U1a Complex Enhancements Project, NNSS	126,570	126,570
Total, Assessment Science	1,044,321	1,053,321
Engineering and integrated assessments	440,456	440,456
Inertial confinement fusion	601,650	641,650
Program increase		(40,000)
Advanced simulation and computing	782,472	792,472
Program increase		(10,000)
Weapon technology and manufacturing maturation	327,745	327,745
Academic programs	152,271	152,271
Total, Stockpile research, technology, and engineering	3,348,915	3,407,915
Infrastructure and operations		
Operating		
Operations of facilities	1,053,000	1,053,000
Safety and Environmental Operations	139,114	139,114
Maintenance and Repair of Facilities	718,000	718,000
Recapitalization		
Infrastructure and Safety	650,012	650,012
Subtotal, Recapitalization	650,012	650,012
Total, Operating	2,560,126	2,560,126
Mission enabling construction		
22-D-510 Analytic Gas Laboratory, PX	35,000	35,000
22-D-511 Plutonium Production Building, LANL	48,500	48,500
22-D-512 TA-46 Protective Force Facility, LANL	48,500	48,500
22-D-517 Electrical Power Capacity Upgrade, LANL	75,000	75,000
22-D-518 Plutonium Modernization Ops & Waste Mngmt Office Bldg, LANL	0	0
23-D-519 Special Material Facility, Y-12	0	0

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
Total, Mission enabling construction	207,000	207,000
Total, Infrastructure and operations	2,767,126	2,767,126
Secure transportation asset		
Operations and equipment	239,008	239,008
Program direction	118,056	118,056
Total, Secure transportation asset	357,064	357,064
Defense nuclear security		
Operations and maintenance	988,756	991,756
Program increase		(3,000)
Construction:		
17-D-710 West End Protected Area Reduction Project, Y-12	28,000	38,000
Program increase		(10,000)
Subtotal, Construction	28,000	38,000
Total, Defense nuclear security	1,016,756	1,029,756
Information technology and cybersecurity	578,379	578,379
Legacy contractor pensions	65,452	65,452
Total, Weapons Activities	18,894,519	19,170,519
Adjustments		
Use of prior year balances	-61,572	-61,572
Total, Adjustments	-61,572	-61,572
Total, Weapons Activities	18,832,947	19,108,947
Defense Nuclear Nonproliferation		
Material Management and Minimization		
Conversion (formerly HEU Reactor Conversion)	116,675	116,675
Nuclear material removal	47,100	47,100
Material disposition	282,250	282,250
Total, Material Management and Minimization	446,025	446,025
Global Material Security		
International nuclear security	84,707	84,707
Radiological security	258,033	258,033
Nuclear smuggling detection and deterrence	181,308	181,308
Total, Global Material Security	524,048	524,048
Nonproliferation and Arms Control	212,358	212,358
Defense Nuclear Nonproliferation R&D		
Proliferation detection	290,388	290,388
Nonproliferation stewardship program	107,437	107,437
Nuclear detonation detection	285,603	285,603
Forensics R&D	44,759	44,759
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	728,187	728,187
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project, SRS	77,211	77,211
Total, Nonproliferation Construction	77,211	77,211
NNSA Bioassurance Program	25,000	0
Program reduction		(-25,000)
Legacy contractor pensions	22,587	22,587
Nuclear Counterterrorism and Incident Response Program		
Emergency Operations	19,123	19,123
Counterterrorism and Counterproliferation	474,420	474,420
Total, Nuclear Counterterrorism and Incident Response Program	493,543	493,543
Subtotal, Defense Nuclear Nonproliferation	2,528,959	2,503,959
Adjustments		
Use of prior year balances	-20,000	-20,000
Total, Adjustments	-20,000	-20,000
Total, Defense Nuclear Nonproliferation	2,508,959	2,483,959
Naval Reactors		
Naval reactors development	838,340	838,340
Columbia-Class reactor systems development	52,900	52,900
SSG Prototype refueling	0	0

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
Naval reactors operations and infrastructure	712,036	712,036
Program direction	61,540	61,540
Construction:		
22-D-533 BL Component Test Complex	0	0
22-D-531 KL Chemistry & Radiological Health Building	10,400	10,400
21-D-530 KL Steam and Condensate Upgrade	53,000	53,000
14-D-901 Spent Fuel Handling Recapitalization Project, NRF	199,300	199,300
24-D-530 NRF Medical Science Complex	36,584	36,584
Total, Construction	299,284	262,700
Total, Naval Reactors	1,964,100	1,964,100
Federal Salaries and Expenses		
Program direction	538,994	538,994
Use of prior year balances	0	0
Total, Federal Salaries and Expenses	538,994	538,994
TOTAL, National Nuclear Security Administration	23,845,000	24,096,000
Defense Environmental Cleanup		
Closure sites administration	3,023	3,023
Richland		
River corridor and other cleanup operations	180,000	180,000
Central plateau remediation	684,289	684,289
Richland community and regulatory support	10,100	10,100
18-D-404 Modification of Waste Encapsulation and Storage Facility	0	0
22-D-401 L-888 Eastern Plateau Fire Station	7,000	7,000
22-D-402 L-897 200 Area Water Treatment Facility	11,200	11,200
23-D-404 181D Export Water System Reconfiguration and Upgrade	27,149	27,149
23-D-405 181B Export Water System Reconfiguration and Upgrade	462	462
24-D-401 Environmental Restoration Disposal Facility Supercell 11 Expans Proj	1,000	1,000
Total, Richland	921,200	921,200
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	466,000	466,000
Rad liquid tank waste stabilization and disposition	813,625	813,625
Construction:		
23-D-403 Hanford 200 West Area Tank Farms Risk Manage- ment Project	15,309	15,309
15-D-409 Low Activity Waste Pretreatment System	60,000	60,000
18-D-16 Waste Treatment and Immobilization Plant—LBI/ Direct feed LAW	0	0
01-D-16D High-Level Waste Facility	600,000	600,000
01-D-16E Pretreatment Facility	20,000	20,000
Subtotal, Construction	695,309	695,309
ORP Low-level waste offsite disposal	0	0
Total, Office of River Protection	1,974,934	1,974,934
Idaho National Laboratory:		
Idaho cleanup and waste disposition	377,623	377,623
Idaho community and regulatory support	2,759	2,759
Construction:		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility	10,159	10,159
22-D-404 Adtl ICDF Landfill Disposal Cell and Evaporation Ponds Project	46,500	46,500
22-D-402 Calcine Construction	10,000	10,000
Subtotal, Construction	66,659	66,659
Total, Idaho National Laboratory	447,041	447,041
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,879	1,879
LLNL Excess Facilities D&D	20,195	20,195
Separations Processing Research Unit	15,300	15,300
Nevada Test Site	61,952	61,952
Sandia National Laboratory	2,264	2,264
Los Alamos National Laboratory	273,831	273,831
Los Alamos Excess Facilities D&D	13,648	13,648
Total, NNSA sites and Nevada off-sites	389,069	389,069

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
Oak Ridge Reservation:		
OR Nuclear Facility D&D	335,000	335,000
U233 Disposition Program	55,000	55,000
OR cleanup and waste disposition	72,000	72,000
Construction:		
14-D-403 Outfall 200 Mercury Treatment Facility	10,000	10,000
17-D-401 On-site Waste Disposal Facility	24,500	24,500
Subtotal, Construction	34,500	34,500
OR community & regulatory support	5,500	5,500
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	505,000	505,000
Savannah River Site:		
Savannah River risk management operations	453,109	453,109
Savannah River legacy pensions	65,898	65,898
Savannah River community and regulatory support	12,389	12,389
Savannah River National Laboratory O&M	42,000	42,000
Construction:		
20-D-401 Saltstone Disposal Unit #10, 11, 12	56,250	56,250
19-D-701 SR Security Systems Replacement	0	0
18-D-401 Saltstone Disposal Unit #8, 9	31,250	31,250
18-D-402 Emergency Operations Center Replacement, SR	34,733	34,733
Subtotal, Construction	122,233	122,233
Radioactive liquid tank waste stabilization	880,323	880,323
Total, Savannah River Site	1,575,952	1,575,952
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	369,961	369,961
Construction:		
15-D-411 Safety Significant Confinement Ventilation System, WIPP	44,365	44,365
15-D-412 Utility Shaft, WIPP	50,000	50,000
Total, Construction	94,365	94,365
Total, Waste Isolation Pilot Plant	464,326	464,326
Program direction—Defense Environmental Cleanup	326,893	326,893
Program support—Defense Environmental Cleanup	103,504	103,504
Safeguards and Security—Defense Environmental Cleanup	332,645	332,645
Technology development and deployment	30,000	30,000
Subtotal, Defense Environmental Cleanup	7,073,587	7,073,587
TOTAL, Defense Environmental Cleanup	7,073,587	7,073,587
Defense Uranium Enrichment D&D	427,000	0
Program reduction		(-427,000)
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	144,705	144,705
Program direction	86,558	86,558
Total, Environment, health, safety and security	231,263	231,263
Office of Enterprise Assessments		
Enterprise assessments	30,022	30,022
Program direction	64,132	64,132
Total, Office of Enterprise Assessments	94,154	94,154
Specialized security activities	345,330	345,330
Legacy Management		
Legacy Management Activities—Defense	173,681	173,681
Program Direction	22,621	22,621
Total, 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
Use of prior year balances	0	0
Total, Other Defense Activities	1,075,197	1,075,197

1 **DIVISION E—ADDITIONAL**
2 **PROVISIONS**
3 **TITLE LI—PROCUREMENT**
4 **Subtitle D—Air Force Programs**

5 **SEC. 5131. INVENTORY OF C-130 AIRCRAFT.**

6 (a) **MINIMUM INVENTORY REQUIREMENT.**—Section
7 146(a)(3)(B) of the James M. Inhofe National Defense
8 Authorization Act for Fiscal Year 2023 (Public Law 117–
9 263; 136 Stat. 2455) is amended by striking “2023” and
10 inserting “2024”.

11 (b) **PROHIBITION ON REDUCTION OF C-130 AIR-**
12 **CRAFT ASSIGNED TO NATIONAL GUARD.**—Section
13 146(b)(1) of the James M. Inhofe National Defense Au-
14 thorization Act for Fiscal Year 2023 (Public Law 117–
15 263; 136 Stat. 2455) is amended by striking “fiscal year
16 2023” and inserting “fiscal years 2023 and 2024”.

17 **SEC. 5132. EXTENSION OF PROHIBITION ON CERTAIN RE-**
18 **DUCTIONS TO B-1 BOMBER AIRCRAFT**
19 **SQUADRONS.**

20 Section 133(c)(1) of the National Defense Authoriza-
21 tion Act for Fiscal Year 2022 (Public Law 117–81; 135
22 Stat. 1574) is amended by striking “September 30, 2023”
23 and inserting “September 30, 2026”.

1 **SEC. 5133. PROHIBITION ON DIVESTMENT OF F-15E AIR-**
2 **CRAFT.**

3 None of the funds authorized to be appropriated by
4 this Act for any of fiscal years 2024 through 2029 may
5 be obligated or expended to divest any F-15E aircraft.

6 **TITLE LII—RESEARCH, DEVEL-**
7 **OPMENT, TEST, AND EVALUA-**
8 **TION**

9 **SEC. 5201. APPLICATION OF PUBLIC-PRIVATE TALENT EX-**
10 **CHANGE PROGRAMS IN THE DEPARTMENT**
11 **OF DEFENSE TO QUANTUM INFORMATION**
12 **SCIENCES AND TECHNOLOGY RESEARCH.**

13 In carrying out section 1599g of title 10, United
14 States Code, the Secretary of Defense may establish pub-
15 lic-private exchange programs, each with up to 10 pro-
16 gram participants, focused on private sector entities work-
17 ing on quantum information sciences and technology re-
18 search applications.

19 **SEC. 5202. BRIEFING ON SCIENCE, MATHEMATICS, AND RE-**
20 **SEARCH FOR TRANSFORMATION (SMART) DE-**
21 **FENSE EDUCATION PROGRAM.**

22 Not later than three years after the date of the enact-
23 ment of this Act, the Secretary of Defense shall provide
24 Congress with a briefing on participation and use of the
25 program under section 4093 of title 10, United States

1 Code, with a particular focus on levels of interest from
2 students engaged in studying quantum fields.

3 **SEC. 5203. IMPROVEMENTS TO DEFENSE QUANTUM INFOR-**
4 **MATION SCIENCE AND TECHNOLOGY RE-**
5 **SEARCH AND DEVELOPMENT PROGRAM.**

6 (a) FELLOWSHIP PROGRAM AUTHORIZED.—Section
7 234 of the John S. McCain National Defense Authoriza-
8 tion Act for Fiscal Year 2019 (Public Law 115–232; 10
9 U.S.C. 4001 note) is amended—

10 (1) by redesignating subsection (f) as sub-
11 section (g); and

12 (2) by inserting after subsection (e) the fol-
13 lowing new subsection (f):

14 “(f) FELLOWSHIPS.—

15 “(1) PROGRAM AUTHORIZED.—In carrying out
16 the program required by subsection (a) and subject
17 to the availability of appropriations to carry out this
18 subsection, the Secretary may carry out a program
19 of fellowships in quantum information science and
20 technology research and development for individuals
21 who have a graduate or post-graduate degree.

22 “(2) EQUAL ACCESS.—In carrying out the pro-
23 gram under paragraph (1), the Secretary may estab-
24 lish procedures to ensure that minority, geographi-
25 cally diverse, and economically disadvantaged stu-

1 dents have equal access to fellowship opportunities
2 under such program.”.

3 (b) **MULTIDISCIPLINARY PARTNERSHIPS WITH UNI-**
4 **VERSITIES.**—Such section is further amended—

5 (1) by redesignating subsection (g), as redesign-
6 nated by subsection (a)(1), as subsection (h); and

7 (2) by inserting after subsection (f), as added
8 by subsection (a)(2), the following new subsection
9 (g):

10 “(g) **MULTIDISCIPLINARY PARTNERSHIPS WITH**
11 **UNIVERSITIES.**—In carrying out the program under sub-
12 section (a), the Secretary of Defense may develop partner-
13 ships with universities to enable students to engage in
14 multidisciplinary courses of study.”.

15 **SEC. 5204. IMPROVEMENTS TO NATIONAL QUANTUM INITIA-**
16 **TIVE PROGRAM.**

17 (a) **INVOLVEMENT OF DEPARTMENT OF DEFENSE**
18 **AND INTELLIGENCE COMMUNITY IN NATIONAL QUANTUM**
19 **INITIATIVE ADVISORY COMMITTEE.**—

20 (1) **QUALIFICATIONS.**—Subsection (b) of sec-
21 tion 104 of the National Quantum Initiative Act (15
22 U.S.C. 8814) is amended by striking “and Federal
23 laboratories” and inserting “Federal laboratories,
24 and intelligence researchers”.

25 (2) **INTEGRATION.**—Such section is amended—

1 (A) by redesignating subsections (e)
2 through (g) as subsection (f) through (h), re-
3 spectively; and

4 (B) by inserting after subsection (d) the
5 following new subsection (e):

6 “(e) INTEGRATION OF DEPARTMENT OF DEFENSE
7 AND INTELLIGENCE COMMUNITY.—The Advisory Com-
8 mittee shall take such actions as may be necessary, includ-
9 ing by modifying policies and procedures of the Advisory
10 Committee, to ensure the full integration of the Depart-
11 ment of Defense and the intelligence community (as de-
12 fined in section 3 of the National Security Act of 1947
13 (50 U.S.C. 3003)) in activities of the Advisory Com-
14 mittee.”.

15 (b) CLARIFICATION OF PURPOSE OF MULTIDISCI-
16 PLINARY CENTERS FOR QUANTUM RESEARCH AND EDU-
17 CATION.—Section 302(c) of the National Quantum Initia-
18 tive Act (15 U.S.C. 8842(c)) is amended—

19 (1) in paragraph (2), by striking “; and” and
20 inserting a semicolon;

21 (2) in paragraph (3), by striking the period at
22 the end and inserting “; and”; and

23 (3) by adding at the end the following new
24 paragraph:

1 “(4) encouraging workforce collaboration, both
2 with private industry and among Federal entities,
3 including Department of Defense components and
4 the intelligence community (as defined in section 3
5 of the National Security Act of 1947 (50 U.S.C.
6 3003)).”.

7 (c) COORDINATION OF NATIONAL QUANTUM INFOR-
8 MATION SCIENCE RESEARCH CENTERS.—Section 402(d)
9 of the National Quantum Initiative Act (15 U.S.C.
10 8852(d)) is amended—

11 (1) by redesignating paragraphs (2) and (3) as
12 paragraphs (3) and (4), respectively; and

13 (2) by inserting after paragraph (1) the fol-
14 lowing new paragraph (2):

15 “(2) other research entities of the Federal gov-
16 ernment, including research entities in the intel-
17 ligence community (as defined in section 3 of the
18 National Security Act of 1947 (50 U.S.C. 3003));”.

19 (d) NATIONAL QUANTUM COORDINATION OFFICE,
20 COLLABORATION WHEN REPORTING TO CONGRESS.—
21 Section 102 of the National Quantum Initiative Act (15
22 U.S.C. 8812) is amended—

23 (1) by redesignating subsection (c) as sub-
24 section (d); and

1 (2) by inserting after subsection (b) the fol-
2 lowing new subsection (c):

3 “(c) COLLABORATION WHEN REPORTING TO CON-
4 GRESS.—The Coordination Office shall ensure that when
5 participants in the National Quantum Initiative Program
6 prepare and submit reports to Congress that they do so
7 in collaboration with each other and as appropriate Fed-
8 eral civilian, defense, and intelligence research entities.”.

9 (e) REPORTING TO ADDITIONAL COMMITTEES OF
10 CONGRESS.—Paragraph (2) of section 2 of such Act (15
11 U.S.C. 8801) is amended to read as follows:

12 “(2) APPROPRIATE COMMITTEES OF CON-
13 GRESS.—The term ‘appropriate committees of Con-
14 gress’ means—

15 “(A) the Committee on Commerce,
16 Science, and Transportation, the Committee on
17 Energy and Natural Resources, the Committee
18 on Armed Services, and the Select Committee
19 on Intelligence of the Senate; and

20 “(B) the Committee on Energy and Com-
21 merce, the Committee on Science, Space, and
22 Technology, the Committee on Armed Services,
23 and the Permanent Select Committee on Intel-
24 ligence of the House of Representatives.”.

1 **SEC. 5205. ANNUAL REVIEW OF STATUS OF IMPLEMENTA-**
2 **TION PLAN FOR DIGITAL ENGINEERING CA-**
3 **REER TRACKS.**

4 (a) ANNUAL REVIEW AND REPORT REQUIRED.—Not
5 less frequently than once each year until December 31,
6 2029, the Secretary of Defense shall—

7 (1) conduct an internal review of the status of
8 the implementation of the plan submitted pursuant
9 to section 230(b) of the National Defense Authoriza-
10 tion Act for Fiscal Year 2020 (Public Law 116–92;
11 10 U.S.C. note prec. 501); and

12 (2) submit to the congressional defense commit-
13 tees—

14 (A) a summary of the status described in
15 paragraph (1);

16 (B) a report on the findings of the Sec-
17 retary with respect to the most recent review
18 conducted pursuant to such paragraph; and

19 (C) a plan for how the Department of De-
20 fense will plan for digital engineering personnel
21 needs in the coming years.

22 (b) CONSIDERATION.—The review conducted pursu-
23 ant to subsection (a)(1) shall include consideration of the
24 rapid rate of technological change in data science and ma-
25 chine learning.

1 **SEC. 5206. RAPID RESPONSE TO EMERGENT TECHNOLOGY**
2 **ADVANCEMENTS OR THREATS.**

3 (a) **AUTHORITIES.**—Upon approval by the Secretary
4 of Defense of a determination described in subsection (b),
5 the Secretary of a military department may use the rapid
6 acquisition and funding authorities established pursuant
7 to section 3601 of title 10, United States Code, to initiate
8 urgent or emerging operational development activities for
9 a period of up to one year, in order to—

10 (1) leverage an emergent technological advance-
11 ment of value to the national defense to address a
12 military service-specific need; or

13 (2) provide a rapid response to an emerging
14 threat identified by a military service.

15 (b) **DETERMINATION.**—A determination described in
16 this subsection is a determination by the Secretary of a
17 military department submitted in writing to the Secretary
18 of Defense that provides the following:

19 (1) Identification of a compelling urgent or
20 emergency national security need to immediately ini-
21 tiate development activity in anticipation of a pro-
22 gramming or budgeting action, in order to leverage
23 an emergent technological advancement or provide a
24 rapid response to an emerging threat.

25 (2) Justification for why the effort cannot be
26 delayed until the next submission of the budget of

1 the President (under section 1105(a) of title 31,
2 United States Code) without harming the national
3 defense.

4 (3) Funding is identified for the effort in the
5 current fiscal year to initiative the activity.

6 (4) An appropriate acquisition pathway and
7 programmed funding for transition to continued de-
8 velopment, integration, or sustainment is identified
9 to on-ramp this activity within two years.

10 (c) ADDITIONAL PROCEDURES.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this Act, the Sec-
13 retary of Defense shall amend the procedures for the
14 rapid acquisition and deployment of capabilities
15 needed in response to urgent operational needs pre-
16 scribed pursuant to such section 3601 to carry out
17 this section. Such updated procedures shall be pro-
18 vided to the congressional defense committees con-
19 currently with the promulgation to the rest of the
20 Department of Defense.

21 (2) REQUIREMENTS TO BE INCLUDED.—The
22 procedures amended under paragraph (1) shall in-
23 clude the following requirements:

24 (A) FUNDING.—(i) Subject to clause (ii),
25 in any fiscal year in which a determination de-

1 scribed in subsection (b) is made, the Secretary
2 of the military department making the deter-
3 mination may initiate the activities authorized
4 under subsection (a) using any funds available
5 to the Secretary for such fiscal year for—

6 (I) procurement; or

7 (II) research, development, test, and
8 evaluation.

9 (ii) The total cost of all developmental ac-
10 tivities within the Department of Defense, fund-
11 ed under this section, may not exceed
12 \$100,000,000 for any fiscal year.

13 (B) WAIVER AUTHORITY.—(i) Subject to
14 clause (ii), the Secretary of the military depart-
15 ment making a determination under subsection
16 (b) may issue a waiver under subsection (d) of
17 such section 3601.

18 (ii) Chapter 221 of title 10, United States
19 Code, may not be waived pursuant to clause (i).

20 (C) TRANSITION.—(i) Any acquisition ini-
21 tiated under subsection (a) shall transition to
22 an appropriate acquisition pathway for transi-
23 tion and integration of the development activity,
24 or be transitioned to a newly established pro-

1 gram element or procurement line for comple-
2 tion of such activity.

3 (ii)(I) Transition shall be completed within
4 one year of initiation, but may be extended one
5 time only at the discretion of the Secretary of
6 the military department for one additional year.

7 (II) In the event an extension determina-
8 tion is made under subclause (I), the affected
9 Secretary of the military department shall sub-
10 mit to the congressional defense committees,
11 not later than 30 days before the extension
12 takes effect, written notification of the exten-
13 sion with a justification for the extension.

14 (3) SUBMITTAL TO CONGRESS.—Concurrent
15 with promulgation to the Department of the amend-
16 ments to the procedures under paragraph (1), the
17 Secretary shall submit to the congressional defense
18 committees the procedures update by such amend-
19 ments.

20 (d) CONGRESSIONAL NOTIFICATION.—Within 15
21 days after the Secretary of Defense approves a determina-
22 tion described in subsection (b), the Secretary of the mili-
23 tary department making the determination shall provide
24 written notification of such determination to the congres-
25 sional defense committees following the procedures for no-

1 tification in subsections (c)(4)(D) and (c)(4)(F) of such
 2 section 3601. A notice under this subsection shall be suffi-
 3 cient to fulfill any requirement to provide notification to
 4 Congress for a new start program.

5 **TITLE LIII—OPERATION AND**
 6 **MAINTENANCE**

7 **Subtitle A—Briefings and Reports**

8 **SEC. 5341. REPORT BY DEPARTMENT OF DEFENSE ON AL-**
 9 **TERNATIVES TO BURN PITS.**

10 Not later than 60 days after the date of the enact-
 11 ment of this Act, the Under Secretary of Defense for Ac-
 12 quisition and Sustainment shall submit to Congress a re-
 13 port on incinerators and waste-to-energy waste disposal al-
 14 ternatives to burn pits.

15 **TITLE LVI—COMPENSATION AND**
 16 **OTHER PERSONNEL BENEFITS**
 17 **Subtitle C—Other Matters**

18 **SEC. 5631. MODIFICATIONS TO TRANSITIONAL COMPENSA-**
 19 **TION FOR DEPENDENTS OF MEMBERS SEPA-**
 20 **RATED FOR DEPENDENT ABUSE.**

21 (a) COVERED PUNITIVE ACTIONS.—Subsection (b) of
 22 section 1059 of title 10, United States Code, is amended—
 23 (1) in paragraph (1)(B), by striking “; or” and
 24 inserting a semicolon;

1 (2) in paragraph (2), by striking the period at
2 the end and inserting “; or”; and

3 (3) by adding at the end the following new
4 paragraph:

5 “(3) who is—

6 “(A) convicted of a dependent-abuse of-
7 fense in a district court of the United States or
8 a State court; and

9 “(B) separated from active duty pursuant
10 to a sentence of a court-martial, or administra-
11 tively separated, voluntarily or involuntarily,
12 from active duty, for an offense other than the
13 dependent-abuse offense.”.

14 (b) COMMENCEMENT OF PAYMENT.—Subsection
15 (e)(1) of such section is amended—

16 (1) in subparagraph (A)—

17 (A) in the matter preceding clause (i), by
18 inserting after “offense” the following: “or an
19 offense described in subsection (b)(3)(B)”; and

20 (B) in clause (ii), by striking “; and” and
21 inserting a semicolon; and

22 (2) in subparagraph (B), by striking “(if the
23 basis” and all that follows through “offense”).

1 (c) DEFINITION OF DEPENDENT CHILD.—Sub-
 2 section (l) of such section is amended, in the matter pre-
 3 ceding paragraph (1)—

4 (1) by striking “resulting in the separation of
 5 the former member or” and inserting “referred to in
 6 subsection (b) or”; and

7 (2) by striking “resulting in the separation of
 8 the former member and” and inserting “and”.

9 (d) DELEGATION OF DETERMINATIONS RELATING
 10 TO EXCEPTIONAL ELIGIBILITY.—Subsection (m)(4) of
 11 such section is amended to read as follows:

12 “(4) The Secretary concerned may delegate the au-
 13 thority under paragraph (1) to authorize eligibility for
 14 benefits under this section for dependents and former de-
 15 pendents of a member or former member to the first gen-
 16 eral or flag officer (or civilian equivalent) in the chain of
 17 command of the member.”.

18 **SEC. 5632. REPORT ON EFFECT OF PHASE-OUT OF REDUC-**
 19 **TION OF SURVIVOR BENEFIT PLAN SURVIVOR**
 20 **ANNUITIES BY AMOUNT OF DEPENDENCY**
 21 **AND INDEMNITY COMPENSATION.**

22 (a) IN GENERAL.—The Secretary of Defense shall
 23 submit to Congress a report on the effect of section 622
 24 of the National Defense Authorization Act for Fiscal Year

1 2020 (Public Law 116–92) and the amendments made by
2 such section.

3 (b) CONTENTS.—The report submitted pursuant to
4 subsection (a) shall include the following:

5 (1) An assessment on the effect that section
6 622 of the National Defense Authorization Act for
7 Fiscal Year 2020 (Public Law 116–92) and the
8 amendments made by such section had on bene-
9 ficiaries and any unintended consequences that were
10 a result of such section or amendments.

11 (2) An evaluation of the authority that the Sec-
12 retary has in a situation when the Defense Finance
13 Accounting Service cannot verify the eligibility of a
14 spouse and payments are paused for the child.

15 (3) Recommendations for legislative action to
16 ensure the Secretary has the flexibility to make pay-
17 ments under subchapter II of chapter 73 of title 10,
18 United States Code, to dependent children that are
19 under the guardianship of someone other than the
20 surviving spouse.

21 (4) An assessment of the process of the Depart-
22 ment for determining eligibility for survivor benefits
23 under subchapter II of chapter 73 of title 10, United
24 States Code, and dependency and indemnity com-
25 pensation under chapter 13 of title 38, United

1 States Code, and the coordination between the De-
 2 fense Finance Accounting Service and the Depart-
 3 ment of Veterans Affairs for such benefits.

4 **TITLE LVII—HEALTH CARE**
 5 **PROVISIONS**

6 **Subtitle A—TRICARE and Other**
 7 **Health Care Benefits**

8 **SEC. 5701. EXPANSION OF ELIGIBILITY FOR HEARING AIDS**
 9 **TO INCLUDE CHILDREN OF CERTAIN RE-**
 10 **TIRED MEMBERS OF THE UNIFORMED SERV-**
 11 **ICES.**

12 Paragraph (16) of section 1077(a) of title 10, United
 13 States Code, is amended to read as follows:

14 “(16) Except as provided by subsection (g), a
 15 hearing aid, but only if the dependent has a pro-
 16 found hearing loss, as determined under standards
 17 prescribed in regulations by the Secretary of Defense
 18 in consultation with the administering Secretaries,
 19 and only for the following dependents:

20 “(A) A dependent of a member of the uni-
 21 formed services on active duty.

22 “(B) A dependent under subparagraph (D)
 23 or (I) of section 1072(2) of this title of a
 24 former member of the uniformed services who—

1 “(i) is entitled to retired or retainer
2 pay, or equivalent pay; and

3 “(ii) is enrolled in family coverage
4 under TRICARE Prime.”.

5 **Subtitle B—Health Care**
6 **Administration**

7 **SEC. 5711. MODIFICATION OF REQUIREMENT TO TRANSFER**
8 **RESEARCH AND DEVELOPMENT AND PUBLIC**
9 **HEALTH FUNCTIONS TO DEFENSE HEALTH**
10 **AGENCY.**

11 Section 720(a) of the James M. Inhofe National De-
12 fense Authorization Act for Fiscal Year 2023 (Public Law
13 117–263; 10 U.S.C. 1073c note) is amended, in the mat-
14 ter preceding paragraph (1), by striking “February 1,
15 2024” and inserting “February 1, 2025”.

16 **Subtitle C—Reports and Other**
17 **Matters**

18 **SEC. 5721. REPORT ON MILITARY MENTAL HEALTH CARE**
19 **REFERRAL POLICIES.**

20 (a) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act, the Secretary of Defense
22 shall submit to the congressional defense committees a re-
23 port—

24 (1) detailing the mental health care referral
25 policies of the Armed Forces; and

1 (2) the impact of removing primary care refer-
2 ral requirements for outpatient mental health care
3 on—

4 (A) military readiness;

5 (B) the uptake of outpatient mental health
6 care services by members of the Armed Forces;
7 and

8 (C) suicide prevention.

9 (b) RECOMMENDATIONS.—The report required by
10 subsection (a) shall include recommendations and legisla-
11 tive proposals—

12 (1) to improve resources and access for out-
13 patient mental health care services by members of
14 the Armed Forces;

15 (2) to encourage the uptake of such services by
16 such members; and

17 (3) to maintain military readiness.

18 **SEC. 5722. COMPTROLLER GENERAL STUDY ON BIO-**
19 **MEDICAL RESEARCH AND DEVELOPMENT**
20 **FUNDED BY DEPARTMENT OF DEFENSE.**

21 (a) STUDY.—The Comptroller General of the United
22 States shall conduct a study on the management by the
23 Department of Defense of biomedical research and devel-
24 opment funded by the Department, including a review
25 of—

1 (1) patents for drugs approved by the Food and
2 Drug Administration that were supported with intra-
3 mural or extramural funding from the Department;

4 (2) requirements of the Department for how
5 grant recipients, contractors, and labs of the Depart-
6 ment should disclose support by the Department in
7 patents generated with funding from the Depart-
8 ment; and

9 (3) the data systems of the Department for cat-
10 aloging information about patents generated with
11 funding from the Department.

12 (b) BRIEFING.—Not later than March 31, 2024, the
13 Comptroller General shall brief the Committees on Armed
14 Services of the Senate and the House of Representatives
15 on the study conducted under subsection (a).

16 (c) REPORT.—Not later than one year after the date
17 of the enactment of this Act, the Comptroller General shall
18 submit to the Committees on Armed Services of the Sen-
19 ate and the House of Representatives a report on the
20 study conducted under subsection (a).

1 **SEC. 5723. REPORT ON PROVISION OF MENTAL HEALTH**
2 **SERVICES VIA TELEHEALTH TO MEMBERS OF**
3 **THE ARMED FORCES AND THEIR DEPEND-**
4 **ENTS.**

5 Not later than March 31, 2024, the Secretary of De-
6 fense shall submit to the Committees on Armed Services
7 of the Senate and the House of Representatives a report
8 on the provision by the Department of Defense of mental
9 health services via telehealth that includes the following:

10 (1) A summary of relevant Federal and State
11 laws and policies of the Department governing the
12 provision of mental health services via telehealth to
13 members of the Armed Forces and their dependents.

14 (2) An explanation of any challenges experi-
15 enced by members of the Armed Forces and their
16 dependents in receiving continuing care from a pro-
17 vider when assigned to a new State or location out-
18 side the United States.

19 (3) An assessment of the value of receiving con-
20 tinuing care from the same mental health provider
21 for various mental health conditions.

22 (4) A description of how the Department ac-
23 commodates members of the Armed Forces who
24 would benefit from receiving continuing care from a
25 specific mental health provider.

1 (5) Such other matters as the Secretary con-
2 siders relevant.

3 **SEC. 5724. EXPANSION OF DOULA CARE FURNISHED BY DE-**
4 **PARTMENT OF DEFENSE.**

5 The text of section 706 is hereby deemed to read as
6 follows:

7 **“SEC. 706 EXPANSION OF DOULA CARE FURNISHED BY DE-**
8 **PARTMENT OF DEFENSE.**

9 “(a) EXPANSION OF EXTRAMEDICAL MATERNAL
10 HEALTH PROVIDERS DEMONSTRATION PROJECT.—Sec-
11 tion 746 of the William M. (Mac) Thornberry National
12 Defense Authorization Act for Fiscal Year 2021 (Public
13 Law 116–283; 10 U.S.C. 1073 note) is amended—

14 “(1) by redesignating subsections (e) through
15 (h) as subsections (f) through (i), respectively; and

16 “(2) by inserting after subsection (d) the fol-
17 lowing new subsection (e):

18 ““(e) COVERAGE OF DOULA CARE.—The Secretary
19 may add coverage of labor doula care to the demonstration
20 project, or reimbursement for such care, for all bene-
21 ficiaries under the TRICARE program, including access—

22 ““(1) by members of the Armed Forces on ac-
23 tive duty;

24 ““(2) by beneficiaries outside the continental
25 United States; and

1 “(3) at military medical treatment facilities.’.

2 “(b) HIRING OF DOULAS.—The hiring authority for
3 each military medical treatment facility may hire a team
4 of doulas to work in coordination with lactation support
5 personnel or labor and delivery units at such facility.”.

6 **TITLE LVIII—ACQUISITION POL-**
7 **ICY, ACQUISITION MANAGE-**
8 **MENT, AND RELATED MAT-**
9 **TERS**

10 **Subtitle D—Small Business Matters**

11 **SEC. 5841. COMPETITION OF SMALL BUSINESS CONCERNS**

12 **FOR DEPARTMENT OF DEFENSE CONTRACTS.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of the enactment of this Act, the Secretary of Defense
15 shall issue guidance ensuring that covered small busi-
16 nesses are better able to compete for Department of De-
17 fense contracts.

18 (b) EXEMPTIONS FROM CAPABILITY REQUIRE-
19 MENTS.—

20 (1) WAIVER AUTHORITY.—The guidance issued
21 under subsection (a) shall provide that the Depart-
22 ment of Defense may waive capability requirements,
23 including the waiver described in paragraph (2), to
24 allow a covered small business that does not other-
25 wise meet such requirements to bid on a contract,

1 provided that it makes the certification described
2 under paragraph (3).

3 (2) SPECIAL CONSIDERATION TO PROVIDE IN-
4 TERIM ACCESS TO CLASSIFIED INFORMATION FOR
5 DEPARTMENT OF DEFENSE CONTRACTORS WITHOUT
6 SECURITY CLEARANCES.—Notwithstanding section
7 801 of the National Security Act of 1947 (50 U.S.C.
8 3161) and the procedures established pursuant to
9 such section, the Secretary of Defense may issue a
10 waiver providing a covered small business that has
11 not been determined eligible to access classified in-
12 formation pursuant to such procedures interim ac-
13 cess to classified information under such terms and
14 conditions as the Secretary considers appropriate.

15 (3) CERTIFICATION REQUIREMENT.— In order
16 to qualify for a waiver under paragraph (1), a cov-
17 ered small business shall certify that it will be able
18 to meet the exempted capability requirements within
19 180 days after the contract award date. The certifi-
20 cation shall include a detailed project and financial
21 plan outlining the tasks to be completed, milestones
22 to be achieved, and resources required.

23 (4) MONITORING AND COMPLIANCE.—

24 (A) IN GENERAL.—The contracting officer
25 for a contract awarded pursuant to a waiver

1 under paragraph (1) shall closely monitor the
2 contract performance of the covered small busi-
3 ness to ensure that sufficient progress is being
4 made and that any issues that arise are
5 promptly addressed.

6 (B) FAILURE TO MEET CAPABILITY RE-
7 QUIREMENTS.—If a covered small business
8 awarded a contract pursuant to a waiver under
9 paragraph (1) fails to meet the requirements
10 promised in the certification required under
11 paragraph (3) within 180 days, the covered
12 small business shall be subject to disqualifica-
13 tion from consideration for future contracts of
14 similar scope pursuant to “Termination for De-
15 fault” provisions under subpart 49.4 of the
16 Federal Acquisition Regulation.

17 (c) COVERED SMALL BUSINESS DEFINED.—In this
18 section, the term “covered small business” means—

19 (1) a nontraditional defense contractor, as that
20 term is defined in section 3014 of title 10, United
21 States Code;

22 (2) a small business concern, as that term is
23 defined in section 3(a) of the Small Business Act
24 (15 U.S.C. 632(a)); and

1 (3) any other contractor that has not been
2 awarded a Department of Defense contract in the
3 five-year period preceding the solicitation of sources
4 by the Department of Defense.

5 **Subtitle E—Other Matters**

6 **SEC. 5851. BRIEFING ON THE REDESIGNATION OF NA-** 7 **TIONAL SERIAL NUMBER (NSN) PARTS AS** 8 **PROPRIETARY.**

9 Not later than 60 days after the date of the enact-
10 ment of this Act, the Secretary of Defense shall provide
11 a briefing to the congressional defense committees identi-
12 fying which National Serial Number (NSN) parts in the
13 Defense Logistics Agency system have had their designa-
14 tion changed to proprietary over the previous 5 years, in-
15 cluding a description of which parts were, or continue to
16 be, produced by small businesses before the proprietary
17 designation was applied, and the justification for the
18 changes in designation.

19 **TITLE LX—OTHER MATTERS**

20 **Subtitle D—Counterterrorism**

21 **SEC. 6031. ESTABLISHING A COORDINATOR FOR COUN-** 22 **TERING MEXICO'S CRIMINAL CARTELS.**

23 (a) IN GENERAL.—Not later than 30 days after the
24 date of the enactment of this Act, the President, in con-
25 sultation with the Secretary of Defense, the Secretary of

1 State, the Secretary of Homeland Security, the Attorney
2 General, and the Secretary of the Treasury, shall des-
3 ignate an existing official within the executive branch to
4 serve as senior-level coordinator to coordinate, in conjunc-
5 tion with other relevant agencies, all defense, diplomatic,
6 intelligence, financial, and legal efforts to counter the
7 drug- and human-trafficking activities of Mexico’s crimi-
8 nal cartels.

9 (b) RETENTION OF AUTHORITY.—The designation of
10 a coordinator under subsection (a) shall not deprive any
11 agency of any authority to independently perform func-
12 tions of that agency.

13 (c) QUARTERLY REPORTS.—

14 (1) IN GENERAL.—Not later than 180 days
15 after the date of the enactment of this Act, and
16 every 90 days thereafter through January 31, 2029,
17 the coordinator designated under subsection (a) shall
18 submit to the appropriate committees of Congress a
19 detailed report on the following:

20 (A) Efforts taken during the previous
21 quarter to bolster defense cooperation with the
22 Government of Mexico against Mexico’s crimi-
23 nal cartels, and any other activities of the De-
24 partment of Defense with respect to countering

1 the cartels, including in cooperation with the
2 Government of Mexico or interagency partners.

3 (B) Diplomatic efforts, including numbers
4 of demarches and meetings, taken during the
5 previous quarter to highlight and counter the
6 human rights abuses of Mexico's criminal car-
7 tels, including human trafficking, sex traf-
8 ficking, other exploitation of migrants,
9 endangerment of children, and other abuses.

10 (C) Diplomatic efforts taken during the
11 previous quarter to improve cooperation with
12 the Government of Mexico in countering Mexi-
13 co's criminal cartels, and a detailed list and as-
14 sessment of any actions that the Government of
15 Mexico has taken during the previous quarter
16 to counter the cartels.

17 (D) Diplomatic efforts taken during the
18 previous quarter to improve cooperation with
19 partners and allies in countering Mexico's
20 criminal cartels.

21 (E) Efforts taken during the previous
22 quarter to bolster the screening process at ports
23 of entry to prevent members and associates of
24 Mexico's criminal cartels, and individuals who
25 are working for the cartels, from entering or

1 trafficking drugs, humans, and contraband into
2 the United States.

3 (F) Efforts taken during the previous
4 quarter to encourage the Government of Mexico
5 to improve its screening process along its own
6 ports of entry in order to prevent illicit cash,
7 weapons, and contraband that is destined for
8 Mexico's criminal cartels from entering Mexico.

9 (G) Efforts taken during the previous
10 quarter to investigate and prosecute members
11 and associates of Mexico's criminal cartels, in-
12 cluding members and associates operating from
13 within the United States.

14 (H) Efforts taken during the previous
15 quarter to encourage the Government of Mexico
16 to increase its investigation and prosecution of
17 leaders, members, and associates of Mexico's
18 criminal cartels within Mexico.

19 (I) Efforts taken during the previous quar-
20 ter to initiate or improve the sharing of intel-
21 ligence with allies and partners, including the
22 Government of Mexico, for the purpose of coun-
23 tering Mexico's criminal cartels.

24 (J) Efforts taken during the previous
25 quarter to impose sanctions with respect to—

1 (i) leaders, members, and associates
2 of Mexico’s criminal cartels; and

3 (ii) any companies, banks, or other in-
4 stitutions that facilitate the cartels’
5 human-trafficking, drug-trafficking, and
6 other criminal enterprises.

7 (K) The total number of personnel and re-
8 sources in the Department of Defense, the De-
9 partment of State, the Department of Home-
10 land Security, the Department of Justice, and
11 the Department of the Treasury focused on
12 countering Mexico’s criminal cartels.

13 (2) FORM.—The report required by paragraph
14 (1) shall be submitted in unclassified form, but may
15 include a classified annex.

16 (d) DEFINITIONS.—In this section:

17 (1) APPROPRIATE COMMITTEES OF CON-
18 GRESS.—The term “appropriate committees of Con-
19 gress” means—

20 (A) the Committee on Armed Services, the
21 Committee on Foreign Relations, the Com-
22 mittee on the Judiciary, the Committee on
23 Homeland Security and Governmental Affairs,
24 and the Committee on Banking, Housing, and
25 Urban Affairs of the Senate; and

1 (B) the Committee on Armed Services, the
2 Committee on Foreign Affairs, the Committee
3 on the Judiciary, the Committee on Homeland
4 Security, and the Committee on Financial Serv-
5 ices of the House of Representatives.

6 (2) MEXICO'S CRIMINAL CARTELS.—The term
7 “Mexico’s criminal cartels” means the following:

8 (A) Criminal organizations the operations
9 of which include human-trafficking, drug-traf-
10 ficking, and other types of smuggling operations
11 across the southwest border of the United
12 States and take place largely within Mexico, in-
13 cluding the following:

14 (i) The Sinaloa Cartel.

15 (ii) The Jalisco New Generation Car-
16 tel.

17 (iii) The Gulf Cartel.

18 (iv) The Los Zetas Cartel.

19 (v) The Northeast Cartel.

20 (vi) The Juarez Cartel.

21 (vii) The Tijuana Cartel.

22 (viii) The Beltran-Leyva Cartel.

23 (ix) The La Familia Michoacana, also
24 known as the Knights Templar Cartel.

25 (x) Las Moicas.

1 (xi) La Empresa Nueva.

2 (xii) MS-13.

3 (xiii) The Medellin Cartel.

4 (B) Any successor organization to an orga-
5 nization described in subparagraph (A).

6 **Subtitle F—Studies and Reports**

7 **SEC. 6051. REPORT ON FOOD PURCHASING BY THE DE-** 8 **PARTMENT OF DEFENSE.**

9 Not later than one year after the date of the enact-
10 ment of this Act, the Secretary of Defense shall submit
11 to the Committees on Armed Services of the Senate and
12 the House of Representatives and make publicly available
13 on the website of the Department of Defense a report on
14 the following for each of fiscal years 2018, 2019, 2020,
15 2021, and 2022:

16 (1) The total dollar amount spent by the De-
17 partment of Defense on food service operations
18 worldwide for all personnel, contractors, and fami-
19 lies, including all food service provided at or
20 through—

21 (A) all facilities, such as combat oper-
22 ations, military posts, medical facilities;

23 (B) all vessels (air, land, and sea);

1 (C) all entertainment and hosting oper-
2 ations such as officers' clubs and other such fa-
3 cilities; and

4 (D) all food programs provided to other
5 Federal agencies, such as the Fresh Fruit and
6 Vegetable Program of the Department of Agri-
7 culture and the Department of Defense.

8 (2) The total dollar amount spent by the De-
9 partment for each category described in paragraph
10 (1).

11 (3) The dollar amount spend by the Depart-
12 ment for each of—

13 (A) the 25 largest food service contractors
14 or operators; and

15 (B) the top 10 categories of food, such as
16 meat and poultry, seafood, eggs, dairy product,
17 produce (fruits, vegetables, and nuts), grains
18 and legumes, and processed and packaged
19 foods.

20 (4) The percentage of all food purchased by the
21 Department that was a product of the United
22 States, pursuant to section 4862 of title 10, United
23 States Code.

24 (5) The dollar amount of third-party certified
25 and verified foods (such as USDA Organic, Equi-

1 table Food Initiative, Fair Trade Certified, and
 2 other categories determined to be appropriate by the
 3 Secretary) purchased by the Department.

4 (6) The dollar amount of contracts for food
 5 service, food, or food products entered into by the
 6 Department with woman-, minority-, and veteran-
 7 owned businesses.

8 **Subtitle G—Other Matters**

9 **SEC. 6071. IMPROVEMENTS TO DEPARTMENT OF VETERANS**

10 **AFFAIRS-DEPARTMENT OF DEFENSE JOINT**

11 **EXECUTIVE COMMITTEE.**

12 (a) **SHORT TITLE.**—This section may be cited as the
 13 “Ensuring Interagency Cooperation to Support Veterans
 14 Act of 2023”.

15 (b) **IN GENERAL.**—Section 320 of title 38, United
 16 States Code, is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (2)—

19 (i) in subparagraph (A), by striking “;
 20 and” and inserting a semicolon;

21 (ii) in subparagraph (B), by striking
 22 the period at the end and inserting a semi-
 23 colon; and

24 (iii) by adding at the end the fol-
 25 lowing new subparagraphs:

1 “(C) the Assistant Secretary of Labor for Vet-
2 erans’ Employment and Training and such other of-
3 ficers and employees of the Department of Labor as
4 the Secretary of Labor may designate; and

5 “(D) such officers and employees of other Exec-
6 utive agencies as the Secretary of Veterans Affairs
7 and the Secretary of Defense jointly determine, with
8 the consent of the heads of the Executive agencies
9 of such officers and employees, necessary to carry
10 out the goals and objectives of the Committee.”;

11 (B) by adding at the end the following new
12 paragraph:

13 “(3) The co-chairs of the Committee are the Deputy
14 Secretary of Veterans Affairs and the Under Secretary of
15 Defense for Personnel and Readiness.”;

16 (2) in subsection (b)(2), by striking “Job
17 Training and Post-Service Placement Executive
18 Committee” and inserting “Transition Executive
19 Committee”;

20 (3) in subsection (d), by adding at the end the
21 following new paragraph:

22 “(6) Develop, implement, and oversee such
23 other joint actions, initiatives, programs, and policies
24 as the two Secretaries determine appropriate and
25 consistent with the purpose of the Committee.”; and

1 (4) in subsection (e)—

2 (A) in the subsection heading, by striking
3 “JOB TRAINING AND POST-SERVICE PLACE-
4 MENT” and inserting “TRANSITION”;

5 (B) in the matter before paragraph (1)—

6 (i) by striking “Job Training and
7 Post-Service Placement” and inserting
8 “Transition”;

9 (ii) by inserting “, in addition to such
10 other activities as may assigned to the
11 committee under subsection (d)(6)” after
12 “shall”; and

13 (C) in paragraph (2), by inserting “, tran-
14 sition from life in the Armed Forces to civilian
15 life,” after “job training”.

16 **SEC. 6072. GRAVE MARKERS AT SANTA FE NATIONAL CEME-**
17 **TERY, NEW MEXICO.**

18 (a) IN GENERAL.—Section 612 of the Veterans Mil-
19 lenium Health Care and Benefits Act (38 U.S.C. 2404
20 note; Public Law 106–117) is repealed.

21 (b) STUDY REQUIRED.—The Secretary of Veterans
22 Affairs shall conduct a study on the cost to replace the
23 flat grave markers that were provided under such section
24 at the Santa Fe National Cemetery, New Mexico, with up-
25 right grave markers.

1 **SEC. 6073. MODIFICATION OF COMPENSATION FOR MEM-**
2 **BERS OF THE AFGHANISTAN WAR COMMIS-**
3 **SION.**

4 Section 1094(g)(1) of the National Defense Author-
5 ization Act for Fiscal Year 2022 (Public Law 117–81; 135
6 Stat. 1942) is amended to read as follows:

7 “(1) COMPENSATION OF MEMBERS.—

8 “(A) NON-FEDERAL EMPLOYEES.—A
9 member of the Commission who is not an offi-
10 cer or employee of the Federal Government
11 shall be compensated at a rate equal to the
12 daily equivalent of the annual rate of basic pay
13 prescribed for level IV of the Executive Sched-
14 ule under section 5315 of title 5, United States
15 Code, for each day (including travel time) dur-
16 ing which the member is engaged in the per-
17 formance of the duties of the Commission.

18 “(B) FEDERAL EMPLOYEES.—

19 “(i) IN GENERAL.—A member of the
20 Commission who is an employee of the
21 Federal Government may be compensated
22 as provided for under subparagraph (a) for
23 periods of time during which the member
24 is engaged in the performance of the duties
25 of the Commission that fall outside of ordi-

1 nary agency working hours, as determined
2 by the employing agency of such member.

3 “(ii) RULE OF CONSTRUCTION.—

4 Nothing in this paragraph shall be con-
5 strued to authorize dual pay for work per-
6 formed on behalf of the Commission and
7 for a Federal agency during the same
8 hours of the same day.”.

9 **SEC. 6074. RED HILL HEALTH IMPACTS.**

10 (a) REGISTRY FOR IMPACTED INDIVIDUALS OF THE
11 RED HILL INCIDENT.—

12 (1) ESTABLISHMENT OF REGISTRY.—The Sec-
13 retary of Health and Human Services (referred to in
14 this subsection as the “Secretary”) shall establish
15 within the Agency for Toxic Substances and Disease
16 Registry or the Centers for Disease Control and Pre-
17 vention or through an award of a grant or contract,
18 as the Secretary determines appropriate, a Red Hill
19 Incident exposure registry to collect data on health
20 implications of petroleum contaminated water for
21 impacted individuals on a voluntary basis. Such reg-
22 istry shall be complementary to, and not duplicative
23 of, the Red Hill Incident Report of the Defense Oc-
24 cupational and Environmental Health Readiness
25 System.

1 (2) OTHER RESPONSIBILITIES.—

2 (A) IN GENERAL.—The Secretary, in co-
3 ordination with the Director of the Centers for
4 Disease Control and Prevention, and in con-
5 sultation with the Secretary of Defense, the
6 Secretary of Veterans Affairs, and such State
7 and local authorities or other partners as the
8 Secretary of Health and Human Services con-
9 siders appropriate, shall—

10 (i) review the Federal programs and
11 services available to individuals exposed to
12 petroleum;

13 (ii) review current research on petro-
14 leum exposure in order to identify addi-
15 tional research needs; and

16 (iii) undertake any other review or ac-
17 tivities that the Secretary determines to be
18 appropriate.

19 (B) REPORT.—Not later than 1 year after
20 the date of enactment of this Act, and annually
21 thereafter for 6 additional years, the Secretary
22 shall submit to the appropriate congressional
23 committees a report on the review and activities
24 undertaken under subparagraph (A) that in-
25 cludes—

1 (i) strategies for communicating and
2 engaging with stakeholders on the Red Hill
3 Incident;

4 (ii) the number of impacted and po-
5 tentially impacted individuals enrolled in
6 the registry established under paragraph
7 (1);

8 (iii) measures and frequency of follow-
9 up to collect data and specimens related to
10 exposure, health, and developmental mile-
11 stones as appropriate; and

12 (iv) a summary of data and analyses
13 on exposure, health, and developmental
14 milestones for impacted individuals.

15 (C) CONSULTATION.—In carrying out sub-
16 paragraphs (A) and (B), the Secretary shall
17 consult with non-Federal experts, including in-
18 dividuals with certification in epidemiology,
19 toxicology, mental health, pediatrics, and envi-
20 ronmental health, and members of the impacted
21 community.

22 (3) FUNDING.—Without regard to section 2215
23 of title 10, United States Code, the Secretary of the
24 Defense is authorized to provide, from amounts
25 made available to such Secretary, such sums as may

1 be necessary for each of fiscal years 2024 through
2 2030 for the Secretary of Health and Human Serv-
3 ices to carry out this subsection.

4 (b) RED HILL EPIDEMIOLOGICAL HEALTH OUT-
5 COMES STUDY.—

6 (1) CONTRACTS.—The Secretary of Health and
7 Human Services may contract with independent re-
8 search institutes or consultants, nonprofit or public
9 entities, laboratories, or medical schools, as the Sec-
10 retary considers appropriate, that are not part of the
11 Federal Government to assist with the feasibility as-
12 sessment required by paragraph (2).

13 (2) FEASIBILITY ASSESSMENT.—Not later than
14 one year after the date of the enactment of this Act,
15 the Secretary of Health and Human Services shall
16 submit to the appropriate congressional committees
17 the results of a feasibility assessment to inform the
18 design of the epidemiological study or studies to as-
19 sess health outcomes for impacted individuals, which
20 may include—

21 (A) a strategy to recruit impacted individ-
22 uals to participate in the study or studies, in-
23 cluding incentives for participation;

24 (B) a description of protocols and meth-
25 odologies to assess health outcomes from the

1 Red Hill Incident, including data management
2 protocols to secure the privacy and security of
3 the personal information of impacted individ-
4 uals; and

5 (C) the periodicity for data collection that
6 takes into account the differences between
7 health care practices among impacted individ-
8 uals who are—

9 (i) members of the Armed Forces on
10 active duty or spouses or dependents of
11 such members;

12 (ii) members of the Armed Forces
13 separating from active duty or spouses or
14 dependents of such members;

15 (iii) veterans and other individuals
16 with access to health care from the De-
17 partment of Veterans Affairs; and

18 (iv) individuals without access to
19 health care from the Department of De-
20 fense or the Department of Veterans Af-
21 fairs;

22 (D) a description of methodologies to ana-
23 lyze data received from the study or studies to
24 determine possible connections between expo-
25 sure to water contaminated during the Red Hill

1 Incident and adverse impacts to the health of
2 impacted individuals;

3 (E) an identification of exposures resulting
4 from the Red Hill Incident that may qualify in-
5 dividuals to be eligible for participation in the
6 study or studies as a result of those exposures;
7 and

8 (F) steps that will be taken to provide in-
9 dividuals impacted by the Red Hill Incident
10 with information on available resources and
11 services.

12 (3) NOTIFICATIONS; BRIEFINGS.—Not later
13 than one year after the completion of the feasibility
14 assessment under paragraph (2), the Secretary of
15 Health and Human Services shall—

16 (A) notify impacted individuals on the in-
17 terim findings of the study or studies; and

18 (B) brief the appropriate congressional
19 committees on the interim findings of the study
20 or studies.

21 (c) DEFINITIONS.—In this section:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee on Health, Education,
2 Labor, and Pensions of the Senate;

3 (B) the Committee on Armed Services and
4 the Subcommittee on Defense of the Committee
5 on Appropriations of the Senate;

6 (C) the Committee on Veterans' Affairs of
7 the Senate;

8 (D) the Committee on Energy and Com-
9 merce of the House of Representatives;

10 (E) the Committee on Armed Services and
11 the Subcommittee on Defense of the Committee
12 on Appropriations of the House of Representa-
13 tives; and

14 (F) the Committee on Veterans' Affairs of
15 the House of Representatives.

16 (2) IMPACTED INDIVIDUAL.—The term “im-
17 pacted individual” means an individual who, at the
18 time of the Red Hill Incident, lived or worked in a
19 building or residence served by the community water
20 system at Joint Base Pearl Harbor-Hickam, Oahu,
21 Hawaii.

22 (3) RED HILL INCIDENT.—The term “Red Hill
23 Incident” means the release of fuel from the Red
24 Hill Bulk Fuel Storage Facility, Oahu, Hawaii, into
25 the sole-source basal aquifer located 100 feet below

1 the facility, contaminating the community water sys-
2 tem at Joint Base Pearl Harbor-Hickam on Novem-
3 ber 20, 2021.

4 **SEC. 6075. PERMANENT AUTHORIZATION OF**
5 **UNDETECTABLE FIREARMS ACT OF 1988.**

6 Section 2(f) of the Undetectable Firearms Act of
7 1988 (18 U.S.C. 922 note; Public Law 100–649) is
8 amended—

9 (1) by striking “EFFECTIVE DATE AND SUN-
10 SET PROVISION” and all that follows through “This
11 Act and the amendments” and inserting the fol-
12 lowing: “EFFECTIVE DATE.—This Act and the
13 amendments”; and

14 (2) by striking paragraph (2).

15 **SEC. 6076. SENSE OF CONGRESS ON THE IMPORTANCE OF**
16 **NON-GOVERNMENTAL RECOGNITION OF**
17 **MILITARY ENLISTEES TO IMPROVE COMMU-**
18 **NITY SUPPORT FOR MILITARY RECRUIT-**
19 **MENT.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1) publicly honoring and recognizing the young
23 men and women who upon graduation from high-
24 school enlist to serve in the Armed Forces is a
25 meaningful way to indicate national and local sup-

1 port for those enlistees prior to initial accession
2 training, express gratitude to their families, and en-
3 hance the partnerships between military recruiters
4 and high school administrators and guidance coun-
5 selors;

6 (2) the intrinsic value of these community cere-
7 monies should be formally recognized by the Office
8 of the Secretary of Defense and the various military
9 service recruiting commands; and

10 (3) to the extent practicable, an appropriate
11 level of joint military service support should be pro-
12 vided at these events, to include general officer and
13 senior enlisted adviser participation, ceremonial unit
14 involvement, musical support, and local recruiter
15 presence.

16 (b) BRIEFING.—Not later than March 23, 2024, the
17 Secretary of Defense shall brief the congressional defense
18 committees on the extent of Department of Defense and
19 military service coordination and support rendered for the
20 recognition events described in subsection (a), which are
21 executed at no cost to the Federal Government under the
22 independent, national direction of the “Our Community
23 Salutes” organization, a registered 501(c)(3) organiza-
24 tion.

1 **SEC. 6077. ADJUSTMENT OF THRESHOLD AMOUNT FOR**
2 **MINOR MEDICAL FACILITY PROJECTS OF DE-**
3 **PARTMENT OF VETERANS AFFAIRS.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Department of Veterans Affairs Minor Construction
6 Threshold Adjustment Act of 2023”.

7 (b) **ADJUSTMENT OF THRESHOLD AMOUNT.**—Sec-
8 tion 8104(a) of title 38, United States Code, is amended—

9 (1) in paragraph (3)(A), by striking
10 “\$20,000,000” each place it appears and inserting
11 “the amount specified in paragraph (4)”; and

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

14 “(4)(A) The amount specified in this paragraph is
15 \$30,000,000, as adjusted pursuant to this paragraph.

16 “(B)(i) The Secretary shall develop, through regula-
17 tions, a mechanism to adjust the amount under subpara-
18 graph (A) to account for relevant factors relating to con-
19 struction, cost of land, real estate, economic conditions,
20 labor conditions, inflation, and other relevant factors the
21 Secretary considers necessary to ensure such amount
22 keeps pace with all economic conditions that impact the
23 price of construction projects, to include planning, man-
24 agement, and delivery of the project.

25 “(ii) In developing the mechanism under clause (i),
26 the Secretary may—

1 “(I) use a mechanism or index already relied
2 upon by the Department for other relevant pro-
3 grams, a mechanism or index used by another Fed-
4 eral agency, or a commercial mechanism or index if
5 such mechanism or index satisfactorily addresses the
6 intent of this subparagraph; or

7 “(II) create a new mechanism or index if the
8 Secretary considers it appropriate and necessary to
9 do so.

10 “(C)(i) Not less frequently than once every two years,
11 the Secretary shall—

12 “(I) adjust the amount under subparagraph
13 (A); or

14 “(II) publish a notice in the Federal Register
15 indicating that no adjustment is warranted.

16 “(ii) Not later than 30 days before adjusting an
17 amount pursuant to clause (i)(I) or publishing a notice
18 pursuant to clause (i)(II), the Secretary shall notify the
19 Committee on Veterans’ Affairs and the Committee on Ap-
20 propriations of the Senate and the Committee on Vet-
21 erans’ Affairs and the Committee on Appropriations of the
22 House of Representatives.

23 “(D) The Secretary shall determine a logical schedule
24 for adjustments under this paragraph to take effect so
25 that the amounts for and types of construction projects

1 requested by the Department in the budget of the Presi-
2 dent under section 1105(a) of title 31 are consistent with
3 the threshold for construction projects as so adjusted.”.

4 **SEC. 6078. DESIGNATION OF NATIONAL MUSEUM OF THE**
5 **MIGHTY EIGHTH AIR FORCE.**

6 (a) DESIGNATION.—The National Museum of the
7 Mighty Eighth Air Force located at 175 Bourne Avenue,
8 Pooler, Georgia (or any successor location), is designated
9 as the official National Museum of the Mighty Eighth Air
10 Force of the United States (referred to in this section as
11 the “National Museum”).

12 (b) RELATION TO NATIONAL PARK SYSTEM.—The
13 National Museum shall not be included as a unit of the
14 National Park System.

15 (c) RULE OF CONSTRUCTION.—This section shall not
16 be construed to appropriate, or authorize the appropria-
17 tion of, Federal funds for any purpose related to the Na-
18 tional Museum.

19 **SEC. 6079. REVISION OF REQUIREMENT FOR TRANSFER OF**
20 **CERTAIN AIRCRAFT TO STATE OF CALI-**
21 **FORNIA FOR WILDFIRE SUPPRESSION PUR-**
22 **POSES.**

23 (a) TRANSFER OF EXCESS COAST GUARD HC-130H
24 AIRCRAFT.—

1 (1) TRANSFER TO STATE OF CALIFORNIA.—If
2 the Governor of the State of California submits to
3 the Secretary of Homeland Security a written re-
4 quest to acquire, pursuant to this section, the Fed-
5 eral property described in this paragraph, the Sec-
6 retary of Homeland Security shall transfer to the
7 State of California without reimbursement—

8 (A) all right, title, and interest of the
9 United States in and to the seven HC-130H
10 aircraft specified in paragraph (2); and

11 (B) initial spares (calculated based on
12 shelf stock support for seven HC-130H aircraft
13 each flying 400 hours each year) and necessary
14 ground support equipment for such aircraft.

15 (2) AIRCRAFT SPECIFIED.—The aircraft speci-
16 fied in this paragraph are the HC-130H Coast
17 Guard aircraft with serial numbers 1706, 1708,
18 1709, 1713, 1714, 1719, and 1721.

19 (3) TIMING; FAILURE TO SUBMIT REQUEST.—

20 (A) IN GENERAL.—The transfers under
21 paragraph (1) shall be made as soon as prac-
22 ticable after the date on which the Secretary of
23 Homeland Security receives a request under
24 such paragraph.

1 (B) FAILURE TO SUBMIT REQUEST.—If
2 the Governor of the State of California fails to
3 submit a request under paragraph (1) before
4 the date that is 120 days after the date of the
5 enactment of this Act—

6 (i) paragraph (1) shall have no force
7 or effect; and

8 (ii) the Secretary of Homeland Secu-
9 rity may retain title and disposition of the
10 Federal property described in paragraph
11 (1).

12 (4) MODIFICATIONS.—

13 (A) IN GENERAL.—Except as provided in
14 subparagraph (B), the transfers under para-
15 graph (1) may be carried out without further
16 modifications by the United States to the air-
17 craft transferred under such paragraph.

18 (B) DEMILITARIZED.—Before an aircraft
19 may be transferred under paragraph (1), the
20 aircraft shall be demilitarized as determined
21 necessary by the Secretary of Homeland Secu-
22 rity.

23 (b) CONDITIONS OF TRANSFER.—Aircraft trans-
24 ferred to the State of California under subsection (a)(1)—

1 (1) may be used only for wildfire suppression
2 purposes;

3 (2) may not be flown outside of, or otherwise
4 removed from, the United States unless dispatched
5 by the National Interagency Fire Center in support
6 of an international agreement to assist in wildfire
7 suppression efforts or for other disaster-related re-
8 sponse purposes approved by the Governor of the
9 State of California in writing in advance;

10 (3) may be used for wildfire suppression pur-
11 poses only after the aircraft is modified to conform
12 with the standards and requirements for firefighting
13 aircraft set forth by the National Interagency Avia-
14 tion Committee and the Interagency Airtanker
15 Board; and

16 (4) may only be disposed of by the State of
17 California pursuant to the statutes and regulations
18 governing disposal of aircraft provided to the State
19 of California through the Federal Excess Personal
20 Property Program.

21 (c) TRANSFER OF RESIDUAL KITS AND PARTS HELD
22 BY AIR FORCE.—The Secretary of the Air Force may
23 transfer to the State of California, without reimburse-
24 ment, any residual kits and parts held by the Secretary
25 of the Air Force that were procured in anticipation of the

1 transfer to the Secretary of the Air Force of the aircraft
2 specified in subsection (a)(2).

3 (d) COSTS AFTER TRANSFER.—Any costs of oper-
4 ation, maintenance, sustainment, and disposal of aircraft,
5 initial spares, and ground support equipment transferred
6 to the Governor of the State of California under this sec-
7 tion that are incurred after the date of transfer shall be
8 borne by the Governor of the State of California.

9 (e) CONFORMING AMENDMENTS.—

10 (1) SECTION 1098 OF FISCAL YEAR 2014
11 NDAA.—Section 1098 of the National Defense Au-
12 thorization Act for Fiscal Year 2014 (Public Law
13 113–66; 127 Stat. 881), as amended by section
14 1083 of the John S. McCain National Defense Au-
15 thorization Act for Fiscal Year 2019 (Public Law
16 115–232; 132 Stat. 1989), is amended—

17 (A) by striking subsection (a);

18 (B) in subsection (b)(1), in the matter pre-
19 ceding subparagraph (A), by striking “and sub-
20 ject to the certification requirement under sub-
21 section (f),”;

22 (C) in subsection (c), by striking “or the
23 Governor of California” each place it appears;

24 (D) in subsection (e), in the matter pre-
25 ceding paragraph (1)—

1 (i) by striking “Promptly following
2 the completion of the certification require-
3 ment under subsection (f) and notwith-
4 standing” and inserting “Notwith-
5 standing”; and

6 (ii) by striking “begin”; and

7 (E) by striking subsection (f).

8 (2) SECTION 1083 OF FISCAL YEAR 2019
9 NDAA.—Section 1083 of the John S. McCain Na-
10 tional Defense Authorization Act for Fiscal Year
11 2019 (Public Law 115–232; 132 Stat. 1989) is re-
12 pealed.

13 **SEC. 6080. EXTENSION OF ACTIVE DUTY TERM FOR AT-**
14 **TENDING PHYSICIAN AT UNITED STATES**
15 **CAPITOL.**

16 The present incumbent Attending Physician at the
17 United States Capitol shall be continued on active duty
18 until 10 years after the date of the enactment of this Act.

19 **SEC. 6081. DISCLOSURES BY DIRECTORS, OFFICERS, AND**
20 **PRINCIPAL STOCKHOLDERS.**

21 (a) IN GENERAL.—Section 16(a)(1) of the Securities
22 Exchange Act of 1934 (15 U.S.C. 78p(a)(1)) is amended
23 by inserting “(including any such security of a foreign pri-
24 vate issuer, as that term is defined in section 240.3b–4

1 of title 17, Code of Federal Regulations, or any successor
2 regulation)” after “pursuant to section 12”.

3 (b) EFFECT ON REGULATION.—If any provision of
4 section 240.3a12–3(b) of title 17, Code of Federal Regula-
5 tions, or any successor regulation, is inconsistent with the
6 amendment made by subsection (a), that provision of such
7 section 240.3a12–3(b) (or such successor) shall have no
8 force or effect.

9 (c) ISSUANCE OR AMENDMENT OF REGULATIONS.—
10 Not later than 90 days after the date of enactment of this
11 Act, the Securities and Exchange Commission shall issue
12 final regulations (or amend existing regulations of the
13 Commission) to carry out the amendment made by sub-
14 section (a).

15 **SEC. 6082. PREVENTING CHILD SEX ABUSE.**

16 (a) SHORT TITLE.—This section may be cited as the
17 “Preventing Child Sex Abuse Act of 2023”.

18 (b) SENSE OF CONGRESS.—The sense of Congress is
19 the following:

20 (1) The safety of children should be a top pri-
21 ority for public officials and communities in the
22 United States.

23 (2) According to the Rape, Abuse & Incest Na-
24 tional Network, an individual in the United States is
25 sexually assaulted every 68 seconds. And every 9

1 minutes, that victim is a child. Meanwhile, only 25
2 out of every 1,000 perpetrators will end up in pris-
3 on.

4 (3) The effects of child sexual abuse can be
5 long-lasting and affect the victim's mental health.

6 (4) Victims are more likely than non-victims to
7 experience the following mental health challenges:

8 (A) Victims are about 4 times more likely
9 to develop symptoms of drug abuse.

10 (B) Victims are about 4 times more likely
11 to experience post-traumatic stress disorder as
12 adults.

13 (C) Victims are about 3 times more likely
14 to experience a major depressive episode as
15 adults.

16 (5) The criminal justice system should and has
17 acted as an important line of defense to protect chil-
18 dren and hold perpetrators accountable.

19 (6) However, the horrific crimes perpetuated by
20 Larry Nassar demonstrate firsthand the loopholes
21 that still exist in the criminal justice system. While
22 Larry Nassar was found guilty of several State-level
23 offenses, he was not charged federally for his illicit
24 sexual contact with minors, despite crossing State
25 and international borders to commit this conduct.

1 (7) The Department of Justice has also identi-
2 fied a growing trend of Americans who use chari-
3 table or missionary work in a foreign country as a
4 cover for sexual abuse of children.

5 (8) It is the intent of Congress to prohibit
6 Americans from engaging in sexual abuse or exploi-
7 tation of minors under the guise of work, including
8 volunteer work, with an organization that affects
9 interstate or foreign commerce, such as an inter-
10 national charity.

11 (9) Federal law does not require that an abus-
12 er's intention to engage in sexual abuse be a pri-
13 mary, significant, dominant, or motivating purpose
14 of the travel.

15 (10) Child sexual abuse does not require phys-
16 ical contact between the abuser and the child. This
17 is especially true as perpetrators turn increasingly to
18 internet platforms, online chat rooms, and webcams
19 to commit child sexual abuse.

20 (11) However, a decision of the United States
21 Court of Appeals for the Seventh Circuit found the
22 use of a webcam to engage in sexually provocative
23 activity with a minor did not qualify as “sexual ac-
24 tivity”.

1 (12) Congress can address this issue by amend-
2 ing the definition of the term “sexual activity” to
3 clarify that it does not require interpersonal, phys-
4 ical contact.

5 (13) It is the duty of Congress to provide clear-
6 er guidance to ensure that those who commit crimes
7 against children are prosecuted to the fullest extent
8 of the law.

9 (c) INTERSTATE CHILD SEXUAL ABUSE.—Section
10 2423 of title 18, United States Code, is amended—

11 (1) in subsection (b), by striking “with a moti-
12 vating purpose of engaging in any illicit sexual con-
13 duct with another person” and inserting “with in-
14 tent to engage in any illicit sexual conduct with an-
15 other person”;

16 (2) by redesignating subsections (d), (e), (f),
17 and (g) as subsections (e), (f), (g), and (i), respec-
18 tively;

19 (3) in subsection (e), as so redesignated, by
20 striking “with a motivating purpose of engaging in
21 any illicit sexual conduct” and inserting “with intent
22 to engage in any illicit sexual conduct”; and

23 (4) by inserting after subsection (g), as so re-
24 designated, the following:

1 “(h) RULE OF CONSTRUCTION.—As used in this sec-
2 tion, the term ‘intent’ shall be construed as any intention
3 to engage in illicit sexual conduct at the time of the trav-
4 el.”.

5 (d) ABUSE UNDER THE GUISE OF CHARITY.—Sec-
6 tion 2423 of title 18, United States Code, as amended by
7 subsection (e) of this section, is amended—

8 (1) by inserting after subsection (e) the fol-
9 lowing:

10 “(d) ILLICIT SEXUAL CONDUCT IN CONNECTION
11 WITH CERTAIN ORGANIZATIONS.—Any citizen of the
12 United States or alien admitted for permanent residence
13 who—

14 “(1) is an officer, director, employee, or agent
15 of an organization that affects interstate or foreign
16 commerce;

17 “(2) makes use of the mails or any means or
18 instrumentality of interstate or foreign commerce
19 through the connection or affiliation of the person
20 with such organization; and

21 “(3) commits an act in furtherance of illicit sex-
22 ual conduct through the connection or affiliation of
23 the person with such organization,

24 shall be fined under this title, imprisoned for not more
25 than 30 years, or both.”;

1 (2) in subsection (f), as so redesignated, by
2 striking “or (d)” and inserting “(d), or (e)”; and

3 (3) in subsection (i), as so redesignated, by
4 striking “(f)(2)” and inserting “(g)(2)”.

5 (e) **SEXUAL ACTIVITY WITH MINORS.**—Section 2427
6 of title 18, United States Code, is amended by inserting
7 “does not require interpersonal physical contact, and” be-
8 fore “includes”.

9 **SEC. 6083. SENATE NATIONAL SECURITY WORKING GROUP.**

10 (a) **IN GENERAL.**—Section 21 of Senate Resolution
11 64 (113th Congress), agreed to March 5, 2013, is amend-
12 ed by striking subsection (d).

13 (b) **EFFECTIVE DATE.**—The amendment made by
14 subsection (a) shall take effect as though enacted on De-
15 cember 31, 2022.

16 **SEC. 6084. RECOGNITION AS CORPORATION AND GRANT OF**
17 **FEDERAL CHARTER FOR NATIONAL AMER-**
18 **ICAN INDIAN VETERANS, INCORPORATED.**

19 (a) **IN GENERAL.**—Part B of subtitle II of title 36,
20 United States Code, is amended by inserting after chapter
21 1503 the following:

22 **“CHAPTER 1504—NATIONAL AMERICAN**
23 **INDIAN VETERANS, INCORPORATED**

“Sec.

“150401. Organization.

“150402. Purposes.

“150403. Membership.

“150404. Board of directors.

- “150405. Officers.
- “150406. Nondiscrimination.
- “150407. Powers.
- “150408. Exclusive right to name, seals, emblems, and badges.
- “150409. Restrictions.
- “150410. Duty to maintain tax-exempt status.
- “150411. Records and inspection.
- “150412. Service of process.
- “150413. Liability for acts of officers and agents.
- “150414. Failure to comply with requirements.
- “150415. Annual report.

1 **“§ 150401 Organization**

2 “The National American Indian Veterans, Incor-
 3 porated, a nonprofit corporation organized in the United
 4 States (referred to in this chapter as the ‘corporation’),
 5 is a federally chartered corporation.

6 **“§ 150402. Purposes**

7 “The purposes of the corporation are those stated in
 8 the articles of incorporation, constitution, and bylaws of
 9 the corporation, and include a commitment—

10 “(1) to uphold and defend the Constitution of
 11 the United States while respecting the sovereignty of
 12 the American Indian Nations;

13 “(2) to unite under one body all American In-
 14 dian veterans who served in the Armed Forces of
 15 United States;

16 “(3) to be an advocate on behalf of all Amer-
 17 ican Indian veterans without regard to whether they
 18 served during times of peace, conflict, or war;

19 “(4) to promote social welfare (including edu-
 20 cational, economic, social, physical, and cultural val-

1 ues and traditional healing) in the United States by
2 encouraging the growth and development, readjust-
3 ment, self-respect, self-confidence, contributions, and
4 self-identity of American Indian veterans;

5 “(5) to serve as an advocate for the needs of
6 American Indian veterans and their families and
7 survivors in their dealings with all Federal and State
8 government agencies;

9 “(6) to promote, support, and utilize research,
10 on a nonpartisan basis, pertaining to the relation-
11 ship between American Indian veterans and Amer-
12 ican society; and

13 “(7) to provide technical assistance to the Bu-
14 reau of Indian Affairs regional areas that are not
15 served by any veterans committee or organization or
16 program by—

17 “(A) providing outreach service to Indian
18 Tribes in need; and

19 “(B) training and educating Tribal Vet-
20 erans Service Officers for Indian Tribes in
21 need.

22 **“§ 150403. Membership**

23 “Subject to section 150406, eligibility for member-
24 ship in the corporation, and the rights and privileges of

1 members, shall be as provided in the constitution and by-
2 laws of the corporation.

3 **“§ 150404. Board of directors**

4 “Subject to section 150406, the board of directors of
5 the corporation, and the responsibilities of the board, shall
6 be as provided in the constitution and bylaws of the cor-
7 poration and in conformity with the laws under which the
8 corporation is incorporated.

9 **“§ 150405. Officers**

10 “Subject to section 150406, the officers of the cor-
11 poration, and the election of such officers, shall be as pro-
12 vided in the constitution and bylaws of the corporation and
13 in conformity with the laws of the jurisdiction under which
14 the corporation is incorporated.

15 **“§ 150406. Nondiscrimination**

16 “In establishing the conditions of membership in the
17 corporation, and in determining the requirements for serv-
18 ing on the board of directors or as an officer of the cor-
19 poration, the corporation may not discriminate on the
20 basis of race, color, religion, sex, national origin, handicap,
21 or age.

22 **“§ 150407. Powers**

23 “The corporation shall have only those powers grant-
24 ed the corporation through its articles of incorporation,
25 constitution, and bylaws, which shall conform to the laws

1 of the jurisdiction under which the corporation is incor-
 2 porated.

3 **“§ 150408. Exclusive right to name, seals, emblems,**
 4 **and badges**

5 “(a) IN GENERAL.—The corporation shall have the
 6 sole and exclusive right to use the names ‘National Amer-
 7 ican Indian Veterans, Incorporated’ and ‘National Amer-
 8 ican Indian Veterans’, and such seals, emblems, and
 9 badges as the corporation may lawfully adopt.

10 “(b) EFFECT.—Nothing in this section interferes or
 11 conflicts with any established or vested rights.

12 **“§ 150409. Restrictions**

13 “(a) STOCK AND DIVIDENDS.—The corporation may
 14 not—

15 “(1) issue any shares of stock; or

16 “(2) declare or pay any dividends.

17 “(b) DISTRIBUTION OF INCOME OR ASSETS.—

18 “(1) IN GENERAL.—The income or assets of the
 19 corporation may not—

20 “(A) inure to any person who is a member,
 21 officer, or director of the corporation; or

22 “(B) be distributed to any such person
 23 during the life of the charter granted by this
 24 chapter.

1 “(2) EFFECT.—Nothing in this subsection pre-
2 vents the payment of reasonable compensation to the
3 officers of the corporation, or reimbursement for ac-
4 tual and necessary expenses, in amounts approved
5 by the board of directors.

6 “(c) LOANS.—The corporation may not make any
7 loan to any officer, director, member, or employee of the
8 corporation.

9 “(d) NO FEDERAL ENDORSEMENT.—The corpora-
10 tion may not claim congressional approval or Federal Gov-
11 ernment authority by virtue of the charter granted by this
12 chapter for any of the activities of the corporation.

13 **“§ 150410. Duty to maintain tax-exempt status**

14 “The corporation shall maintain its status as an or-
15 ganization exempt from taxation under the Internal Rev-
16 enue Code of 1986.

17 **“§ 150411. Records and inspection**

18 “(a) RECORDS.—The corporation shall keep—

19 “(1) correct and complete books and records of
20 accounts;

21 “(2) minutes of any proceeding of the corpora-
22 tion involving any of member of the corporation, the
23 board of directors, or any committee having author-
24 ity under the board of directors; and

1 “(3) at the principal office of the corporation,
2 a record of the names and addresses of all members
3 of the corporation having the right to vote.

4 “(b) INSPECTION.—

5 “(1) IN GENERAL.—All books and records of
6 the corporation may be inspected by any member
7 having the right to vote, or by any agent or attorney
8 of such a member, for any proper purpose, at any
9 reasonable time.

10 “(2) EFFECT.—Nothing in this section con-
11 travenes—

12 “(A) the laws of the jurisdiction under
13 which the corporation is incorporated; or

14 “(B) the laws of those jurisdictions within
15 the United States and its territories within
16 which the corporation carries out activities in
17 furtherance of the purposes of the corporation.

18 **“§ 150412. Service of process**

19 “With respect to service of process, the corporation
20 shall comply with the laws of—

21 “(1) the jurisdiction under which the corpora-
22 tion is incorporated; and

23 “(2) those jurisdictions within the United
24 States and its territories within which the corpora-

1 tion carries out activities in furtherance of the pur-
2 poses of the corporation.

3 **“§ 150413. Liability for acts of officers and agents**

4 “‘The corporation shall be liable for the acts of the
5 officers and agents of the corporation acting within the
6 scope of their authority.

7 **“§ 150414. Failure to comply with requirements**

8 “‘If the corporation fails to comply with any of the
9 requirements of this chapter, including the requirement
10 under section 150410 to maintain its status as an organi-
11 zation exempt from taxation, the charter granted by this
12 chapter shall expire.

13 **“§ 150415. Annual report**

14 “(a) IN GENERAL.—The corporation shall submit to
15 Congress an annual report describing the activities of the
16 corporation during the preceding fiscal year.

17 “(b) SUBMITTAL DATE.—Each annual report under
18 this section shall be submitted at the same time as the
19 report of the audit of the corporation required by section
20 10101(b).

21 “(c) REPORT NOT PUBLIC DOCUMENT.—No annual
22 report under this section shall be printed as a public docu-
23 ment.”.

24 (b) CLERICAL AMENDMENT.—The table of chapters
25 for subtitle II of title 36, United States Code, is amended

1 by inserting after the item relating to chapter 1503 the
2 following:

“1504. National American Indian Veterans, Incorporated 150401”.

3 **Subtitle H—Granting Recognition**
4 **to Accomplished Talented Em-**
5 **ployees for Unwavering Loyalty**
6 **Act**

7 **SEC. 6091. SHORT TITLE.**

8 This subtitle may be cited as the “Granting Recogni-
9 tion to Accomplished Talented Employees for Unwavering
10 Loyalty Act” or “GRATEFUL Act”.

11 **SEC. 6092. FINDINGS; SENSE OF CONGRESS.**

12 (a) FINDINGS.—Congress makes the following find-
13 ings:

14 (1) In 1952, with the enactment of the Immi-
15 gration and Nationality Act (8 U.S.C. 1101 et seq.),
16 Congress established an immigrant visa program to
17 reward foreign nationals who are United States Gov-
18 ernment employees for their service to the United
19 States (referred to in this Act as the “Government
20 Employee Immigrant Visa program”).

21 (2) For 71 years, the Government Employee
22 Immigrant Visa program has allowed foreign nation-
23 als with at least 15 years of exceptional service to

1 the United States to immigrate to the United States
2 with their families.

3 (3) Such foreign national employees of the
4 United States Government are the bulwark of
5 United States foreign policy, risking their lives year
6 after year through civil unrest, terrorism, natural
7 disasters, and war.

8 (4) The work of such foreign nationals—

9 (A) ensures the safety and well-being of
10 United States citizens;

11 (B) provides security and logistics for vis-
12 iting delegations; and

13 (C) supports United States Government
14 operations abroad.

15 (5) Such foreign nationals include employees of
16 the Department of State, the United States Agency
17 for International Development, the Department of
18 Defense, the Department of Homeland Security, the
19 Department of Justice, the Department of Com-
20 merce, and the Department of Agriculture.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that the United States should preserve the immi-
23 grant visa program for foreign nationals who are employ-
24 ees of the United States Government abroad or of the
25 American Institute in Taiwan, and who have provided ex-

1 ceptional service over a long term to the United States,
2 by providing a dedicated allocation of visas for such em-
3 ployees and their immediate family members when visas
4 are not immediately available in the corresponding visa
5 category.

6 **SEC. 6093. VISA AVAILABILITY FOR GOVERNMENT EM-**
7 **PLOYEE IMMIGRANT VISA PROGRAM.**

8 (a) **IN GENERAL.**—Beginning in fiscal year 2024,
9 subject to subsection (b), visas shall be made available to
10 a special immigrant described in section 101(a)(27)(D) of
11 the Immigration and Nationality Act (8 U.S.C.
12 1101(a)(27)(D)) if a visa is not immediately available for
13 issuance to the special immigrant under section 203(b)(4)
14 of that Act (8 U.S.C. 1153(b)(4)).

15 (b) **NUMERICAL LIMITATIONS.**—

16 (1) **FISCAL YEAR 2024.**—For fiscal year 2024,
17 not more than 3,500 visas shall be made available
18 under subsection (a).

19 (2) **SUBSEQUENT FISCAL YEARS.**—For fiscal
20 year 2025 and each fiscal year thereafter, not more
21 than 3,000 visas shall be made available under sub-
22 section (a).

23 (c) **TEMPORARY REDUCTION IN DIVERSITY VISAS.**—
24 Section 203(d)(2) of the Nicaraguan Adjustment and Cen-

1 tral America Relief Act (8 U.S.C. 1151 note; Public Law
2 105–100) is amended—

3 (1) by amending paragraph (2) to read as fol-
4 lows:

5 “(2) In no case shall the reduction under paragraph
6 (1) for a fiscal year exceed the amount by which—

7 “(A) the sum of—

8 “(i) one-half of the total number of individ-
9 uals described in subclauses (I), (II), (III), and
10 (IV) of section 309(c)(5)(C)(i) of the Illegal Im-
11 migration Reform and Immigrant Responsibility
12 Act of 1996 (8 U.S.C. 1101 note; Public Law
13 104–208) who have adjusted their status to
14 that of aliens lawfully admitted for permanent
15 residence under section 202 of the Nicaraguan
16 Adjustment and Central American Relief Act
17 (Public Law 105–100; 8 U.S.C. 1255 note) as
18 of the end of the previous fiscal year; and

19 “(ii) the total number of individuals de-
20 scribed in section 101(a)(27)(D) of the Immi-
21 gration and Nationality Act (8 U.S.C.
22 1101(a)(27)(D)) for whom visas shall be made
23 available for the applicable fiscal year under
24 section 1093(b) of the Granting Recognition to

1 Accomplished Talented Employees for Unwaver-
2 ing Loyalty Act; exceeds

3 “(B) the total of the reductions in available
4 visas under this subsection for all previous fiscal
5 years.”; and

6 (2) by adding at the end the following:

7 “(3)(A) Paragraph (1) shall not apply in a fiscal year
8 following a fiscal year for which the total number of aliens
9 described in subparagraph (B) is zero.

10 “(B) For a fiscal year, the total number of aliens de-
11 scribed in this subparagraph is the total number of indi-
12 viduals described in section 101(a)(27)(D) of the Immi-
13 gration and Nationality Act (8 U.S.C. 1101(a)(27)(D))
14 who have been issued visas during the previous fiscal year
15 under the Granting Recognition to Accomplished Talented
16 Employees for Unwavering Loyalty Act.

17 “(C) Nothing in this paragraph may be construed—

18 “(i) to repeal, modify, or render permanently
19 inapplicable paragraph (1); or

20 “(ii) to prevent the offsetting of the number of
21 visas described in that paragraph for the purpose of
22 providing visa availability for aliens described in sub-
23 paragraph (B).

24 “(4) In the event that the number of visas available
25 for a fiscal year under section 201(e) of the Immigration

1 and Nationality Act (8 U.S.C. 1151(e)) is reduced to a
 2 number fewer than 50,000, not fewer than 3,000 visas
 3 shall be made available for individuals described in section
 4 1093(a) of the Granting Recognition to Accomplished Tal-
 5 ented Employees for Unwavering Loyalty Act.”.

6 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
 7 tion or the amendments made by this section may be con-
 8 strued to modify the number of visas available under sec-
 9 tion 203(b)(4) of the Immigration and Nationality Act (8
 10 U.S.C. 1153(b)(4)) to special immigrants described in sec-
 11 tion 101(a)(27)(D) of that Act (8 U.S.C.
 12 1101(a)(27)(D)).

13 **Subtitle I—Additional Matters**

14 **Relating to Artificial Intelligence**

15 **SEC. 6096. REPORT ON ARTIFICIAL INTELLIGENCE REGU-** 16 **LATION IN FINANCIAL SERVICES INDUSTRY.**

17 (a) IN GENERAL.—Not later than 90 days after the
 18 date of enactment of this Act, each of the Board of Gov-
 19 ernors of the Federal Reserve System, the Federal Deposit
 20 Insurance Corporation, the Office of the Comptroller of
 21 the Currency, the National Credit Union Administration,
 22 and the Bureau of Consumer Financial Protection shall
 23 submit to the Committee on Banking, Housing and Urban
 24 Affairs of the Senate and the Committee on Financial
 25 Services of the House of Representatives a report on its

1 gap in knowledge relating to artificial intelligence, includ-
2 ing an analysis on—

3 (1) which tasks are most frequently being as-
4 sisted or completed with artificial intelligence in the
5 institutions the agency regulates;

6 (2) current governance standards in place for
7 artificial intelligence use at the agency and current
8 standards in place for artificial intelligence oversight
9 by the agency;

10 (3) potentially additional regulatory authorities
11 required by the agency to continue to successfully
12 execute its mission;

13 (4) where artificial intelligence may lead to
14 overlapping regulatory issues between agencies that
15 require clarification;

16 (5) how the agency is currently using artificial
17 intelligence, how the agency plans to use such artifi-
18 cial intelligence the next 3 years, and the expected
19 impact, including fiscal and staffing, of those plans;
20 and

21 (6) what resources, monetary or other re-
22 sources, if any, the agency requires to both adapt to
23 the changes that artificial intelligence will bring to
24 the regulatory landscape and to adequately adopt

1 and oversee the use of artificial intelligence across
2 its operations described in paragraph (5).

3 (b) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion may be construed to require an agency to include con-
5 fidential supervisory information or pre-decisional or delib-
6 erative non-public information in a report under this sec-
7 tion.

8 **SEC. 6097. ARTIFICIAL INTELLIGENCE BUG BOUNTY PRO-**
9 **GRAMS.**

10 (a) **PROGRAM FOR FOUNDATIONAL ARTIFICIAL IN-**
11 **TELLIGENCE PRODUCTS BEING INCORPORATED BY DE-**
12 **PARTMENT OF DEFENSE.**—

13 (1) **DEVELOPMENT REQUIRED.**—Not later than
14 180 days after the date of the enactment of this Act
15 and subject to the availability of appropriations, the
16 Chief Data and Artificial Intelligence Officer of the
17 Department of Defense shall develop a bug bounty
18 program for foundational artificial intelligence mod-
19 els being integrated into Department of Defense
20 missions and operations.

21 (2) **COLLABORATION.**—In developing the pro-
22 gram required by paragraph (1), the Chief may col-
23 laborate with the heads of other government agen-
24 cies that have expertise in cybersecurity and artifi-
25 cial intelligence.

1 (3) IMPLEMENTATION AUTHORIZED.—The
2 Chief may carry out the program developed pursu-
3 ant to subsection (a).

4 (4) CONTRACTS.—The Secretary of Defense
5 shall ensure, as may be appropriate, that whenever
6 the Department of Defense enters into any contract,
7 the contract allows for participation in the bug
8 bounty program developed pursuant to paragraph
9 (1).

10 (5) RULE OF CONSTRUCTION.—Nothing in this
11 subsection shall be construed to require—

12 (A) the use of any foundational artificial
13 intelligence model; or

14 (B) the implementation of the program de-
15 veloped pursuant to paragraph (1) in order for
16 the Department to incorporate a foundational
17 artificial intelligence model.

18 (b) BRIEFING.—Not later than one year after the
19 date of the enactment of this Act, the Chief shall provide
20 the congressional defense committees a briefing on—

21 (1) the development and implementation of bug
22 bounty programs the Chief considers relevant to the
23 matters covered by this section; and

24 (2) long-term plans of the Chief with respect to
25 such bug bounty programs.

1 (c) DEFINITION OF FOUNDATIONAL ARTIFICIAL IN-
2 TELLIGENCE MODEL.—In this section, the term
3 “foundational artificial intelligence model” means an
4 adaptive generative model that is trained on a broad set
5 of unlabeled data sets that can be used for different tasks,
6 with minimal fine-tuning.

7 **SEC. 6098. VULNERABILITY ANALYSIS STUDY FOR ARTIFI-**
8 **CIAL INTELLIGENCE-ENABLED MILITARY AP-**
9 **PLICATIONS.**

10 (a) STUDY REQUIRED.—Not later than one year
11 after the date of the enactment of this Act, the Chief Dig-
12 ital and Artificial Intelligence Officer (CDAO) of the De-
13 partment of Defense shall complete a study analyzing the
14 vulnerabilities to the privacy, security, and accuracy of,
15 and capacity to assess, artificial intelligence-enabled mili-
16 tary applications, as well as research and development
17 needs for such applications.

18 (b) ELEMENTS.—The study required by subsection
19 (a) shall cover the following:

20 (1) Research and development needs and transi-
21 tion pathways to advance explainable and interpret-
22 able artificial intelligence-enabled military applica-
23 tions, including the capability to assess the under-
24 lying algorithms and data models of such applica-
25 tions.

1 (2) Assessing the potential risks to the privacy,
2 security, and accuracy of underlying architectures
3 and algorithms of artificial intelligence-enabled mili-
4 tary applications, including the following:

5 (A) Individual foundational artificial intel-
6 ligence models, including the adequacy of exist-
7 ing testing, training, and auditing for such
8 models to ensure models can be properly as-
9 sessed over time.

10 (B) The interactions of multiple artificial
11 intelligence-enabled military applications, and
12 the ability to detect and assess new, complex,
13 and emergent behavior amongst individual
14 agents, as well as the collective impact, includ-
15 ing how such changes may affect risk to pri-
16 vacy, security, and accuracy over time.

17 (C) The impact of increased agency in arti-
18 ficial intelligence-enabled military applications
19 and how such increased agency may affect the
20 ability to detect and assess new, complex, and
21 emergent behavior, as well risks to the privacy,
22 security, and accuracy of such applications over
23 time.

24 (3) Assessing the survivability and traceability
25 of decision support systems that are integrated with

1 artificial intelligence-enabled military applications
2 and used in a contested environment, including—

3 (A) potential benefits and risks to Depart-
4 ment of Defense missions and operations of im-
5 plementing such applications; and

6 (B) other technical or operational con-
7 straints to ensure such decision support sys-
8 tems that are integrated with artificial intel-
9 ligence-enabled military applications are able to
10 adhere to the Department of Defense Ethical
11 Principles for Artificial Intelligence.

12 (4) Identification of existing artificial intel-
13 ligence metrics, developmental, testing and audit ca-
14 pabilities, personnel, and infrastructure within the
15 Department of Defense, including test and evalua-
16 tion facilities, needed to enable ongoing identifica-
17 tion and assessment under paragraphs (1) through
18 (3), and other factors such as—

19 (A) implications for deterrence systems
20 based on systems warfare; and

21 (B) vulnerability to systems confrontation
22 on the system and system-of-systems level.

23 (5) Identification of gaps or research needs to
24 sufficiently respond to the elements outlined in this

1 subsection that are not currently, or not sufficiently,
2 funded within the Department of Defense.

3 (c) COORDINATION.—In carrying out the study re-
4 quired by subsection (a), the Chief Digital and Artificial
5 Intelligence Officer shall coordinate with the following:

6 (1) The Director of the Defense Advanced Re-
7 search Projects Agency (DARPA).

8 (2) The Under Secretary of Defense for Re-
9 search and Evaluation.

10 (3) The Under Secretary of Defense for Policy.

11 (4) The Director for Operational Test and
12 Evaluation (DOT&E) of the Department.

13 (5) As the Chief Digital and Artificial Intel-
14 ligence Officer considers appropriate, the following:

15 (A) The Secretary of Energy.

16 (B) The Director of the National Institute
17 of Standards and Technology.

18 (C) The Director of the National Science
19 Foundation.

20 (D) The head of the National Artificial In-
21 telligence Initiative Office of the Office of
22 Science and Technology Policy.

23 (E) Members and representatives of indus-
24 try.

1 (F) Members and representatives of aca-
2 demia.

3 (d) INTERIM BRIEFING.—Not later than 180 days
4 after the date of the enactment of this Act, the Chief Dig-
5 ital and Artificial Intelligence Officer shall provide the
6 congressional defense committees a briefing on the interim
7 findings of the Chief Digital and Artificial Intelligence Of-
8 ficer with respect to the study being conducted pursuant
9 to subsection (a).

10 (e) FINAL REPORT.—

11 (1) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act, the
13 Chief Digital and Artificial Intelligence Officer shall
14 submit to the congressional defense committees a
15 final report on the findings of the Chief Digital and
16 Artificial Intelligence Officer with respect to the
17 study conducted pursuant to subsection (a).

18 (2) FORM.—The final report submitted pursu-
19 ant to paragraph (1) shall be submitted in unclassi-
20 fied for, but may include a classified annex.

21 (f) DEFINITION OF FOUNDATIONAL ARTIFICIAL IN-
22 TELLIGENCE MODEL.—In this section, the term
23 “foundational artificial intelligence model” means an
24 adaptive generative model that is trained on a broad set

1 of unlabeled data sets that can be used for different tasks,
2 with minimal fine-tuning.

3 **SEC. 6099. REPORT ON DATA SHARING AND COORDINA-**
4 **TION.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of Defense
7 shall submit to the congressional defense committees a re-
8 port on ways to improve data sharing, interoperability,
9 and quality, as may be appropriate, across the Depart-
10 ment of Defense.

11 (b) CONTENTS.—The report submitted pursuant to
12 subsection (a) shall include the following:

13 (1) A description of policies, practices, and cul-
14 tural barriers that impede data sharing and inter-
15 operability, and lead to data quality issues, among
16 components of the Department.

17 (2) The impact a lack of appropriate levels of
18 data sharing, interoperability, and quality has on
19 Departmental collaboration, efficiency, interoper-
20 ability, and joint-decisionmaking.

21 (3) A review of current efforts to promote ap-
22 propriate data sharing, including to centralize data
23 management, such as the ADVANA program.

24 (4) A description of near-, mid-, and long-term
25 efforts that the Office of the Secretary of Defense

1 plans to implement to promote data sharing and
2 interoperability, including efforts to improve data
3 quality.

4 (5) A detailed plan to implement a data sharing
5 and interoperability strategy that supports effective
6 development and employment of artificial intel-
7 ligence-enabled military applications.

8 (6) A detailed assessment of the implementa-
9 tion of the Department of Defense Data Strategy
10 issued in 2020, as well as the use of data decrees
11 to improve management rigor in the Department
12 when it comes to data sharing and interoperability.

13 (7) Any recommendations for Congress with re-
14 spect to assisting the Department in these efforts.

15 **TITLE LXII—MATTERS RELAT-**
16 **ING TO FOREIGN NATIONS**

17 **Subtitle C—Matters Relating to Eu-**
18 **rope and the Russian Federa-**
19 **tion**

20 **SEC. 6231. BLACK SEA SECURITY AND DEVELOPMENT**
21 **STRATEGY.**

22 (a) **SHORT TITLE.**—This section may be cited as the
23 “Black Sea Security Act of 2023”.

24 (b) **SENSE OF CONGRESS ON BLACK SEA SECU-**
25 **RITY.**—It is the sense of Congress that—

1 (1) it is in the interest of the United States to
2 support efforts to prevent the spread of further
3 armed conflict in Europe by recognizing the Black
4 Sea region as an arena of Russian aggression;

5 (2) littoral states of the Black Sea are critical
6 in countering aggression by the Government of the
7 Russian Federation and contributing to the collec-
8 tive security of NATO;

9 (3) the repeated, illegal, unprovoked, and vio-
10 lent attempts of the Russian Federation to expand
11 its territory and control access to the Mediterranean
12 Sea through the Black Sea constitutes a threat to
13 the national security of the United States and
14 NATO;

15 (4) the United States condemns attempts by
16 the Russian Federation to change or alter bound-
17 aries in the Black Sea region by force or any means
18 contrary to international law and to impose a sphere
19 of influence across the region;

20 (5) the United States condemns Russia's illegit-
21 imate territorial claims, including those on the Cri-
22 mean Peninsula, along Ukraine's territorial waters
23 in the Black Sea and the Sea of Azov, in the Black
24 Sea's international waters, and in the territories it
25 is illegally occupying in Ukraine;

1 (6) the United States should continue to work
2 within NATO and with NATO allies to develop a
3 long-term strategy to enhance security, establish a
4 permanent, sustainable presence along NATO's east-
5 ern flank, and bolster the democratic resilience of its
6 allies and partners in the region;

7 (7) the United States should consider whether
8 it should work within NATO and with NATO allies
9 to develop a regular, rotational maritime presence in
10 the Black Sea;

11 (8) the United States should work with the Eu-
12 ropean Union on coordinating a strategy to support
13 democratic initiatives and economic prosperity in the
14 region, which includes 2 European Union members
15 and 4 European Union aspirant nations;

16 (9) the United States should work to foster dia-
17 logue among countries within the Black Sea region
18 to improve communication and intelligence sharing
19 and increase cyber defense capabilities;

20 (10) countries with historic and economic ties
21 to Russia are looking to the United States and Eu-
22 rope to provide a positive economic presence in the
23 broader region as a counterbalance to the Russian
24 Federation's malign influence in the region;

1 (11) it is in the interest of the United States
2 to support and bolster the economic ties between the
3 United States and Black Sea states;

4 (12) the United States should support the ini-
5 tiative undertaken by central and eastern European
6 states to advance the Three Seas Initiative Fund to
7 strengthen transport, energy, and digital infrastruc-
8 ture connectivity in the region between the Adriatic
9 Sea, Baltic Sea, and Black Sea;

10 (13) there are mutually beneficial opportunities
11 for increased investment and economic expansion,
12 particularly on energy and transport infrastructure
13 initiatives, between the United States and Black Sea
14 states and the broader region;

15 (14) improved economic ties between the United
16 States and the Black Sea states and the broader re-
17 gion can lead to a strengthened strategic partner-
18 ship;

19 (15) the United States must seek to address
20 the food security challenges arising from disruption
21 of Ukraine's Black Sea and Azov Sea ports, as this
22 global challenge will have critical national security
23 implications for the United States, our partners, and
24 allies;

1 (16) Turkey, in coordination with the United
2 Nations, has played an important role in alleviating
3 global food insecurity by negotiating two agreements
4 to allow grain exports from Ukrainian ports through
5 a safe corridor in the Black Sea;

6 (17) Russia has a brutal history of using hun-
7 ger as a weapon and must be stopped; and

8 (18) countering the PRC's coercive economic
9 pursuits remains an important policy imperative in
10 order to further integrate the Black Sea states into
11 western economies and improve regional stability.

12 (c) UNITED STATES POLICY.—It is the policy of the
13 United States—

14 (1) to actively deter the threat of Russia's fur-
15 ther escalation in the Black Sea region and defend
16 freedom of navigation in the Black Sea to prevent
17 the spread of further armed conflict in Europe;

18 (2) to advocate within NATO, among NATO al-
19 lies, and within the European Union to develop a
20 long-term coordinated strategy to enhance security,
21 establish a sustainable presence in the eastern flank,
22 and bolster the democratic resilience of United
23 States allies and partners in the region;

1 (3) to consider whether to advocate within
2 NATO and among NATO allies to develop a regular,
3 rotational maritime presence in the Black Sea;

4 (4) to support and bolster the economic ties be-
5 tween the United States and Black Sea partners and
6 mobilize the Department of State, the Department
7 of Defense, and other relevant Federal departments
8 and agencies by enhancing the United States pres-
9 ence and investment in Black Sea states;

10 (5) to provide economic alternatives to the
11 PRC's coercive economic options that destabilize and
12 further erode economic integration of the Black Sea
13 states;

14 (6) to ensure that the United States continues
15 to support Black Sea states' efforts to strengthen
16 their democratic institutions to prevent corruption
17 and accelerate their advancement into the
18 Euroatlantic community; and

19 (7) to encourage the initiative undertaken by
20 central and eastern European states to advance the
21 Three Seas Initiative to strengthen transport, en-
22 ergy, and digital infrastructure connectivity in the
23 region between the Adriatic Sea, Baltic Sea, and
24 Black Sea.

25 (d) DEFINITIONS.—In this section:

1 (1) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the Committee on Foreign Relations of
5 the Senate;

6 (B) the Committee on Armed Services of
7 the Senate;

8 (C) the Committee on Appropriations of
9 the Senate;

10 (D) the Select Committee on Intelligence
11 of the Senate;

12 (E) the Committee on Energy and Natural
13 Resources of the Senate;

14 (F) the Committee on Foreign Affairs of
15 the House of Representatives;

16 (G) the Committee on Armed Services of
17 the House of Representatives;

18 (H) the Committee on Appropriations of
19 the House of Representatives;

20 (I) the Permanent Select Committee on In-
21 telligence of the House of Representatives; and

22 (J) the Committee on Energy and Com-
23 merce of the House of Representatives.

1 (2) BLACK SEA STATES.—The term “Black Sea
2 states” means Turkey, Romania, Bulgaria, Moldova,
3 Ukraine, and Georgia.

4 (3) PRC.—The term “PRC” means the Peo-
5 ple’s Republic of China.

6 (e) BLACK SEA SECURITY AND DEVELOPMENT
7 STRATEGY.—Not later than 180 days after the date of
8 the enactment of this Act, the National Security Council,
9 in coordination with the Department of State, the Depart-
10 ment of Defense, and other relevant Federal departments
11 and agencies, shall direct an interagency strategy with a
12 classified annex—

13 (1) to increase coordination with NATO and
14 the European Union;

15 (2) to deepen economic ties;

16 (3) to strengthen energy security;

17 (4) to support efforts to bolster their demo-
18 cratic resilience; and

19 (5) to enhance security assistance with our re-
20 gional partners in accordance with the values and in-
21 terests of the United States.

22 (f) PURPOSE AND OBJECTIVES.—The strategy au-
23 thorized under subsection (e) shall have the following goals
24 and objectives:

1 (1) Ensuring the efficient and effective delivery
2 of security assistance to regional partners in accord-
3 ance with the values and interests of the United
4 States, prioritizing assistance that will bolster de-
5 fenses and improve interoperability with NATO
6 forces.

7 (2) Bolstering United States support for the re-
8 gion's energy security and integration with Europe
9 and reducing their dependence on Russia while sup-
10 porting energy diversification.

11 (3) Mitigating the impact of economic coercion
12 by the Russian Federation and the PRC on Black
13 Sea states and identifying new opportunities for for-
14 eign direct investment from the United States and
15 cooperating countries and the enhancement of
16 United States business ties with regional partners in
17 accordance with the values and interests of the
18 United States.

19 (4) Increasing high-level engagement between
20 the United States and regional partners, and rein-
21 forcing economic growth, financing quality infra-
22 structure, and reinforcing trade with a focus on im-
23 proving high-level economic cooperation.

1 (5) Increasing United States coordination with
2 the European Union and NATO to maximize effec-
3 tiveness and minimize duplication.

4 (g) ACTIVITIES.—

5 (1) SECURITY.—The strategy authorized under
6 subsection (e) should include the following elements
7 related to security:

8 (A) A plan to increase interagency coordi-
9 nation on the Black Sea region.

10 (B) An assessment of whether a United
11 States-led initiative with NATO allies to in-
12 crease coordination, presence, and regional en-
13 gagement among Black Sea states is advisable.

14 (C) An assessment of whether there is a
15 need to increase security assistance or security
16 cooperation with Black Sea states, focused on
17 Ukraine, Romania, Bulgaria, Moldova, and
18 Georgia.

19 (D) An assessment of the value of estab-
20 lishing a United States or multinational head-
21 quarters on the Black Sea, responsible for plan-
22 ning, readiness, exercises, and coordination of
23 military activity in the greater Black Sea re-
24 gion.

1 (E) An assessment of the challenges and
2 opportunities of establishing a regular, rota-
3 tional NATO maritime presence in the Black
4 Sea.

5 (F) An overview of Foreign Military Fi-
6 nancing, International Military Education and
7 Training, and other United States security as-
8 sistance to the Black Sea region.

9 (G) A plan for combating Russian
10 disinformation and propaganda in the Black
11 Sea region that utilizes the resources of the
12 United States Government.

13 (H) A plan to promote greater freedom of
14 navigation to allow for greater security and eco-
15 nomic Black Sea access.

16 (2) ECONOMIC PROSPERITY.—The strategy au-
17 thorized under subsection (e) shall include the fol-
18 lowing elements related to economic prosperity:

19 (A) A strategy to foster dialogue between
20 experts from the United States and from the
21 Black Sea states on economic expansion, for-
22 eign direct investment, strengthening rule of
23 law initiatives, and mitigating economic coer-
24 cion by Russia and the PRC.

1 (B) A strategy for all the relevant Federal
2 departments and agencies that contribute to
3 United States economic statecraft to expand
4 their presence and identify new opportunities
5 for private investment with regional partners in
6 accordance with the values and interests of the
7 United States.

8 (C) Assessments on energy diversification,
9 focusing on the immediate need to replace en-
10 ergy supplies from Russia, and recognizing the
11 long-term importance of broader energy diver-
12 sification.

13 (D) Assessments of potential food security
14 solutions, including sustainable, long-term ar-
15 rangements beyond the Black Sea Grain Initia-
16 tive.

17 (3) DEMOCRATIC RESILIENCE.—The strategy
18 authorized under subsection (e) shall include the fol-
19 lowing elements related to democratic resilience:

20 (A) A strategy to increase independent
21 media and United States-supported media ini-
22 tiatives to combat foreign malign influence in
23 the Black Sea region.

24 (B) Greater mobilization of initiatives
25 spearheaded by the Department of State and

1 the United States Agency for International De-
2 velopment to counter Russian propaganda and
3 disinformation in the Black Sea region.

4 (4) REGIONAL CONNECTIVITY.—The strategy
5 authorized under subsection (e) shall promote re-
6 gional connectivity by sending high-level representa-
7 tives of the Department of State or other agency
8 partners to—

9 (A) the Black Sea region not less fre-
10 quently than twice per year; and

11 (B) major regional fora on infrastructure
12 and energy security, including the Three Seas
13 Initiative Summit.

14 (h) IDENTIFICATION OF NECESSARY PROGRAMS AND
15 RESOURCES.—Not later than 360 days after the date of
16 the enactment of this Act, the interagency strategy shall
17 identify any necessary program, policy, or budgetary re-
18 sources required, by agency, to support the implementa-
19 tion of the Black Sea Security Strategy for fiscal years
20 2024, 2025, and 2026.

21 (i) RESPONSIBILITIES OF FEDERAL DEPARTMENTS
22 AND AGENCIES.—Nothing under this section may be con-
23 strued to authorize the National Security Council to as-
24 sume any of the responsibilities or authorities of the head
25 of any Federal department, agency, or office, including the

1 foreign affairs responsibilities and authorities of the Sec-
2 retary of State, to oversee the implementation of programs
3 and policies under this section.

4 **Subtitle D—Matters Relating to the**
5 **Indo-Pacific Region**

6 **SEC. 6241. SENSE OF CONGRESS ON THE RENEWAL OF THE**
7 **COMPACTS OF FREE ASSOCIATION WITH THE**
8 **REPUBLIC OF PALAU, THE FEDERATED**
9 **STATES OF MICRONESIA, AND THE REPUBLIC**
10 **OF THE MARSHALL ISLANDS.**

11 (a) FINDINGS.—Congress finds that—

12 (1) in 1947, the United Nations entrusted the
13 United States with the defense and security of the
14 region that now comprises—

15 (A) the Republic of Palau;

16 (B) the Federated States of Micronesia;

17 and

18 (C) the Republic of the Marshall Islands;

19 (2) in 1983, the United States signed Compacts
20 of Free Association with the Federated States of Mi-
21 cronesia and the Republic of the Marshall Islands;

22 (3) in 1985, the United States signed a Com-
23 pact of Free Association with the Republic of Palau;

24 (4) in 1986, Congress—

1 (A) enacted the Compact of Free Associa-
2 tion Act of 1985 (48 U.S.C. 1901 note; Public
3 Law 99–239), which approved the Compacts of
4 Free Association with the Federated States of
5 Micronesia and the Republic of the Marshall Is-
6 lands; and

7 (B) enacted Public Law 99–658 (48
8 U.S.C. 1931 note), which approved the Com-
9 pact of Free Association with the Republic of
10 Palau;

11 (5) in 2003, Congress enacted the Compact of
12 Free Association Amendments Act of 2003 (48
13 U.S.C. 1921 note; Public Law 108–188), which ap-
14 proved and renewed the Compacts of Free Associa-
15 tion with the Federated States of Micronesia and
16 the Republic of the Marshall Islands;

17 (6) in 2010, the United States and the Republic
18 of Palau agreed to terms for renewing the Compact
19 of Free Association with the Republic of Palau in
20 the Palau Compact Review Agreement, which was
21 approved by Congress in section 1259C of the Na-
22 tional Defense Authorization Act for Fiscal Year
23 2018 (48 U.S.C. 1931 note; Public Law 115–91);

24 (7) on January 11, 2023, the United States
25 signed a Memorandum of Understanding with the

1 Republic of the Marshall Islands on funding prior-
2 ities for the Compact of Free Association with the
3 Republic of the Marshall Islands;

4 (8) on May 22, 2023, the United States signed
5 the U.S.-Palau 2023 Agreement, following the Com-
6 pact of Free Association Section 432 Review;

7 (9) on May 23, 2023, the United States signed
8 3 agreements relating to the U.S.–FSM Compact of
9 Free Association, which included—

10 (A) an Agreement to Amend the Compact,
11 as amended;

12 (B) a new fiscal procedures agreement;
13 and

14 (C) a new trust fund agreement; and

15 (10) the United States is undergoing negotia-
16 tions relating to the Compact of Free Association
17 with the Republic of the Marshall Islands.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that—

20 (1) the close and strategic partnerships of the
21 United States with the Republic of Palau, the Fed-
22 erated States of Micronesia, and the Republic of the
23 Marshall Islands are vital to international peace and
24 security in the Indo-Pacific region;

1 (2) the Compacts of Free Association with the
2 Republic of Palau, the Federated States of Micro-
3 nesia, and the Republic of the Marshall Islands form
4 the political, economic, and security architecture
5 that bolsters and sustains security and drives re-
6 gional development and the prosperity of the larger
7 Indo-Pacific community of nations;

8 (3) certain provisions of the current Compacts
9 of Free Association with the Federated States of Mi-
10 cronesia and the Republic of the Marshall Islands
11 expire on September 30, 2023;

12 (4) certain provisions of the Compact of Free
13 Association with the Republic of Palau expire on
14 September 30, 2024;

15 (5) it is in the national interest of the United
16 States to successfully renegotiate and renew the
17 Compacts of Free Association with the Republic of
18 Palau, the Federated States of Micronesia, and the
19 Republic of the Marshall Islands; and

20 (6) enacting legislation to approve amended
21 Compacts of Free Association with the Republic of
22 Palau, the Federated States of Micronesia, and the
23 Republic of the Marshall Islands is the most impor-
24 tant way for Congress to support United States
25 strategic partnerships with the 3 countries.

1 **SEC. 6242. ELIGIBILITY OF TAIWAN FOR THE STRATEGIC**
2 **TRADE AUTHORIZATION EXCEPTION TO CER-**
3 **TAIN EXPORT CONTROL LICENSING RE-**
4 **QUIREMENTS.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) Taiwan has adopted high standards in the
8 field of export controls.

9 (2) Taiwan has declared its unilateral adher-
10 ence to the Missile Technology Control Regime, the
11 Wassenaar Arrangement, the Australia Group, and
12 the Nuclear Suppliers Group.

13 (3) At the request of President George W.
14 Bush, section 1206 of the Foreign Relations Author-
15 ization Act, Fiscal Year 2003 (Public Law 107–228;
16 22 U.S.C. 2321k note) required that Taiwan be
17 treated as if it were designated as a major non-
18 NATO ally (as defined in section 644(q) of the For-
19 eign Assistance Act of 1961 (22 U.S.C. 2403(q)).

20 (b) ELIGIBILITY FOR STRATEGIC TRADE AUTHOR-
21 IZATION.—The President, consistent with the commit-
22 ments of the United States under international arrange-
23 ments, shall take steps so that Taiwan may be treated as
24 if it were included in the list of countries eligible for the
25 strategic trade authorization exception under section
26 740.20(e)(1) of the Export Administration Regulations to

1 the requirement for a license for the export, re-export, or
2 in-country transfer of an item subject to controls under
3 the Export Administration Regulations.

4 (c) CRITERIA.—Before the President may treat Tai-
5 wan as eligible for the exception described in subsection
6 (b), the President shall ensure that Taiwan satisfies any
7 applicable criteria normally required for inclusion in the
8 Country Group A:5 list set forth in Supplement No. 1 to
9 part 740 of the Export Administration Regulations, par-
10 ticularly with respect to alignment of export control poli-
11 cies with such policies of the United States.

12 (d) EXPORT ADMINISTRATION REGULATIONS DE-
13 FINED.—In this section, the term “Export Administration
14 Regulations” has the meaning given that term in section
15 1742 of the Export Control Reform Act of 2018 (50
16 U.S.C. 4801).

17 **SEC. 6243. AUDIT TO IDENTIFY DIVERSION OF DEPART-**
18 **MENT OF DEFENSE FUNDING TO CHINA’S RE-**
19 **SEARCH LABS.**

20 Section 1263 is deemed to read as follows:

21 **“SEC. 1263. AUDIT TO IDENTIFY DIVERSION OF DEPART-**
22 **MENT OF DEFENSE FUNDING TO CHINA’S RE-**
23 **SEARCH LABS.**

24 “(a) IN GENERAL.—Not later than 180 days after
25 the date of the enactment of this Act, the Department of

1 Defense Office of Inspector General shall conduct a study,
2 and submit a report to Congress, regarding the amount
3 of Federal funds awarded by the Department of Defense
4 (whether directly or indirectly) through grants, contracts,
5 subgrants, subcontracts, or any other type of agreement
6 or collaboration, during the 10-year period immediately
7 preceding such date of enactment, that—

8 “(1) was provided, whether purposely or inad-
9 vertently, to—

10 “(A) the People’s Republic of China;

11 “(B) the Communist Party of China;

12 “(C) the Wuhan Institute of Virology or
13 any other organization administered by the Chi-
14 nese Academy of Sciences;

15 “(D) EcoHealth Alliance Inc., including
16 any subsidiaries and related organizations that
17 are directly controlled by EcoHealth Alliance,
18 Inc.;

19 “(E) the Academy of Military Medical
20 Sciences or any of its research institutes, in-
21 cluding the Beijing Institute of Microbiology
22 and Epidemiology; or

23 “(F) any other lab, agency, organization,
24 individual, or instrumentality that is owned,
25 controlled (directly or indirectly), or overseen

1 (officially or unofficially) by any of the entities
2 listed in subparagraphs (A) through (D); or

3 “(2) was used to fund research or experiments
4 that could have reasonably resulted in the enhance-
5 ment of any coronavirus, influenza, Nipah, Ebola, or
6 other pathogen of pandemic potential or chimeric
7 versions of such a virus or pathogen in the People’s
8 Republic of China or any other foreign country.

9 “(b) IDENTIFICATION OF COUNTRIES AND PATHO-
10 GENS.—The report required under subsection (a) shall
11 specify—

12 “(1) the countries in which the research or ex-
13 periments described in subsection (a)(2) was con-
14 ducted; and

15 “(2) the pathogens involved in such research or
16 experiments.”.

17 **Subtitle G—Other Matters**

18 **SEC. 6291. SENSE OF THE SENATE ON DIGITAL TRADE AND** 19 **THE DIGITAL ECONOMY.**

20 (a) FINDINGS.—Congress makes the following find-
21 ings:

22 (1) Over half of the world’s population, totaling
23 more than 5,000,000,000 people, use the internet.

24 (2) The digital economy encompasses the eco-
25 nomic and social activity from billions of online con-

1 nections among people, businesses, devices, and data
2 as a result of the internet, mobile technology, and
3 the internet of things.

4 (3) The Bureau of Economic Analysis found
5 that the digital economy contributed nearly 10.3
6 percent of United States gross domestic product and
7 supported 8,000,000 United States jobs in 2020.

8 (4) The digital sector added 1,400,000 new jobs
9 between 2019 and 2022.

10 (5) United States jobs supported by the digital
11 economy have sustained annual wage growth at a
12 rate of 5.9 percent since 2010, as compared to a 4.2
13 percent for all jobs.

14 (6) In 2021, United States exports of digital
15 services surpassed \$594,000,000,000, accounting for
16 more than half of all United States services exports
17 and generating a digital services trade surplus for
18 the United States of \$262,300,000,000.

19 (7) Digital trade bolsters the digital economy by
20 enabling the sale of goods on the internet and the
21 supply of online services across borders and depends
22 on the free flow of data across borders to promote
23 commerce, manufacturing, and innovation.

24 (8) Digital trade has become increasingly vital
25 to United States workers and businesses of all sizes,

1 including the countless small and medium-sized en-
2 terprises that use digital technology, data flows, and
3 e-commerce to export goods and services across the
4 world.

5 (9) Digital trade has advanced entrepreneurship
6 opportunities for women, people of color, and indi-
7 viduals from otherwise underrepresented back-
8 grounds and enabled the formation of innovative
9 start-ups.

10 (10) International supply chains are becoming
11 increasingly digitized and data driven and businesses
12 in a variety of industries, such as construction,
13 healthcare, transportation, and aerospace, invested
14 heavily in digital supply chain technologies in 2020.

15 (11) United States Trade Representative Kath-
16 erine Tai said, “[T]here is no bright line separating
17 digital trade from the digital economy—or the ‘tra-
18 ditional’ economy for that matter. Nearly every as-
19 pect of our economy has been digitized to some de-
20 gree.”.

21 (12) Industries outside of the technology sector,
22 such as manufacturing and agriculture, are inte-
23 grating digital technology into their businesses in
24 order to increase efficiency, improve safety, reach
25 new customers, and remain globally competitive.

1 (13) The increasing reliance on digital tech-
2 nologies has modernized legacy processes, acceler-
3 ated workflows, increased access to information and
4 services, and strengthened security in a variety of in-
5 dustries, leading to better health, environmental, and
6 safety outcomes.

7 (14) The COVID–19 pandemic has led to in-
8 creased uptake and reliance on digital technologies,
9 data flows, and e-commerce.

10 (15) Ninety percent of adults in the United
11 States say that the internet has been essential or
12 important for them personally during the COVID–
13 19 pandemic.

14 (16) United States families, workers, and busi-
15 ness owners have seen how vital access to the inter-
16 net has been to daily life, as work, education, medi-
17 cine, and communication with family and friends
18 have shifted increasingly online.

19 (17) Many individuals and families, especially
20 in rural and Tribal communities, struggle to partici-
21 pate in the digital economy because of a lack of ac-
22 cess to a reliable internet connection.

23 (18) New developments in technology must be
24 deployed with consideration to the unique access

1 challenges of rural, urban underserved, and vulner-
2 able communities.

3 (19) Digital trade has the power to help level
4 the playing field and uplift those in traditionally un-
5 represented or underrepresented communities.

6 (20) Countries have negotiated international
7 rules governing digital trade in various bilateral and
8 plurilateral agreements, but those rules remain frag-
9 mented, and no multilateral agreement on digital
10 trade exists within the World Trade Organization.

11 (21) The United States, through free trade
12 agreements or other digital agreements, has been a
13 leader in developing a set of rules and standards on
14 digital governance and e-commerce that has helped
15 allies and partners of the United States unlock the
16 full economic and social potential of digital trade.

17 (22) Congress recognizes the need for agree-
18 ments on digital trade, as indicated by its support
19 for a robust digital trade chapter in the United
20 States-Mexico-Canada Agreement.

21 (23) Other countries are operating under their
22 own digital rules, some of which are contrary to
23 democratic values shared by the United States and
24 many allies and partners of the United States.

1 (24) Those countries are attempting to advance
2 their own digital rules on a global scale.

3 (25) Examples of the plethora of nontariff bar-
4 riers to digital trade that have emerged around the
5 globe include—

6 (A) overly restrictive data localization re-
7 quirements and limitations on cross border data
8 flows that do not achieve legitimate public pol-
9 icy objectives;

10 (B) intellectual property rights infringe-
11 ment;

12 (C) policies that make market access con-
13 tingent on forced technology transfers or vol-
14 untary transfers subject to coercive terms;

15 (D) web filtering;

16 (E) economic espionage;

17 (F) cybercrime exposure; and

18 (G) government-directed theft of trade se-
19 crets.

20 (26) Certain countries are pursuing or have im-
21 plemented digital policies that unfairly discriminate
22 against innovative United States technology compa-
23 nies and United States workers that create and de-
24 liver digital products and services.

1 (27) The Government of the People’s Republic
2 of China is currently advancing a model for digital
3 governance and the digital economy domestically and
4 abroad through its Digital Silk Road Initiative that
5 permits censorship, surveillance, human and worker
6 rights abuses, forced technology transfers, and data
7 flow restrictions at the expense of human and work-
8 er rights, privacy, the free flow of data, and an open
9 internet.

10 (28) The 2022 Country Reports on Human
11 Rights Practices of the Department of State high-
12 lighted significant human rights issues committed by
13 the People’s Republic of China in the digital realm,
14 including “arbitrary interference with privacy includ-
15 ing pervasive and intrusive technical surveillance and
16 monitoring including the use of COVID–19 tracking
17 apps for nonpublic-health purposes; punishment of
18 family members for offenses allegedly committed by
19 an individual; serious restrictions on free expression
20 and media, including physical attacks on and crimi-
21 nal prosecution of journalists, lawyers, writers,
22 bloggers, dissidents, petitioners, and others; serious
23 restrictions on internet freedom, including site block-
24 ing”.

1 (29) The United States discourages digital
2 authoritarianism, including practices that undermine
3 human and worker rights and result in other social
4 and economic coercion.

5 (30) Allies and trading partners of the United
6 States in the Indo-Pacific region have urged the
7 United States to deepen economic engagement in the
8 region by negotiating rules on digital trade and tech-
9 nology standards.

10 (31) The digital economy has provided new op-
11 portunities for economic development, entrepreneur-
12 ship, and growth in developing countries around the
13 world.

14 (32) Negotiating strong digital trade principles
15 and commitments with allies and partners across the
16 globe enables the United States to unite like-minded
17 economies around common standards and ensure
18 that principles of democracy, rule of law, freedom of
19 speech, human and worker rights, privacy, and a
20 free and open internet are at the very core of digital
21 governance.

22 (33) United States leadership and substantive
23 engagement is necessary to ensure that global digital
24 rules reflect United States values so that workers
25 are treated fairly, small businesses can compete and

1 win in the global economy, and consumers are guar-
2 anteed the right to privacy and security.

3 (34) The United States supports rules that re-
4 duce digital trade barriers, promote free expression
5 and the free flow of information, enhance privacy
6 protections, protect sensitive information, defend
7 human and worker rights, prohibit forced technology
8 transfer, and promote digitally enabled commerce.

9 (35) The United States supports efforts to co-
10 operate with allies and trading partners to mitigate
11 the risks of cyberattacks, address potentially illegal
12 or deceptive business activities online, promote fi-
13 nancial inclusion and digital workforce skills, and
14 develop rules to govern the use of artificial intel-
15 ligence and other emerging and future technologies.

16 (b) SENSE OF THE SENATE.—It is the sense of the
17 Senate that—

18 (1) the United States should negotiate strong,
19 inclusive, forward-looking, and enforceable rules on
20 digital trade and the digital economy with like-mind-
21 ed countries as part of a broader trade and economic
22 strategy to address digital barriers and ensure that
23 the United States values of democracy, rule of law,
24 freedom of speech, human and worker rights, pri-

1 vacy, and a free and open internet are at the very
2 core of the digital world and advanced technology;

3 (2) in conducting such negotiations, the United
4 States must—

5 (A) pursue digital trade rules that—

6 (i) serve the best interests of workers,
7 consumers, and small and medium-sized
8 enterprises;

9 (ii) empower United States workers;

10 (iii) fuel wage growth; and

11 (iv) lead to materially positive eco-
12 nomic outcomes for all people in the
13 United States;

14 (B) ensure that any future agreement pre-
15 vents the adoption of non-democratic, coercive,
16 or overly restrictive policies that would be ob-
17 stacles to a free and open internet and harm
18 the ability of the e-commerce marketplace to
19 continue to grow and thrive;

20 (C) coordinate sufficient trade-related as-
21 sistance to ensure that developing countries can
22 improve their capacity and benefit from in-
23 creased digital trade; and

24 (D) consult closely with all relevant stake-
25 holders, including workers, consumers, small

1 and medium-sized enterprises, civil society
2 groups, and human rights advocates; and

3 (3) with respect to any negotiations for an
4 agreement facilitating digital trade, the United
5 States Trade Representative and the heads of other
6 relevant Federal agencies must consult closely and
7 on a timely basis with Congress.

8 **SEC. 6292. ASSESSMENT OF CERTAIN UNITED STATES-ORI-**
9 **GIN TECHNOLOGY USED BY FOREIGN ADVER-**
10 **SARIES.**

11 (a) **IN GENERAL.**—The Director of National Intel-
12 ligence shall conduct an assessment to evaluate the top
13 five technologies that originate in the United States and
14 are not currently subject to export controls as prioritized
15 by the Director of National Intelligence, in order to iden-
16 tify and assess the risk from those specified technologies
17 that could be or are being used by foreign adversaries in
18 foreign espionage programs targeting the United States.

19 (b) **REPORT REQUIRED.**—Not later than 270 days
20 after the date of the enactment of this Act, the Director
21 shall submit a report on the assessment required by sub-
22 section (a) to—

23 (1) the Committee on Armed Services and the
24 Select Committee on Intelligence of the Senate; and

1 (2) the Committee on Armed Services and the
2 Permanent Select Committee on Intelligence of the
3 House of Representatives.

4 **SEC. 6293. VIRGINIA CLASS SUBMARINE TRANSFER CER-**
5 **TIFICATION.**

6 (a) CERTIFICATION REQUIRED.—

7 (1) IN GENERAL.—Not less than 60 days prior
8 to transferring one or more Virginia class sub-
9 marines from the inventory of the United States
10 Navy to the Government of Australia, under section
11 21 of the Arms Export Control Act (22 U.S.C.
12 2761), the President shall certify to the appropriate
13 congressional committees that—

14 (A) any submarine transferred under such
15 authority shall be used to support the joint se-
16 curity interests and military operations of the
17 United States and Australia;

18 (B) Submarine Rotational Forces-West
19 Full Operational Capability to support 4
20 rotationally deployed Virginia-class submarines
21 and one Astute-class submarine has been
22 achieved, including the Government of Australia
23 having demonstrated the domestic capacity to
24 fully perform all the associated activities nec-

1 essary for the safe hosting and operation of nu-
2 clear-powered submarines; and

3 (C) Australia Sovereign-Ready Initial
4 Operational Capability to support a Royal Aus-
5 tralian Navy Virginia-class submarine has been
6 achieved, including the Government of Australia
7 having demonstrated the domestic capacity to
8 fully perform all the associated—

9 (i) activities necessary for the safe
10 hosting and operation of nuclear-powered
11 submarines;

12 (ii) crewing;

13 (iii) operations;

14 (iv) regulatory and emergency proce-
15 dures, including those specific to nuclear
16 power plants; and

17 (v) detailed planning for enduring Vir-
18 ginia-class submarine ownership, including
19 each significant event leading up to and in-
20 cluding nuclear defueling.

21 (b) DEFINITIONS.—In this section:

22 (1) ACTIVITIES NECESSARY FOR THE SAFE
23 HOSTING OR OPERATION OF NUCLEAR-POWERED
24 SUBMARINES.—The term “activities necessary for
25 the safe hosting and operation of nuclear-powered

1 submarines” means each of the following activities
2 as it relates to Virginia-class and Astute-class sub-
3 marines, as appropriate, and in accordance with ap-
4 plicable United States Navy or other Government
5 agency instructions, regulations, and standards:

6 (A) Maintenance.

7 (B) Training.

8 (C) Technical oversight.

9 (D) Safety certifications.

10 (E) Physical, communications, operational,
11 cyber, and other security measures.

12 (F) Port operations and infrastructure
13 support.

14 (G) Storage, including spare parts, repair
15 parts, and munitions.

16 (H) Hazardous material handling and stor-
17 age.

18 (I) Information technology systems.

19 (J) Support functions, including those re-
20 lated to medical, quality-of-life, and family
21 needs.

22 (K) Such other related tasks as may be
23 specified by the Secretary of Defense.

1 (2) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Relations,
5 the Committee on Armed Services, and the
6 Committee on Appropriations of the Senate;
7 and

8 (B) the Committee on Foreign Affairs, the
9 Committee on Armed Services, and the Com-
10 mittee on Appropriations of the House of Rep-
11 resentatives.

12 **TITLE LXV—SPACE ACTIVITIES,**
13 **STRATEGIC PROGRAMS, AND**
14 **INTELLIGENCE MATTERS**
15 **Subtitle B—Nuclear Forces**

16 **SEC. 6511. ANNUAL REPORT ON DEVELOPMENT OF LONG-**
17 **RANGE STAND-OFF WEAPON.**

18 (a) REPORT REQUIRED.—Not later than March 1,
19 2024, and annually thereafter until the date on which
20 long-range stand-off weapon reaches initial operational ca-
21 pability, the Administrator for Nuclear Security, in coordi-
22 nation with the Secretary of the Air Force and the Chair-
23 man of the Nuclear Weapons Council, shall submit to the
24 congressional defense committees a report on the joint de-
25 velopment of the long-range stand-off weapon, including

1 the missile developed by the Air Force and the W80-4
2 warhead life extension program conducted by the National
3 Nuclear Security Administration.

4 (b) ELEMENTS.—The report under subsection (a)
5 shall include the following:

6 (1) An estimate of the date on which the long-
7 range stand-off weapon will reach initial operational
8 capability.

9 (2) A description of any development milestones
10 for the missile developed by the Air Force or the
11 warhead developed by the National Nuclear Security
12 Administration that depend on corresponding
13 progress at the other agency.

14 (3) A description of coordination efforts be-
15 tween the Air Force and the National Nuclear Secu-
16 rity Administration during the period covered by the
17 report.

18 (4) A description of any schedule delays pro-
19 jected by the Air Force or the National Nuclear Se-
20 curity Administration and the anticipated effect such
21 delays would have on the schedule of work of the
22 other agency.

23 (5) Plans to mitigate the effects of any delays
24 described in paragraph (4).

1 (6) A description of any ways, including
2 through the availability of additional funding or au-
3 thorities, in which the development milestones de-
4 scribed in paragraph (2) or the estimated date of
5 initial operational capability referred to in paragraph
6 (1), could be achieved more quickly.

7 (7) An estimate of the acquisition costs for the
8 long-range stand-off weapon and the W80-4 war-
9 head life extension program.

10 (c) FORM.—The report required by subsection (a)
11 shall be submitted in unclassified form, but may include
12 a classified annex.

13 **TITLE LXVIII—FEND OFF** 14 **FENTANYL ACT**

15 **SEC. 6801. SHORT TITLE.**

16 This title may be cited as the “Fentanyl Eradication
17 and Narcotics Deterrence Off Fentanyl Act” or the
18 “FEND Off Fentanyl Act”.

19 **SEC. 6802. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) the proliferation of fentanyl is causing an
22 unprecedented surge in overdose deaths in the
23 United States, fracturing families and communities,
24 and necessitating a comprehensive policy response to

1 combat its lethal flow and to mitigate the drug's
2 devastating consequences;

3 (2) the trafficking of fentanyl into the United
4 States is a national security threat that has killed
5 hundreds of thousands of United States citizens;

6 (3) transnational criminal organizations, includ-
7 ing cartels primarily based in Mexico, are the main
8 purveyors of fentanyl into the United States and
9 must be held accountable;

10 (4) precursor chemicals sourced from the Peo-
11 ple's Republic of China are—

12 (A) shipped from the People's Republic of
13 China by legitimate and illegitimate means;

14 (B) transformed through various synthetic
15 processes to produce different forms of
16 fentanyl; and

17 (C) crucial to the production of illicit
18 fentanyl by transnational criminal organiza-
19 tions, contributing to the ongoing opioid crisis;

20 (5) the United States Government must remain
21 vigilant to address all new forms of fentanyl precur-
22 sors and drugs used in combination with fentanyl,
23 such as Xylazine, which attribute to overdose deaths
24 of people in the United States;

1 (6) to increase the cost of fentanyl trafficking,
2 the United States Government should work collabo-
3 ratively across agencies and should surge analytic
4 capability to impose sanctions and other remedies
5 with respect to transnational criminal organizations
6 (including cartels), including foreign nationals who
7 facilitate the trade in illicit fentanyl and its precur-
8 sors from the People’s Republic of China; and

9 (7) the Department of the Treasury should
10 focus on fentanyl trafficking and its facilitators as
11 one of the top national security priorities for the De-
12 partment.

13 **SEC. 6803. DEFINITIONS.**

14 In this title:

15 (1) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—The term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Banking, Housing,
19 and Urban Affairs and the Committee on For-
20 eign Relations of the Senate; and

21 (B) the Committee on Foreign Affairs and
22 the Committee on Financial Services of the
23 House of Representatives.

24 (2) FOREIGN PERSON.—The term “foreign per-
25 son”—

1 (A) means—

2 (i) any citizen or national of a foreign
3 country; or

4 (ii) any entity not organized under the
5 laws of the United States or a jurisdiction
6 within the United States; and

7 (B) does not include the government of a
8 foreign country.

9 (3) KNOWINGLY.—The term “knowingly”, with
10 respect to conduct, a circumstance, or a result,
11 means that a person has actual knowledge, or should
12 have known, of the conduct, the circumstance, or the
13 result.

14 (4) TRAFFICKING.—The term “trafficking”,
15 with respect to fentanyl, fentanyl precursors, or
16 other related opioids, has the meaning given the
17 term “opioid trafficking” in section 7203 of the
18 Fentanyl Sanctions Act (21 U.S.C. 2302).

19 (5) TRANSNATIONAL CRIMINAL ORGANIZA-
20 TION.—The term “transnational criminal organiza-
21 tion” includes—

22 (A) any organization designated as a sig-
23 nificant transnational criminal organization
24 under part 590 of title 31, Code of Federal
25 Regulations;

- 1 (B) any of the organizations known as—
2 (i) the Sinaloa Cartel;
3 (ii) the Jalisco New Generation Car-
4 tel;
5 (iii) the Gulf Cartel;
6 (iv) the Los Zetas Cartel;
7 (v) the Juarez Cartel;
8 (vi) the Tijuana Cartel;
9 (vii) the Beltran-Leyva Cartel; or
10 (viii) La Familia Michoacana; or
11 (C) any other organization that the Presi-
12 dent determines is a transnational criminal or-
13 ganization; or
14 (D) any successor organization to an orga-
15 nization described in subparagraph (B) or as
16 otherwise determined by the President.
- 17 (6) UNITED STATES PERSON.—The term
18 “United States person” means—
19 (A) a United States citizen or an alien law-
20 fully admitted for permanent residence to the
21 United States;
22 (B) an entity organized under the laws of
23 the United States or of any jurisdiction within
24 the United States, including a foreign branch of
25 such an entity; or

1 (C) any person in the United States.

2 **Subtitle A—Sanctions Matters**

3 **PART I—SANCTIONS IN RESPONSE TO NATIONAL**
4 **EMERGENCY RELATING TO FENTANYL TRAF-**
5 **FICKING**

6 **SEC. 6811. FINDING; POLICY.**

7 (a) FINDING.—Congress finds that international
8 trafficking of fentanyl, fentanyl precursors, or other re-
9 lated opioids constitutes an unusual and extraordinary
10 threat to the national security, foreign policy, and econ-
11 omy of the United States, and is a national emergency.

12 (b) POLICY.—It shall be the policy of the United
13 States to apply economic and other financial sanctions to
14 those who engage in the international trafficking of
15 fentanyl, fentanyl precursors, or other related opioids to
16 protect the national security, foreign policy, and economy
17 of the United States.

18 **SEC. 6812. USE OF NATIONAL EMERGENCY AUTHORITIES;**
19 **REPORTING.**

20 (a) IN GENERAL.—The President may exercise all
21 authorities provided under sections 203 and 205 of the
22 International Emergency Economic Powers Act (50
23 U.S.C. 1702 and 1704) to carry out this part.

24 (b) REPORT REQUIRED.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, and an-
3 nually thereafter, the President shall submit to the
4 appropriate congressional committees a report on ac-
5 tions taken by the executive branch pursuant to this
6 part and any national emergency declared with re-
7 spect to the trafficking of fentanyl and trade in
8 other illicit drugs, including—

9 (A) the issuance of any new or revised reg-
10 ulations, policies, or guidance;

11 (B) the imposition of sanctions;

12 (C) the collection of relevant information
13 from outside parties;

14 (D) the issuance or closure of general li-
15 censes, specific licenses, and statements of li-
16 censing policy by the Office of Foreign Assets
17 Control;

18 (E) a description of any pending enforce-
19 ment cases; or

20 (F) the implementation of mitigation pro-
21 cedures.

22 (2) FORM OF REPORT.—Each report required
23 by paragraph (1) shall be submitted in unclassified
24 form, but may include the matters required by sub-

1 paragraphs (C), (D), (E), and (F) of that paragraph
2 in a classified annex.

3 **SEC. 6813. CODIFICATION OF EXECUTIVE ORDER IMPOSING**
4 **SANCTIONS WITH RESPECT TO FOREIGN PER-**
5 **SONS INVOLVED IN GLOBAL ILLICIT DRUG**
6 **TRADE.**

7 United States sanctions provided for in Executive
8 Order 14059 (50 U.S.C. 1701 note; relating to imposing
9 sanctions on foreign persons involved in the global illicit
10 drug trade), and any amendments to or directives issued
11 pursuant to such Executive order before the date of the
12 enactment of this Act, shall remain in effect.

13 **SEC. 6814. IMPOSITION OF SANCTIONS WITH RESPECT TO**
14 **FENTANYL TRAFFICKING BY**
15 **TRANSNATIONAL CRIMINAL ORGANIZATIONS.**

16 (a) IN GENERAL.—The President shall impose the
17 sanctions described in subsection (b) with respect to any
18 foreign person the President determines—

19 (1) is knowingly involved in the significant traf-
20 ficking of fentanyl, fentanyl precursors, or other re-
21 lated opioids, including such trafficking by a
22 transnational criminal organization; or

23 (2) otherwise is knowingly involved in signifi-
24 cant activities of a transnational criminal organiza-

1 tion relating to the trafficking of fentanyl, fentanyl
2 precursors, or other related opioids.

3 (b) **SANCTIONS DESCRIBED.**—The President may,
4 pursuant to the International Emergency Economic Pow-
5 ers Act (50 U.S.C. 1701 et seq.), block and prohibit all
6 transactions in property and interests in property of a for-
7 eign person described in subsection (a) if such property
8 and interests in property are in the United States, come
9 within the United States, or are or come within the posses-
10 sion or control of a United States person.

11 (c) **REPORT REQUIRED.**—Not later than 180 days
12 after the date of the enactment of this Act, and annually
13 thereafter, the President shall submit to the appropriate
14 congressional committees a report on actions taken by the
15 executive branch with respect to the foreign persons iden-
16 tified under subsection (a).

17 **SEC. 6815. PENALTIES; WAIVERS; EXCEPTIONS.**

18 (a) **PENALTIES.**—A person that violates, attempts to
19 violate, conspires to violate, or causes a violation of this
20 part or any regulation, license, or order issued to carry
21 out this part shall be subject to the penalties set forth
22 in subsections (b) and (c) of section 206 of the Inter-
23 national Emergency Economic Powers Act (50 U.S.C.
24 1705) to the same extent as a person that commits an
25 unlawful act described in subsection (a) of that section.

1 (b) NATIONAL SECURITY WAIVER.—The President
2 may waive the application of sanctions under this part
3 with respect to a foreign person if the President deter-
4 mines that the waiver is in the national security interest
5 of the United States.

6 (c) EXCEPTIONS.—

7 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-
8 TIES.—This part shall not apply with respect to ac-
9 tivities subject to the reporting requirements under
10 title V of the National Security Act of 1947 (50
11 U.S.C. 3091 et seq.) or any authorized intelligence
12 activities of the United States.

13 (2) EXCEPTION FOR COMPLIANCE WITH INTER-
14 NATIONAL OBLIGATIONS AND LAW ENFORCEMENT
15 ACTIVITIES.—Sanctions under this part shall not
16 apply with respect to an alien if admitting or parol-
17 ing the alien into the United States is necessary—

18 (A) to permit the United States to comply
19 with the Agreement regarding the Head-
20 quarters of the United Nations, signed at Lake
21 Success on June 26, 1947, and entered into
22 force November 21, 1947, between the United
23 Nations and the United States, or other appli-
24 cable international obligations of the United
25 States; or

1 (B) to carry out or assist law enforcement
2 activity of the United States.

3 (3) HUMANITARIAN EXEMPTION.—The Presi-
4 dent may not impose sanctions under this part with
5 respect to any person for conducting or facilitating
6 a transaction for the sale of agricultural commod-
7 ities, food, medicine, or medical devices or for the
8 provision of humanitarian assistance.

9 **SEC. 6816. TREATMENT OF FORFEITED PROPERTY OF**
10 **TRANSNATIONAL CRIMINAL ORGANIZATIONS.**

11 (a) **TRANSFER OF FORFEITED PROPERTY TO FOR-**
12 **FEITURE FUNDS.—**

13 (1) **IN GENERAL.—**Any covered forfeited prop-
14 erty shall be deposited into the Department of the
15 Treasury Forfeiture Fund established under section
16 9705 of title 31, United States Code, or the Depart-
17 ment of Justice Assets Forfeiture Fund established
18 under section 524(c) of title 28, United States Code.

19 (2) **REPORT REQUIRED.—**Not later than 180
20 days after the date of the enactment of this Act, and
21 every 180 days thereafter, the President shall sub-
22 mit to the appropriate congressional committees a
23 report on any deposits made under paragraph (1)
24 during the 180-day period preceding submission of
25 the report.

1 (3) COVERED FORFEITED PROPERTY DE-
2 FINED.—In this subsection, the term “covered for-
3 feited property” means property—

4 (A) forfeited to the United States under
5 chapter 46 or section 1963 of title 18, United
6 States Code; and

7 (B) that belonged to or was possessed by
8 an individual affiliated with or connected to a
9 transnational criminal organization subject to
10 sanctions under—

11 (i) this part;

12 (ii) the Fentanyl Sanctions Act (21
13 U.S.C. 2301 et seq.); or

14 (iii) Executive Order 14059 (50
15 U.S.C. 1701 note; relating to imposing
16 sanctions on foreign persons involved in
17 the global illicit drug trade).

18 (b) BLOCKED ASSETS UNDER TERRORISM RISK IN-
19 SURANCE ACT OF 2002.—Nothing in this part affects the
20 treatment of blocked assets of a terrorist party described
21 in subsection (a) of section 201 of the Terrorism Risk In-
22 surance Act of 2002 (28 U.S.C. 1610 note).

PART II—OTHER MATTERS**SEC. 6821. TEN-YEAR STATUTE OF LIMITATIONS FOR VIOLATIONS OF SANCTIONS.**

(a) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended by adding at the end the following:

“(d) STATUTE OF LIMITATIONS.—

“(1) TIME FOR COMMENCING PROCEEDINGS.—

“(A) IN GENERAL.—An action, suit, or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, under this section shall not be entertained unless commenced within ten years after the latest date of the violation upon which the civil fine, penalty, or forfeiture is based.

“(B) COMMENCEMENT.—For purposes of this paragraph, the commencement of an action, suit, or proceeding includes the issuance of a pre-penalty notice or finding of violation.

“(2) TIME FOR INDICTMENT.—No person shall be prosecuted, tried, or punished for any offense under subsection (c) unless the indictment is found or the information is instituted within ten years after the latest date of the violation upon which the indictment or information is based.”.

1 (b) TRADING WITH THE ENEMY ACT.—Section 16
2 of the Trading with the Enemy Act (50 U.S.C. 4315) is
3 amended by adding at the end the following:

4 “(d) STATUTE OF LIMITATIONS.—

5 “(1) TIME FOR COMMENCING PROCEEDINGS.—

6 “(A) IN GENERAL.—An action, suit, or
7 proceeding for the enforcement of any civil fine,
8 penalty, or forfeiture, pecuniary or otherwise,
9 under this section shall not be entertained un-
10 less commenced within ten years after the latest
11 date of the violation upon which the civil fine,
12 penalty, or forfeiture is based.

13 “(B) COMMENCEMENT.—For purposes of
14 this paragraph, the commencement of an ac-
15 tion, suit, or proceeding includes the issuance of
16 a pre-penalty notice or finding of violation.

17 “(2) TIME FOR INDICTMENT.—No person shall
18 be prosecuted, tried, or punished for any offense
19 under subsection (a) unless the indictment is found
20 or the information is instituted within ten years
21 after the latest date of the violation upon which the
22 indictment or information is based.”.

1 **SEC. 6822. CLASSIFIED REPORT AND BRIEFING ON STAFF-**
2 **ING OF OFFICE OF FOREIGN ASSETS CON-**
3 **TROL.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Director of the Office of Foreign
6 Assets Control shall provide to the appropriate congress-
7 sional committees a classified report and briefing on the
8 staffing of the Office of Foreign Assets Control,
9 disaggregated by staffing dedicated to each sanctions pro-
10 gram and each country or issue.

11 **SEC. 6823. REPORT ON DRUG TRANSPORTATION ROUTES**
12 **AND USE OF VESSELS WITH MISLABELED**
13 **CARGO.**

14 Not later than 180 days after the date of the enact-
15 ment of this Act, the Secretary of the Treasury, in con-
16 junction with the heads of other relevant Federal agencies,
17 shall provide to the appropriate congressional committees
18 a classified report and briefing on efforts to target drug
19 transportation routes and modalities, including an assess-
20 ment of the prevalence of false cargo labeling and ship-
21 ment of precursor chemicals without accurate tracking of
22 the customers purchasing the chemicals.

1 **SEC. 6824. REPORT ON ACTIONS OF PEOPLE’S REPUBLIC OF**
2 **CHINA WITH RESPECT TO PERSONS IN-**
3 **VOLVED IN FENTANYL SUPPLY CHAIN.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Secretary of the Treasury, in con-
6 junction with the heads of other relevant Federal agencies,
7 shall provide to the appropriate congressional committees
8 a classified report and briefing on actions taken by the
9 Government of the People’s Republic of China with respect
10 to persons involved in the shipment of fentanyl, fentanyl
11 analogues, fentanyl precursors, precursors for fentanyl
12 analogues, and equipment for the manufacturing of
13 fentanyl and fentanyl-laced counterfeit pills.

14 **Subtitle B—Anti-Money**
15 **Laundering Matters**

16 **SEC. 6831. DESIGNATION OF ILLICIT FENTANYL TRANS-**
17 **ACTIONS OF SANCTIONED PERSONS AS OF**
18 **PRIMARY MONEY LAUNDERING CONCERN.**

19 Subtitle A of the Fentanyl Sanctions Act (21 U.S.C.
20 2311 et seq.) is amended by inserting after section 7213
21 the following:

22 **“SEC. 7213A. DESIGNATION OF TRANSACTIONS OF SANC-**
23 **TIONED PERSONS AS OF PRIMARY MONEY**
24 **LAUNDERING CONCERN.**

25 **“(a) IN GENERAL.—**If the Secretary of the Treasury
26 determines that reasonable grounds exist for concluding

1 that one or more financial institutions operating outside
2 of the United States, 1 or more classes of transactions
3 within, or involving, a jurisdiction outside of the United
4 States, or 1 or more types of accounts within, or involving,
5 a jurisdiction outside of the United States, is of primary
6 money laundering concern in connection with illicit opioid
7 trafficking, the Secretary of the Treasury may, by order,
8 regulation, or otherwise as permitted by law—

9 “(1) require domestic financial institutions and
10 domestic financial agencies to take 1 or more of the
11 special measures provided for in section 9714(a)(1)
12 of the National Defense Authorization Act for Fiscal
13 Year 2021 (Public Law 116–283; 31 U.S.C. 5318A
14 note); or

15 “(2) prohibit, or impose conditions upon, cer-
16 tain transmittals of funds (to be defined by the Sec-
17 retary) by any domestic financial institution or do-
18 mestic financial agency, if such transmittal of funds
19 involves any such institution, class of transaction, or
20 type of accounts.

21 “(b) CLASSIFIED INFORMATION.—In any judicial re-
22 view of a finding of the existence of a primary money laun-
23 dering concern, or of the requirement for 1 or more special
24 measures with respect to a primary money laundering con-
25 cern made under this section, if the designation or imposi-

1 tion, or both, were based on classified information (as de-
2 fined in section 1(a) of the Classified Information Proce-
3 dures Act (18 U.S.C. App.)), such information may be
4 submitted by the Secretary to the reviewing court ex parte
5 and in camera. This subsection does not confer or imply
6 any right to judicial review of any finding made or any
7 requirement imposed under this section.

8 “(c) AVAILABILITY OF INFORMATION.—The exemp-
9 tions from, and prohibitions on, search and disclosure re-
10 ferred to in section 9714(c) of the National Defense Au-
11 thorization Act for Fiscal Year 2021 (Public Law 116–
12 283; 31 U.S.C. 5318A note) shall apply to any report or
13 record of report filed pursuant to a requirement imposed
14 under subsection (a). For purposes of section 552 of title
15 5, United States Code, this subsection shall be considered
16 a statute described in subsection (b)(3)(B) of that section.

17 “(d) PENALTIES.—The penalties referred to in sec-
18 tion 9714(d) of the National Defense Authorization Act
19 for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C.
20 5318A note) shall apply to violations of any order, regula-
21 tion, special measure, or other requirement imposed under
22 subsection (a), in the same manner and to the same extent
23 as described in such section 9714(d).

24 “(e) INJUNCTIONS.—The Secretary of the Treasury
25 may bring a civil action to enjoin a violation of any order,

1 regulation, special measure, or other requirement imposed
2 under subsection (a) in the same manner and to the same
3 extent as described in section 9714(e) of the National De-
4 fense Authorization Act for Fiscal Year 2021 (Public Law
5 116–283; 31 U.S.C. 5318A note).”.

6 **SEC. 6832. TREATMENT OF TRANSNATIONAL CRIMINAL OR-**
7 **GANIZATIONS IN SUSPICIOUS TRANSACTIONS**
8 **REPORTS OF THE FINANCIAL CRIMES EN-**
9 **FORCEMENT NETWORK.**

10 (a) **FILING INSTRUCTIONS.**—Not later than 180 days
11 after the date of the enactment of this Act, the Director
12 of the Financial Crimes Enforcement Network shall issue
13 guidance or instructions to United States financial institu-
14 tions for filing reports on suspicious transactions required
15 by section 1010.320 of title 31, Code of Federal Regula-
16 tions, related to suspected fentanyl trafficking by
17 transnational criminal organizations.

18 (b) **PRIORITIZATION OF REPORTS RELATING TO**
19 **FENTANYL TRAFFICKING OR TRANSNATIONAL CRIMINAL**
20 **ORGANIZATIONS.**—The Director shall prioritize research
21 into reports described in subsection (a) that indicate a
22 connection to trafficking of fentanyl or related synthetic
23 opioids or financing of suspected transnational criminal
24 organizations.

1 **SEC. 6833. REPORT ON TRADE-BASED MONEY LAUNDERING**
2 **IN TRADE WITH MEXICO, THE PEOPLE'S RE-**
3 **PUBLIC OF CHINA, AND BURMA.**

4 (a) IN GENERAL.—In the first update to the national
5 strategy for combating the financing of terrorism and re-
6 lated forms of illicit finance submitted to Congress after
7 the date of the enactment of this Act, the Secretary of
8 the Treasury shall include a report on trade-based money
9 laundering originating in Mexico or the People's Republic
10 of China and involving Burma.

11 (b) DEFINITION.—In this section, the term “national
12 strategy for combating the financing of terrorism and re-
13 lated forms of illicit finance” means the national strategy
14 for combating the financing of terrorism and related forms
15 of illicit finance required by section 261 of the Countering
16 America's Adversaries Through Sanctions Act (Public
17 Law 115–44; 131 Stat. 934), as amended by section 6506
18 of the National Defense Authorization Act for Fiscal Year
19 2022 (Public Law 117–81; 135 Stat. 2428).

20 **Subtitle C—Exception Relating to**
21 **Importation of Goods**

22 **SEC. 6841. EXCEPTION RELATING TO IMPORTATION OF**
23 **GOODS.**

24 (a) IN GENERAL.—The authority or a requirement
25 to block and prohibit all transactions in all property and
26 interests in property under this title shall not include the

1 authority or a requirement to impose sanctions on the im-
 2 portation of goods.

3 (b) GOOD DEFINED.—In this section, the term
 4 “good” means any article, natural or manmade substance,
 5 material, supply or manufactured product, including in-
 6 spection and test equipment, and excluding technical data.

7 **TITLE LXXVIII—MILITARY CON-**
 8 **STRUCTION AND GENERAL**
 9 **PROVISIONS**

10 **Subtitle B—Military Housing**

11 **PART III—OTHER HOUSING MATTERS**

12 **SEC. 7851. REPORT ON PLAN TO REPLACE HOUSES AT FORT**
 13 **LEONARD WOOD.**

14 Not later than 90 days after the date of the enact-
 15 ment of this Act, the Secretary of the Army shall submit
 16 to Congress an unclassified report on the plan of the Army
 17 to replace all 1,142 houses at Fort Leonard Wood that
 18 the Army has designated as being in need of repair.

19 **Subtitle D—Other Matters**

20 **SEC. 7881. STUDY ON IMPACT ON MEMBERS OF THE ARMED**
 21 **FORCES AND DEPENDENTS OF CONSTRUC-**
 22 **TION PROJECTS THAT AFFECT QUALITY OF**
 23 **LIFE.**

24 (a) IN GENERAL.—The Secretary of Defense shall
 25 conduct a study, through the use of an independent and

1 objective organization outside the Department of Defense,
2 on the correlation between military construction projects
3 and facilities sustainment, restoration, and modernization
4 projects at installations of the Department of Defense that
5 affect the quality of life of members of the Armed Forces
6 and their dependents and the following:

7 (1) Retention of members of the Armed Forces
8 on active duty.

9 (2) Physical health of members of the Armed
10 Forces, including an identification of whether the
11 age, condition, and deferred maintenance of a dor-
12 mitory or barracks is in any way related to the fre-
13 quency of sexual assaults and other crimes at instal-
14 lations of the Department.

15 (3) Mental health of members of the Armed
16 Forces.

17 (b) REPORT.—Not later than one year after the date
18 of the enactment of this Act, the Secretary shall submit
19 to the Committee on Armed Services of the Senate and
20 the Committee on Armed Services of the House of Rep-
21 resentatives a report on the study conducted under sub-
22 section (a).

1 **SEC. 7882. MODIFICATION OF PILOT PROGRAM ON ESTAB-**
2 **LISHMENT OF ACCOUNT FOR REIMBURSE-**
3 **MENT FOR USE OF TESTING FACILITIES AT**
4 **INSTALLATIONS OF THE DEPARTMENT OF**
5 **THE AIR FORCE.**

6 (a) IN GENERAL.—Section 2862 of the Military Con-
7 struction Authorization Act for Fiscal Year 2022 (division
8 B of Public Law 117–81; 10 U.S.C. 9771 note prec.) is
9 amended—

10 (1) in subsection (a), by striking “testing” and
11 inserting “Major Range and Test Facility Base
12 (MRTFB)”;

13 (2) in subsection (b), by inserting “, have Major
14 Range and Test Facility Base facilities,” after “con-
15 struct”;

16 (3) by amending subsection (c) to read as fol-
17 lows:

18 “(c) OVERSIGHT OF FUNDS.—

19 “(1) USE OF AMOUNTS.—The commander of an
20 installation selected to participate in the pilot pro-
21 gram may obligate or expend amounts reimbursed
22 under the pilot program for projects at the installa-
23 tion.

24 “(2) DESIGNATION OF MAINTENANCE COSTS.—

25 “(A) IN GENERAL.—The commander of an
26 installation selected to participate in the pilot

1 program may designate the appropriate amount
2 of maintenance costs to be charged to users of
3 Major Range and Test Facility Base facilities
4 under the pilot program.

5 “(B) USE OF MAINTENANCE COST REIM-
6 BURSEMENTS.—Maintenance cost reimburse-
7 ments under subparagraph (A) for an installa-
8 tion may be used either singly or in combina-
9 tion with appropriated funds to satisfy the costs
10 of maintenance projects at the installation.

11 “(3) OVERSIGHT.—The commander of an in-
12 stallation selected for the pilot program shall have
13 direct oversight over amounts reimbursed to the in-
14 stallation under the pilot program for Facility,
15 Sustainment, Restoration, and Modernization.”;

16 (4) by redesignating subsection (e) as sub-
17 section (f);

18 (5) by inserting after subsection (d) the fol-
19 lowing new subsection (e):

20 “(e) NO REDUCTION OF APPROPRIATION.—In order
21 to allow full assessment of the viability of the pilot pro-
22 gram, appropriations to installations selected to partici-
23 pate in the pilot program for Facility, Sustainment, Res-
24 toration, and Modernization shall not be reduced on the
25 basis of participation in the pilot program or usage of the

1 pilot program reimbursements and realized reimburse-
2 ments from customers under the pilot program shall not
3 be used as a basis for reduction of such appropriations.”;
4 and

5 (6) in subsection (f) as redesignated by para-
6 graph (2), by striking “December 1, 2026” and in-
7 serting “December 1, 2027”.

8 (b) CLERICAL AMENDMENTS.—

9 (1) SECTION HEADER.—The header for such
10 section is amended to read as follows:

11 **“SEC. 2862. PILOT PROGRAM TO AUGMENT APPROPRIATED**
12 **AMOUNTS WITH MAINTENANCE REIMBURSE-**
13 **MENTS FROM MAJOR RANGE AND TEST FA-**
14 **CILITY BASE USERS AT INSTALLATIONS OF**
15 **THE DEPARTMENT OF THE AIR FORCE.”.**

16 (2) TABLE OF CONTENTS.—The table of con-
17 tents for the National Defense Authorization Act for
18 Fiscal Year 2022 (Public Law 117–81) and the
19 Military Construction Authorization Act for Fiscal
20 Year 2022 (division B of Public Law 117–81) are
21 each amended by striking the item relating to sec-
22 tion 2862 and inserting the following new item:

“Sec. 2862. Pilot program to augment appropriated amounts with maintenance reimbursements from Major Range and Test Facility Base users at installations of the Department of the Air Force.”.

1 **TITLE LXXXI—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **PROGRAMS**

4 **Subtitle D—Other Matters**

5 **SEC. 8141. ACCELERATING DEPLOYMENT OF VERSATILE,**
6 **ADVANCED NUCLEAR FOR CLEAN ENERGY.**

7 (a) **SHORT TITLE.**—This section may be cited as the
8 “Accelerating Deployment of Versatile, Advanced Nuclear
9 for Clean Energy Act of 2023” or the “ADVANCE Act
10 of 2023”.

11 (b) **DEFINITIONS.**—In this section:

12 (1) **ACCIDENT TOLERANT FUEL.**—The term
13 “accident tolerant fuel” has the meaning given the
14 term in section 107(a) of the Nuclear Energy Inno-
15 vation and Modernization Act (Public Law 115–439;
16 132 Stat. 5577).

17 (2) **ADMINISTRATOR.**—The term “Adminis-
18 trator” means the Administrator of the Environ-
19 mental Protection Agency.

20 (3) **ADVANCED NUCLEAR FUEL.**—The term
21 “advanced nuclear fuel” means—

22 (A) advanced nuclear reactor fuel; and

23 (B) accident tolerant fuel.

24 (4) **ADVANCED NUCLEAR REACTOR.**—The term
25 “advanced nuclear reactor” has the meaning given

1 the term in section 3 of the Nuclear Energy Innova-
2 tion and Modernization Act (42 U.S.C. 2215 note;
3 Public Law 115–439).

4 (5) ADVANCED NUCLEAR REACTOR FUEL.—The
5 term “advanced nuclear reactor fuel” has the mean-
6 ing given the term in section 3 of the Nuclear En-
7 ergy Innovation and Modernization Act (42 U.S.C.
8 2215 note; Public Law 115–439).

9 (6) APPROPRIATE COMMITTEES OF
10 CONGRESS.—The term “appropriate committees of
11 Congress” means—

12 (A) the Committee on Environment and
13 Public Works of the Senate; and

14 (B) the Committee on Energy and Com-
15 merce of the House of Representatives.

16 (7) COMMISSION.—The term “Commission”
17 means the Nuclear Regulatory Commission.

18 (8) INSTITUTION OF HIGHER EDUCATION.—The
19 term “institution of higher education” has the
20 meaning given the term in section 101(a) of the
21 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

22 (9) NATIONAL LABORATORY.—The term “Na-
23 tional Laboratory” has the meaning given the term
24 in section 2 of the Energy Policy Act of 2005 (42
25 U.S.C. 15801).

1 (c) INTERNATIONAL NUCLEAR REACTOR EXPORT
2 AND INNOVATION ACTIVITIES.—

3 (1) COORDINATION.—

4 (A) IN GENERAL.—The Commission
5 shall—

6 (i) coordinate all work of the Commis-
7 sion relating to—

8 (I) nuclear reactor import and
9 export licensing; and

10 (II) international regulatory co-
11 operation and assistance relating to
12 nuclear reactors, including with coun-
13 tries that are members of—

14 (aa) the Organisation for
15 Economic Co-operation and De-
16 velopment; or

17 (bb) the Nuclear Energy
18 Agency; and

19 (ii) support interagency and inter-
20 national coordination with respect to—

21 (I) the consideration of inter-
22 national technical standards to estab-
23 lish the licensing and regulatory basis
24 to assist the design, construction, and
25 operation of nuclear systems;

1 (II) efforts to help build com-
2 petent nuclear regulatory organiza-
3 tions and legal frameworks in coun-
4 tries seeking to develop nuclear power;
5 and

6 (III) exchange programs and
7 training provided, in coordination with
8 the Secretary of State, to other coun-
9 tries relating to nuclear regulation
10 and oversight to improve nuclear tech-
11 nology licensing, in accordance with
12 subparagraph (B).

13 (B) EXCHANGE PROGRAMS AND TRAIN-
14 ING.—With respect to the exchange programs
15 and training described in subparagraph
16 (A)(ii)(III), the Commission shall coordinate, as
17 applicable, with—

- 18 (i) the Secretary of Energy;
19 (ii) the Secretary of State;
20 (iii) National Laboratories;
21 (iv) the private sector; and
22 (v) institutions of higher education.

23 (2) AUTHORITY TO ESTABLISH BRANCH.—The
24 Commission may establish within the Office of Inter-
25 national Programs a branch, to be known as the

1 “International Nuclear Reactor Export and Innova-
2 tion Branch”, to carry out such international nu-
3 clear reactor export and innovation activities as the
4 Commission determines to be appropriate and within
5 the mission of the Commission.

6 (3) EXCLUSION OF INTERNATIONAL ACTIVITIES
7 FROM THE FEE BASE.—

8 (A) IN GENERAL.—Section 102 of the Nu-
9 clear Energy Innovation and Modernization Act
10 (42 U.S.C. 2215) is amended—

11 (i) in subsection (a), by adding at the
12 end the following:

13 “(4) INTERNATIONAL NUCLEAR REACTOR EX-
14 PORT AND INNOVATION ACTIVITIES.—The Commis-
15 sion shall identify in the annual budget justification
16 international nuclear reactor export and innovation
17 activities described in subsection (c)(1) of the AD-
18 VANCE Act of 2023.”; and

19 (ii) in subsection (b)(1)(B), by adding
20 at the end the following:

21 “(iv) Costs for international nuclear
22 reactor export and innovation activities de-
23 scribed in subsection (c)(1) of the AD-
24 VANCE Act of 2023.”.

1 (B) EFFECTIVE DATE.—The amendments
2 made by subparagraph (A) shall take effect on
3 October 1, 2024.

4 (4) COORDINATION.—The Commission shall co-
5 ordinate all international activities under this sub-
6 section with the Secretary of State and other appli-
7 cable agencies, as appropriate.

8 (5) SAVINGS CLAUSE.—Nothing in this sub-
9 section alters the authority of the Commission to li-
10 cense and regulate the civilian use of radioactive ma-
11 terials.

12 (d) DENIAL OF CERTAIN DOMESTIC LICENSES FOR
13 NATIONAL SECURITY PURPOSES.—

14 (1) DEFINITION OF COVERED FUEL.—In this
15 subsection, the term “covered fuel” means enriched
16 uranium that is fabricated into fuel assemblies for
17 nuclear reactors by an entity that—

18 (A) is owned or controlled by the Govern-
19 ment of the Russian Federation or the Govern-
20 ment of the People’s Republic of China; or

21 (B) is organized under the laws of, or oth-
22 erwise subject to the jurisdiction of, the Rus-
23 sian Federation or the People’s Republic of
24 China.

1 (2) PROHIBITION ON UNLICENSED POSSESSION
2 OR OWNERSHIP OF COVERED FUEL.—Unless specifi-
3 cally authorized by the Commission in a license
4 issued under section 53 of the Atomic Energy Act
5 of 1954 (42 U.S.C. 2073) and part 70 of title 10,
6 Code of Federal Regulations (or successor regula-
7 tions), no person subject to the jurisdiction of the
8 Commission may possess or own covered fuel.

9 (3) LICENSE TO POSSESS OR OWN COVERED
10 FUEL.—

11 (A) CONSULTATION REQUIRED PRIOR TO
12 ISSUANCE.—The Commission shall not issue a
13 license to possess or own covered fuel under
14 section 53 of the Atomic Energy Act of 1954
15 (42 U.S.C. 2073) and part 70 of title 10, Code
16 of Federal Regulations (or successor regula-
17 tions), unless the Commission has first con-
18 sulted with the Secretary of Energy and the
19 Secretary of State before issuing the license.

20 (B) PROHIBITION ON ISSUANCE OF LI-
21 CENSE.—

22 (i) IN GENERAL.—Subject to clause
23 (iii), a license to possess or own covered
24 fuel shall not be issued if the Secretary of
25 Energy and the Secretary of State make

1 the determination described in clause
2 (ii)(I)(aa).

3 (ii) DETERMINATION.—

4 (I) IN GENERAL.—The deter-
5 mination referred to in clause (i) is a
6 determination that possession or own-
7 ership, as applicable, of covered fuel—

8 (aa) poses a threat to the
9 national security of the United
10 States, including because of an
11 adverse impact on the physical
12 and economic security of the
13 United States; or

14 (bb) does not pose a threat
15 to the national security of the
16 United States.

17 (II) JOINT DETERMINATION.—A
18 determination described in subclause
19 (I) shall be jointly made by the Sec-
20 retary of Energy and the Secretary of
21 State.

22 (III) TIMELINE.—

23 (aa) NOTICE OF APPLICA-
24 TION.—Not later than 30 days
25 after the date on which the Com-

1 mission receives an application
2 for a license to possess or own
3 covered fuel, the Commission
4 shall notify the Secretary of En-
5 ergy and the Secretary of State
6 of the application.

7 (bb) DETERMINATION.—The
8 Secretary of Energy and the Sec-
9 retary of State shall have a pe-
10 riod of 180 days, beginning on
11 the date on which the Commis-
12 sion notifies the Secretary of En-
13 ergy and the Secretary of State
14 under item (aa) of an application
15 for a license to possess or own
16 covered fuel, in which to make
17 the determination described in
18 subclause (I).

19 (cc) COMMISSION NOTIFICA-
20 TION.—On making the deter-
21 mination described in subclause
22 (I), the Secretary of Energy and
23 the Secretary of State shall im-
24 mediately notify the Commission.

1 (dd) CONGRESSIONAL NOTI-
2 FICATION.—Not later than 30
3 days after the date on which the
4 Secretary of Energy and the Sec-
5 retary of State notify the Com-
6 mission under item (cc), the
7 Commission shall notify the ap-
8 propriate committees of Con-
9 gress, the Committee on Foreign
10 Relations of the Senate, the
11 Committee on Energy and Nat-
12 ural Resources of the Senate,
13 and the Committee on Foreign
14 Affairs of the House of Rep-
15 resentatives of the determination.

16 (ee) PUBLIC NOTICE.—Not
17 later than 15 days after the date
18 on which the Commission notifies
19 Congress under item (dd) of a
20 determination made under sub-
21 clause (I), the Commission shall
22 make that determination publicly
23 available.

24 (iii) EFFECT OF NO DETERMINA-
25 TION.—The Commission shall not issue a

1 license if the Secretary of Energy and the
2 Secretary of State have not made a deter-
3 mination described in clause (ii).

4 (4) SAVINGS CLAUSE.—Nothing in this sub-
5 section alters any treaty or international agreement
6 in effect on the date of enactment of this Act or that
7 enters into force after the date of enactment of this
8 Act.

9 (e) EXPORT LICENSE REQUIREMENTS.—

10 (1) DEFINITION OF LOW-ENRICHED URA-
11 NIUM.—In this subsection, the term “low-enriched
12 uranium” means uranium enriched to less than 20
13 percent of the uranium-235 isotope.

14 (2) REQUIREMENT.—The Commission shall not
15 issue an export license for the transfer of any item
16 described in paragraph (4) to a country described in
17 paragraph (3) unless the Commission, in consulta-
18 tion with the Secretary of State and any other rel-
19 evant agencies, makes a determination that such
20 transfer will not be inimical to the common defense
21 and security of the United States.

22 (3) COUNTRIES DESCRIBED.—A country re-
23 ferred to in paragraph (2) is a country that—

24 (A) has not concluded and ratified an Ad-
25 ditional Protocol to its safeguards agreement

1 with the International Atomic Energy Agency;
2 or

3 (B) has not ratified or acceded to the
4 amendment to the Convention on the Physical
5 Protection of Nuclear Material, adopted at Vi-
6 enna October 26, 1979, and opened for signa-
7 ture at New York March 3, 1980 (TIAS
8 11080), described in the information circular of
9 the International Atomic Energy Agency num-
10 bered INFCIRC/274/Rev.1/Mod.1 and dated
11 May 9, 2016 (TIAS 16–508).

12 (4) ITEMS DESCRIBED.—An item referred to in
13 paragraph (2) includes—

14 (A) unirradiated nuclear fuel containing
15 special nuclear material (as defined in section
16 11 of the Atomic Energy Act of 1954 (42
17 U.S.C. 2014)), excluding low-enriched uranium;

18 (B) a nuclear reactor that uses nuclear
19 fuel described in subparagraph (A); and

20 (C) any plant or component listed in Ap-
21 pendix I to part 110 of title 10, Code of Fed-
22 eral Regulations (or successor regulations), that
23 is involved in—

24 (i) the reprocessing of irradiated nu-
25 clear reactor fuel elements;

- 1 (ii) the separation of plutonium; or
2 (iii) the separation of the uranium-
3 ²³³ isotope.

4 (5) NOTIFICATION.—If the Commission, in con-
5 sultation with the Secretary of State and any other
6 relevant agencies, makes a determination, in accord-
7 ance with applicable laws and regulations, under
8 paragraph (2) that the transfer of any item de-
9 scribed in paragraph (4) to a country described in
10 paragraph (3) will not be inimical to the common
11 defense and security of the United States, the Com-
12 mission shall notify the appropriate committees of
13 Congress, the Committee on Foreign Relations of
14 the Senate, the Committee on Energy and Natural
15 Resources of the Senate, and the Committee on For-
16 eign Affairs of the House of Representatives.

17 (f) FEES FOR ADVANCED NUCLEAR REACTOR APPLI-
18 CATION REVIEW.—

19 (1) DEFINITIONS.—Section 3 of the Nuclear
20 Energy Innovation and Modernization Act (42
21 U.S.C. 2215 note; Public Law 115–439) is amend-
22 ed—

23 (A) by redesignating paragraphs (2)
24 through (15) as paragraphs (3), (6), (7), (8),

1 (9), (10), (12), (15), (16), (17), (18), (19),
2 (20), and (21), respectively;

3 (B) by inserting after paragraph (1) the
4 following:

5 “(2) ADVANCED NUCLEAR REACTOR APPLI-
6 CANT.—The term ‘advanced nuclear reactor appli-
7 cant’ means an entity that has submitted to the
8 Commission an application to receive a license for an
9 advanced nuclear reactor under the Atomic Energy
10 Act of 1954 (42 U.S.C. 2011 et seq.).”;

11 (C) by inserting after paragraph (3) (as so
12 redesignated) the following:

13 “(4) ADVANCED NUCLEAR REACTOR PRE-APPLI-
14 CANT.—The term ‘advanced nuclear reactor pre-ap-
15 plicant’ means an entity that has submitted to the
16 Commission a licensing project plan for the purposes
17 of submitting a future application to receive a li-
18 cense for an advanced nuclear reactor under the
19 Atomic Energy Act of 1954 (42 U.S.C. 2011 et
20 seq.).

21 “(5) AGENCY SUPPORT.—The term ‘agency
22 support’ means the resources of the Commission
23 that are located in executive, administrative, and
24 other support offices of the Commission, as de-
25 scribed in the document of the Commission entitled

1 ‘FY 2023 Final Fee Rule Work Papers’ (or a suc-
2 cessor document).”;

3 (D) by inserting after paragraph (10) (as
4 so redesignated) the following:

5 “(11) HOURLY RATE FOR MISSION-DIRECT PRO-
6 GRAM SALARIES AND BENEFITS FOR THE NUCLEAR
7 REACTOR SAFETY PROGRAM.—The term ‘hourly rate
8 for mission-direct program salaries and benefits for
9 the Nuclear Reactor Safety Program’ means the
10 quotient obtained by dividing—

11 “(A) the full-time equivalent rate (within
12 the meaning of the document of the Commis-
13 sion entitled ‘FY 2023 Final Fee Rule Work
14 Papers’ (or a successor document)) for mission-
15 direct program salaries and benefits for the Nu-
16 clear Reactor Safety Program (as determined
17 by the Commission) for a fiscal year; by

18 “(B) the productive hours assumption for
19 that fiscal year, determined in accordance with
20 the formula established in the document re-
21 ferred to in subparagraph (A) (or a successor
22 document).”;

23 (E) by inserting after paragraph (12) (as
24 so redesignated) the following:

1 “(13) MISSION-DIRECT PROGRAM SALARIES
2 AND BENEFITS FOR THE NUCLEAR REACTOR SAFETY
3 PROGRAM.—The term ‘mission-direct program sala-
4 ries and benefits for the Nuclear Reactor Safety
5 Program’ means the resources of the Commission
6 that are allocated to the Nuclear Reactor Safety
7 Program (as determined by the Commission) to per-
8 form core work activities committed to fulfilling the
9 mission of the Commission, as described in the docu-
10 ment of the Commission entitled ‘FY 2023 Final
11 Fee Rule Work Papers’ (or a successor document).

12 “(14) MISSION-INDIRECT PROGRAM SUPPORT.—
13 The term ‘mission-indirect program support’ means
14 the resources of the Commission that support the
15 core mission-direct activities for the Nuclear Reactor
16 Safety Program of the Commission (as determined
17 by the Commission), as described in the document of
18 the Commission entitled ‘FY 2023 Final Fee Rule
19 Work Papers’ (or a successor document).”.

20 (2) EXCLUDED ACTIVITIES.—Section
21 102(b)(1)(B) of the Nuclear Energy Innovation and
22 Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as
23 amended by subsection (c)(3)(A)(ii)) is amended by
24 adding at the end the following:

1 “(v) The total costs of mission-indi-
2 rect program support and agency support
3 that, under paragraph (2)(B), may not be
4 included in the hourly rate charged for fees
5 assessed to advanced nuclear reactor appli-
6 cants.

7 “(vi) The total costs of mission-indi-
8 rect program support and agency support
9 that, under paragraph (2)(C), may not be
10 included in the hourly rate charged for fees
11 assessed to advanced nuclear reactor pre-
12 applicants.”.

13 (3) FEES FOR SERVICE OR THING OF VALUE.—
14 Section 102(b) of the Nuclear Energy Innovation
15 and Modernization Act (42 U.S.C. 2215(b)) is
16 amended by striking paragraph (2) and inserting the
17 following:

18 “(2) FEES FOR SERVICE OR THING OF
19 VALUE.—

20 “(A) IN GENERAL.—In accordance with
21 section 9701 of title 31, United States Code,
22 the Commission shall assess and collect fees
23 from any person who receives a service or thing
24 of value from the Commission to cover the costs

1 to the Commission of providing the service or
2 thing of value.

3 “(B) ADVANCED NUCLEAR REACTOR AP-
4 PPLICANTS.—The hourly rate charged for fees
5 assessed to advanced nuclear reactor applicants
6 under this paragraph relating to the review of
7 a submitted application described in section
8 3(1) shall not exceed the hourly rate for mis-
9 sion-direct program salaries and benefits for the
10 Nuclear Reactor Safety Program.

11 “(C) ADVANCED NUCLEAR REACTOR PRE-
12 APPLICANTS.—The hourly rate charged for fees
13 assessed to advanced nuclear reactor pre-appli-
14 cants under this paragraph relating to the re-
15 view of submitted materials as described in the
16 licensing project plan of an advanced nuclear
17 reactor pre-applicant shall not exceed the hour-
18 ly rate for mission-direct program salaries and
19 benefits for the Nuclear Reactor Safety Pro-
20 gram.”.

21 (4) SUNSET.—Section 102 of the Nuclear En-
22 ergy Innovation and Modernization Act (42 U.S.C.
23 2215) is amended by adding at the end the fol-
24 lowing:

1 “(g) CESSATION OF EFFECTIVENESS.—Paragraphs
2 (1)(B)(vi) and (2)(C) of subsection (b) shall cease to be
3 effective on September 30, 2029.”

4 (5) EFFECTIVE DATE.—The amendments made
5 by this subsection shall take effect on October 1,
6 2024.

7 (g) ADVANCED NUCLEAR REACTOR PRIZES.—Sec-
8 tion 103 of the Nuclear Energy Innovation and Mod-
9 ernization Act (Public Law 115–439; 132 Stat. 5571) is
10 amended by adding at the end the following:

11 “(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LI-
12 CENSING.—

13 “(1) DEFINITION OF ELIGIBLE ENTITY.—In
14 this subsection, the term ‘eligible entity’ means—

15 “(A) a non-Federal entity; and

16 “(B) the Tennessee Valley Authority.

17 “(2) PRIZE FOR ADVANCED NUCLEAR REACTOR
18 LICENSING.—

19 “(A) IN GENERAL.—Notwithstanding sec-
20 tion 169 of the Atomic Energy Act of 1954 (42
21 U.S.C. 2209) and subject to the availability of
22 appropriations, the Secretary is authorized to
23 make, with respect to each award category de-
24 scribed in subparagraph (C), an award in an

1 amount described in subparagraph (B) to the
2 first eligible entity—

3 “(i) to which the Commission issues
4 an operating license for an advanced nu-
5 clear reactor under part 50 of title 10,
6 Code of Federal Regulations (or successor
7 regulations), for which an application has
8 not been approved by the Commission as
9 of the date of enactment of this subsection;
10 or

11 “(ii) for which the Commission makes
12 a finding described in section 52.103(g) of
13 title 10, Code of Federal Regulations (or
14 successor regulations), with respect to a
15 combined license for an advanced nuclear
16 reactor—

17 “(I) that is issued under subpart
18 C of part 52 of that title (or successor
19 regulations); and

20 “(II) for which an application
21 has not been approved by the Com-
22 mission as of the date of enactment of
23 this subsection.

24 “(B) AMOUNT OF AWARD.—An award
25 under subparagraph (A) shall be in an amount

1 equal to the total amount assessed by the Com-
2 mission and collected under section 102(b)(2)
3 from the eligible entity receiving the award for
4 costs relating to the issuance of the license de-
5 scribed in that subparagraph, including, as ap-
6 plicable, costs relating to the issuance of an as-
7 sociated construction permit described in sec-
8 tion 50.23 of title 10, Code of Federal Regula-
9 tions (or successor regulations), or early site
10 permit (as defined in section 52.1 of that title
11 (or successor regulations)).

12 “(C) AWARD CATEGORIES.—An award
13 under subparagraph (A) may be made for—

14 “(i) the first advanced nuclear reactor
15 for which the Commission—

16 “(I) issues a license in accord-
17 ance with clause (i) of subparagraph
18 (A); or

19 “(II) makes a finding in accord-
20 ance with clause (ii) of that subpara-
21 graph;

22 “(ii) an advanced nuclear reactor
23 that—

24 “(I) uses isotopes derived from
25 spent nuclear fuel (as defined in sec-

1 tion 2 of the Nuclear Waste Policy
2 Act of 1982 (42 U.S.C. 10101)) or
3 depleted uranium as fuel for the ad-
4 vanced nuclear reactor; and

5 “(II) is the first advanced nu-
6 clear reactor described in subclause
7 (I) for which the Commission—

8 “(aa) issues a license in ac-
9 cordance with clause (i) of sub-
10 paragraph (A); or

11 “(bb) makes a finding in ac-
12 cordance with clause (ii) of that
13 subparagraph;

14 “(iii) an advanced nuclear reactor
15 that—

16 “(I) is a nuclear integrated en-
17 ergy system—

18 “(aa) that is composed of 2
19 or more co-located or jointly op-
20 erated subsystems of energy gen-
21 eration, energy storage, or other
22 technologies;

23 “(bb) in which not fewer
24 than 1 subsystem described in

1 item (aa) is a nuclear energy sys-
2 tem; and
3 “(cc) the purpose of which
4 is—
5 “(AA) to reduce green-
6 house gas emissions in both
7 the power and nonpower sec-
8 tors; and
9 “(BB) to maximize en-
10 ergy production and effi-
11 ciency; and
12 “(II) is the first advanced nu-
13 clear reactor described in subclause
14 (I) for which the Commission—
15 “(aa) issues a license in ac-
16 cordance with clause (i) of sub-
17 paragraph (A); or
18 “(bb) makes a finding in ac-
19 cordance with clause (ii) of that
20 subparagraph;
21 “(iv) an advanced reactor that—
22 “(I) operates flexibly to generate
23 electricity or high temperature process
24 heat for nonelectric applications; and

1 “(II) is the first advanced nu-
2 clear reactor described in subclause
3 (I) for which the Commission—

4 “(aa) issues a license in ac-
5 cordance with clause (i) of sub-
6 paragraph (A); or

7 “(bb) makes a finding in ac-
8 cordance with clause (ii) of that
9 subparagraph; and

10 “(v) the first advanced nuclear reactor
11 for which the Commission grants approval
12 to load nuclear fuel pursuant to the tech-
13 nology-inclusive regulatory framework es-
14 tablished under subsection (a)(4).

15 “(3) FEDERAL FUNDING LIMITATIONS.—

16 “(A) EXCLUSION OF TVA FUNDS.—In this
17 paragraph, the term ‘Federal funds’ does not
18 include funds received under the power program
19 of the Tennessee Valley Authority.

20 “(B) LIMITATION ON AMOUNTS EX-
21 PENDED.—An award under this subsection
22 shall not exceed the total amount expended (ex-
23 cluding any expenditures made with Federal
24 funds received for the applicable project and an
25 amount equal to the minimum cost-share re-

1 required under section 988 of the Energy Policy
2 Act of 2005 (42 U.S.C. 16352)) by the eligible
3 entity receiving the award for licensing costs re-
4 lating to the project for which the award is
5 made.

6 “(C) REPAYMENT AND DIVIDENDS NOT
7 REQUIRED.—Notwithstanding section
8 9104(a)(4) of title 31, United States Code, or
9 any other provision of law, an eligible entity
10 that receives an award under this subsection
11 shall not be required—

12 “(i) to repay that award or any part
13 of that award; or

14 “(ii) to pay a dividend, interest, or
15 other similar payment based on the sum of
16 that award.”.

17 (h) REPORT ON UNIQUE LICENSING CONSIDER-
18 ATIONS RELATING TO THE USE OF NUCLEAR ENERGY
19 FOR NONELECTRIC APPLICATIONS.—

20 (1) IN GENERAL.—Not later than 270 days
21 after the date of enactment of this Act, the Commis-
22 sion shall submit to the appropriate committees of
23 Congress a report (referred to in this subsection as
24 the “report”) addressing any unique licensing issues
25 or requirements relating to—

1 (A) the flexible operation of nuclear reac-
2 tors, such as ramping power output and switch-
3 ing between electricity generation and nonelec-
4 tric applications;

5 (B) the use of advanced nuclear reactors
6 exclusively for nonelectric applications; and

7 (C) the colocation of nuclear reactors with
8 industrial plants or other facilities.

9 (2) STAKEHOLDER INPUT.—In developing the
10 report, the Commission shall seek input from—

11 (A) the Secretary of Energy;

12 (B) the nuclear energy industry;

13 (C) technology developers;

14 (D) the industrial, chemical, and medical
15 sectors;

16 (E) nongovernmental organizations; and

17 (F) other public stakeholders.

18 (3) CONTENTS.—

19 (A) IN GENERAL.—The report shall de-
20 scribe—

21 (i) any unique licensing issues or re-
22 quirements relating to the matters de-
23 scribed in subparagraphs (A) through (C)
24 of paragraph (1), including, with respect to
25 the nonelectric applications referred to in

1 subparagraphs (A) and (B) of that para-
2 graph, any licensing issues or requirements
3 relating to the use of nuclear energy in—

4 (I) hydrogen or other liquid and
5 gaseous fuel or chemical production;

6 (II) water desalination and
7 wastewater treatment;

8 (III) heat for industrial proc-
9 esses;

10 (IV) district heating;

11 (V) energy storage;

12 (VI) industrial or medical isotope
13 production; and

14 (VII) other applications, as iden-
15 tified by the Commission;

16 (ii) options for addressing those issues
17 or requirements—

18 (I) within the existing regulatory
19 framework of the Commission;

20 (II) as part of the technology-in-
21 clusive regulatory framework required
22 under subsection (a)(4) of section 103
23 of the Nuclear Energy Innovation and
24 Modernization Act (42 U.S.C. 2133
25 note; Public Law 115–439) or de-

1 scribed in the report required under
2 subsection (e) of that section (Public
3 Law 115–439; 132 Stat. 5575); or

4 (III) through a new rulemaking;

5 and

6 (iii) the extent to which Commission
7 action is needed to implement any matter
8 described in the report.

9 (B) COST ESTIMATES, BUDGETS, AND
10 TIMEFRAMES.—The report shall include cost es-
11 timates, proposed budgets, and proposed time-
12 frames for implementing risk-informed and per-
13 formance-based regulatory guidance in the li-
14 censing of nuclear reactors for nonelectric appli-
15 cations.

16 (i) ENABLING PREPARATIONS FOR THE DEMONSTRA-
17 TION OF ADVANCED NUCLEAR REACTORS ON DEPART-
18 MENT OF ENERGY SITES OR CRITICAL NATIONAL SECU-
19 RITY INFRASTRUCTURE SITES.—

20 (1) IN GENERAL.—Section 102(b)(1)(B) of the
21 Nuclear Energy Innovation and Modernization Act
22 (42 U.S.C. 2215(b)(1)(B)) (as amended by sub-
23 section (f)(2)) is amended by adding at the end the
24 following:

25 “(vii) Costs for—

1 “(I) activities to review and ap-
2 prove or disapprove an application for
3 an early site permit (as defined in sec-
4 tion 52.1 of title 10, Code of Federal
5 Regulations (or a successor regula-
6 tion)) to demonstrate an advanced nu-
7 clear reactor on a Department of En-
8 ergy site or critical national security
9 infrastructure (as defined in section
10 327(d) of the John S. McCain Na-
11 tional Defense Authorization Act for
12 Fiscal Year 2019 (Public Law 115-
13 232; 132 Stat. 1722)) site; and

14 “(II) pre-application activities re-
15 lating to an early site permit (as de-
16 fined in section 52.1 of title 10, Code
17 of Federal Regulations (or a successor
18 regulation)) to demonstrate an ad-
19 vanced nuclear reactor on a Depart-
20 ment of Energy site or critical na-
21 tional security infrastructure (as de-
22 fined in section 327(d) of the John S.
23 McCain National Defense Authoriza-
24 tion Act for Fiscal Year 2019 (Public

1 Law 115–232; 132 Stat. 1722))
2 site.”.

3 (2) EFFECTIVE DATE.—The amendment made
4 by paragraph (1) shall take effect on October 1,
5 2024.

6 (j) CLARIFICATION ON FUSION REGULATION.—Sec-
7 tion 103(a)(4) of the Nuclear Energy Innovation and
8 Modernization Act (42 U.S.C. 2133 note; Public Law
9 115–439) is amended—

10 (1) by striking “Not later” and inserting the
11 following:

12 “(A) IN GENERAL.—Not later”; and

13 (2) by adding at the end the following:

14 “(B) EXCLUSION OF FUSION REACTORS.—
15 For purposes of subparagraph (A), the term
16 ‘advanced reactor applicant’ does not include an
17 applicant seeking a license for a fusion reac-
18 tor.”.

19 (k) REGULATORY ISSUES FOR NUCLEAR FACILITIES
20 AT BROWNFIELD SITES.—

21 (1) DEFINITIONS.—

22 (A) BROWNFIELD SITE.—The term
23 “brownfield site” has the meaning given the
24 term in section 101 of the Comprehensive Envi-

1 ronmental Response, Compensation, and Liabil-
2 ity Act of 1980 (42 U.S.C. 9601).

3 (B) PRODUCTION FACILITY.—The term
4 “production facility” has the meaning given the
5 term in section 11 of the Atomic Energy Act of
6 1954 (42 U.S.C. 2014).

7 (C) RETIRED FOSSIL FUEL SITE.—The
8 term “retired fossil fuel site” means the site of
9 1 or more fossil fuel electric generation facilities
10 that are retired or scheduled to retire, including
11 multi-unit facilities that are partially shut
12 down.

13 (D) UTILIZATION FACILITY.—The term
14 “utilization facility” has the meaning given the
15 term in section 11 of the Atomic Energy Act of
16 1954 (42 U.S.C. 2014).

17 (2) IDENTIFICATION OF REGULATORY
18 ISSUES.—

19 (A) IN GENERAL.—Not later than 1 year
20 after the date of enactment of this Act, the
21 Commission shall evaluate the extent to which
22 modification of regulations, guidance, or policy
23 is needed to enable timely licensing reviews for,
24 and to support the oversight of, production fa-

1 facilities or utilization facilities at brownfield
2 sites.

3 (B) REQUIREMENT.—In carrying out sub-
4 paragraph (A), the Commission shall consider
5 how licensing reviews for production facilities or
6 utilization facilities at brownfield sites may be
7 expedited by considering matters relating to
8 siting and operating a production facility or a
9 utilization facility at or near a retired fossil fuel
10 site to support—

11 (i) the reuse of existing site infra-
12 structure, including—

13 (I) electric switchyard compo-
14 nents and transmission infrastructure;

15 (II) heat-sink components;

16 (III) steam cycle components;

17 (IV) roads;

18 (V) railroad access; and

19 (VI) water availability;

20 (ii) the use of early site permits;

21 (iii) the utilization of plant parameter
22 envelopes or similar standardized site pa-
23 rameters on a portion of a larger site; and

24 (iv) the use of a standardized applica-
25 tion for similar sites.

1 (C) REPORT.—Not later than 14 months
2 after the date of enactment of this Act, the
3 Commission shall submit to the appropriate
4 committees of Congress a report describing any
5 regulations, guidance, and policies identified
6 under subparagraph (A).

7 (3) LICENSING.—

8 (A) IN GENERAL.—Not later than 2 years
9 after the date of enactment of this Act, the
10 Commission shall—

11 (i) develop and implement strategies
12 to enable timely licensing reviews for, and
13 to support the oversight of, production fa-
14 cilities or utilization facilities at brownfield
15 sites, including retired fossil fuel sites; or

16 (ii) initiate a rulemaking to enable
17 timely licensing reviews for, and to support
18 the oversight of, of production facilities or
19 utilization facilities at brownfield sites, in-
20 cluding retired fossil fuel sites.

21 (B) REQUIREMENTS.—In carrying out sub-
22 paragraph (A), consistent with the mission of
23 the Commission, the Commission shall consider
24 matters relating to—

1 (i) the use of existing site infrastruc-
2 ture;

3 (ii) existing emergency preparedness
4 organizations and planning;

5 (iii) the availability of historical site-
6 specific environmental data;

7 (iv) previously approved environ-
8 mental reviews required by the National
9 Environmental Policy Act of 1969 (42
10 U.S.C. 4321 et seq.);

11 (v) activities associated with the po-
12 tential decommissioning of facilities or de-
13 contamination and remediation at
14 brownfield sites; and

15 (vi) community engagement and his-
16 torical experience with energy production.

17 (4) REPORT.—Not later than 3 years after the
18 date of enactment of this Act, the Commission shall
19 submit to the appropriate committees of Congress a
20 report describing the actions taken by the Commis-
21 sion under paragraph (3).

22 (1) APPALACHIAN REGIONAL COMMISSION NUCLEAR
23 ENERGY DEVELOPMENT.—

1 (1) IN GENERAL.—Subchapter I of chapter 145
2 of subtitle IV of title 40, United States Code, is
3 amended by adding at the end the following:

4 **“§ 14512. Appalachian Regional Commission nuclear**
5 **energy development**

6 “(a) DEFINITIONS.—In this section:

7 “(1) BROWNFIELD SITE.—The term ‘brownfield
8 site’ has the meaning given the term in section 101
9 of the Comprehensive Environmental Response,
10 Compensation, and Liability Act of 1980 (42 U.S.C.
11 9601).

12 “(2) PRODUCTION FACILITY.—The term ‘pro-
13 duction facility’ has the meaning given the term in
14 section 11 of the Atomic Energy Act of 1954 (42
15 U.S.C. 2014).

16 “(3) RETIRED FOSSIL FUEL SITE.—The term
17 ‘retired fossil fuel site’ means the site of 1 or more
18 fossil fuel electric generation facilities that are re-
19 tired or scheduled to retire, including multi-unit fa-
20 cilities that are partially shut down.

21 “(4) UTILIZATION FACILITY.—The term ‘utili-
22 zation facility’ has the meaning given the term in
23 section 11 of the Atomic Energy Act of 1954 (42
24 U.S.C. 2014).

1 “(b) AUTHORITY.—The Appalachian Regional Com-
2 mission may provide technical assistance to, make grants
3 to, enter into contracts with, or otherwise provide amounts
4 to individuals or entities in the Appalachian region for
5 projects and activities—

6 “(1) to conduct research and analysis regarding
7 the economic impact of siting, constructing, and op-
8 erating a production facility or a utilization facility
9 at a brownfield site, including a retired fossil fuel
10 site;

11 “(2) to assist with workforce training or re-
12 training to perform activities relating to the siting
13 and operation of a production facility or a utilization
14 facility at a brownfield site, including a retired fossil
15 fuel site; and

16 “(3) to engage with the Nuclear Regulatory
17 Commission, the Department of Energy, and other
18 Federal agencies with expertise in civil nuclear en-
19 ergy.

20 “(c) LIMITATION ON AVAILABLE AMOUNTS.—Of the
21 cost of any project or activity eligible for a grant under
22 this section—

23 “(1) except as provided in paragraphs (2) and
24 (3), not more than 50 percent may be provided from
25 amounts made available to carry out this section;

1 “(2) in the case of a project or activity to be
2 carried out in a county for which a distressed county
3 designation is in effect under section 14526, not
4 more than 80 percent may be provided from
5 amounts made available to carry out this section;
6 and

7 “(3) in the case of a project or activity to be
8 carried out in a county for which an at-risk county
9 designation is in effect under section 14526, not
10 more than 70 percent may be provided from
11 amounts made available to carry out this section.

12 “(d) SOURCES OF ASSISTANCE.—Subject to sub-
13 section (c), a grant provided under this section may be
14 provided from amounts made available to carry out this
15 section, in combination with amounts made available—

16 “(1) under any other Federal program; or

17 “(2) from any other source.

18 “(e) FEDERAL SHARE.—Notwithstanding any provi-
19 sion of law limiting the Federal share under any other
20 Federal program, amounts made available to carry out
21 this section may be used to increase that Federal share,
22 as the Appalachian Regional Commission determines to be
23 appropriate.”.

1 (2) AUTHORIZATION OF APPROPRIATIONS.—
2 Section 14703 of title 40, United States Code, is
3 amended—

4 (A) by redesignating subsections (e) and
5 (f) as subsections (f) and (g), respectively; and

6 (B) by inserting after subsection (d) the
7 following:

8 “(e) APPALACHIAN REGIONAL COMMISSION NU-
9 CLEAR ENERGY DEVELOPMENT.—Of the amounts made
10 available under subsection (a), \$5,000,000 may be used
11 to carry out section 14512 for each of fiscal years 2023
12 through 2026.”.

13 (3) CLERICAL AMENDMENT.—The analysis for
14 subchapter I of chapter 145 of subtitle IV of title
15 40, United States Code, is amended by striking the
16 item relating to section 14511 and inserting the fol-
17 lowing:

“14511. Appalachian regional energy hub initiative.

“14512. Appalachian Regional Commission nuclear energy development.”.

18 (m) FOREIGN OWNERSHIP.—

19 (1) IN GENERAL.—The prohibitions against
20 issuing certain licenses for utilization facilities to
21 certain corporations and other entities described in
22 the second sentence of section 103 d. of the Atomic
23 Energy Act of 1954 (42 U.S.C. 2133(d)) and the
24 second sentence of section 104 d. of that Act (42

1 U.S.C. 2134(d)) shall not apply to an entity de-
2 scribed in paragraph (2) if the Commission deter-
3 mines that issuance of the applicable license to that
4 entity is not inimical to—

5 (A) the common defense and security; or

6 (B) the health and safety of the public.

7 (2) ENTITIES DESCRIBED.—

8 (A) IN GENERAL.—An entity referred to in
9 paragraph (1) is a corporation or other entity
10 that is owned, controlled, or dominated by—

11 (i) the government of—

12 (I) a country that is a member of
13 the Organisation for Economic Co-op-
14 eration and Development on the date
15 of enactment of this Act, subject to
16 subparagraph (B); or

17 (II) the Republic of India;

18 (ii) a corporation that is incorporated
19 in a country described in subclause (I) or
20 (II) of clause (i); or

21 (iii) an alien who is a national of a
22 country described in subclause (I) or (II)
23 of clause (i).

24 (B) EXCLUSION.—An entity described in
25 subparagraph (A)(i)(I) is not an entity referred

1 to in paragraph (1), and paragraph (1) shall
2 not apply to that entity, if, on the date of en-
3 actment of this Act—

4 (i) the entity (or any department,
5 agency, or instrumentality of the entity) is
6 a person subject to sanctions under section
7 231 of the Countering America’s Adver-
8 saries Through Sanctions Act (22 U.S.C.
9 9525); or

10 (ii) any citizen of the entity, or any
11 entity organized under the laws of, or oth-
12 erwise subject to the jurisdiction of, the
13 entity, is a person subject to sanctions
14 under that section.

15 (3) TECHNICAL AMENDMENT.—Section 103 d.
16 of the Atomic Energy Act of 1954 (42 U.S.C.
17 2133(d)) is amended, in the second sentence, by
18 striking “any any” and inserting “any”.

19 (4) SAVINGS CLAUSE.—Nothing in this sub-
20 section affects the requirements of section 721 of
21 the Defense Production Act of 1950 (50 U.S.C.
22 4565).

23 (n) EXTENSION OF THE PRICE-ANDERSON ACT.—

24 (1) EXTENSION.—Section 170 of the Atomic
25 Energy Act of 1954 (42 U.S.C. 2210) (commonly

1 known as the “Price-Anderson Act”) is amended by
2 striking “December 31, 2025” each place it appears
3 and inserting “December 31, 2045”.

4 (2) LIABILITY.—Section 170 of the Atomic En-
5 ergy Act of 1954 (42 U.S.C. 2210) (commonly
6 known as the “Price-Anderson Act”) is amended—

7 (A) in subsection d. (5), by striking
8 “\$500,000,000” and inserting
9 “\$2,000,000,000”; and

10 (B) in subsection e. (4), by striking
11 “\$500,000,000” and inserting
12 “\$2,000,000,000”.

13 (3) REPORT.—Section 170 p. of the Atomic
14 Energy Act of 1954 (42 U.S.C. 2210(p)) (commonly
15 known as the “Price-Anderson Act”) is amended by
16 striking “December 31, 2021” and inserting “De-
17 cember 31, 2041”.

18 (4) DEFINITION OF NUCLEAR INCIDENT.—Sec-
19 tion 11 q. of the Atomic Energy Act of 1954 (42
20 U.S.C. 2014(q)) is amended, in the second proviso,
21 by striking “if such occurrence” and all that follows
22 through “United States:” and inserting a colon.

23 (o) REPORT ON ADVANCED METHODS OF MANUFAC-
24 TURING AND CONSTRUCTION FOR NUCLEAR ENERGY AP-
25 PPLICATIONS.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of enactment of this Act, the Commis-
3 sion shall submit to the appropriate committees of
4 Congress a report (referred to in this subsection as
5 the “report”) on manufacturing and construction for
6 nuclear energy applications.

7 (2) STAKEHOLDER INPUT.—In developing the
8 report, the Commission shall seek input from—

9 (A) the Secretary of Energy;

10 (B) the nuclear energy industry;

11 (C) National Laboratories;

12 (D) institutions of higher education;

13 (E) nuclear and manufacturing technology
14 developers;

15 (F) the manufacturing and construction
16 industries, including manufacturing and con-
17 struction companies with operating facilities in
18 the United States;

19 (G) standards development organizations;

20 (H) labor unions;

21 (I) nongovernmental organizations; and

22 (J) other public stakeholders.

23 (3) CONTENTS.—

24 (A) IN GENERAL.—The report shall—

- 1 (i) examine any unique licensing
2 issues or requirements relating to the use
3 of innovative—
- 4 (I) advanced manufacturing proc-
5 esses;
 - 6 (II) advanced construction tech-
7 niques; and
 - 8 (III) rapid improvement or
9 iterative innovation processes;
- 10 (ii) examine—
- 11 (I) the requirements for nuclear-
12 grade components in manufacturing
13 and construction for nuclear energy
14 applications;
 - 15 (II) opportunities to use standard
16 materials, parts, or components in
17 manufacturing and construction for
18 nuclear energy applications;
 - 19 (III) opportunities to use stand-
20 ard materials that are in compliance
21 with existing codes to provide accept-
22 able approaches to support or encap-
23 sulate new materials that do not yet
24 have applicable codes; and

- 1 (IV) requirements relating to the
2 transport of a fueled advanced nuclear
3 reactor core from a manufacturing li-
4 censee to a licensee that holds a li-
5 cense to construct and operate a facil-
6 ity at a particular site;
- 7 (iii) identify any safety aspects of in-
8 novative advanced manufacturing processes
9 and advanced construction techniques that
10 are not addressed by existing codes and
11 standards, so that generic guidance may be
12 updated or created, as necessary;
- 13 (iv) identify options for addressing the
14 issues, requirements, and opportunities ex-
15 amined under clauses (i) and (ii)—
- 16 (I) within the existing regulatory
17 framework; or
- 18 (II) through a new rulemaking;
- 19 (v) identify how addressing the issues,
20 requirements, and opportunities examined
21 under clauses (i) and (ii) will impact op-
22 portunities for domestic nuclear manufac-
23 turing and construction developers; and

1 (vi) describe the extent to which Com-
2 mission action is needed to implement any
3 matter described in the report.

4 (B) COST ESTIMATES, BUDGETS, AND
5 TIMEFRAMES.—The report shall include cost es-
6 timates, proposed budgets, and proposed time-
7 frames for implementing risk-informed and per-
8 formance-based regulatory guidance for manu-
9 facturing and construction for nuclear energy
10 applications.

11 (p) NUCLEAR ENERGY TRAINEESHIP.—Section 313
12 of division C of the Omnibus Appropriations Act, 2009
13 (42 U.S.C. 16274a), is amended—

14 (1) in subsection (a), by striking “Nuclear Reg-
15 ulatory”;

16 (2) in subsection (b)(1), in the matter pre-
17 ceding subparagraph (A), by inserting “and sub-
18 section (c)” after “paragraph (2)”;

19 (3) in subsection (c)—

20 (A) by redesignating paragraph (2) as
21 paragraph (5); and

22 (B) by striking paragraph (1) and insert-
23 ing the following:

24 “(1) ADVANCED NUCLEAR REACTOR.—The
25 term ‘advanced nuclear reactor’ has the meaning

1 given the term in section 951(b) of the Energy Pol-
2 icy Act of 2005 (42 U.S.C. 16271(b)).

3 “(2) COMMISSION.—The term ‘Commission’
4 means the Nuclear Regulatory Commission.

5 “(3) INSTITUTION OF HIGHER EDUCATION.—
6 The term ‘institution of higher education’ has the
7 meaning given the term in section 2 of the Energy
8 Policy Act of 2005 (42 U.S.C. 15801).

9 “(4) NATIONAL LABORATORY.—The term ‘Na-
10 tional Laboratory’ has the meaning given the term
11 in section 951(b) of the Energy Policy Act of 2005
12 (42 U.S.C. 16271(b)).”;

13 (4) in subsection (d)(2), by striking “Nuclear
14 Regulatory”;

15 (5) by redesignating subsections (c) and (d) as
16 subsections (d) and (e), respectively; and

17 (6) by inserting after subsection (b) the fol-
18 lowing:

19 “(c) NUCLEAR ENERGY TRAINEESHIP SUBPRO-
20 GRAM.—

21 “(1) IN GENERAL.—The Commission shall es-
22 tablish, as a subprogram of the Program, a nuclear
23 energy traineeship subprogram under which the
24 Commission, in coordination with institutions of
25 higher education and trade schools, shall competi-

1 tively award traineeships that provide focused train-
2 ing to meet critical mission needs of the Commission
3 and nuclear workforce needs, including needs relat-
4 ing to the nuclear tradeecraft workforce.

5 “(2) REQUIREMENTS.—In carrying out the nu-
6 clear energy traineeship subprogram described in
7 paragraph (1), the Commission shall—

8 “(A) coordinate with the Secretary of En-
9 ergy to prioritize the funding of traineeships
10 that focus on—

11 “(i) nuclear workforce needs; and

12 “(ii) critical mission needs of the
13 Commission;

14 “(B) encourage appropriate partnerships
15 among—

16 “(i) National Laboratories;

17 “(ii) institutions of higher education;

18 “(iii) trade schools;

19 “(iv) the nuclear energy industry; and

20 “(v) other entities, as the Commission
21 determines to be appropriate; and

22 “(C) on an annual basis, evaluate nuclear
23 workforce needs for the purpose of imple-
24 menting traineeships in focused topical areas
25 that—

1 “(i) address the workforce needs of
2 the nuclear energy community; and

3 “(ii) support critical mission needs of
4 the Commission.”.

5 (q) REPORT ON COMMISSION READINESS AND CA-
6 PACITY TO LICENSE ADDITIONAL CONVERSION AND EN-
7 RICHMENT CAPACITY TO REDUCE RELIANCE ON URA-
8 NIUM FROM RUSSIA.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of enactment of this Act, the Commis-
11 sion shall submit to the appropriate committees of
12 Congress, the Committee on Foreign Relations of
13 the Senate, the Committee on Energy and Natural
14 Resources of the Senate, and the Committee on For-
15 eign Affairs of the House of Representatives a re-
16 port on the readiness and capacity of the Commis-
17 sion to license additional conversion and enrichment
18 capacity at existing and new fuel cycle facilities to
19 reduce reliance on nuclear fuel that is recovered,
20 converted, enriched, or fabricated by an entity
21 that—

22 (A) is owned or controlled by the Govern-
23 ment of the Russian Federation; or

1 (B) is organized under the laws of, or oth-
2 erwise subject to the jurisdiction of, the Rus-
3 sian Federation.

4 (2) CONTENTS.—The report required under
5 paragraph (1) shall analyze how the capacity of the
6 Commission to license additional conversion and en-
7 richment capacity at existing and new fuel cycle fa-
8 cilities may conflict with or restrict the readiness of
9 the Commission to review advanced nuclear reactor
10 applications.

11 (r) ANNUAL REPORT ON THE SPENT NUCLEAR FUEL
12 AND HIGH-LEVEL RADIOACTIVE WASTE INVENTORY IN
13 THE UNITED STATES.—

14 (1) DEFINITIONS.—In this subsection:

15 (A) HIGH-LEVEL RADIOACTIVE WASTE.—
16 The term “high-level radioactive waste” has the
17 meaning given the term in section 2 of the Nu-
18 clear Waste Policy Act of 1982 (42 U.S.C.
19 10101).

20 (B) SPENT NUCLEAR FUEL.—The term
21 “spent nuclear fuel” has the meaning given the
22 term in section 2 of the Nuclear Waste Policy
23 Act of 1982 (42 U.S.C. 10101).

24 (C) STANDARD CONTRACT.—The term
25 “standard contract” has the meaning given the

1 term “contract” in section 961.3 of title 10,
2 Code of Federal Regulations (or a successor
3 regulation).

4 (2) REPORT.—Not later than January 1, 2025,
5 and annually thereafter, the Secretary of Energy
6 shall submit to Congress a report that describes—

7 (A) the annual and cumulative amount of
8 payments made by the United States to the
9 holder of a standard contract due to a partial
10 breach of contract under the Nuclear Waste
11 Policy Act of 1982 (42 U.S.C. 10101 et seq.)
12 resulting in financial damages to the holder;

13 (B) the cumulative amount spent by the
14 Department of Energy since fiscal year 2008 to
15 reduce future payments projected to be made by
16 the United States to any holder of a standard
17 contract due to a partial breach of contract
18 under the Nuclear Waste Policy Act of 1982
19 (42 U.S.C. 10101 et seq.);

20 (C) the cumulative amount spent by the
21 Department of Energy to store, manage, and
22 dispose of spent nuclear fuel and high-level ra-
23 dioactive waste in the United States as of the
24 date of the report;

1 (D) the projected lifecycle costs to store,
2 manage, transport, and dispose of the projected
3 inventory of spent nuclear fuel and high-level
4 radioactive waste in the United States, includ-
5 ing spent nuclear fuel and high-level radioactive
6 waste expected to be generated from existing
7 reactors through 2050;

8 (E) any mechanisms for better accounting
9 of liabilities for the lifecycle costs of the spent
10 nuclear fuel and high-level radioactive waste in-
11 ventory in the United States;

12 (F) any recommendations for improving
13 the methods used by the Department of Energy
14 for the accounting of spent nuclear fuel and
15 high-level radioactive waste costs and liabilities;

16 (G) any actions taken in the previous fiscal
17 year by the Department of Energy with respect
18 to interim storage; and

19 (H) any activities taken in the previous fis-
20 cal year by the Department of Energy to de-
21 velop and deploy nuclear technologies and fuels
22 that enhance the safe transportation or storage
23 of spent nuclear fuel or high-level radioactive
24 waste, including technologies to protect against

1 seismic, flooding, and other extreme weather
2 events.

3 (s) AUTHORIZATION OF APPROPRIATIONS FOR
4 SUPERFUND ACTIONS AT ABANDONED MINING SITES ON
5 TRIBAL LAND.—

6 (1) DEFINITIONS.—In this subsection:

7 (A) ELIGIBLE NON-NPL SITE.—The term
8 “eligible non-NPL site” means a site—

9 (i) that is not on the National Prior-
10 ities List; but

11 (ii) with respect to which the Adminis-
12 trator determines that—

13 (I) the site would be eligible for
14 listing on the National Priorities List
15 based on the presence of hazards from
16 contamination at the site, applying
17 the hazard ranking system described
18 in section 105(c) of the Comprehen-
19 sive Environmental Response, Com-
20 pensation, and Liability Act of 1980
21 (42 U.S.C. 9605(c)); and

22 (II) for removal site evaluations,
23 engineering evaluations/cost analyses,
24 remedial planning activities, remedial
25 investigations and feasibility studies,

1 and other actions taken pursuant to
2 section 104(b) of that Act (42 U.S.C.
3 9604), the site—

4 (aa) has undergone a pre-
5 CERCLA screening; and

6 (bb) is included in the
7 Superfund Enterprise Manage-
8 ment System.

9 (B) INDIAN TRIBE.—The term “Indian
10 Tribe” has the meaning given the term in sec-
11 tion 4 of the Indian Self-Determination and
12 Education Assistance Act (25 U.S.C. 5304).

13 (C) NATIONAL PRIORITIES LIST.—The
14 term “National Priorities List” means the Na-
15 tional Priorities List developed by the President
16 in accordance with section 105(a)(8)(B) of the
17 Comprehensive Environmental Response, Com-
18 pensation, and Liability Act of 1980 (42 U.S.C.
19 9605(a)(8)(B)).

20 (D) REMEDIAL ACTION; REMOVAL; RE-
21 SPONSE.—The terms “remedial action”, “re-
22 moval”, and “response” have the meanings
23 given those terms in section 101 of the Com-
24 prehensive Environmental Response, Compensa-

1 tion, and Liability Act of 1980 (42 U.S.C.
2 9601).

3 (E) TRIBAL LAND.—The term “Tribal
4 land” has the meaning given the term “Indian
5 country” in section 1151 of title 18, United
6 States Code.

7 (2) AUTHORIZATION OF APPROPRIATIONS.—
8 There are authorized to be appropriated for each of
9 fiscal years 2023 through 2032, to remain available
10 until expended—

11 (A) \$97,000,000 to the Administrator to
12 carry out this subsection (except for paragraph
13 (4)); and

14 (B) \$3,000,000 to the Administrator of the
15 Agency for Toxic Substances and Disease Reg-
16 istry to carry out paragraph (4).

17 (3) USES OF AMOUNTS.—Amounts appropriated
18 under paragraph (2)(A) shall be used by the Admin-
19 istrator—

20 (A) to carry out removal actions on aban-
21 doned mine land located on Tribal land;

22 (B) to carry out response actions, includ-
23 ing removal and remedial planning activities,
24 removal and remedial studies, remedial actions,
25 and other actions taken pursuant to section

1 104(b) of the Comprehensive Environmental
2 Response, Compensation, and Liability Act of
3 1980 (42 U.S.C. 9604(b)) on abandoned mine
4 land located on Tribal land at—

5 (i) eligible non-NPL sites; and

6 (ii) sites listed on the National Prior-
7 ities List; and

8 (C) to make grants under paragraph (5).

9 (4) HEALTH ASSESSMENTS.—Subject to the
10 availability of appropriations, the Agency for Toxic
11 Substances and Disease Registry, in coordination
12 with Tribal health authorities, shall perform 1 or
13 more health assessments at each eligible non-NPL
14 site that is located on Tribal land, in accordance
15 with section 104(i)(6) of the Comprehensive Envi-
16 ronmental Response, Compensation, and Liability
17 Act of 1980 (42 U.S.C. 9604(i)(6)).

18 (5) TRIBAL GRANTS.—

19 (A) IN GENERAL.—The Administrator may
20 use amounts appropriated under paragraph
21 (2)(A) to make grants to eligible entities de-
22 scribed in subparagraph (B) for the purposes
23 described in subparagraph (C).

1 (B) ELIGIBLE ENTITIES DESCRIBED.—An
2 eligible entity referred to in subparagraph (A)
3 is—

4 (i) the governing body of an Indian
5 Tribe; or

6 (ii) a legally established organization
7 of Indians that—

8 (I) is controlled, sanctioned, or
9 chartered by the governing bodies of 2
10 or more Indian Tribes to be served, or
11 that is democratically elected by the
12 adult members of the Indian commu-
13 nity to be served, by that organiza-
14 tion; and

15 (II) includes the maximum par-
16 ticipation of Indians in all phases of
17 the activities of that organization.

18 (C) USE OF GRANT FUNDS.—A grant
19 under this paragraph shall be used—

20 (i) in accordance with the second sen-
21 tence of section 117(e)(1) of the Com-
22 prehensive Environmental Response, Com-
23 pensation, and Liability Act of 1980 (42
24 U.S.C. 9617(e)(1));

1 (ii) for obtaining technical assistance
2 in carrying out response actions under
3 clause (iii); or

4 (iii) for carrying out response actions,
5 if the Administrator determines that the
6 Indian Tribe has the capability to carry
7 out any or all of those response actions in
8 accordance with the criteria and priorities
9 established pursuant to section 105(a)(8)
10 of the Comprehensive Environmental Re-
11 sponse, Compensation, and Liability Act of
12 1980 (42 U.S.C. 9605(a)(8)).

13 (D) APPLICATIONS.—An eligible entity de-
14 siring a grant under this paragraph shall sub-
15 mit to the Administrator an application at such
16 time, in such manner, and containing such in-
17 formation as the Administrator may require.

18 (E) LIMITATIONS.—A grant under this
19 paragraph shall be governed by the rules, proce-
20 dures, and limitations described in section
21 117(e)(2) of the Comprehensive Environmental
22 Response, Compensation, and Liability Act of
23 1980 (42 U.S.C. 9617(e)(2)), except that—

24 (i) “Administrator of the Environ-
25 mental Protection Agency” shall be sub-

1 stituted for “President” each place it ap-
2 pears in that section; and

3 (ii) in the first sentence of that sec-
4 tion, “under subsection (s) of the AD-
5 VANCE Act of 2023” shall be substituted
6 for “under this subsection”.

7 (6) STATUTE OF LIMITATIONS.—If a remedial
8 action described in paragraph (3)(B) is scheduled at
9 an eligible non-NPL site, no action may be com-
10 menced for damages (as defined in section 101 of
11 the Comprehensive Environmental Response, Com-
12 pensation, and Liability Act of 1980 (42 U.S.C.
13 9601)) with respect to that eligible non-NPL site
14 unless the action is commenced within the timeframe
15 provided for such actions with respect to facilities on
16 the National Priorities List in the first sentence of
17 the matter following subparagraph (B) of section
18 113(g)(1) of that Act (42 U.S.C. 9613(g)(1)).

19 (7) COORDINATION.—The Administrator shall
20 coordinate with the Indian Tribe on whose land the
21 applicable site is located in—

22 (A) selecting and prioritizing sites for re-
23 sponse actions under subparagraphs (A) and
24 (B) of paragraph (3); and

25 (B) carrying out those response actions.

1 (t) DEVELOPMENT, QUALIFICATION, AND LICENSING
2 OF ADVANCED NUCLEAR FUEL CONCEPTS.—

3 (1) IN GENERAL.—The Commission shall estab-
4 lish an initiative to enhance preparedness and co-
5 ordination with respect to the qualification and li-
6 censing of advanced nuclear fuel.

7 (2) AGENCY COORDINATION.—Not later than
8 180 days after the date of enactment of this Act, the
9 Commission and the Secretary of Energy shall enter
10 into a memorandum of understanding—

11 (A) to share technical expertise and knowl-
12 edge through—

13 (i) enabling the testing and dem-
14 onstration of accident tolerant fuels for ex-
15 isting commercial nuclear reactors and ad-
16 vanced nuclear reactor fuel concepts to be
17 proposed and funded, in whole or in part,
18 by the private sector;

19 (ii) operating a database to store and
20 share data and knowledge relevant to nu-
21 clear science and engineering between Fed-
22 eral agencies and the private sector;

23 (iii) leveraging expertise with respect
24 to safety analysis and research relating to
25 advanced nuclear fuel; and

1 (iv) enabling technical staff to actively
2 observe and learn about technologies, with
3 an emphasis on identification of additional
4 information needed with respect to ad-
5 vanced nuclear fuel; and

6 (B) to ensure that—

7 (i) the Department of Energy has suf-
8 ficient technical expertise to support the
9 timely research, development, demonstra-
10 tion, and commercial application of ad-
11 vanced nuclear fuel;

12 (ii) the Commission has sufficient
13 technical expertise to support the evalua-
14 tion of applications for licenses, permits,
15 and design certifications and other re-
16 quests for regulatory approval for ad-
17 vanced nuclear fuel;

18 (iii)(I) the Department of Energy
19 maintains and develops the facilities nec-
20 essary to enable the timely research, devel-
21 opment, demonstration, and commercial
22 application by the civilian nuclear industry
23 of advanced nuclear fuel; and

1 (II) the Commission has access to the
2 facilities described in subclause (I), as
3 needed; and

4 (iv) the Commission consults, as ap-
5 propriate, with the modeling and simula-
6 tion experts at the Office of Nuclear En-
7 ergy of the Department of Energy, at the
8 National Laboratories, and within industry
9 fuel vendor teams in cooperative agree-
10 ments with the Department of Energy to
11 leverage physics-based computer modeling
12 and simulation capabilities.

13 (3) REPORT.—

14 (A) IN GENERAL.—Not later than 1 year
15 after the date of enactment of this Act, the
16 Commission shall submit to the appropriate
17 committees of Congress a report describing the
18 efforts of the Commission under paragraph (1),
19 including—

20 (i) an assessment of the preparedness
21 of the Commission to review and qualify
22 for use—

23 (I) accident tolerant fuel;

24 (II) ceramic cladding materials;

1 (III) fuels containing silicon car-
2 bide;

3 (IV) high-assay, low-enriched
4 uranium fuels;

5 (V) molten-salt based liquid
6 fuels;

7 (VI) fuels derived from spent nu-
8 clear fuel or depleted uranium; and

9 (VII) other related fuel concepts,
10 as determined by the Commission;

11 (ii) activities planned or undertaken
12 under the memorandum of understanding
13 described in paragraph (2);

14 (iii) an accounting of the areas of re-
15 search needed with respect to advanced nu-
16 clear fuel; and

17 (iv) any other challenges or consider-
18 ations identified by the Commission.

19 (B) CONSULTATION.—In developing the
20 report under subparagraph (A), the Commis-
21 sion shall seek input from—

22 (i) the Secretary of Energy;

23 (ii) National Laboratories;

24 (iii) the nuclear energy industry;

25 (iv) technology developers;

- 1 (v) nongovernmental organizations;
2 and
3 (vi) other public stakeholders.

4 (u) COMMISSION WORKFORCE.—

5 (1) DEFINITION OF CHAIRMAN.—In this sub-
6 section, the term “Chairman” means the Chairman
7 of the Commission.

8 (2) HIRING BONUS AND APPOINTMENT AU-
9 THORITY.—

10 (A) IN GENERAL.—Notwithstanding sec-
11 tion 161 d. of the Atomic Energy Act of 1954
12 (42 U.S.C. 2201(d)), any provision of Reorga-
13 nization Plan No. 1 of 1980 (94 Stat. 3585; 5
14 U.S.C. app.), and any provision of title 5,
15 United States Code, governing appointments
16 and General Schedule classification and pay
17 rates, the Chairman may, subject to the limita-
18 tions described in subparagraph (C), and with-
19 out regard to the civil service laws—

20 (i) establish the positions described in
21 subparagraph (B); and

22 (ii) appoint persons to the positions
23 established under clause (i).

24 (B) POSITIONS DESCRIBED.—The posi-
25 tions referred to in subparagraph (A)(i) are—

1 (i) permanent or term-limited posi-
2 tions with highly specialized scientific, en-
3 gineering, and technical competencies to
4 address a critical licensing or regulatory
5 oversight need for the Commission, includ-
6 ing—

7 (I) health physicist;

8 (II) reactor operations engineer;

9 (III) human factors analyst or
10 engineer;

11 (IV) risk and reliability analyst
12 or engineer;

13 (V) licensing project manager;

14 (VI) reactor engineer for severe
15 accidents;

16 (VII) geotechnical engineer;

17 (VIII) structural engineer;

18 (IX) reactor systems engineer;

19 (X) reactor engineer;

20 (XI) radiation scientist;

21 (XII) seismic engineer; and

22 (XIII) electronics engineer; or

23 (ii) permanent or term-limited posi-
24 tions to be filled by exceptionally well-
25 qualified individuals that the Chairman,

1 subject to paragraph (5), determines are
2 necessary to fulfill the mission of the Com-
3 mission.

4 (C) LIMITATIONS.—

5 (i) IN GENERAL.—Appointments
6 under subparagraph (A)(ii) may be made
7 to not more than—

8 (I)(aa) 15 permanent positions
9 described in subparagraph (B)(i) dur-
10 ing fiscal year 2024; and

11 (bb) 10 permanent positions de-
12 scribed in subparagraph (B)(i) during
13 each fiscal year thereafter;

14 (II)(aa) 15 term-limited positions
15 described in subparagraph (B)(i) dur-
16 ing fiscal year 2024; and

17 (bb) 10 term-limited positions de-
18 scribed in subparagraph (B)(i) during
19 each fiscal year thereafter;

20 (III)(aa) 15 permanent positions
21 described in subparagraph (B)(ii) dur-
22 ing fiscal year 2024; and

23 (bb) 10 permanent positions de-
24 scribed in subparagraph (B)(ii) during
25 each fiscal year thereafter; and

1 (IV)(aa) 15 term-limited posi-
2 tions described in subparagraph
3 (B)(ii) during fiscal year 2024; and

4 (bb) 10 term-limited positions de-
5 scribed in subparagraph (B)(ii) during
6 each fiscal year thereafter.

7 (ii) TERM OF TERM-LIMITED AP-
8 POINTMENT.—If a person is appointed to a
9 term-limited position described in clause (i)
10 or (ii) of subparagraph (B), the term of
11 that appointment shall not exceed 4 years.

12 (iii) STAFF POSITIONS.—Subject to
13 paragraph (5), appointments made to posi-
14 tions established under this paragraph
15 shall be to a range of staff positions that
16 are of entry, mid, and senior levels, to the
17 extent practicable.

18 (D) HIRING BONUS.—The Commission
19 may pay a person appointed under subpara-
20 graph (A) a 1-time hiring bonus in an amount
21 not to exceed the least of—

22 (i) \$25,000;

23 (ii) the amount equal to 15 percent of
24 the annual rate of basic pay of the em-
25 ployee; and

1 (iii) the amount of the limitation that
2 is applicable for a calendar year under sec-
3 tion 5307(a)(1) of title 5, United States
4 Code.

5 (3) COMPENSATION AND APPOINTMENT AU-
6 THORITY.—

7 (A) IN GENERAL.—Notwithstanding sec-
8 tion 161 d. of the Atomic Energy Act of 1954
9 (42 U.S.C. 2201(d)), any provision of Reorga-
10 nization Plan No. 1 of 1980 (94 Stat. 3585; 5
11 U.S.C. app.), and chapter 51, and subchapter
12 III of chapter 53, of title 5, United States
13 Code, the Chairman, subject to the limitations
14 described in subparagraph (C) and without re-
15 gard to the civil service laws, may—

16 (i) establish and fix the rates of basic
17 pay for the positions described in subpara-
18 graph (B); and

19 (ii) appoint persons to the positions
20 established under clause (i).

21 (B) POSITIONS DESCRIBED.—The posi-
22 tions referred to in subparagraph (A)(i) are—

23 (i) positions with highly specialized
24 scientific, engineering, and technical com-

1 petencies to address a critical need for the
2 Commission, including—

3 (I) health physicist;

4 (II) reactor operations engineer;

5 (III) human factors analyst or
6 engineer;

7 (IV) risk and reliability analyst
8 or engineer;

9 (V) licensing project manager;

10 (VI) reactor engineer for severe
11 accidents;

12 (VII) geotechnical engineer;

13 (VIII) structural engineer;

14 (IX) reactor systems engineer;

15 (X) reactor engineer;

16 (XI) radiation scientist;

17 (XII) seismic engineer; and

18 (XIII) electronics engineer; or

19 (ii) positions to be filled by exception-
20 ally well-qualified persons that the Chair-
21 man, subject to paragraph (5), determines
22 are necessary to fulfill the mission of the
23 Commission.

24 (C) LIMITATIONS.—

1 (i) IN GENERAL.—The annual rate of
2 basic pay for a position described in sub-
3 paragraph (B) may not exceed the per
4 annum rate of salary payable for level III
5 of the Executive Schedule under section
6 5314 of title 5, United States Code.

7 (ii) NUMBER OF POSITIONS.—Ap-
8 pointments under subparagraph (A)(ii)
9 may be made to not more than—

10 (I) 10 positions described in sub-
11 paragraph (B)(i) per fiscal year, not
12 to exceed a total of 50 positions; and

13 (II) 10 positions described in
14 subparagraph (B)(ii) per fiscal year,
15 not to exceed a total of 50 positions.

16 (D) PERFORMANCE BONUS.—

17 (i) IN GENERAL.—Subject to clauses
18 (ii) and (iii), an employee may be paid a
19 1-time performance bonus in an amount
20 not to exceed the least of—

21 (I) \$25,000;

22 (II) the amount equal to 15 per-
23 cent of the annual rate of basic pay of
24 the person; and

1 (III) the amount of the limitation
2 that is applicable for a calendar year
3 under section 5307(a)(1) of title 5,
4 United States Code.

5 (ii) PERFORMANCE.—Any 1-time per-
6 formance bonus under clause (i) shall be
7 made to a person who demonstrated excep-
8 tional performance in the applicable fiscal
9 year, including—

10 (I) leading a project team in a
11 timely, efficient, and predictable li-
12 censing review to enable the safe use
13 of nuclear technology;

14 (II) making significant contribu-
15 tions to a timely, efficient, and pre-
16 dictable licensing review to enable the
17 safe use of nuclear technology;

18 (III) the resolution of novel or
19 first-of-a-kind regulatory issues;

20 (IV) developing or implementing
21 licensing or regulatory oversight proc-
22 esses to improve the effectiveness of
23 the Commission; and

1 (V) other performance, as deter-
2 mined by the Chairman, subject to
3 paragraph (5).

4 (iii) LIMITATIONS.—The Commission
5 may pay a 1-time performance bonus
6 under clause (i) for not more than 15 per-
7 sons per fiscal year, and a person who re-
8 ceives a 1-time performance bonus under
9 that clause may not receive another 1-time
10 performance bonus under that clause for a
11 period of 5 years thereafter.

12 (4) ANNUAL SOLICITATION FOR NUCLEAR REG-
13 ULATOR APPRENTICESHIP NETWORK APPLICA-
14 TIONS.—The Chairman, on an annual basis, shall
15 solicit applications for the Nuclear Regulator Ap-
16 prenticeship Network.

17 (5) APPLICATION OF MERIT SYSTEM PRIN-
18 CIPLES.—To the maximum extent practicable, ap-
19 pointments under paragraphs (2)(A) and (3)(A) and
20 any 1-time performance bonus under paragraph
21 (3)(D) shall be made in accordance with the merit
22 system principles set forth in section 2301 of title 5,
23 United States Code.

24 (6) DELEGATION.—Pursuant to Reorganization
25 Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.),

1 the Chairman shall delegate, subject to the direction
2 and supervision of the Chairman, the authority pro-
3 vided by paragraphs (2), (3), and (4) to the Execu-
4 tive Director for Operations of the Commission.

5 (7) ANNUAL REPORT.—The Commission shall
6 include in the annual budget justification of the
7 Commission—

8 (A) information that describes—

9 (i) the total number of and the posi-
10 tions of the persons appointed under the
11 authority provided by paragraph (2);

12 (ii) the total number of and the posi-
13 tions of the persons paid at the rate deter-
14 mined under the authority provided by
15 paragraph (3)(A);

16 (iii) the total number of and the posi-
17 tions of the persons paid a 1-time perform-
18 ance bonus under the authority provided
19 by paragraph (3)(D);

20 (iv) how the authority provided by
21 paragraphs (2) and (3) is being used, and
22 has been used during the previous fiscal
23 year, to address the hiring and retention
24 needs of the Commission with respect to

1 the positions described in those subsections
2 to which that authority is applicable;

3 (v) if the authority provided by para-
4 graphs (2) and (3) is not being used, or
5 has not been used, the reasons, including
6 a justification, for not using that author-
7 ity; and

8 (vi) the attrition levels with respect to
9 the term-limited appointments made under
10 paragraph (2), including, with respect to
11 persons leaving a position before comple-
12 tion of the applicable term of service, the
13 average length of service as a percentage
14 of the term of service;

15 (B) an assessment of—

16 (i) the current critical workforce needs
17 of the Commission, including any critical
18 workforce needs that the Commission an-
19 ticipates in the subsequent 5 fiscal years;
20 and

21 (ii) further skillsets that are or will be
22 needed for the Commission to fulfill the li-
23 censing and oversight responsibilities of
24 the Commission; and

1 (C) the plans of the Commission to assess,
2 develop, and implement updated staff perform-
3 ance standards, training procedures, and sched-
4 ules.

5 (8) REPORT ON ATTRITION AND EFFECTIVE-
6 NESS.—Not later than September 30, 2032, the
7 Commission shall submit to the Committees on Ap-
8 propriations and Environment and Public Works of
9 the Senate and the Committees on Appropriations
10 and Energy and Commerce of the House of Rep-
11 resentatives a report that—

12 (A) describes the attrition levels with re-
13 spect to the term-limited appointments made
14 under paragraph (2), including, with respect to
15 persons leaving a position before completion of
16 the applicable term of service, the average
17 length of service as a percentage of the term of
18 service;

19 (B) provides the views of the Commission
20 on the effectiveness of the authorities provided
21 by paragraphs (2) and (3) in helping the Com-
22 mission fulfill the mission of the Commission;
23 and

24 (C) makes recommendations with respect
25 to whether the authorities provided by para-

1 graphs (2) and (3) should be continued, modi-
2 fied, or discontinued.

3 (v) COMMISSION CORPORATE SUPPORT FUNDING.—

4 (1) REPORT.—Not later than 3 years after the
5 date of enactment of this Act, the Commission shall
6 submit to the appropriate committees of Congress
7 and make publicly available a report that de-
8 scribes—

9 (A) the progress on the implementation of
10 section 102(a)(3) of the Nuclear Energy Inno-
11 vation and Modernization Act (42 U.S.C.
12 2215(a)(3)); and

13 (B) whether the Commission is meeting
14 and is expected to meet the total budget au-
15 thority caps required for corporate support
16 under that section.

17 (2) LIMITATION ON CORPORATE SUPPORT
18 COSTS.—Section 102(a)(3) of the Nuclear Energy
19 Innovation and Modernization Act (42 U.S.C.
20 2215(a)(3)) is amended by striking subparagraphs
21 (B) and (C) and inserting the following:

22 “(B) 30 percent for fiscal year 2024 and
23 each fiscal year thereafter.”.

24 (3) CORPORATE SUPPORT COSTS CLARIFICA-
25 TION.—Paragraph (9) of section 3 of the Nuclear

1 Energy Innovation and Modernization Act (42
2 U.S.C. 2215 note; Public Law 115–439) (as redesign-
3 nated by subsection (f)(1)(A)) is amended—

4 (A) by striking “The term” and inserting
5 the following:

6 “(A) IN GENERAL.—The term”; and

7 (B) by adding at the end the following:

8 “(B) EXCLUSIONS.—The term ‘corporate
9 support costs’ does not include—

10 “(i) costs for rent and utilities relat-
11 ing to any and all space in the Three
12 White Flint North building that is not oc-
13 cupied by the Commission; or

14 “(ii) costs for salaries, travel, and
15 other support for the Office of the Com-
16 mission.”.

17 (w) PERFORMANCE AND REPORTING UPDATE.—Sec-
18 tion 102(c) of the Nuclear Energy Innovation and Mod-
19 ernization Act (42 U.S.C. 2215(c)) is amended—

20 (1) in paragraph (3)—

21 (A) in the paragraph heading, by striking
22 “180” and inserting “90”; and

23 (B) by striking “180” and inserting “90”;

24 and

25 (2) by adding at the end the following:

1 “(4) PERIODIC UPDATES TO METRICS AND
2 SCHEDULES.—

3 “(A) REVIEW AND ASSESSMENT.—Not less
4 frequently than once every 3 years, the Com-
5 mission shall review and assess, based on the li-
6 censing and regulatory activities of the Com-
7 mission, the performance metrics and milestone
8 schedules established under paragraph (1).

9 “(B) REVISIONS.—After each review and
10 assessment under subparagraph (A), the Com-
11 mission shall revise and improve, as appro-
12 priate, the performance metrics and milestone
13 schedules described in that subparagraph to
14 provide the most efficient metrics and schedules
15 reasonably achievable.”.

16 (x) NUCLEAR CLOSURE COMMUNITIES.—

17 (1) DEFINITIONS.—In this subsection:

18 (A) COMMUNITY ADVISORY BOARD.—The
19 term “community advisory board” means a
20 community committee or other advisory organi-
21 zation that aims to foster communication and
22 information exchange between a licensee plan-
23 ning for and involved in decommissioning activi-
24 ties and members of the community that de-
25 commissioning activities may affect.

1 (B) DECOMMISSION.—The term “decom-
2 mission” has the meaning given the term in
3 section 50.2 of title 10, Code of Federal Regu-
4 lations (or successor regulations).

5 (C) ELIGIBLE RECIPIENT.—The term “eli-
6 gible recipient” has the meaning given the term
7 in section 3 of the Public Works and Economic
8 Development Act of 1965 (42 U.S.C. 3122).

9 (D) LICENSEE.—The term “licensee” has
10 the meaning given the term in section 50.2 of
11 title 10, Code of Federal Regulations (or suc-
12 cessor regulations).

13 (E) NUCLEAR CLOSURE COMMUNITY.—The
14 term “nuclear closure community” means a
15 unit of local government, including a county,
16 city, town, village, school district, or special dis-
17 trict, that has been impacted, or reasonably
18 demonstrates to the satisfaction of the Sec-
19 retary that it will be impacted, by a nuclear
20 power plant licensed by the Commission that—

21 (i) is not co-located with an operating
22 nuclear power plant;

23 (ii) is at a site with spent nuclear
24 fuel; and

1 (iii) as of the date of enactment of
2 this Act—

3 (I) has ceased operations; or

4 (II) has provided a written notifi-
5 cation to the Commission that it will
6 cease operations.

7 (F) SECRETARY.—The term “Secretary”
8 means the Secretary of Commerce, acting
9 through the Assistant Secretary of Commerce
10 for Economic Development.

11 (2) ESTABLISHMENT.—Not later than 180 days
12 after the date of enactment of this Act, the Sec-
13 retary shall establish a grant program to provide
14 grants to eligible recipients—

15 (A) to assist with economic development in
16 nuclear closure communities; and

17 (B) to fund community advisory boards in
18 nuclear closure communities.

19 (3) REQUIREMENT.—In carrying out this sub-
20 section, to the maximum extent practicable, the Sec-
21 retary shall implement the recommendations de-
22 scribed in the report submitted to Congress under
23 section 108 of the Nuclear Energy Innovation and
24 Modernization Act (Public Law 115–439; 132 Stat.
25 5577) entitled “Best Practices for Establishment

1 and Operation of Local Community Advisory Boards
2 Associated with Decommissioning Activities at Nu-
3 clear Power Plants”.

4 (4) DISTRIBUTION OF FUNDS.—The Secretary
5 shall establish a formula to ensure, to the maximum
6 extent practicable, geographic diversity among grant
7 recipients under this subsection.

8 (5) AUTHORIZATION OF APPROPRIATIONS.—

9 (A) IN GENERAL.—There are authorized to
10 be appropriated to the Secretary—

11 (i) to carry out paragraph (2)(A),
12 \$35,000,000 for each of fiscal years 2023
13 through 2028; and

14 (ii) to carry out paragraph (2)(B),
15 \$5,000,000 for each of fiscal years 2023
16 through 2025.

17 (B) AVAILABILITY.—Amounts made avail-
18 able under this subsection shall remain avail-
19 able for a period of 5 years beginning on the
20 date on which the amounts are made available.

21 (C) NO OFFSET.—None of the funds made
22 available under this subsection may be used to
23 offset the funding for any other Federal pro-
24 gram.

1 (y) TECHNICAL CORRECTION.—Section 104 c. of the
 2 Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amend-
 3 ed—

4 (1) by striking the third sentence and inserting
 5 the following:

6 “(3) LIMITATION ON UTILIZATION FACILI-
 7 TIES.—The Commission may issue a license under
 8 this section for a utilization facility useful in the
 9 conduct of research and development activities of the
 10 types specified in section 31 if—

11 “(A) not more than 75 percent of the an-
 12 nual costs to the licensee of owning and oper-
 13 ating the facility are devoted to the sale, other
 14 than for research and development or education
 15 and training, of—

16 “(i) nonenergy services;

17 “(ii) energy; or

18 “(iii) a combination of nonenergy
 19 services and energy; and

20 “(B) not more than 50 percent of the an-
 21 nual costs to the licensee of owning and oper-
 22 ating the facility are devoted to the sale of en-
 23 ergy.”;

24 (2) in the second sentence, by striking “The
 25 Commission” and inserting the following:

1 “(2) REGULATION.—The Commission”; and

2 (3) by striking “c. The Commission” and in-
3 serting the following:

4 “c. RESEARCH AND DEVELOPMENT ACTIVITIES.—

5 “(1) IN GENERAL.—Subject to paragraphs (2)
6 and (3), the Commission”.

7 (z) REPORT ON ENGAGEMENT WITH THE GOVERN-
8 MENT OF CANADA WITH RESPECT TO NUCLEAR WASTE
9 ISSUES IN THE GREAT LAKES BASIN.—Not later than 1
10 year after the date of enactment of this Act, the Commis-
11 sion shall submit to the appropriate committees of Con-
12 gress, the Committee on Foreign Relations of the Senate,
13 the Committee on Energy and Natural Resources of the
14 Senate, and the Committee on Foreign Affairs of the
15 House of Representatives a report describing any engage-
16 ment between the Commission and the Government of
17 Canada with respect to nuclear waste issues in the Great
18 Lakes Basin.

19 (aa) SAVINGS CLAUSE.—Nothing in this section af-
20 fects authorities of the Department of State.

1 **DIVISION F—DEPARTMENT OF**
 2 **STATE AUTHORIZATION ACT**
 3 **OF 2023**

4 **SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.**

5 (a) **SHORT TITLE.**—This division may be cited as the
 6 “Department of State Authorization Act of 2023”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
 8 this division is as follows:

DIVISION F—DEPARTMENT OF STATE AUTHORIZATION ACT OF
2023

Sec. 6001. Short title; table of contents.

Sec. 6002. Definitions.

TITLE LXI—DIPLOMATIC SECURITY AND CONSULAR AFFAIRS

Sec. 6101. Special hiring authority for passport services.

Sec. 6102. Quarterly report on passport wait times.

Sec. 6103. Passport travel advisories.

Sec. 6104. Strategy to ensure access to passport services for all Americans.

Sec. 6105. Strengthening the National Passport Information Center.

Sec. 6106. Strengthening passport customer visibility and transparency.

Sec. 6107. Annual Office of Authentications report.

Sec. 6108. Increased accountability in assignment restrictions and reviews.

Sec. 6109. Suitability reviews for Foreign Service Institute instructors.

Sec. 6110. Diplomatic security fellowship programs.

TITLE LXII—PERSONNEL MATTERS

Subtitle A—Hiring, Promotion, and Development

Sec. 6201. Adjustment to promotion precepts.

Sec. 6202. Hiring authorities.

Sec. 6203. Extending paths to service for paid student interns.

Sec. 6204. Lateral Entry Program.

Sec. 6205. Mid-Career Mentoring Program.

Sec. 6206. Report on the Foreign Service Institute’s language program .

Sec. 6207. Consideration of career civil servants as chiefs of missions.

Sec. 6208. Civil service rotational program.

Sec. 6209. Reporting requirement on chiefs of mission.

Sec. 6210. Report on chiefs of mission and deputy chiefs of mission.

Sec. 6211. Protection of retirement annuity for reemployment by Department.

Sec. 6212. Efforts to improve retention and prevent retaliation.

Sec. 6213. National advertising campaign.

Sec. 6214. Expansion of diplomats in residence programs.

Subtitle B—Pay, Benefits, and Workforce Matters

- Sec. 6221. Education allowance.
- Sec. 6222. Per diem allowance for newly hired members of the Foreign Service.
- Sec. 6223. Improving mental health services for foreign and civil servants.
- Sec. 6224. Emergency back-up care.
- Sec. 6225. Authority to provide services to non-chief of mission personnel.
- Sec. 6226. Exception for government-financed air transportation.
- Sec. 6227. Enhanced authorities to protect locally employed staff during emergencies.
- Sec. 6228. Internet at hardship posts.
- Sec. 6229. Competitive local compensation plan.
- Sec. 6230. Supporting tandem couples in the Foreign Service.
- Sec. 6231. Accessibility at diplomatic missions.
- Sec. 6232. Report on breastfeeding accommodations overseas.
- Sec. 6233. Determining the effectiveness of knowledge transfers between Foreign Service Officers.
- Sec. 6234. Education allowance for dependents of Department of State employees located in United States territories.

TITLE LXIII—INFORMATION SECURITY AND CYBER DIPLOMACY

- Sec. 6301. Data-informed diplomacy.
- Sec. 6302. Establishment and expansion of the Bureau Chief Data Officer Program.
- Sec. 6303. Establishment of the Chief Artificial Intelligence Officer of the Department of State.
- Sec. 6304. Strengthening the Chief Information Officer of the Department of State.
- Sec. 6305. Sense of Congress on strengthening enterprise governance.
- Sec. 6306. Digital connectivity and cybersecurity partnership.
- Sec. 6307. Establishment of a cyberspace, digital connectivity, and related technologies (CDT) fund.
- Sec. 6308. Cyber protection support for personnel of the Department of State in positions highly vulnerable to cyber attack.

TITLE LXIV—ORGANIZATION AND OPERATIONS

- Sec. 6401. Personal services contractors.
- Sec. 6402. Hard-to-fill posts.
- Sec. 6403. Enhanced oversight of the Office of Civil Rights.
- Sec. 6404. Crisis response operations.
- Sec. 6405. Special Envoy to the Pacific Islands Forum.
- Sec. 6406. Special Envoy for Belarus.
- Sec. 6407. Overseas placement of special appointment positions.
- Sec. 6408. Resources for United States nationals unlawfully or wrongfully detained abroad.

TITLE LXV—ECONOMIC DIPLOMACY

- Sec. 6501. Report on recruitment, retention, and promotion of Foreign Service economic officers.
- Sec. 6502. Mandate to revise Department of State metrics for successful economic and commercial diplomacy.
- Sec. 6503. Chief of mission economic responsibilities.
- Sec. 6504. Direction to embassy deal teams.
- Sec. 6505. Establishment of a “Deal Team of the Year” award.

TITLE LXVI—PUBLIC DIPLOMACY

- Sec. 6601. Public diplomacy outreach.
- Sec. 6602. Modification on use of funds for Radio Free Europe/Radio Liberty.
- Sec. 6603. International broadcasting.
- Sec. 6604. John Lewis Civil Rights Fellowship program.
- Sec. 6605. Domestic engagement and public affairs.
- Sec. 6606. Extension of Global Engagement Center.
- Sec. 6607. Paperwork Reduction Act.
- Sec. 6608. Modernization and enhancement strategy.

TITLE LXVII—OTHER MATTERS

- Sec. 6701. Internships of United States nationals at international organizations.
- Sec. 6702. Training for international organizations.
- Sec. 6703. Modification to transparency on international agreements and non-binding instruments.
- Sec. 6704. Report on partner forces utilizing United States security assistance identified as using hunger as a weapon of war.
- Sec. 6705. Infrastructure projects and investments by the United States and People's Republic of China.
- Sec. 6706. Special envoys.
- Sec. 6707. US-ASEAN Center.
- Sec. 6708. Briefings on the United States-European Union Trade and Technology Council.
- Sec. 6709. Modification and repeal of reports.
- Sec. 6710. Modification of Build Act of 2018 to prioritize projects that advance national security.
- Sec. 6711. Permitting for international bridges.

TITLE LXVIII—AUKUS MATTERS

- Sec. 6801. Definitions.

Subtitle A—Outlining the AUKUS Partnership

- Sec. 6811. Statement of policy on the AUKUS partnership.
- Sec. 6812. Senior Advisor for the AUKUS partnership at the Department of State.

Subtitle B—Authorization for AUKUS Submarine Training

- Sec. 6823. Australia, United Kingdom, and United States submarine security training.

Subtitle C—Streamlining and Protecting Transfers of United States Military Technology From Compromise

- Sec. 6831. Priority for Australia and the United Kingdom in Foreign Military Sales and Direct Commercial Sales.
- Sec. 6832. Identification and pre-clearance of platforms, technologies, and equipment for sale to Australia and the United Kingdom through Foreign Military Sales and Direct Commercial Sales.
- Sec. 6833. Export control exemptions and standards.
- Sec. 6834. Expedited review of export licenses for exports of advanced technologies to Australia, the United Kingdom, and Canada.
- Sec. 6835. United States Munitions List.

Sec. 6841. Reporting related to the AUKUS partnership.

1 **SEC. 6002. DEFINITIONS.**

2 In this division:

3 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
4 **TEES.**—The term “appropriate congressional com-
5 mittees” means the Committee on Foreign Relations
6 of the Senate and the Committee on Foreign Affairs
7 of the House of Representatives.

8 (2) **DEPARTMENT.**—The term “Department”
9 means the Department of State.

10 (3) **SECRETARY.**—The term “Secretary” means
11 the Secretary of State.

12 **TITLE LXI—DIPLOMATIC SECU-**
13 **RITY AND CONSULAR AF-**
14 **FAIRS**

15 **SEC. 6101. SPECIAL HIRING AUTHORITY FOR PASSPORT**
16 **SERVICES.**

17 During the 3-year period beginning on the date of
18 the enactment of this Act, the Secretary of State, without
19 regard to the provisions under sections 3309 through
20 3318 of title 5, United States Code, may directly appoint
21 up to 80 candidates to positions in the competitive service
22 (as defined in section 2102 of such title) at the Depart-
23 ment in the Passport and Visa Examining Series 0967.

1 **SEC. 6102. QUARTERLY REPORT ON PASSPORT WAIT TIMES.**

2 Not later than 30 days after the date of the enact-
3 ment of this Act, and quarterly thereafter for the following
4 3 years, the Secretary shall submit a report to the appro-
5 priate congressional committees that describes—

6 (1) the current estimated wait times for pass-
7 port processing;

8 (2) the steps that have been taken by the De-
9 partment to reduce wait times to a reasonable time;

10 (3) efforts to improve the rollout of the online
11 passport renewal processing program, including how
12 much of passport revenues the Department is spend-
13 ing on consular systems modernization;

14 (4) the demand for urgent passport services by
15 major metropolitan area;

16 (5) the steps that have been taken by the De-
17 partment to reduce and meet the demand for urgent
18 passport services, particularly in areas that are
19 greater than 5 hours driving time from the nearest
20 passport agency; and

21 (6) how the Department details its staff and re-
22 sources to passport services programs.

23 **SEC. 6103. PASSPORT TRAVEL ADVISORIES.**

24 Not later than 180 days after the date of the enact-
25 ment of this Act, the Department shall make prominently

1 available in United States regular passports, on the first
2 three pages of the passport, the following information:

3 (1) A prominent, clear advisory for all travelers
4 to check travel.state.gov for updated travel warnings
5 and advisories.

6 (2) A prominent, clear notice urging all trav-
7 elers to register with the Department prior to over-
8 seas travel.

9 (3) A prominent, clear advisory—

10 (A) noting that many countries deny entry
11 to travelers during the last 6 months of their
12 passport validity period; and

13 (B) urging all travelers to renew their
14 passport not later than 1 year prior to its expi-
15 ration.

16 **SEC. 6104. STRATEGY TO ENSURE ACCESS TO PASSPORT**
17 **SERVICES FOR ALL AMERICANS.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, the Secretary shall submit a strategy
20 to the appropriate congressional committees, the Com-
21 mittee on Appropriations of the Senate, and the Com-
22 mittee on Appropriations of the House of Representatives
23 for ensuring reasonable access to passport services for all
24 Americans, which shall include—

1 (1) a detailed strategy describing how the De-
2 partment could—

3 (A) by not later than 1 year after submis-
4 sion of the strategy, reduce passport processing
5 times to an acceptable average for renewals and
6 for expedited service; and

7 (B) by not later than 2 years after the
8 submission of the strategy, provide United
9 States residents living in a significant popu-
10 lation center more than a 5-hour drive from a
11 passport agency with urgent, in-person passport
12 services, including the possibility of building
13 new passport agencies; and

14 (2) a description of the specific resources re-
15 quired to implement the strategy.

16 **SEC. 6105. STRENGTHENING THE NATIONAL PASSPORT IN-**
17 **FORMATION CENTER.**

18 (a) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that passport wait times since 2021 have been unac-
20 ceptably long and have created frustration among those
21 seeking to obtain or renew passports.

22 (b) ONLINE CHAT FEATURE.—The Department
23 should develop an online tool with the capability for cus-
24 tomers to correspond with customer service representa-

1 tives regarding questions and updates pertaining to their
2 application for a passport or for the renewal of a passport.

3 (c) GAO REPORT.—Not later than 90 days after the
4 date of the enactment of this Act, the Comptroller General
5 of the United States shall initiate a review of NPIC oper-
6 ations, which shall include an analysis of the extent to
7 which NPIC—

8 (1) responds to constituent inquiries by tele-
9 phone, including how long constituents are kept on
10 hold and their ability to be placed in a queue;

11 (2) provides personalized customer service;

12 (3) maintains its telecommunications infra-
13 structure to ensure it effectively handles call vol-
14 umes; and

15 (4) other relevant issues the Comptroller Gen-
16 eral deems appropriate.

17 **SEC. 6106. STRENGTHENING PASSPORT CUSTOMER VISI-**
18 **BILITY AND TRANSPARENCY.**

19 (a) ONLINE STATUS TOOL.—Not later than 2 years
20 after the date of the enactment of this Act, the Depart-
21 ment should modernize the online passport application
22 status tool to include, to the greatest extent possible, step
23 by step updates on the status of their application, includ-
24 ing with respect to the following stages:

25 (1) Submitted for processing.

1 (2) In process at a lockbox facility.

2 (3) Awaiting adjudication.

3 (4) In process of adjudication.

4 (5) Adjudicated with a result of approval or de-
5 nial.

6 (6) Materials shipped.

7 (b) ADDITIONAL INFORMATION.—The tool pursuant
8 to subsection (a) should include a display that informs
9 each passport applicant of—

10 (1) the date on which his or her passport appli-
11 cation was received; and

12 (2) the estimated wait time remaining in the
13 passport application process.

14 (c) REPORT.—Not later than 90 days after the date
15 of the enactment of this Act, the Assistant Secretary of
16 State for Consular Affairs shall submit a report to the
17 appropriate congressional committees that outlines a plan
18 for coordinated comprehensive public outreach to increase
19 public awareness and understanding of—

20 (1) the online status tool required under sub-
21 section (a);

22 (2) passport travel advisories required under
23 section 6103; and

24 (3) passport wait times.

1 **SEC. 6107. ANNUAL OFFICE OF AUTHENTICATIONS REPORT.**

2 (a) REPORT.—The Assistant Secretary of State for
3 Consular Affairs shall submit an annual report for 5 years
4 to the appropriated congressional committees that de-
5 scribes—

6 (1) the number of incoming authentication re-
7 quests, broken down by month and type of request,
8 to show seasonal fluctuations in demand;

9 (2) the average time taken by the Office of Au-
10 thentications of the Department of State to authen-
11 ticate documents, broken down by month to show
12 seasonal fluctuations in wait times;

13 (3) how the Department of State details staff
14 to the Office of Authentications; and

15 (4) the impact that hiring additional, perma-
16 nent, dedicated staff for the Office of Authentica-
17 tions would have on the processing times referred to
18 in paragraph (2).

19 (b) AUTHORIZATION.—The Secretary of State is au-
20 thorized to hire additional, permanent, dedicated staff for
21 the Office of Authentications.

22 **SEC. 6108. INCREASED ACCOUNTABILITY IN ASSIGNMENT**
23 **RESTRICTIONS AND REVIEWS.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that—

1 (1) the use of policies to restrict personnel from
2 serving in certain assignments may undermine the
3 Department's ability to deploy relevant cultural and
4 linguistic skills at diplomatic posts abroad if not ap-
5 plied judiciously; and

6 (2) the Department should continuously evalu-
7 ate all processes relating to assignment restrictions,
8 assignment reviews, and preclusions at the Depart-
9 ment.

10 (b) NOTIFICATION OF STATUS.—Beginning not later
11 than 90 days after the date of the enactment of this Act,
12 the Secretary shall—

13 (1) provide a status update for all Department
14 personnel who, prior to such date of enactment, were
15 subject to a prior assignment restriction, assignment
16 review, or preclusion for whom a review or decision
17 related to assignment is pending; and

18 (2) on an ongoing basis, provide a status up-
19 date for any Department personnel who has been
20 the subject of a pending assignment restriction or
21 pending assignment review for more than 30 days.

22 (c) NOTIFICATION CONTENT.—The notification re-
23 quired under subsection (b) shall inform relevant per-
24 sonnel, as of the date of the notification—

1 (1) whether any prior assignment restriction
2 has been lifted;

3 (2) if their assignment status is subject to on-
4 going review, and an estimated date for completion;
5 and

6 (3) if they are subject to any other restrictions
7 on their ability to serve at posts abroad.

8 (d) ADJUDICATION OF ONGOING ASSIGNMENT RE-
9 VIEWS.—

10 (1) TIME LIMIT.—The Department shall estab-
11 lish a reasonable time limit for the Department to
12 complete an assignment review and establish a dead-
13 line by which it must inform personnel of a decision
14 related to such a review.

15 (2) APPEALS.—For any personnel the Depart-
16 ment determines are ineligible to serve in an assign-
17 ment due to an assignment restriction or assignment
18 review, a Security Appeal Panel shall convene not
19 later than 120 days of an appeal being filed.

20 (3) ENTRY-LEVEL BIDDING PROCESS.—The De-
21 partment shall include a description of the assign-
22 ment review process and critical human intelligence
23 threat posts in a briefing to new officers as part of
24 their entry-level bidding process.

1 (4) POINT OF CONTACT.—The Department
2 shall designate point of contacts in the Bureau of
3 Diplomatic Security and Bureau of Global Talent
4 Management to answer employee and Career Devel-
5 opment Officer questions about assignment restric-
6 tions, assignment reviews, and preclusions.

7 (e) SECURITY APPEAL PANEL.—Not later than 90
8 days after the date of the enactment of this Act, the Secu-
9 rity Appeal Panel shall be comprised of—

10 (1) the head of an office responsible for human
11 resources or discrimination who reports directly to
12 the Secretary;

13 (2) the Principal Deputy Assistant Secretary
14 for the Bureau of Global Talent Management;

15 (3) the Principal Deputy Assistant Secretary
16 for the Bureau of Intelligence and Research;

17 (4) an Assistant Secretary or Deputy, or equiv-
18 alent, from a third bureau as designated by the
19 Under Secretary for Management;

20 (5) a representative from the geographic bureau
21 to which the restriction applies; and

22 (6) a representative from the Office of the
23 Legal Adviser and a representative from the Bureau
24 of Diplomatic Security, who shall serve as non-vot-
25 ing advisors.

1 (f) APPEAL RIGHTS.—Section 414(a) of the Depart-
2 ment of State Authorities Act, Fiscal Year 2017 (22
3 U.S.C. 2734c(a)) is amended by striking the first two sen-
4 tences and inserting “The Secretary shall establish and
5 maintain a right and process for employees to appeal a
6 decision related to an assignment, based on a restriction,
7 review, or preclusion. Such right and process shall ensure
8 that any such employee shall have the same appeal rights
9 as provided by the Department regarding denial or revoca-
10 tion of a security clearance.”.

11 (g) FAM UPDATE.—Not later than 120 days after
12 the date of the enactment of this Act, the Secretary shall
13 amend all relevant provisions of the Foreign Service Man-
14 ual, and any associated or related policies of the Depart-
15 ment, to comply with this section.

16 **SEC. 6109. SUITABILITY REVIEWS FOR FOREIGN SERVICE**
17 **INSTITUTE INSTRUCTORS.**

18 The Secretary shall ensure that all instructors at the
19 Foreign Service Institute, including direct hires and con-
20 tractors, who provide language instruction are—

21 (1) subject to suitability reviews and back-
22 ground investigations; and

23 (2) subject to continuous vetting or reinvestiga-
24 tions to the extent consistent with Department and
25 Executive policy for other Department personnel.

1 **SEC. 6110. DIPLOMATIC SECURITY FELLOWSHIP PRO-**
2 **GRAMS.**

3 (a) IN GENERAL.—Section 47 of the State Depart-
4 ment Basic Authorities Act of 1956 (22 U.S.C. 2719) is
5 amended—

6 (1) by striking “The Secretary” and inserting
7 the following:

8 “(a) IN GENERAL.—The Secretary”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(b) DIPLOMATIC SECURITY FELLOWSHIP PRO-
12 GRAMS.—

13 “(1) ESTABLISHMENT.—The Secretary of
14 State, working through the Assistant Secretary for
15 Diplomatic Security, is authorized to establish Diplo-
16 matic Security fellowship programs to provide grants
17 to United States nationals pursuing undergraduate
18 studies who commit to pursuing a career as a special
19 agent, security engineering officer, or in the civil
20 service in the Bureau of Diplomatic Security.

21 “(2) RULEMAKING.—The Secretary is author-
22 ized to promulgate regulations for the administra-
23 tion of Diplomatic Security fellowship programs that
24 set forth—

25 “(A) the eligibility requirements for receiv-
26 ing a grant under this subsection;

1 “(B) the process by which eligible appli-
2 cants may request such a grant;

3 “(C) the maximum amount of such a
4 grant; and

5 “(D) the educational progress to which all
6 grant recipients are obligated.”.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated \$2,000,000 for each of fis-
9 cal years 2024 through 2028 to carry out this section.

10 **TITLE LXII—PERSONNEL**
11 **MATTERS**
12 **Subtitle A—Hiring, Promotion, and**
13 **Development**

14 **SEC. 6201. ADJUSTMENT TO PROMOTION PRECEPTS.**

15 Section 603(b) of the Foreign Service Act of 1980
16 (22 U.S.C. 4003(b)) is amended—

17 (1) by redesignating paragraph (2), (3), and (4)
18 as paragraphs (7), (8), and (9), respectively; and

19 (2) by inserting after paragraph (1) the fol-
20 lowing new paragraphs:

21 “(2) experience serving at an international or-
22 ganization, multilateral institution, or engaging in
23 multinational negotiations;

24 “(3) willingness to serve in hardship posts over-
25 seas or across geographically distinct regions;

1 “(4) experience advancing policies or developing
2 expertise that enhance the United States’ competi-
3 tiveness with regard to critical and emerging tech-
4 nologies;

5 “(5) willingness to participate in appropriate
6 and relevant professional development opportunities
7 offered by the Foreign Service Institute or other
8 educational institutions associated with the Depart-
9 ment;

10 “(6) willingness to enable and encourage subor-
11 dinates at various levels to avail themselves of ap-
12 propriate and relevant professional development op-
13 portunities offered by the Foreign Service Institute
14 or other educational institutions associated with the
15 Department;”.

16 **SEC. 6202. HIRING AUTHORITIES.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the Department should possess hiring au-
20 thorities to enable recruitment of individuals rep-
21 resentative of the nation with special skills needed to
22 address 21st century diplomacy challenges; and

23 (2) the Secretary shall conduct a survey of hir-
24 ing authorities held by the Department to identify—

1 (A) hiring authorities already authorized
2 by Congress;

3 (B) others authorities granted through
4 Presidential decree or executive order; and

5 (C) any authorities needed to enable re-
6 cruitment of individuals with the special skills
7 described in paragraph (1).

8 (b) REPORT.—Not later than 180 days after the date
9 of the enactment of this Act, the Secretary shall submit
10 to the appropriate congressional committees, the Com-
11 mittee on Homeland Security and Governmental Affairs
12 of the Senate, and the Committee on Homeland Security
13 of the House of Representatives a report that includes a
14 description of all existing hiring authorities and legislative
15 proposals on any new needed authorities.

16 (c) SPECIAL HIRING AUTHORITY.—For an initial pe-
17 riod of not more than 3 years after the date of the enact-
18 ment of this Act, the Secretary may appoint, without re-
19 gard to the provisions of sections 3309 through 3318 of
20 title 5, United States Code, up to 80 candidates directly
21 to positions in the competitive service at the Department,
22 as defined in section 2102 of that title, in the following
23 occupational series: 25 candidates under 1560 Data
24 Science, 25 candidates under 2210 Information Tech-

1 nology Management, and 30 candidates under 0201
2 Human Resources Management.

3 **SEC. 6203. EXTENDING PATHS TO SERVICE FOR PAID STU-**
4 **DENT INTERNS.**

5 For up to 2 years following the end of a compensated
6 internship at the Department, the Department may offer
7 employment to up to 25 such interns and appoint them
8 directly to positions in the competitive service, as defined
9 in section 2102 of title 5, United States Code, without
10 regard to the provisions of sections 3309 through 3318
11 of such title.

12 **SEC. 6204. LATERAL ENTRY PROGRAM.**

13 (a) IN GENERAL.—Section 404 of the Department of
14 State Authorities Act, Fiscal Year 2017 (Public Law 114–
15 323; 130 Stat. 1928) is amended—

16 (1) in subsection (b)—

17 (A) in the matter preceding paragraph (1),
18 by striking “3-year” and inserting “5-year”;

19 (B) in paragraph (5), by striking “; and”;

20 (C) in paragraph (6), by striking the pe-
21 riod at the end and inserting a semicolon; and

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

1 “(7) does not include the use of Foreign Serv-
2 ice-Limited or other noncareer Foreign Service hir-
3 ing authorities; and

4 “(8) includes not fewer than 30 participants for
5 each year of the pilot program.”; and

6 (2) by adding at the end the following new sub-
7 section:

8 “(e) CERTIFICATION.—If the Secretary does not com-
9 mence the lateral entry program within 180 days after the
10 date of the enactment of this subsection, the Secretary
11 shall submit a report to the appropriate congressional
12 committees—

13 “(1) certifying that progress is being made on
14 implementation of the pilot program and describing
15 such progress, including the date on which appli-
16 cants will be able to apply;

17 “(2) estimating the date by which the pilot pro-
18 gram will be fully implemented;

19 “(3) outlining how the Department will use the
20 Lateral Entry Program to fill needed skill sets in
21 key areas such as cyberspace, emerging technologies,
22 economic statecraft, multilateral diplomacy, and
23 data and other sciences.”.

1 **SEC. 6205. MID-CAREER MENTORING PROGRAM.**

2 (a) AUTHORIZATION.—The Secretary, in collabora-
3 tion with the Director of the Foreign Service Institute,
4 is authorized to establish a Mid-Career Mentoring Pro-
5 gram (referred to in this section as the “Program”) for
6 employees who have demonstrated outstanding service and
7 leadership.

8 (b) SELECTION.—

9 (1) NOMINATIONS.—The head of each bureau
10 shall semiannually nominate participants for the
11 Program from a pool of applicants in the positions
12 described in paragraph (2)(B), including from posts
13 both domestically and abroad.

14 (2) SUBMISSION OF SLATE OF NOMINEES TO
15 SECRETARY.—The Director of the Foreign Service
16 Institute, in consultation with the Director General
17 of the Foreign Service, shall semiannually—

18 (A) vet the nominees most recently nomi-
19 nated pursuant to paragraph (1); and

20 (B) submit to the Secretary a slate of ap-
21 plicants to participate in the Program, who
22 shall consist of at least—

23 (i) 10 Foreign Service Officers and
24 specialists classified at the FS–03 or FS–
25 04 level of the Foreign Service Salary
26 Schedule;

1 (ii) 10 Civil Service employees classi-
2 fied at GS-12 or GS-13 of the General
3 Schedule; and

4 (iii) 5 Foreign Service Officers from
5 the United States Agency for International
6 Development.

7 (3) FINAL SELECTION.—The Secretary shall se-
8 lect the applicants who will be invited to participate
9 in the Program from the slate received pursuant to
10 paragraph (2)(B) and extend such an invitation to
11 each selected applicant.

12 (4) MERIT PRINCIPLES.—Section 105 of the
13 Foreign Service Act of 1980 (22 U.S.C. 3905) shall
14 apply to nominations, submissions to the Secretary,
15 and selections for the Program under this section.

16 (c) PROGRAM SESSIONS.—

17 (1) FREQUENCY; DURATION.—All of the partici-
18 pants who accept invitations extended pursuant to
19 subsection (b)(3) shall meet 3 to 4 times per year
20 for training sessions with high-level leaders of the
21 Department and USAID, including private group
22 meetings with the Secretary and the Administrator
23 of the United States Agency for International Devel-
24 opment.

1 disaggregated by language during the 5-year period
2 immediately preceding the date of the enactment of
3 this Act;

4 (2) the number of language instructors at the
5 Foreign Service Institute, and a comparison of the
6 instructor/student ratio in the language programs at
7 the Foreign Service Institute disaggregated by lan-
8 guage;

9 (3) salaries for language instructors
10 disaggregated by language, and a comparison to sal-
11 aries for instructors teaching languages in com-
12 parable employment;

13 (4) recruitment and retention plans for lan-
14 guage instructors, disaggregated by language where
15 necessary and practicable; and

16 (5) any plans to increase pass rates for lan-
17 guages with high failure rates.

18 **SEC. 6207. CONSIDERATION OF CAREER CIVIL SERVANTS**

19 **AS CHIEFS OF MISSIONS.**

20 Section 304(b) of the Foreign Service Act of 1980
21 (22 U.S.C. 3944) is amended—

22 (1) by redesignating paragraph (2) as para-
23 graph (3); and

24 (2) by inserting after paragraph (1) the fol-
25 lowing new paragraph:

1 “(2) The Secretary shall also furnish to the Presi-
2 dent, on an annual basis and to assist the President in
3 selecting qualified candidates for appointments or assign-
4 ments as chief of mission, the names of between 5 and
5 10 career civil servants serving at the Department of State
6 or the United States Agency for International Develop-
7 ment who are qualified to serve as chiefs of mission, to-
8 gether with pertinent information about such individ-
9 uals.”.

10 **SEC. 6208. CIVIL SERVICE ROTATIONAL PROGRAM.**

11 (a) ESTABLISHMENT OF PILOT ROTATIONAL PRO-
12 GRAM FOR CIVIL SERVICE.—Not later than 180 days after
13 the date of the enactment of this Act, the Secretary shall
14 establish a program to provide qualified civil servants serv-
15 ing at the Department an opportunity to serve at a United
16 States embassy, including identifying criteria and an ap-
17 plication process for such program.

18 (b) PROGRAM.—The program established under this
19 section shall—

20 (1) provide at least 20 career civil servants the
21 opportunity to serve for 2 to 3 years at a United
22 States embassy to gain additional skills and experi-
23 ence;

1 (2) offer such civil servants the opportunity to
2 serve in a political or economic section at a United
3 States embassy; and

4 (3) include clear and transparent criteria for
5 eligibility and selection, which shall include a min-
6 imum of 5 years of service at the Department.

7 (c) **SUBSEQUENT POSITION AND PROMOTION.**—Fol-
8 lowing a rotation at a United States embassy pursuant
9 to the program established by this section, participants in
10 the program must be afforded, at minimum, a position
11 equivalent in seniority, compensation, and responsibility to
12 the position occupied prior serving in the program. Suc-
13 cessful completion of a rotation at a United States em-
14 bassy shall be considered favorably with regard to applica-
15 tions for promotion in civil service jobs at the Department.

16 (d) **IMPLEMENTATION.**—Not later than 2 years after
17 the date of the enactment of this Act, the Secretary shall
18 identify not less than 20 positions in United States embas-
19 sies for the program established under this section and
20 offered at least 20 civil servants the opportunity to serve
21 in a rotation at a United States embassy pursuant to this
22 section.

1 **SEC. 6209. REPORTING REQUIREMENT ON CHIEFS OF MIS-**
2 **SION.**

3 Not later than 30 days following the end of each cal-
4 endar quarter, the Secretary shall submit to the appro-
5 priate congressional committees—

6 (1) a list of every chief of mission or United
7 States representative overseas with the rank of Am-
8 bassador who, during the prior quarter, was outside
9 a country of assignment for more than 14 cumu-
10 lative days for purposes other than official travel or
11 temporary duty orders; and

12 (2) the number of days each such chief of mis-
13 sion or United States representative overseas with
14 the rank of Ambassador was outside a country of as-
15 signment during the previous quarter for purposes
16 other than official travel or temporary duty orders.

17 **SEC. 6210. REPORT ON CHIEFS OF MISSION AND DEPUTY**
18 **CHIEFS OF MISSION.**

19 Not later than April 1, 2024, and annually thereafter
20 for the next 4 years, the Secretary shall submit to the
21 appropriate congressional committees a report that in-
22 cludes—

23 (1) the Foreign Service cone of each current
24 chief of mission and deputy chief of mission (or who-
25 ever is acting in the capacity of chief or deputy chief
26 if neither is present) for each United States embassy

1 at which there is a Foreign Service office filling ei-
2 ther of those positions; and

3 (2) aggregated data for all chiefs of mission
4 and deputy chiefs of mission described in paragraph
5 (1), disaggregated by cone.

6 **SEC. 6211. PROTECTION OF RETIREMENT ANNUITY FOR RE-**
7 **EMPLOYMENT BY DEPARTMENT.**

8 (a) NO TERMINATION OR REDUCTION OF RETIRE-
9 MENT ANNUITY OR PAY FOR REEMPLOYMENT.—Notwith-
10 standing section 824 of the Foreign Service Act of 1980
11 (22 U.S.C. 4064), if a covered annuitant becomes em-
12 ployed by the Department—

13 (1) the payment of any retirement annuity, re-
14 tired pay, or retainer pay otherwise payable to the
15 covered annuitant shall not terminate; and

16 (2) the amount of the retirement annuity, re-
17 tired pay, or retainer pay otherwise payable to the
18 covered annuitant shall not be reduced.

19 (b) COVERED ANNUITANT DEFINED.—In this sec-
20 tion, the term “covered annuitant” means any individual
21 who is receiving a retirement annuity under—

22 (1) the Foreign Service Retirement and Dis-
23 ability System under subchapter I of chapter 8 of
24 title I of the Foreign Service Act of 1980 (22 U.S.C.
25 4041 et seq.); or

1 (2) the Foreign Service Pension System under
2 subchapter II of such chapter (22 U.S.C. 4071 et
3 seq.).

4 **SEC. 6212. EFFORTS TO IMPROVE RETENTION AND PRE-**
5 **VENT RETALIATION.**

6 (a) STREAMLINED REPORTING.—Not later than one
7 year after the date of the enactment of this Act, the Sec-
8 retary shall establish a single point of initial reporting for
9 allegations of discrimination, bullying, and harassment
10 that provides an initial review of the allegations and, if
11 necessary, the ability to file multiple claims based on a
12 single complaint.

13 (b) CLIMATE SURVEYS OF EMPLOYEES OF THE DE-
14 PARTMENT.—

15 (1) REQUIRED BIENNIAL SURVEYS.—Not later
16 than 180 days after the date of the enactment of
17 this Act and every 2 years thereafter, the Secretary
18 shall conduct a Department-wide survey of all De-
19 partment personnel regarding harassment, discrimi-
20 nation, bullying, and related retaliation that includes
21 workforce perspectives on the accessibility and effec-
22 tiveness of the Bureau of Global Talent Management
23 and Office of Civil Rights in the efforts and proc-
24 esses to address these issues.

25 (2) REQUIRED ANNUAL SURVEYS.—

1 (A) IN GENERAL.—Not later than 180
2 days after the date of the enactment of this
3 Act, and annually thereafter, the Secretary
4 shall conduct an annual employee satisfaction
5 survey to assess the level of job satisfaction,
6 work environment, and overall employee experi-
7 ence within the Department.

8 (B) OPEN-ENDED RESPONSES.—The sur-
9 vey required under subparagraph (A) shall in-
10 clude options for open-ended responses.

11 (C) SURVEY QUESTIONS.—The survey
12 shall include questions regarding—

- 13 (i) work-life balance;
- 14 (ii) compensation and benefits;
- 15 (iii) career development opportunities;
- 16 (iv) the performance evaluation and
17 promotion process, including fairness and
18 transparency;
- 19 (v) communication channels and effec-
20 tiveness;
- 21 (vi) leadership and management;
- 22 (vii) organizational culture;
- 23 (viii) awareness and effectiveness of
24 complaint measures;
- 25 (ix) accessibility and accommodations;

- 1 (x) availability of transportation to
2 and from a work station;
- 3 (xi) information technology infrastruc-
4 ture functionality and accessibility;
- 5 (xii) the employee's understanding of
6 the Department's structure, mission, and
7 goals;
- 8 (xiii) alignment and relevance of work
9 to the Department's mission; and
- 10 (xiv) sense of empowerment to affect
11 positive change.

12 (3) REQUIRED EXIT SURVEYS.—

13 (A) IN GENERAL.—Not later than 180
14 days after the date of the enactment of this
15 Act, the Secretary shall develop and implement
16 a standardized, confidential exit survey process
17 that includes anonymous feedback and exit
18 interviews with employees who voluntarily sepa-
19 rate from the Department, whether through
20 resignation, retirement, or other means.

21 (B) SCOPE.—The exit surveys conducted
22 pursuant to subparagraph (A) shall—

- 23 (i) be designed to gather insights and
24 feedback from departing employees regard-
25 ing—

1 (I) their reasons for leaving, in-
2 cluding caretaking responsibilities, ca-
3 reer limitations for partner or spouse,
4 and discrimination, harassment, bul-
5 lying, or retaliation;

6 (II) their overall experience with
7 the Department; and

8 (III) any suggestions for im-
9 provement; and

10 (ii) include questions related to—

11 (I) the employee's reasons for
12 leaving;

13 (II) job satisfaction;

14 (III) work environment;

15 (IV) professional growth opportu-
16 nities;

17 (V) leadership effectiveness;

18 (VI) suggestions for enhancing
19 the Department's performance; and

20 (VII) if applicable, the name and
21 industry of the employee's future em-
22 ployer.

23 (C) COMPILATION OF RESULTS.—The Sec-
24 retary shall compile and analyze the
25 anonymized exit survey data collected pursuant

1 to this paragraph to identify trends, common
2 themes, and areas needing improvement within
3 the Department.

4 (4) PILOT SURVEYS.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary shall conduct a Department-wide survey for
7 Locally Employed Staff regarding retention, train-
8 ing, promotion, and other matters, including harass-
9 ment, discrimination, bullying, and related retalia-
10 tion, that includes workforce perspectives on the ac-
11 cessibility and effectiveness of complaint measures.

12 (5) REPORT.—Not later than 60 days after the
13 conclusion of each survey conducted pursuant to this
14 subsection, the Secretary shall make the key find-
15 ings available to the Department workforce and shall
16 submit them to the appropriate congressional com-
17 mittees.

18 (c) RETALIATION PREVENTION EFFORTS.—

19 (1) EMPLOYEE EVALUATION.—

20 (A) IN GENERAL.—If there is a pending
21 investigation of discrimination, bullying, or har-
22 assment against a superior who is responsible
23 for rating or reviewing the complainant em-
24 ployee, the complainant shall be reviewed by the
25 superior's supervisor.

1 (1) the Secretary is authorized to increase the
2 number of diplomats in the Diplomats in Residence
3 Program from 17 to at least 20; and

4 (2) the Administrator of the United States
5 Agency for International Development is authorized
6 to increase the number of development diplomats in
7 the Diplomats in Residence Program from 1 to at
8 least 3.

9 **Subtitle B—Pay, Benefits, and** 10 **Workforce Matters**

11 **SEC. 6221. EDUCATION ALLOWANCE.**

12 (a) IN GENERAL.—Chapter 9 of title I of the Foreign
13 Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended
14 by adding at the end the following new section:

15 **“SEC. 908. EDUCATION ALLOWANCE.**

16 “A Department employee who is on leave to perform
17 service in the uniformed services (as defined in section
18 4303(13) of title 38, United States Code) may receive an
19 education allowance if the employee would, if not for such
20 service, be eligible to receive the education allowance.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 in section 2 of the Foreign Service Act of 1980 (22 U.S.C.
23 3901 note) is amended by inserting after the item relating
24 to section 907 the following:

“Sec. 908. Education allowance”.

1 **SEC. 6222. PER DIEM ALLOWANCE FOR NEWLY HIRED MEM-**
2 **BERS OF THE FOREIGN SERVICE.**

3 (a) PER DIEM ALLOWANCE.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), any newly hired Foreign Service employee
6 who is in initial orientation training, or any other
7 training expected to last less than 6 months before
8 transferring to the employee's first assignment, in
9 the Washington, D.C., area shall, for the duration of
10 such training, receive a per diem allowance at the
11 levels prescribed under subchapter I of chapter 57 of
12 title 5, United States Code.

13 (2) LIMITATION ON LODGING EXPENSES.—A
14 newly hired Foreign Service employee may not re-
15 ceive any lodging expenses under the applicable per
16 diem allowance pursuant to paragraph (1) if that
17 employee—

18 (A) has a permanent residence in the
19 Washington, D.C., area (not including Govern-
20 ment-supplied housing during such orientation
21 training or other training); and

22 (B) does not vacate such residence during
23 such orientation training or other training.

24 (b) DEFINITIONS.—In this section—

1 (1) the term “per diem allowance” has the
2 meaning given that term under section 5701 of title
3 5, United States Code; and

4 (2) the term “Washington, D.C., area” means
5 the geographic area within a 50 mile radius of the
6 Washington Monument.

7 **SEC. 6223. IMPROVING MENTAL HEALTH SERVICES FOR**
8 **FOREIGN AND CIVIL SERVANTS.**

9 (a) **ADDITIONAL PERSONNEL TO ADDRESS MENTAL**
10 **HEALTH.—**

11 (1) **IN GENERAL.—**The Secretary shall seek to
12 increase the number of personnel within the Bureau
13 of Medical Services to address mental health needs
14 for both foreign and civil servants.

15 (2) **EMPLOYMENT TARGETS.—**Not later than
16 180 days after the date of the enactment of this Act,
17 the Secretary shall seek to employ not fewer than 15
18 additional personnel in the Bureau of Medical Serv-
19 ices, compared to the number of personnel employed
20 as of the date of the enactment of this Act.

21 (b) **STUDY.—**The Secretary shall conduct a study on
22 the accessibility of mental health care providers and serv-
23 ices available to Department personnel, including an as-
24 sessment of—

1 (1) the accessibility of mental health care pro-
2 viders at diplomatic posts and in the United States;

3 (2) the accessibility of inpatient services for
4 mental health care for Department personnel;

5 (3) steps that may be taken to improve such ac-
6 cessibility;

7 (4) the impact of the COVID–19 pandemic on
8 the mental health of Department personnel, particu-
9 larly those who served abroad between March 1,
10 2020, and December 31, 2022, and Locally Em-
11 ployed Staff, where information is available;

12 (5) recommended steps to improve the manner
13 in which the Department advertises mental health
14 services to the workforce; and

15 (6) additional authorities and resources needed
16 to better meet the mental health needs of Depart-
17 ment personnel.

18 (c) REPORT.—Not later than 180 days after the date
19 of the enactment of this Act, the Secretary shall submit
20 to appropriate congressional committees a report con-
21 taining the findings of the study under subsection (b).

22 **SEC. 6224. EMERGENCY BACK-UP CARE.**

23 (a) IN GENERAL.—The Secretary and the Adminis-
24 trator for the United States Agency for International De-
25 velopment are authorized to provide for unanticipated

1 non-medical care, including childcare, eldercare, and es-
2 sential services directly related to caring for an acute in-
3 jury or illness, for USAID and Department employees and
4 their family members, including through the provision of
5 such non-medical services, referrals to care providers, and
6 reimbursement of reasonable expenses for such services.

7 (b) LIMITATION.—Services provided pursuant to this
8 section shall not exceed \$2,000,000 per fiscal year.

9 **SEC. 6225. AUTHORITY TO PROVIDE SERVICES TO NON-**
10 **CHIEF OF MISSION PERSONNEL.**

11 Section 904 of the Foreign Service Act of 1980 (22
12 U.S.C. 4084) is amended—

13 (1) in subsection (g), by striking “abroad for
14 employees and eligible family members” and insert-
15 ing “under this section”; and

16 (2) by adding at the end the following new sub-
17 section:

18 “(a) PHYSICAL AND MENTAL HEALTH CARE SERV-
19 ICES IN SPECIAL CIRCUMSTANCES.—

20 “(1) IN GENERAL.—The Secretary is authorized
21 to direct health care providers employed under sub-
22 section (e) of this section to furnish physical and
23 mental health care services to an individual other-
24 wise ineligible for services under this section if nec-
25 essary to preserve life or limb or if intended to facili-

1 tate an overseas evacuation, recovery, or return.
2 Such services may be provided incidental to the fol-
3 lowing activities:

4 “(A) Activities undertaken abroad pursu-
5 ant to section 3 and section 4 of the State De-
6 partment Basic Authorities Act of 1956 (22
7 U.S.C. 2670, 2671).

8 “(B) Recovery of hostages or of wrongfully
9 or unlawfully detained individuals abroad, in-
10 cluding pursuant to section 302 of the Robert
11 Levinson Hostage Recovery and Hostage-Tak-
12 ing Accountability Act (22 U.S.C. 1741).

13 “(C) Secretarial dispatches to international
14 disaster sites deployed pursuant to section 207
15 of the Aviation Security Improvement Act of
16 1990 (22 U.S.C. 5506).

17 “(D) Deployments undertaken pursuant to
18 section 606(a)(6)(A)(iii) of the Secure Embassy
19 Construction and Counterterrorism Act of 1999
20 (22 U.S.C. 4865(a)(6)(A)(iii)).

21 “(2) PRIORITIZATION OF OTHER FUNCTIONS.—

22 The Secretary shall prioritize the allocation of De-
23 partment resources to the health care program de-
24 scribed in subsections (a) through (g) above the
25 functions described in paragraph (1).

1 “(3) REGULATIONS.—The Secretary should
2 prescribe applicable regulations to implement this
3 section, taking into account the prioritization in
4 paragraph (2) and the activities described in para-
5 graph (1).

6 “(4) REIMBURSABLE BASIS.—Services rendered
7 under this subsection shall be provided on a reim-
8 bursable basis to the extent practicable.”.

9 **SEC. 6226. EXCEPTION FOR GOVERNMENT-FINANCED AIR**
10 **TRANSPORTATION.**

11 (a) REDUCING HARDSHIP FOR TRANSPORTATION OF
12 DOMESTIC ANIMALS.—

13 (1) IN GENERAL.—Notwithstanding subsections
14 (a) and (c) of section 40118 of title 49, United
15 States Code, the Department is authorized to pay
16 for the transportation by a foreign air carrier of De-
17 partment personnel and any in-cabin or accom-
18 panying checked baggage or cargo if—

19 (A) no air carrier holding a certificate
20 under section 41102 of such title is willing and
21 able to transport up to 3 domestic animals ac-
22 companied by such Federal personnel; and

23 (B) the transportation is from a place—

24 (i) outside the United States to a
25 place in the United States;

1 (ii) in the United States to a place
2 outside the United States; or

3 (iii) outside the United States to an-
4 other place outside the United States.

5 (2) LIMITATION.—An amount paid pursuant to
6 paragraph (1) for transportation by a foreign carrier
7 may not be greater than the amount that would oth-
8 erwise have been paid had the transportation been
9 on an air carrier holding a certificate under section
10 41102 had that carrier been willing and able to pro-
11 vide such transportation. If the amount that would
12 otherwise have been paid to such an air carrier is
13 less than the cost of transportation on the applicable
14 foreign carrier, the Department personnel may pay
15 the difference of such amount.

16 (3) DOMESTIC ANIMAL DEFINED.—In this sub-
17 section, the term “domestic animal” means a dog or
18 a cat.

19 **SEC. 6227. ENHANCED AUTHORITIES TO PROTECT LOCALLY**
20 **EMPLOYED STAFF DURING EMERGENCIES.**

21 (a) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) locally employed staff provide essential con-
24 tributions at United States diplomatic and consular
25 posts around the world, including by providing—

1 (A) security to United States government
2 personnel serving in the country;

3 (B) advice, expertise, and other services for
4 the promotion of political, economic, public af-
5 fairs, commercial, security, and other interests
6 of critical importance to the United States;

7 (C) a wide range of logistical and adminis-
8 trative support to every office in each mission
9 working to advance United States interests
10 around the world, including services and sup-
11 port vital to the upkeep and maintenance of
12 United States missions;

13 (D) consular services to support the wel-
14 fare and well-being of United States citizens
15 and to provide for the expeditious processing of
16 visa applications;

17 (E) institutional memory on a wide range
18 of embassy engagements on bilateral issues; and

19 (F) enduring connections to host country
20 contacts, both inside and outside the host gov-
21 ernment, including within media, civil society,
22 the business community, academia, the armed
23 forces, and elsewhere; and

24 (2) locally employed staff make important con-
25 tributions that should warrant the United States

1 Government to give due consideration for their secu-
2 rity and safety when diplomatic missions face emer-
3 gency situations.

4 (b) AUTHORIZATION TO PROVIDE EMERGENCY SUP-
5 PORT.—In emergency situations, in addition to other au-
6 thorities that may be available in emergencies or other exi-
7 gent circumstances, the Secretary is authorized to use
8 funds made available to the Department to provide sup-
9 port to ensure the safety and security of locally employed
10 staff and their immediate family members, including for—

11 (1) providing transport or relocating locally em-
12 ployed staff and their immediate family members to
13 a safe and secure environment;

14 (2) providing short-term housing or lodging for
15 up to six months for locally employed staff and their
16 immediate family members;

17 (3) procuring or providing other essential items
18 and services to support the safety and security of lo-
19 cally employed staff and their immediate family
20 members.

21 (c) TEMPORARY HOUSING.—To ensure the safety
22 and security of locally employed staff and their immediate
23 family members consistent with this section, Chiefs of Mis-
24 sions are authorized to allow locally employed staff and
25 their immediate family members to reside temporarily in

1 the residences of United States direct hire employees, ei-
2 ther in the host country or other countries, provided that
3 such stays are offered voluntarily by United States direct
4 hire employees.

5 (d) FOREIGN AFFAIRS MANUAL.—Not later than 180
6 days after the date of the enactment of this Act, the Sec-
7 retary shall amend the Foreign Affairs Manual to reflect
8 the authorizations and requirements of this section.

9 (e) EMERGENCY SITUATION DEFINED.—In this sec-
10 tion, the term “emergency situation” means armed con-
11 flict, civil unrest, natural disaster, or other types of insta-
12 bility that pose a threat to the safety and security of lo-
13 cally employed staff, particularly when and if a United
14 States diplomatic or consular post must suspend oper-
15 ations.

16 (f) REPORT.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary shall submit to the appropriate congressional
20 committees, the Committee on Appropriations of the
21 Senate, and the Committee on Appropriations of the
22 House of Representatives a report describing prior
23 actions the Department has taken with regard to lo-
24 cally employed staff and their immediate family
25 members following suspensions or closures of United

1 States diplomatic posts over the prior 10 years, in-
2 cluding Kyiv, Kabul, Minsk, Khartoum, and Juba.

3 (2) ELEMENTS.—The report required under
4 paragraph (1) shall—

5 (A) describe any actions the Department
6 took to assist locally employed staff and their
7 immediate family members;

8 (B) identify any obstacles that made pro-
9 viding support or assistance to locally employed
10 staff and their immediate family members dif-
11 ficult;

12 (C) examine lessons learned and propose
13 recommendations to better protect the safety
14 and security of locally employed staff and their
15 family members, including any additional au-
16 thorities that may be required; and

17 (D) provide an analysis of and offer rec-
18 ommendations on any other steps that could
19 improve efforts to protect the safety and secu-
20 rity of locally employed staff and their imme-
21 diate family members.

22 **SEC. 6228. INTERNET AT HARDSHIP POSTS.**

23 Section 3 of the State Department Basic Authorities
24 Act of 1956 (22 U.S.C. 2670) is amended—

1 (1) in subsection (l), by striking “; and” and in-
2 serting a semicolon;

3 (2) in subsection (m) by striking the period at
4 the end and by inserting “; and”; and

5 (3) by adding at the end the following new sub-
6 section:

7 “(n) pay expenses to provide internet services in resi-
8 dences owned or leased by the United States Government
9 in foreign countries for the use of Department personnel
10 where Department personnel receive a post hardship dif-
11 ferential equivalent to 30 percent or more above basic
12 compensation.”.

13 **SEC. 6229. COMPETITIVE LOCAL COMPENSATION PLAN.**

14 (a) ESTABLISHMENT AND IMPLEMENTATION OF
15 PREVAILING WAGE RATES GOAL.—Section 401(a) of the
16 Department of State Authorities Act, fiscal year 2017 (22
17 U.S.C. 3968a(a)) is amended in the matter preceding
18 paragraph (1), by striking “periodically” and inserting
19 “every 3 years”.

20 (b) REPORT.—Not later than one year after the date
21 of the enactment of this Act, the Secretary shall submit
22 to the appropriate congressional committees, the Com-
23 mittee on Appropriations of the Senate, and the Com-
24 mittee on Appropriations of the House of Representatives
25 a report that includes—

1 (1) compensation (including position classifica-
2 tion) plans for locally employed staff based upon
3 prevailing wage rates and compensation practices for
4 corresponding types of positions in the locality of
5 employment; and

6 (2) an assessment of the feasibility and impact
7 of changing the prevailing wage rate goal for posi-
8 tions in the local compensation plan from the 50th
9 percentile to the 75th percentile.

10 **SEC. 6230. SUPPORTING TANDEM COUPLES IN THE FOR-**
11 **EIGN SERVICE.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—

14 (1) challenges finding and maintaining spousal
15 employment and family dissatisfaction are one of the
16 leading reasons employees cite for leaving the De-
17 partment;

18 (2) tandem Foreign Service personnel represent
19 important members of the Foreign Service commu-
20 nity, who act as force multipliers for our diplomacy;

21 (3) the Department can and should do more to
22 keep tandem couples posted together and consider
23 family member employment needs when assigning
24 tandem officers; and

1 (4) common sense steps providing more flexi-
2 bility in the assignments process would improve out-
3 comes for tandem officers without disadvantaging
4 other Foreign Service officers.

5 (b) DEFINITIONS.—In this section:

6 (1) FAMILY TOGETHERNESS.—The term “fam-
7 ily togetherness” means facilitating the placement of
8 Foreign Service personnel at the same United States
9 diplomatic post when both spouses are members of
10 a tandem couple of Foreign Service personnel.

11 (2) TANDEM FOREIGN SERVICE PERSONNEL;
12 TANDEM.—The terms “tandem Foreign Service per-
13 sonnel” and “tandem” mean a member of a couple
14 of which one spouse is a career or career candidate
15 employee of the Foreign Service and the other
16 spouse is a career or career candidate employee of
17 the Foreign Service or an employee of one of the
18 agencies authorized to use the Foreign Service Per-
19 sonnel System under section 202 of the Foreign
20 Service Act of 1980 (22 U.S.C. 3922).

21 (c) FAMILY TOGETHERNESS IN ASSIGNMENTS.—Not
22 later than 90 days after the date of enactment of this Act,
23 the Department shall amend and update its policies to fur-
24 ther promote the principle of family togetherness in the
25 Foreign Service, which shall include the following:

1 (1) ENTRY-LEVEL FOREIGN SERVICE PER-
2 SONNEL.—The Secretary shall adopt policies and
3 procedures to facilitate the assignment of entry-level
4 tandem Foreign Service personnel on directed as-
5 signments to the same diplomatic post or country as
6 their tandem spouse if they request to be assigned
7 to the same post or country. The Secretary shall
8 also provide a written justification to the requesting
9 personnel explaining any denial of a request that
10 would result in a tandem couple not serving together
11 at the same post or country.

12 (2) TENURED FOREIGN SERVICE PERSONNEL.—
13 The Secretary shall add family togetherness to the
14 criteria when making a needs of the Service deter-
15 mination, as defined by the Foreign Affairs Manual,
16 for the placement of tenured tandem Foreign Service
17 personnel at United States diplomatic posts.

18 (3) UPDATES TO ANTINEPOTISM POLICY.—The
19 Secretary shall update antinepotism policies so that
20 nepotism rules only apply when an employee and a
21 relative are placed into positions wherein they jointly
22 and exclusively control government resources, prop-
23 erty, or money or establish government policy.

24 (4) TEMPORARY SUPERVISION OF TANDEM
25 SPOUSE.—The Secretary shall update policies to

1 allow for a tandem spouse to temporarily supervise
2 another tandem spouse for up to 90 days in a cal-
3 endar year, including at a United States diplomatic
4 mission.

5 (d) REPORT.—Not later than 90 days after the date
6 of enactment of this Act, and annually thereafter for two
7 years, the Secretary shall submit to the appropriate con-
8 gressional committees a report that includes—

9 (1) the number of Foreign Service tandem cou-
10 ples currently serving;

11 (2) the number of Foreign Service tandems cur-
12 rently serving in separate locations, or, to the extent
13 possible, are on leave without pay (LWOP); and

14 (3) an estimate of the cost savings that would
15 result if all Foreign Service tandem couples were
16 placed at a single post.

17 **SEC. 6231. ACCESSIBILITY AT DIPLOMATIC MISSIONS.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, the Department shall submit to the ap-
20 propriate congressional committees, the Committee on Ap-
21 propriations of the Senate, and the Committee on Appro-
22 priations of the House of Representatives a report that
23 includes—

24 (1) a list of the overseas United States diplo-
25 matic missions that, as of the date of the enactment

1 of this Act, are not readily accessible to and usable
2 by individuals with disabilities;

3 (2) any efforts in progress to make such mis-
4 sions readily accessible to and usable by individuals
5 with disabilities; and

6 (3) an estimate of the cost to make all such
7 missions readily accessible to and usable by individ-
8 uals with disabilities.

9 **SEC. 6232. REPORT ON BREASTFEEDING ACCOMMODA-**
10 **TIONS OVERSEAS.**

11 Not later than 180 days after the date of the enact-
12 ment of this Act, the Secretary shall submit to the appro-
13 priate congressional committees a report that includes—

14 (1) a detailed report on the Department's ef-
15 forts to equip 100 percent of United States embas-
16 sies and consulates with dedicated lactation spaces,
17 other than bathrooms, that are shielded from view
18 and free from intrusion from coworkers and the pub-
19 lic for use by employees, including the expected de-
20 mand for such space as well as the status of such
21 rooms when there is no demand for such space; and

22 (2) a description of costs and other resources
23 needed to provide such spaces.

1 **SEC. 6233. DETERMINING THE EFFECTIVENESS OF KNOWL-**
2 **EDGE TRANSFERS BETWEEN FOREIGN SERV-**
3 **ICE OFFICERS.**

4 The Secretary shall assess the effectiveness of knowl-
5 edge transfers between Foreign Service officers who are
6 departing from overseas positions and Foreign Service Of-
7 ficers who are arriving at such positions, and make rec-
8 ommendations for approving such knowledge transfers, as
9 appropriate, by—

10 (1) not later than 90 days after the date of the
11 enactment of this Act, conducting a written survey
12 of a representative sample of Foreign Service Offi-
13 cers working in overseas assignments that analyzes
14 the effectiveness of existing mechanisms to facilitate
15 transitions, including training, mentorship, informa-
16 tion technology, knowledge management, relation-
17 ship building, the role of locally employed staff, and
18 organizational culture; and

19 (2) not later than 120 days after the date of
20 the enactment of this Act, submitting to the Com-
21 mittee on Foreign Relations of the Senate and the
22 Committee on Foreign Affairs of the House of Rep-
23 resentatives a report that includes a summary and
24 analysis of results of the survey conducted pursuant
25 to paragraph (1) that—

1 (A) identifies best practices and areas for
2 improvement;

3 (B) describes the Department's method-
4 ology for determining which Foreign Service Of-
5 ficers should receive familiarization trips before
6 arriving at a new post;

7 (C) includes recommendations regarding
8 future actions the Department should take to
9 maximize effective knowledge transfer between
10 Foreign Service Officers;

11 (D) identifies any steps taken, or intended
12 to be taken, to implement such recommenda-
13 tions, including any additional resources or au-
14 thorities necessary to implement such rec-
15 ommendations; and

16 (E) provides recommendations to Congress
17 for legislative action to advance the priority de-
18 scribed in subparagraph (C).

19 **SEC. 6234. EDUCATION ALLOWANCE FOR DEPENDENTS OF**
20 **DEPARTMENT OF STATE EMPLOYEES LO-**
21 **CATED IN UNITED STATES TERRITORIES.**

22 (a) IN GENERAL.—An individual employed by the
23 Department at a location described in subsection (b) shall
24 be eligible for a cost-of-living allowance for the education
25 of the dependents of such employee in an amount that

1 does not exceed the educational allowance authorized by
2 the Secretary of Defense for such location.

3 (b) LOCATION DESCRIBED.—A location is described
4 in this subsection if—

5 (1) such location is in a territory of the United
6 States; and

7 (2) the Secretary of Defense has determined
8 that schools available in such location are unable to
9 adequately provide for the education of—

10 (A) dependents of members of the Armed
11 Forces; or

12 (B) dependents of employees of the De-
13 partment of Defense.

14 **TITLE LXIII—INFORMATION SE-**
15 **CURITY AND CYBER DIPLO-**
16 **MACY**

17 **SEC. 6301. DATA-INFORMED DIPLOMACY.**

18 (a) FINDINGS.—Congress makes the following find-
19 ings:

20 (1) In a rapidly evolving and digitally inter-
21 connected global landscape, access to and mainte-
22 nance of reliable, readily available data is key to in-
23 formed decisionmaking and diplomacy and therefore
24 should be considered a strategic asset.

1 (2) In order to achieve its mission in the 21st
2 century, the Department must adapt to these trends
3 by maintaining and providing timely access to high-
4 quality data at the time and place needed, while si-
5 multaneously cultivating a data-savvy workforce.

6 (3) Leveraging data science and data analytics
7 has the potential to improve the performance of the
8 Department's workforce by providing otherwise un-
9 known insights into program deficiencies, short-
10 comings, or other gaps in analysis.

11 (4) While innovative technologies such as artifi-
12 cial intelligence and machine learning have the po-
13 tential to empower the Department to analyze and
14 act upon data at scale, systematized, sustainable
15 data management and information synthesis remain
16 a core competency necessary for data-driven deci-
17 sionmaking.

18 (5) The goals set out by the Department's En-
19 terprise Data Council (EDC) as the areas of most
20 critical need for the Department, including Culti-
21 vating a Data Culture, Accelerating Decisions
22 through Analytics, Establishing Mission-Driven Data
23 Management, and Enhancing Enterprise Data Gov-
24 ernance, are laudable and will remain critical as the
25 Department develops into a data-driven agency.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) the Department should prioritize the re-
4 cruitment and retainment of top data science talent
5 in support of its data-informed diplomacy efforts as
6 well as its broader modernization agenda; and

7 (2) the Department should strengthen data flu-
8 ency among its workforce, promote data collabora-
9 tion across and within its bureaus, and enhance its
10 enterprise data oversight.

11 **SEC. 6302. ESTABLISHMENT AND EXPANSION OF THE BU-**
12 **REAU CHIEF DATA OFFICER PROGRAM.**

13 (a) BUREAU CHIEF DATA OFFICER PROGRAM.—

14 (1) ESTABLISHMENT.—The Secretary shall es-
15 tablish a program, which shall be known as the “Bu-
16 reau Chief Data Officer Program” (referred to in
17 this section as the “Program”), overseen by the De-
18 partment’s Chief Data Officer. The Bureau Chief
19 Data Officers hired under this program shall report
20 to their respective Bureau leadership.

21 (2) GOALS.—The goals of the Program shall in-
22 clude the following:

23 (A) Cultivating a data culture by pro-
24 moting data fluency and data collaboration
25 across the Department.

1 (B) Promoting increased data analytics use
2 in critical decisionmaking areas.

3 (C) Promoting data integration and stand-
4 ardization.

5 (D) Increasing efficiencies across the De-
6 partment by incentivizing acquisition of enter-
7 prise data solutions and subscription data serv-
8 ices to be shared across bureaus and offices and
9 within bureaus.

10 (b) IMPLEMENTATION PLAN.—Not later than 180
11 days after the date of the enactment of this Act, the Sec-
12 retary shall submit to the appropriate congressional com-
13 mittees, the Committee on Appropriations of the Senate,
14 and the Committee on Appropriations of the House of
15 Representatives an implementation plan that outlines
16 strategies for—

17 (1) advancing the goals described in subsection

18 (a)(2);

19 (2) hiring Bureau Chief Data Officers at the
20 GS–14 or GS–15 grade or a similar rank;

21 (3) assigning at least one Bureau Chief Data
22 Officer to—

23 (A) each regional bureau of the Depart-
24 ment;

1 (B) the Bureau of International Organiza-
2 tion Affairs;

3 (C) the Office of the Chief Economist;

4 (D) the Office of the Science and Tech-
5 nology Advisor;

6 (E) the Bureau of Cyber and Digital Pol-
7 icy;

8 (F) the Bureau of Diplomatic Security;

9 (G) the Bureau for Global Talent Manage-
10 ment; and

11 (H) the Bureau of Consular Affairs; and

12 (4) allocation of necessary resources to sustain
13 the Program.

14 (c) ASSIGNMENT.—In implementing the Bureau
15 Chief Data Officer Program, Bureaus may not dual-hat
16 currently employed personnel as Bureau Chief Data Offi-
17 cers.

18 (d) ANNUAL REPORTING REQUIREMENT.—Not later
19 than 180 days after the date of the enactment of this Act,
20 and annually thereafter for the following 3 years, the Sec-
21 retary shall submit a report to the appropriate congres-
22 sional committees regarding the status of the implementa-
23 tion plan required under subsection (b).

1 **SEC. 6303. ESTABLISHMENT OF THE CHIEF ARTIFICIAL IN-**
2 **TELLIGENCE OFFICER OF THE DEPARTMENT**
3 **OF STATE.**

4 Section 1 of the State Department Basic Authorities
5 Act of 1956 (22 U.S.C. 2651a) is amended by adding at
6 the end the following new subsection:

7 “(n) CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—

8 “(1) IN GENERAL.—There shall be within the
9 Department of State a Chief Artificial Intelligence
10 Officer, which may be dual-hatted as the Depart-
11 ment’s Chief Data Officer, who shall be a member
12 of the Senior Executive Service.

13 “(2) DUTIES DESCRIBED.—The principal duties
14 and responsibilities of the Chief Artificial Intel-
15 ligence Officer shall be—

16 “(A) to evaluate, oversee, and, if appro-
17 priate, facilitate the responsible adoption of ar-
18 tificial intelligence (AI) and machine learning
19 applications to help inform decisions by policy-
20 makers and to support programs and manage-
21 ment operations of the Department of State;
22 and

23 “(B) to act as the principal advisor to the
24 Secretary of State on the ethical use of AI and
25 advanced analytics in conducting data-informed
26 diplomacy.

1 “(3) QUALIFICATIONS.—The Chief Artificial In-
2 telligence Officer should be an individual with dem-
3 onstrated skill and competency in—

4 “(A) the use and application of data ana-
5 lytics, AI, and machine learning; and

6 “(B) transformational leadership and orga-
7 nizational change management, particularly
8 within large, complex organizations.

9 “(4) PARTNER WITH THE CHIEF INFORMATION
10 OFFICER ON SCALING ARTIFICIAL INTELLIGENCE
11 USE CASES.—To ensure alignment between the Chief
12 Artificial Intelligence Officer and the Chief Informa-
13 tion Officer, the Chief Information Officer will con-
14 sult with the Chief Artificial Intelligence Officer on
15 best practices for rolling out and scaling AI capabili-
16 ties across the Bureau of Information and Resource
17 Management’s broader portfolio of software applica-
18 tions.

19 “(5) ARTIFICIAL INTELLIGENCE DEFINED.—In
20 this subsection, the term ‘artificial intelligence’ has
21 the meaning given the term in section 238(g) of the
22 National Defense Authorization Act for Fiscal Year
23 2019 (Public Law 115–232; 10 U.S.C. 4001 note).”.

1 **SEC. 6304. STRENGTHENING THE CHIEF INFORMATION OF-**
2 **FICER OF THE DEPARTMENT OF STATE.**

3 (a) IN GENERAL.—The Chief Information Officer of
4 the Department shall be consulted on all decisions to ap-
5 prove or disapprove, significant new unclassified informa-
6 tion technology expenditures, including software, of the
7 Department, including expenditures related to information
8 technology acquired, managed, and maintained by other
9 bureaus and offices within the Department, in order to—

10 (1) encourage the use of enterprise software
11 and information technology solutions where such so-
12 lutions exist or can be developed in a timeframe and
13 manner consistent with maintaining and enhancing
14 the continuity and improvement of Department op-
15 erations;

16 (2) increase the bargaining power of the De-
17 partment in acquiring information technology solu-
18 tions across the Department;

19 (3) reduce the number of redundant Authorities
20 to Operate (ATO), which, instead of using one ATO-
21 approved platform across bureaus, requires multiple
22 ATOs for software use cases across different bu-
23 reaus;

24 (4) enhance the efficiency, reduce redundancy,
25 and increase interoperability of the use of informa-

1 tion technology across the enterprise of the Depart-
2 ment;

3 (5) enhance training and alignment of informa-
4 tion technology personnel with the skills required to
5 maintain systems across the Department;

6 (6) reduce costs related to the maintenance of,
7 or effectuate the retirement of, legacy systems;

8 (7) ensure the development and maintenance of
9 security protocols regarding the use of information
10 technology solutions and software across the Depart-
11 ment; and

12 (8) improve end-user training on the operation
13 of information technology solutions and to enhance
14 end-user cybersecurity practices.

15 (b) STRATEGY AND IMPLEMENTATION PLAN RE-
16 QUIRED.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the
19 Chief Information Officer of the Department shall
20 develop, in consultation with relevant bureaus and
21 offices as appropriate, a strategy and a 5-year im-
22 plementation plan to advance the objectives de-
23 scribed in subsection (a).

24 (2) CONSULTATION.—No later than one year
25 after the date of the enactment of this Act, the

1 Chief Information Officer shall submit the strategy
2 required by this subsection to the appropriate con-
3 gressional committees and shall consult with the ap-
4 propriate congressional committees, not less than on
5 an annual basis for 5 years, regarding the progress
6 related to the implementation plan required by this
7 subsection.

8 (c) IMPROVEMENT PLAN FOR THE BUREAU FOR IN-
9 FORMATION RESOURCES MANAGEMENT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the
12 Chief Information Officer shall develop policies and
13 protocols to improve the customer service orienta-
14 tion, quality and timely delivery of information tech-
15 nology solutions, and training and support for bu-
16 reau and office-level information technology officers.

17 (2) SURVEY.—Not later than one year after the
18 date of the enactment of this Act, and annually
19 thereafter for five years, the Chief Information Offi-
20 cer shall undertake a client satisfaction survey of bu-
21 reau information technology officers to obtain feed-
22 back on metrics related to—

23 (A) customer service orientation of the Bu-
24 reau of Information Resources Management;

1 (B) quality and timelines of capabilities de-
2 livered;

3 (C) maintenance and upkeep of informa-
4 tion technology solutions;

5 (D) training and support for senior bureau
6 and office-level information technology officers;
7 and

8 (E) other matters which the Chief Infor-
9 mation Officer, in consultation with client bu-
10 reaus and offices, determine appropriate.

11 (3) SUBMISSION OF FINDINGS.—Not later than
12 60 days after completing each survey required under
13 paragraph (2), the Chief Information Officer shall
14 submit a summary of the findings to the appropriate
15 congressional committees.

16 (d) SIGNIFICANT EXPENDITURE DEFINED.—For
17 purposes of this section, the term “significant expendi-
18 ture” means any cumulative expenditure in excess of
19 \$250,000 total in a single fiscal year for a new unclassified
20 software or information technology capability.

21 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion may be construed—

23 (1) to alter the authorities of the United States
24 Office of Management and Budget, Office of the Na-
25 tional Cyber Director, the Department of Homeland

1 Security, or the Cybersecurity and Infrastructure
2 Security Agency with respect to Federal information
3 systems; or

4 (2) to alter the responsibilities and authorities
5 of the Chief Information Officer of the Department
6 of State as described in titles 40 or 44, United
7 States Code, or any other law defining or assigning
8 responsibilities or authorities to Federal Chief Infor-
9 mation Officers.

10 **SEC. 6305. SENSE OF CONGRESS ON STRENGTHENING EN-**
11 **TERPRISE GOVERNANCE.**

12 It is the sense of Congress that in order to modernize
13 the Department, enterprise-wide governance regarding
14 budget and finance, information technology, and the cre-
15 ation, analysis, and use of data across the Department is
16 necessary to better align resources to strategy, including
17 evaluating trade-offs, and to enhance efficiency and secu-
18 rity in using data and technology as tools to inform and
19 evaluate the conduct of United States foreign policy.

20 **SEC. 6306. DIGITAL CONNECTIVITY AND CYBERSECURITY**
21 **PARTNERSHIP.**

22 (a) **DIGITAL CONNECTIVITY AND CYBERSECURITY**
23 **PARTNERSHIP.**—The Secretary is authorized to establish
24 a program, which may be known as the “Digital

1 Connectivity and Cybersecurity Partnership”, to help for-
2 eign countries—

3 (1) expand and increase secure internet access
4 and digital infrastructure in emerging markets, in-
5 cluding demand for and availability of high-quality
6 information and communications technology (ICT)
7 equipment, software, and services;

8 (2) protect technological assets, including data;

9 (3) adopt policies and regulatory positions that
10 foster and encourage open, interoperable, reliable,
11 and secure internet, the free flow of data, multi-
12 stakeholder models of internet governance, and pro-
13 competitive and secure ICT policies and regulations;

14 (4) access United States exports of ICT goods
15 and services;

16 (5) expand interoperability and promote the di-
17 versification of ICT goods and supply chain services
18 to be less reliant on PRC imports;

19 (6) promote best practices and common stand-
20 ards for a national approach to cybersecurity; and

21 (7) advance other priorities consistent with
22 paragraphs (1) through (6), as determined by the
23 Secretary.

24 (b) USE OF FUNDS.—Funds made available to carry
25 out this section may be used to strengthen civilian cyberse-

1 curity and information and communications technology ca-
2 pacity, including participation of foreign law enforcement
3 and military personnel in non-military activities, notwith-
4 standing any other provision of law, provided that such
5 support is essential to enabling civilian and law enforce-
6 ment of cybersecurity and information and communication
7 technology related activities in their respective countries.

8 (c) IMPLEMENTATION PLAN.—Not later than 180
9 days after the date of the enactment of this Act, the Sec-
10 retary shall submit to the appropriate congressional com-
11 mittees an implementation plan for the coming year to ad-
12 vance the goals identified in subsection (a).

13 (d) CONSULTATION.—In developing and
14 operationalizing the implementation plan required under
15 subsection (c), the Secretary shall consult with—

16 (1) the appropriate congressional committees,
17 the Committee on Appropriations of the Senate, and
18 the Committee on Appropriations of the House of
19 Representatives;

20 (2) United States industry leaders;

21 (3) other relevant technology experts, including
22 the Open Technology Fund;

23 (4) representatives from relevant United States
24 Government agencies; and

1 (5) representatives from like-minded allies and
2 partners.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated \$100,000,000 for each of
5 fiscal years 2024 through 2028 to carry out this section.
6 Such funds, including funds authorized to be appropriated
7 under the heading “Economic Support Fund”, may be
8 made available, notwithstanding any other provision of law
9 to strengthen civilian cybersecurity and information and
10 communications technology capacity, including for partici-
11 pation of foreign law enforcement and military personnel
12 in non-military activities, and for contributions. Such
13 funds shall remain available until expended.

14 **SEC. 6307. ESTABLISHMENT OF A CYBERSPACE, DIGITAL**
15 **CONNECTIVITY, AND RELATED TECH-**
16 **NOLOGIES (CDT) FUND.**

17 Part II of the Foreign Assistance Act of 1961 (22
18 U.S.C. 2301 et seq.) is amended by adding at the end
19 the following new chapter:

20 **“CHAPTER 10—CYBERSPACE, DIGITAL**
21 **CONNECTIVITY, AND RELATED TECH-**
22 **NOLOGIES (CDT) FUND**

23 **“SEC. 591. FINDINGS.**

24 “Congress makes the following findings:

1 “(1) Increasingly digitized and interconnected
2 social, political, and economic systems have intro-
3 duced new vulnerabilities for malicious actors to ex-
4 ploit, which threatens economic and national secu-
5 rity.

6 “(2) The rapid development, deployment, and
7 integration of information and communication tech-
8 nologies into all aspects of modern life bring mount-
9 ing risks of accidents and malicious activity involv-
10 ing such technologies, and their potential con-
11 sequences.

12 “(3) Because information and communication
13 technologies are globally manufactured, traded, and
14 networked, the economic and national security of the
15 United State depends greatly on cybersecurity prac-
16 tices of other actors, including other countries.

17 “(4) United States assistance to countries and
18 international organizations to bolster civilian capac-
19 ity to address national cybersecurity and deterrence
20 in cyberspace can help—

21 “(A) reduce vulnerability in the informa-
22 tion and communication technologies ecosystem;
23 and

24 “(B) advance national and economic secu-
25 rity objectives.

1 **“SEC. 592. AUTHORIZATION OF ASSISTANCE AND FUNDING**
2 **FOR CYBERSPACE, DIGITAL CONNECTIVITY,**
3 **AND RELATED TECHNOLOGIES (CDT) CAPAC-**
4 **ITY BUILDING ACTIVITIES.**

5 “(a) **AUTHORIZATION.**—The Secretary of State is au-
6 thorized to provide assistance to foreign governments and
7 organizations, including national, regional, and inter-
8 national institutions, on such terms and conditions as the
9 Secretary may determine, in order to—

10 “(1) advance a secure and stable cyberspace;

11 “(2) protect and expand trusted digital eco-
12 systems and connectivity;

13 “(3) build the cybersecurity capacity of partner
14 countries and organizations; and

15 “(4) ensure that the development of standards
16 and the deployment and use of technology supports
17 and reinforces human rights and democratic values,
18 including through the Digital Connectivity and Cy-
19 bersecurity Partnership.

20 “(b) **SCOPE OF USES.**—Assistance under this section
21 may include programs to—

22 “(1) advance the adoption and deployment of
23 secure and trustworthy information and communica-
24 tions technology (ICT) infrastructure and services,
25 including efforts to grow global markets for secure

1 ICT goods and services and promote a more diverse
2 and resilient ICT supply chain;

3 “(2) provide technical and capacity building as-
4 sistance to—

5 “(A) promote policy and regulatory frame-
6 works that create an enabling environment for
7 digital connectivity and a vibrant digital econ-
8 omy;

9 “(B) ensure technologies, including related
10 new and emerging technologies, are developed,
11 deployed, and used in ways that support and re-
12 inforce democratic values and human rights;

13 “(C) promote innovation and competition;
14 and

15 “(D) support digital governance with the
16 development of rights-respecting international
17 norms and standards;

18 “(3) help countries prepare for, defend against,
19 and respond to malicious cyber activities, including
20 through—

21 “(A) the adoption of cybersecurity best
22 practices;

23 “(B) the development of national strategies
24 to enhance cybersecurity;

1 “(C) the deployment of cybersecurity tools
2 and services to increase the security, strength,
3 and resilience of networks and infrastructure;

4 “(D) support for the development of cyber-
5 security watch, warning, response, and recovery
6 capabilities, including through the development
7 of cybersecurity incident response teams;

8 “(E) support for collaboration with the Cy-
9 bersecurity and Infrastructure Security Agency
10 (CISA) and other relevant Federal agencies to
11 enhance cybersecurity;

12 “(F) programs to strengthen allied and
13 partner governments’ capacity to detect, inves-
14 tigate, deter, and prosecute cybercrimes;

15 “(G) programs to provide information and
16 resources to diplomats engaging in discussions
17 and negotiations around international law and
18 capacity building measures related to cybersecu-
19 rity;

20 “(H) capacity building for cybersecurity
21 partners, including law enforcement and mili-
22 tary entities as described in subsection (f);

23 “(I) programs that enhance the ability of
24 relevant stakeholders to act collectively against
25 shared cybersecurity threats;

1 “(J) the advancement of programs in sup-
2 port of the Framework of Responsible State Be-
3 havior in Cyberspace; and

4 “(K) the fortification of deterrence instru-
5 ments in cyberspace; and

6 “(4) such other purpose and functions as the
7 Secretary of State may designate.

8 “(c) RESPONSIBILITY FOR POLICY DECISIONS AND
9 JUSTIFICATION.—The Secretary of State shall be respon-
10 sible for policy decisions regarding programs under this
11 chapter, with respect to—

12 “(1) whether there will be cybersecurity and
13 digital capacity building programs for a foreign
14 country or entity operating in that country;

15 “(2) the amount of funds for each foreign coun-
16 try or entity; and

17 “(3) the scope and nature of such uses of fund-
18 ing.

19 “(d) DETAILED JUSTIFICATION FOR USES AND PUR-
20 POSES OF FUNDS.—The Secretary of State shall provide,
21 on an annual basis, a detailed justification for the uses
22 and purposes of the amounts provided under this chapter,
23 including information concerning—

24 “(1) the amounts and kinds of grants;

1 “(2) the amounts and kinds of budgetary sup-
2 port provided, if any; and

3 “(3) the amounts and kinds of project assist-
4 ance provided for what purpose and with such
5 amounts.

6 “(e) ASSISTANCE AND FUNDING UNDER OTHER AU-
7 THORITIES.—The authority granted under this section to
8 provide assistance or funding for countries and organiza-
9 tions does not preclude the use of funds provided to carry
10 out other authorities also available for such purpose.

11 “(f) AVAILABILITY OF FUNDS.—Amounts appro-
12 priated to carry out this chapter may be used, notwith-
13 standing any other provision of law, to strengthen civilian
14 cybersecurity and information and communications tech-
15 nology capacity, including participation of foreign law en-
16 forcement and military personnel in non-military activi-
17 ties, provided that such support is essential to enabling
18 civilian and law enforcement of cybersecurity and informa-
19 tion and communication technology related activities in
20 their respective countries.

21 “(g) NOTIFICATION REQUIREMENTS.—Funds made
22 available under this section shall be obligated in accord-
23 ance with the procedures applicable to reprogramming no-
24 tifications pursuant to section 634A of this Act.

1 **“SEC. 593. REVIEW OF EMERGENCY ASSISTANCE CAPACITY.**

2 “(a) IN GENERAL.—The Secretary of State, in con-
3 sultation as appropriate with other relevant Federal de-
4 partments and agencies is authorized to conduct a review
5 that—

6 “(1) analyzes the United States Government’s
7 capacity to promptly and effectively deliver emer-
8 gency support to countries experiencing major cyber-
9 security and ICT incidents;

10 “(2) identifies relevant factors constraining the
11 support referred to in paragraph (1); and

12 “(3) develops a strategy to improve coordina-
13 tion among relevant Federal agencies and to resolve
14 such constraints.

15 “(b) REPORT.—Not later than one year after the
16 date of the enactment of this chapter, the Secretary of
17 State shall submit a report to the Committee on Foreign
18 Relations of the Senate and the Committee on Foreign
19 Affairs of the House of Representatives that contains the
20 results of the review conducted pursuant to subsection (a).

21 **“SEC. 594. AUTHORIZATION OF APPROPRIATIONS.**

22 “There is authorized to be appropriated
23 \$150,000,000 during the 5-year period beginning on Octo-
24 ber 1, 2023, to carry out the purposes of this chapter.”.

1 **SEC. 6308. CYBER PROTECTION SUPPORT FOR PERSONNEL**
2 **OF THE DEPARTMENT OF STATE IN POSI-**
3 **TIONS HIGHLY VULNERABLE TO CYBER AT-**
4 **TACK.**

5 (a) DEFINITIONS.—In this section:

6 (1) AT-RISK PERSONNEL.—The term “at-risk
7 personnel” means personnel of the Department—

8 (A) whom the Secretary determines to be
9 highly vulnerable to cyber attacks and hostile
10 information collection activities because of their
11 positions in the Department; and

12 (B) whose personal technology devices or
13 personal accounts are highly vulnerable to cyber
14 attacks and hostile information collection activi-
15 ties.

16 (2) PERSONAL ACCOUNTS.—The term “personal
17 accounts” means accounts for online and tele-
18 communications services, including telephone, resi-
19 dential internet access, email, text and multimedia
20 messaging, cloud computing, social media, health
21 care, and financial services, used by personnel of the
22 Department outside of the scope of their employ-
23 ment with the Department.

24 (3) PERSONAL TECHNOLOGY DEVICES.—The
25 term “personal technology devices” means tech-
26 nology devices used by personnel of the Department

1 outside of the scope of their employment with the
2 Department, including networks to which such de-
3 vices connect.

4 (b) REQUIREMENT TO PROVIDE CYBER PROTECTION
5 SUPPORT.—The Secretary, in consultation with the Sec-
6 retary of Homeland Security and the Director of National
7 Intelligence, as appropriate—

8 (1) shall offer cyber protection support for the
9 personal technology devices and personal accounts of
10 at-risk personnel; and

11 (2) may provide the support described in para-
12 graph (1) to any Department personnel who request
13 such support.

14 (c) NATURE OF CYBER PROTECTION SUPPORT.—
15 Subject to the availability of resources, the cyber protec-
16 tion support provided to personnel pursuant to subsection
17 (b) may include training, advice, assistance, and other
18 services relating to protection against cyber attacks and
19 hostile information collection activities.

20 (d) PRIVACY PROTECTIONS FOR PERSONAL DE-
21 VICES.—The Department is prohibited pursuant to this
22 section from accessing or retrieving any information from
23 any personal technology device or personal account of De-
24 partment employees unless—

1 (1) access or information retrieval is necessary
2 for carrying out the cyber protection support speci-
3 fied in this section; and

4 (2) the Department has received explicit con-
5 sent from the employee to access a personal tech-
6 nology device or personal account prior to each time
7 such device or account is accessed.

8 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion may be construed—

10 (1) to encourage Department personnel to use
11 personal technology devices for official business; or

12 (2) to authorize cyber protection support for
13 senior Department personnel using personal devices,
14 networks, and personal accounts in an official capac-
15 ity.

16 (f) REPORT.—Not later than 180 days after the date
17 of the enactment of this Act, the Secretary shall submit
18 a report to the appropriate congressional committees re-
19 garding the provision of cyber protection support pursuant
20 to subsection (b), which shall include—

21 (1) a description of the methodology used to
22 make the determination under subsection (a)(1); and

23 (2) guidance for the use of cyber protection
24 support and tracking of support requests for per-

1 sonnel receiving cyber protection support pursuant
2 to subsection (b).

3 **TITLE LXIV—ORGANIZATION** 4 **AND OPERATIONS**

5 **SEC. 6401. PERSONAL SERVICES CONTRACTORS.**

6 (a) EXIGENT CIRCUMSTANCES AND CRISIS RE-
7 SPONSE.—To assist the Department in addressing and re-
8 sponding to exigent circumstances and urgent crises
9 abroad, the Department is authorized to employ, domesti-
10 cally and abroad, a limited number of personal services
11 contractors in order to meet exigent needs, subject to the
12 requirements of this section.

13 (b) AUTHORITY.—The authority to employ personal
14 services contractors is in addition to any existing authori-
15 ties to enter into personal services contracts and authority
16 provided in the Afghanistan Supplemental Appropriations
17 Act, 2022 (division C of Public Law 117–43).

18 (c) EMPLOYING AND ALLOCATION OF PERSONNEL.—
19 To meet the needs described in subsection (a) and subject
20 to the requirements in subsection (d), the Department
21 may—

22 (1) enter into contracts to employ a total of up
23 to 100 personal services contractors at any given
24 time for each of fiscal years 2024, 2025, and 2026;
25 and

1 (2) allocate up to 20 personal services contrac-
2 tors to a given bureau, without regard to the sources
3 of funding such office relies on to compensate indi-
4 viduals.

5 (d) LIMITATION.—Employment authorized by this
6 section shall not exceed two calendar years.

7 (e) NOTIFICATION AND REPORTING TO CONGRESS.—

8 (1) NOTIFICATION.—Not later than 15 days
9 after the use of authority under this section, the
10 Secretary shall notify the appropriate congressional
11 committees, the Committee on Appropriations of the
12 Senate, and the Committee on Appropriations of the
13 House of Representatives of the number of personal
14 services contractors being employed, the expected
15 length of employment, the relevant bureau, the pur-
16 pose for using personal services contractors, and the
17 justification, including the exigent circumstances re-
18 quiring such use.

19 (2) ANNUAL REPORTING.—Not later than 60
20 days after the end of each fiscal year, the Depart-
21 ment shall submit to the appropriate congressional
22 committees, the Committee on Appropriations of the
23 Senate, and the Committee on Appropriations of the
24 House of Representatives a report describing the
25 number of personal services contractors employed

1 pursuant to this section for the prior fiscal year, the
2 length of employment, the relevant bureau by which
3 they were employed pursuant to this section, the
4 purpose for using personal services contractors,
5 disaggregated demographic data of such contractors,
6 and the justification for the employment, including
7 the exigent circumstances.

8 **SEC. 6402. HARD-TO-FILL POSTS.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) the number of hard-to-fill vacancies at
12 United States diplomatic missions is far too high,
13 particularly in Sub-Saharan Africa;

14 (2) these vacancies—

15 (A) adversely impact the Department’s
16 execution of regional strategies;

17 (B) hinder the ability of the United States
18 to effectively compete with strategic competi-
19 tors, such as the People’s Republic of China
20 and the Russian Federation; and

21 (C) present a clear national security risk to
22 the United States; and

23 (3) if the Department is unable to incentivize
24 officers to accept hard-to-fill positions, the Depart-
25 ment should consider directed assignments, particu-

1 larly for posts in Africa, and other means to more
2 effectively advance the national interests of the
3 United States.

4 (b) REPORT ON DEVELOPMENT OF INCENTIVES FOR
5 HARD-TO-FILL POSTS.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary shall sub-
7 mit a report to the appropriate congressional committees
8 on efforts to develop new incentives for hard-to-fill posi-
9 tions at United States diplomatic missions. The report
10 shall include a description of the incentives developed to
11 date and proposals to try to more effectively fill hard-to-
12 fill posts.

13 (c) STUDY ON FEASIBILITY OF ALLOWING NON-CON-
14 SULAR FOREIGN SERVICE OFFICERS GIVEN DIRECTED
15 CONSULAR POSTS TO VOLUNTEER FOR HARD-TO-FILL
16 POSTS IN UNDERSTAFFED REGIONS.—

17 (1) STUDY.—

18 (A) IN GENERAL.—Not later than 180
19 days after the date of the enactment of this
20 Act, the Secretary shall conduct a study on—

21 (i) the number of Foreign Service po-
22 sitions vacant for six months or longer at
23 overseas posts, including for consular, po-
24 litical, and economic positions, over the
25 last five years, broken down by region, and

1 a comparison of the proportion of vacan-
2 cies between regions; and

3 (ii) the feasibility of allowing first-
4 tour Foreign Service generalists in non-
5 Consular cones, directed for a consular
6 tour, to volunteer for reassignment at
7 hard-to-fill posts in understaffed regions.

8 (B) MATTERS TO BE CONSIDERED.—The
9 study conducted under subparagraph (A) shall
10 consider whether allowing first-tour Foreign
11 Service generalists to volunteer as described in
12 such subparagraph would address current va-
13 cancies and what impact the new mechanism
14 would have on consular operations.

15 (2) REPORT.—Not later than 60 days after
16 completing the study required under paragraph (1),
17 the Secretary shall submit to the appropriate con-
18 gressional committees a report containing the find-
19 ings of the study.

20 **SEC. 6403. ENHANCED OVERSIGHT OF THE OFFICE OF**
21 **CIVIL RIGHTS.**

22 (a) REPORT WITH RECOMMENDATIONS AND MAN-
23 AGEMENT STRUCTURE.—Not later than 270 days after
24 the date of the enactment of this Act, the Secretary shall
25 submit to the appropriate congressional committees a re-

1 port with any recommendations for the long-term struc-
2 ture and management of the Office of Civil Rights (OCR),
3 including—

4 (1) an assessment of the strengths and weak-
5 nesses of OCR’s investigative processes and proce-
6 dures;

7 (2) any changes made within OCR to its inves-
8 tigative processes to improve the integrity and thor-
9 oughness of its investigations; and

10 (3) any recommendations to improve the man-
11 agement structure, investigative process, and over-
12 sight of the Office.

13 **SEC. 6404. CRISIS RESPONSE OPERATIONS.**

14 (a) IN GENERAL.—Not later than 120 days after the
15 date of the enactment of this Act, the Secretary shall insti-
16 tute the following changes and ensure that the following
17 elements have been integrated into the ongoing crisis re-
18 sponse management and response by the Crisis Manage-
19 ment and Strategy Office:

20 (1) The Department’s crisis response planning
21 and operations shall conduct, maintain, and update
22 on a regular basis contingency plans for posts and
23 regions experiencing or vulnerable to conflict or
24 emergency conditions, including armed conflict, na-

1 tional disasters, significant political or military up-
2 heaval, and emergency evacuations.

3 (2) The Department's crisis response efforts
4 shall be led by an individual with significant experi-
5 ence responding to prior crises, who shall be so des-
6 ignated by the Secretary.

7 (3) The Department's crisis response efforts
8 shall provide at least quarterly updates to the Sec-
9 retary and other relevant senior officials, including a
10 plan and schedule to develop contingency planning
11 for identified posts and regions consistent with para-
12 graph (1).

13 (4) The decision to develop contingency plan-
14 ning for any particular post or region shall be made
15 independent of any regional bureau.

16 (5) The crisis response team shall develop and
17 maintain best practices for evacuations, closures,
18 and emergency conditions.

19 (b) UPDATE.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, and
22 every 180 days thereafter for the next five years, the
23 Secretary shall submit to the appropriate congress-
24 sional committees, the Committee on Appropriations
25 of the Senate, and the Committee on Appropriations

1 of the House of Representatives an update outlining
2 the steps taken to implement this section, along with
3 any other recommendations to improve the Depart-
4 ment's crisis management and response operations.

5 (2) CONTENTS.—Each update submitted pursu-
6 ant to paragraph (1) should include—

7 (A) a list of the posts whose contingency
8 plans, including any noncombatant evacuation
9 contingencies, has been reviewed and updated
10 as appropriate during the preceding 180 days;
11 and

12 (B) an assessment of the Secretary's con-
13 fidence that each post—

14 (i) has continuously reached out to
15 United States persons in country to main-
16 tain and update contact information for as
17 many such persons as practicable; and

18 (ii) is prepared to communicate with
19 such persons in an emergency or crisis sit-
20 uation.

21 (3) FORM.—Each update submitted pursuant
22 to paragraph (1) shall be submitted in unclassified
23 form, but may include a classified annex.

1 **SEC. 6405. SPECIAL ENVOY TO THE PACIFIC ISLANDS**
 2 **FORUM.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
 4 gress that—

5 (1) the United States must increase its diplo-
 6 matic activity and presence in the Pacific, particu-
 7 larly among Pacific Island nations; and

8 (2) the Special Envoy to the Pacific Islands
 9 Forum—

10 (A) should advance the United States part-
 11 nership with Pacific Island Forum nations and
 12 with the organization itself on key issues of im-
 13 portance to the Pacific region; and

14 (B) should coordinate policies across the
 15 Pacific region with like-minded democracies.

16 (b) APPOINTMENT OF SPECIAL ENVOY TO THE PA-
 17 CIFIC ISLANDS FORUM.—Section 1 of the State Depart-
 18 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a),
 19 as amended by section 6304, is further amended by adding
 20 at the end the following new subsection:

21 “(o) SPECIAL ENVOY TO THE PACIFIC ISLANDS
 22 FORUM.—

23 “(1) APPOINTMENT.—The President shall ap-
 24 point, by and with the advice and consent of the
 25 Senate, a qualified individual to serve as Special

1 Envoy to the Pacific Islands Forum (referred to in
2 this section as the ‘Special Envoy’).

3 “(2) CONSIDERATIONS.—

4 “(A) SELECTION.—The Special Envoy
5 shall be—

6 “(i) a United States Ambassador to a
7 country that is a member of the Pacific Is-
8 lands Forum; or

9 “(ii) a qualified individual who is not
10 described in clause (i).

11 “(B) LIMITATIONS.—If the President ap-
12 points an Ambassador to a country that is a
13 member of the Pacific Islands Forum to serve
14 concurrently as the Special Envoy to the Pacific
15 Islands Forum, such Ambassador—

16 “(i) may not begin service as the Spe-
17 cial Envoy until he or she has been con-
18 firmed by the Senate for an ambassador-
19 ship to a country that is a member of the
20 Pacific Islands Forum; and

21 “(ii) shall not receive additional com-
22 pensation for his or her service as Special
23 Envoy.

24 “(3) DUTIES.—The Special Envoy shall—

1 “(A) represent the United States in its role
2 as dialogue partner to the Pacific Islands
3 Forum; and

4 “(B) carry out such other duties as the
5 President or the Secretary of State may pre-
6 scribe.”.

7 (c) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, the Secretary shall submit
9 a report to the appropriate congressional committees that
10 describes how the Department will increase its ability to
11 recruit and retain highly-qualified ambassadors, special
12 envoys, and other senior personnel in posts in Pacific is-
13 land countries as the Department expands its diplomatic
14 footprint throughout the region.

15 **SEC. 6406. SPECIAL ENVOY FOR BELARUS.**

16 (a) SPECIAL ENVOY.—The President shall appoint a
17 Special Envoy for Belarus within the Department (re-
18 ferred to in this section as the “Special Envoy”). The Spe-
19 cial Envoy should be a person of recognized distinction
20 in the field of European security, geopolitics, democracy
21 and human rights, and may be a career Foreign Service
22 officer.

23 (b) CENTRAL OBJECTIVE.—The central objective of
24 the Special Envoy is to coordinate and promote efforts—

1 (1) to improve respect for the fundamental
2 human rights of the people of Belarus;

3 (2) to sustain focus on the national security im-
4 plications of Belarus's political and military align-
5 ment for the United States; and

6 (3) to respond to the political, economic, and
7 security impacts of events in Belarus upon neigh-
8 boring countries and the wider region.

9 (c) DUTIES AND RESPONSIBILITIES.—The Special
10 Envoy shall—

11 (1) engage in discussions with Belarusian offi-
12 cials regarding human rights, political, economic and
13 security issues in Belarus;

14 (2) support international efforts to promote
15 human rights and political freedoms in Belarus, in-
16 cluding coordination and dialogue between the
17 United States and the United Nations, the Organi-
18 zation for Security and Cooperation in Europe, the
19 European Union, Belarus, and the other countries in
20 Eastern Europe;

21 (3) consult with nongovernmental organizations
22 that have attempted to address human rights and
23 political and economic instability in Belarus;

24 (4) make recommendations regarding the fund-
25 ing of activities promoting human rights, democracy,

1 the rule of law, and the development of a market
2 economy in Belarus;

3 (5) review strategies for improving protection of
4 human rights in Belarus, including technical train-
5 ing and exchange programs;

6 (6) develop an action plan for holding to ac-
7 count the perpetrators of the human rights viola-
8 tions documented in the United Nations High Com-
9 missioner for Human Rights report on the situation
10 of human rights in Belarus in the run-up to the
11 2020 presidential election and its aftermath (Human
12 Rights Council Resolution 49/36);

13 (7) engage with member countries of the North
14 Atlantic Treaty Organization, the Organization for
15 Security and Cooperation in Europe and the Euro-
16 pean Union with respect to the implications of
17 Belarus's political and security alignment for trans-
18 atlantic security; and

19 (8) work within the Department and among
20 partnering countries to sustain focus on the political
21 situation in Belarus.

22 (d) ROLE.—The position of Special Envoy—

23 (1) shall be a full-time position;

24 (2) may not be combined with any other posi-
25 tion within the Department;

1 United States diplomatic missions. The report shall in-
2 clude the title and responsibilities of each position, the ex-
3 pected duration of the position, the name of the individual
4 currently appointed to the position, and the hiring author-
5 ity utilized to fill the position.

6 **SEC. 6408. RESOURCES FOR UNITED STATES NATIONALS**
7 **UNLAWFULLY OR WRONGFULLY DETAINED**
8 **ABROAD.**

9 Section 302(d) of the Robert Levinson Hostage Re-
10 covery and Hostage-Taking Accountability Act (22 U.S.C.
11 1741(d)) is amended—

12 (1) in the subsection heading, by striking “RE-
13 SOURCE GUIDANCE” and inserting “RESOURCES
14 FOR UNITED STATES NATIONALS UNLAWFULLY OR
15 WRONGFULLY DETAINED ABROAD”;

16 (2) in paragraph (1), by striking the paragraph
17 heading and all that follows through “Not later
18 than” and inserting the following:

19 “(1) RESOURCE GUIDANCE.—

20 “(A) IN GENERAL.—Not later than”;

21 (3) in paragraph (2), by redesignating subpara-
22 graphs (A), (B), (C), (D), and (E) and clauses (i),
23 (ii), (iii), (iv), and (v), respectively, and moving such
24 clauses (as so redesignated) 2 ems to the right;

1 (4) by redesignating paragraph (2) as subpara-
2 graph (B) and moving such subparagraph (as so re-
3 designated) 2 ems to the right;

4 (5) in subparagraph (B), as redesignated by
5 paragraph (4), by striking “paragraph (1)” and in-
6 serting “subparagraph (A)”; and

7 (6) by adding at the end the following:

8 “(2) TRAVEL ASSISTANCE.—

9 “(A) FAMILY ADVOCACY.—For the purpose
10 of facilitating meetings between the United
11 States Government and the family members of
12 United States nationals unlawfully or wrong-
13 fully detained abroad, the Secretary shall pro-
14 vide financial assistance to cover the costs of
15 travel to Washington, D.C., including travel by
16 air, train, bus, or other transit as appropriate,
17 to any individual who—

18 “(i) is—

19 “(I) a family member of a United
20 States national unlawfully or wrong-
21 fully detained abroad as determined
22 by the Secretary under subsection (a);
23 or

24 “(II) an appropriate individual
25 who—

1 “(aa) is approved by the
2 Special Presidential Envoy for
3 Hostage Affairs; and

4 “(bb) does not represent in
5 any legal capacity a United
6 States national unlawfully or
7 wrongfully detained abroad or
8 the family of such United States
9 national;

10 “(ii) has a permanent address that is
11 more than 50 miles from Washington,
12 D.C.; and

13 “(iii) requests such assistance.

14 “(B) TRAVEL AND LODGING.—

15 “(i) IN GENERAL.—For each such
16 United States national unlawfully or
17 wrongfully detained abroad, the financial
18 assistance described in subparagraph (A)
19 shall be provided for not more than 2 trips
20 per fiscal year, unless the Special Presi-
21 dential Envoy for Hostage Affairs deter-
22 mines that a third trip is warranted.

23 “(ii) LIMITATIONS.—Any trip de-
24 scribed in clause (i) shall—

1 “(I) consist of not more than 2
2 family members or other individuals
3 approved in accordance with subpara-
4 graph (A)(i)(II), unless the Special
5 Presidential Envoy for Hostage Af-
6 fairs determines that circumstances
7 warrant an additional family member
8 or other individual approved in ac-
9 cordance with subparagraph (A)(i)(II)
10 and approves assistance to such third
11 family member or other individual;
12 and

13 “(II) not exceed more than 2
14 nights lodging, which shall not exceed
15 the applicable government rate.

16 “(C) RETURN TRAVEL.—If other United
17 States Government assistance is unavailable,
18 the Secretary may provide to a United States
19 national unlawfully or wrongfully detained
20 abroad as determined by the Secretary under
21 subsection (a), compensation and assistance, as
22 necessary, for return travel to the United
23 States upon release of such United States na-
24 tional.

1 “(3) SUPPORT.—The Secretary shall seek to
2 make available operational psychologists and clinical
3 social workers, to support the mental health and
4 well-being of—

5 “(A) any United States national unlawfully
6 or wrongfully detained abroad; and

7 “(B) any family member of such United
8 States national, with regard to the psycho-
9 logical, social, and mental health effects of such
10 unlawful or wrongful detention.

11 “(4) NOTIFICATION REQUIREMENT.—The Sec-
12 retary shall notify the Committee on Foreign Rela-
13 tions of the Senate, the Committee on Foreign Af-
14 fairs of the House of Representatives, and the Com-
15 mittees on Appropriations of the Senate and the
16 House of Representatives of any amount spent above
17 \$250,000 for any fiscal year to carry out paragraphs
18 (2) and (3).

19 “(5) REPORT.—Not later than 90 days after
20 the end of each fiscal year, the Secretary shall sub-
21 mit to the Committees on Foreign Relations and Ap-
22 propriations of the Senate and the Committee on
23 Foreign Affairs and Appropriations of the House of
24 Representatives a report that includes—

1 “(A) a detailed description of expenditures
2 made pursuant to paragraphs (2) and (3);

3 “(B) a detailed description of support pro-
4 vided pursuant to paragraph (3) and the indi-
5 viduals providing such support; and

6 “(C) the number and location of visits out-
7 side of Washington, D.C., during the prior fis-
8 cal year made by the Special Presidential Envoy
9 for Hostage Affairs to family members of each
10 United States national unlawfully or wrongfully
11 detained abroad.

12 “(6) SUNSET.—The authority and requirements
13 under paragraphs (2), (3), (4), and (5) shall termi-
14 nate on December 31, 2027.

15 “(7) FAMILY MEMBER DEFINED.—In this sub-
16 section, the term ‘family member’ means a spouse,
17 father, mother, child, brother, sister, grandparent,
18 grandchild, aunt, uncle, nephew, niece, cousin, fa-
19 ther-in-law, mother-in-law, son-in-law, daughter-in-
20 law, brother-in-law, sister-in-law, stepfather, step-
21 mother, stepson, stepdaughter, stepbrother, step-
22 sister, half brother, or half sister.”.

1 **TITLE LXV—ECONOMIC**
2 **DIPLOMACY**

3 **SEC. 6501. REPORT ON RECRUITMENT, RETENTION, AND**
4 **PROMOTION OF FOREIGN SERVICE ECO-**
5 **NOMIC OFFICERS.**

6 (a) **IN GENERAL.**—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary shall sub-
8 mit a report to the appropriate congressional committees
9 regarding the recruitment, retention, and promotion of
10 economic officers in the Foreign Service.

11 (b) **ELEMENTS.**—The report required under sub-
12 section (b) shall include—

13 (1) an overview of the key challenges the De-
14 partment faces in—

15 (A) recruiting individuals to serve as eco-
16 nomic officers in the Foreign Service; and

17 (B) retaining individuals serving as eco-
18 nomic officers in the Foreign Service, particu-
19 larly at the level of GS-14 of the General
20 Schedule and higher;

21 (2) an overview of the key challenges in recruit-
22 ing and retaining qualified individuals to serve in
23 economic positions in the Civil Service;

1 (3) a comparison of promotion rates for eco-
2 nomic officers in the Foreign Service relative to
3 other officers in the Foreign Service;

4 (4) a summary of the educational history and
5 training of current economic officers in the Foreign
6 Service and Civil Service officers serving in economic
7 positions;

8 (5) the identification, disaggregated by region,
9 of hard-to-fill posts and proposed incentives to im-
10 prove staffing of economic officers in the Foreign
11 Service at such posts;

12 (6) a summary and analysis of the factors that
13 lead to the promotion of—

14 (A) economic officers in the Foreign Serv-
15 ice; and

16 (B) individuals serving in economic posi-
17 tions in the Civil Service; and

18 (7) a summary and analysis of current Depart-
19 ment-funded or run training opportunities and exter-
20 nally-funded programs, including the Secretary's
21 Leadership Seminar at Harvard Business School,
22 for—

23 (A) economic officers in the Foreign Serv-
24 ice; and

1 (B) individuals serving in economic posi-
2 tions in the Civil Service.

3 **SEC. 6502. MANDATE TO REVISE DEPARTMENT OF STATE**
4 **METRICS FOR SUCCESSFUL ECONOMIC AND**
5 **COMMERCIAL DIPLOMACY.**

6 (a) MANDATE TO REVISE DEPARTMENT OF STATE
7 PERFORMANCE MEASURES FOR ECONOMIC AND COMMER-
8 CIAL DIPLOMACY.—The Secretary shall, as part of the De-
9 partment’s next regularly scheduled review on metrics and
10 performance measures, include revisions of Department
11 performance measures for economic and commercial diplo-
12 macy, by identifying outcome-oriented, and not process-
13 oriented, performance metrics, including metrics that—

14 (1) measure how Department efforts advanced
15 specific economic and commercial objectives and led
16 to successes for the United States or other private
17 sector actors overseas; and

18 (2) focus on customer satisfaction with Depart-
19 ment services and assistance.

20 (b) PLAN FOR ENSURING COMPLETE DATA FOR
21 PERFORMANCE MEASURES.—As part of the review re-
22 quired under subsection (a), the Secretary shall include
23 a plan for ensuring that—

24 (1) the Department, both at its main head-
25 quarters and at domestic and overseas posts, main-

1 tains and fully updates data on performance meas-
2 ures; and

3 (2) Department leadership and the appropriate
4 congressional committees can evaluate the extent to
5 which the Department is advancing United States
6 economic and commercial interests abroad through
7 meeting performance targets.

8 (c) REPORT ON PRIVATE SECTOR SURVEYS.—The
9 Secretary shall prepare a report that lists and describes
10 all the methods through which the Department conducts
11 surveys of the private sector to measure private sector sat-
12 isfaction with assistance and services provided by the De-
13 partment to advance private sector economic and commer-
14 cial goals in foreign markets.

15 (d) REPORT.—Not later than 90 days after con-
16 ducting the review pursuant to subsection (a), the Sec-
17 retary shall submit to the appropriate congressional com-
18 mittees—

19 (1) the revised performance metrics required
20 under subsection (a); and

21 (2) the report required under subsection (c).

1 **SEC. 6503. CHIEF OF MISSION ECONOMIC RESPONSIBIL-**
2 **ITIES.**

3 Section 207 of the Foreign Service Act of 1980 (22
4 U.S.C. 3927) is amended by adding at the end the fol-
5 lowing:

6 “(e) EMBASSY ECONOMIC TEAM.—

7 “(1) COORDINATION AND SUPERVISION.—Each
8 chief of mission shall coordinate and supervise the
9 implementation of all United States economic policy
10 interests within the host country in which the diplo-
11 matic mission is located, among all United States
12 Government departments and agencies present in
13 such country.

14 “(2) ACCOUNTABILITY.—The chief of mission is
15 responsible for the performance of the diplomatic
16 mission in advancing United States economic policy
17 interests within the host country.

18 “(3) MISSION ECONOMIC TEAM.—The chief of
19 mission shall designate appropriate embassy staff to
20 form a mission economic team that—

21 “(A) monitors notable economic, commer-
22 cial, and investment-related developments in the
23 host country; and

24 “(B) develops plans and strategies for ad-
25 vancing United States economic and commercial
26 interests in the host country, including—

1 “(i) tracking legislative, regulatory,
2 judicial, and policy developments that
3 could affect United States economic, com-
4 mercial, and investment interests;

5 “(ii) advocating for best practices with
6 respect to policy and regulatory develop-
7 ments;

8 “(iii) conducting regular analyses of
9 market systems, trends, prospects, and op-
10 portunities for value-addition, including
11 risk assessments and constraints analyses
12 of key sectors and of United States stra-
13 tegic competitiveness, and other reporting
14 on commercial opportunities and invest-
15 ment climate; and

16 “(iv) providing recommendations for
17 responding to developments that may ad-
18 versely affect United States economic and
19 commercial interests.”.

20 **SEC. 6504. DIRECTION TO EMBASSY DEAL TEAMS.**

21 (a) **PURPOSES.**—The purposes of deal teams at
22 United States embassies and consulates are—

23 (1) to promote a private sector-led approach—

1 (A) to advance economic growth and job
2 creation that is tailored, as appropriate, to spe-
3 cific economic sectors; and

4 (B) to advance strategic partnerships;
5 (2) to prioritize efforts—

6 (A) to identify commercial and investment
7 opportunities;

8 (B) to advocate for improvements in the
9 business and investment climate;

10 (C) to engage and consult with private sec-
11 tor partners; and

12 (D) to report on the activities described in
13 subparagraphs (A) through (C), in accordance
14 with the applicable requirements under sections
15 706 and 707 of the Championing American
16 Business Through Diplomacy Act of 2019 (22
17 U.S.C. 9902 and 9903);

18 (3)(A)(i) to identify trade and investment op-
19 portunities for United States companies in foreign
20 markets; or

21 (ii) to assist with existing trade and invest-
22 ment opportunities already identified by United
23 States companies; and

1 (B) to deploy United States Government eco-
2 nomic and other tools to help such United States
3 companies to secure their objectives;

4 (4) to identify and facilitate opportunities for
5 entities in a host country to increase exports to, or
6 investment in, the United States in order to grow
7 two-way trade and investment;

8 (5) to modernize, streamline, and improve ac-
9 cess to resources and services designed to promote
10 increased trade and investment opportunities;

11 (6) to identify and secure United States or al-
12 lied government support of strategic projects, such
13 as ports, railways, energy production and distribu-
14 tion, critical minerals development, telecommuni-
15 cations networks, and other critical infrastructure
16 projects vulnerable to predatory investment by an
17 authoritarian country or entity in such country
18 where support or investment serves an important
19 United States interest;

20 (7) to coordinate across the United States Gov-
21 ernment to ensure the appropriate and most effec-
22 tive use of United States Government tools to sup-
23 port United States economic, commercial, and in-
24 vestment objectives; and

1 (8) to coordinate with the multi-agency DC
2 Central Deal Team, established in February 2020,
3 on the matters described in paragraphs (1) through
4 (7) and other relevant matters.

5 (b) CLARIFICATION.—A deal team may be composed
6 of the personnel comprising the mission economic team
7 formed pursuant to section 207(e)(3) of the Foreign Serv-
8 ice Act of 1980, as added by section 6503.

9 (c) RESTRICTIONS.—A deal team may not provide
10 support for, or assist a United States person with a trans-
11 action involving, a government, or an entity owned or con-
12 trolled by a government, if the Secretary determines that
13 such government—

14 (1) has repeatedly provided support for acts of
15 international terrorism, as described in—

16 (A) section 1754(c)(1)(A)(i) of the Export
17 Control Reform Act of 2018 (subtitle B of title
18 XVII of Public Law 115–232);

19 (B) section 620A(a) of the Foreign Assist-
20 ance Act of 1961 (22 U.S.C. 2371(a));

21 (C) section 40(d) of the Arms Export Con-
22 trol Act (22 U.S.C. 2780(d)); or

23 (D) any other relevant provision of law; or

24 (2) has engaged in an activity that would trig-
25 ger a restriction under section 116(a) or 502B(a)(2)

1 of the Foreign Assistance Act of 1961 (22 U.S.C.
2 2151n(a) and 2304(a)(2)) or any other relevant pro-
3 vision of law.

4 (d) FURTHER RESTRICTIONS.—

5 (1) PROHIBITION ON SUPPORT OF SANCTIONED
6 PERSONS.—Deal teams may not carry out activities
7 prohibited under United States sanctions laws or
8 regulations, including dealings with persons on the
9 list of specially designated persons and blocked per-
10 sons maintained by the Office of Foreign Assets
11 Control of the Department of the Treasury, except
12 to the extent otherwise authorized by the Secretary
13 of the Treasury or the Secretary.

14 (2) PROHIBITION ON SUPPORT OF ACTIVITIES
15 SUBJECT TO SANCTIONS.—Any person receiving sup-
16 port from a deal team must be in compliance with
17 all United States sanctions laws and regulations as
18 a condition for receiving such assistance.

19 (e) CHIEF OF MISSION AUTHORITY AND ACCOUNT-
20 ABILITY.—The chief of mission to a foreign country—

21 (1) is the designated leader of a deal team in
22 such country; and

23 (2) shall be held accountable for the perform-
24 ance and effectiveness of United States deal teams
25 in such country.

1 (f) GUIDANCE CABLE.—The Department shall send
2 out regular guidance on Deal Team efforts by an All Dip-
3 lomatic and Consular Posts (referred to in this section as
4 “ALDAC”) that—

5 (1) describes the role of deal teams; and

6 (2) includes relevant and up-to-date information
7 to enhance the effectiveness of deal teams in a coun-
8 try.

9 (g) CONFIDENTIALITY OF INFORMATION.—

10 (1) IN GENERAL.—In preparing the cable re-
11 quired under subsection (f), the Secretary shall pro-
12 tect from disclosure any proprietary information of
13 a United States person marked as business confiden-
14 tial information unless the person submitting such
15 information—

16 (A) had notice, at the time of submission,
17 that such information would be released by; or

18 (B) subsequently consents to the release of
19 such information.

20 (2) TREATMENT AS TRADE SECRETS.—Propri-
21 etary information obtained by the United States
22 Government from a United States person pursuant
23 to the activities of deal teams shall be—

24 (A) considered to be trade secrets and
25 commercial or financial information (as such

1 terms are used under section 552b(c)(4) of title
2 5, United States Code); and

3 (B) exempt from disclosure without the ex-
4 press approval of the person.

5 (h) SUNSET.—The requirements under subsections
6 (f) through (h) shall terminate on the date that is 5 years
7 after the date of the enactment of this Act.

8 **SEC. 6505. ESTABLISHMENT OF A “DEAL TEAM OF THE**
9 **YEAR” AWARD.**

10 (a) ESTABLISHMENT.—The Secretary shall establish
11 a new award, to be known as the “Deal Team of the Year
12 Award”, and annually present the award to a deal team
13 at one United States mission in each region to recognize
14 outstanding achievements in supporting a United States
15 company or companies pursuing commercial deals abroad
16 or in identifying new deal prospects for United States
17 companies.

18 (b) AWARD CONTENT.—

19 (1) DEPARTMENT OF STATE.—Each member of
20 a deal team receiving an award pursuant to sub-
21 section (a) shall receive a certificate that is signed
22 by the Secretary and—

23 (A) in the case of a member of the Foreign
24 Service, is included in the next employee evalua-
25 tion report; or

1 (B) in the case of a Civil Service employee,
2 is included in the next annual performance re-
3 view.

4 (2) OTHER FEDERAL AGENCIES.—If an award
5 is presented pursuant to subsection (a) to a Federal
6 Government employee who is not employed by the
7 Department, the employing agency may determine
8 whether to provide such employee any recognition or
9 benefits in addition to the recognition or benefits
10 provided by the Department.

11 (c) ELIGIBILITY.—Any interagency economics team
12 at a United States overseas mission under chief of mission
13 authority that assists United States companies with iden-
14 tifying, navigating, and securing trade and investment op-
15 portunities in a foreign country or that facilitates bene-
16 ficial foreign investment into the United States is eligible
17 for an award under this section.

18 (d) REPORT.—Not later than the last day of the fis-
19 cal year in which awards are presented pursuant to sub-
20 section (a), the Secretary shall submit a report to the ap-
21 propriate congressional committees that includes—

22 (1) each mission receiving a Deal Team of the
23 Year Award.

24 (2) the names and agencies of each awardee
25 within the recipient deal teams; and

1 (3) a detailed description of the reason such
2 deal teams received such award.

3 **TITLE LXVI—PUBLIC**
4 **DIPLOMACY**

5 **SEC. 6601. PUBLIC DIPLOMACY OUTREACH.**

6 (a) COORDINATION OF RESOURCES.—The Adminis-
7 trator of the United States Agency for International De-
8 velopment and the Secretary shall direct public affairs sec-
9 tions at United States embassies and USAID Mission Pro-
10 gram Officers at USAID missions to coordinate, enhance
11 and prioritize resources for public diplomacy and aware-
12 ness campaigns around United States diplomatic and de-
13 velopment efforts, including through—

14 (1) the utilization of new media technology for
15 maximum public engagement; and

16 (2) enact coordinated comprehensive community
17 outreach to increase public awareness and under-
18 standing and appreciation of United States diplo-
19 matic and development efforts.

20 (b) DEVELOPMENT OUTREACH AND COORDINATION
21 OFFICERS.—USAID should prioritize hiring of additional
22 Development Outreach and Coordination officers in
23 USAID missions to support the purposes of subsection
24 (a).

1 (c) BEST PRACTICES.—The Secretary and the Ad-
2 ministrator of USAID shall identify 10 countries in which
3 Embassies and USAID missions have successfully exe-
4 cuted efforts, including monitoring and evaluation of such
5 efforts, described in (a) and develop best practices to be
6 turned into Department and USAID guidance.

7 **SEC. 6602. MODIFICATION ON USE OF FUNDS FOR RADIO**
8 **FREE EUROPE/RADIO LIBERTY.**

9 In section 308(h) of the United States International
10 Broadcasting Act of 1994 (22 U.S.C. 6207(h)) is amend-
11 ed—

12 (1) by striking subparagraphs (1), (3), and (5);

13 and

14 (2) by redesignating paragraphs (2) and (4) as
15 paragraphs (1) and (2), respectively.

16 **SEC. 6603. INTERNATIONAL BROADCASTING.**

17 (a) VOICE OF AMERICA.—Section 303 of the United
18 States International Broadcasting Act of 1994 (22 U.S.C.
19 6202) is amended by adding at the end the following:

20 “(d) VOICE OF AMERICA OPERATIONS AND STRUC-
21 TURE.—

22 “(1) OPERATIONS.—The Director of the Voice
23 of America (VOA)—

1 “(A) shall direct and supervise the oper-
2 ations of VOA, including making all major deci-
3 sions relating its staffing; and

4 “(B) may utilize any authorities made
5 available to the United States Agency for Glob-
6 al Media or to its Chief Executive Officer under
7 this Act or under any other Act to carry out its
8 operations in an effective manner.

9 “(2) PLAN.—Not later than 180 days after the
10 date of the enactment of this Act, the Director of
11 VOA shall submit to the Committee on Foreign Re-
12 lations and the Committee on Homeland Security
13 and Governmental Affairs of the Senate and the
14 Committee on Foreign Affairs and the Committee on
15 Homeland Security of the House of Representatives
16 a plan to ensure that the personnel structure of
17 VOA is sufficient to effectively carry out the prin-
18 ciples described in subsection (c).”.

19 (b) APPOINTMENT OF CHIEF EXECUTIVE OFFI-
20 CER.—Section 304 of such Act (22 U.S.C. 6203) is
21 amended—

22 (1) in subsection (a), by striking “as an entity
23 described in section 104 of title 5, United States
24 Code” and inserting “under the direction of the
25 International Broadcasting Advisory Board”; and

1 (2) in subsection (b)(1), by striking the second
2 sentence and inserting the following: “Notwith-
3 standing any other provision of law, when a vacancy
4 arises, until such time as a Chief Executive Officer,
5 to whom sections 3345 through 3349b of title 5,
6 United States Code, shall not apply, is appointed
7 and confirmed by the Senate, an acting Chief Execu-
8 tive Officer shall be appointed by the International
9 Broadcasting Advisory Board and shall continue to
10 serve and exercise the authorities and powers under
11 this title as the sole means of filling such vacancy,
12 for the duration of the vacancy. In the absence of
13 a quorum on the International Broadcasting Advi-
14 sory Board, the first principal deputy of the United
15 States Agency for Global Media shall serve as acting
16 Chief Executive Officer.”.

17 (c) CHIEF EXECUTIVE OFFICER AUTHORITIES.—
18 Section 305(a)(1) of such Act (22 U.S.C. 6204(a)(1)) is
19 amended by striking “To supervise all” and inserting “To
20 oversee, coordinate, and provide strategic direction for”.

21 (d) INTERNATIONAL BROADCASTING ADVISORY
22 BOARD.—Section 306(a) of such Act (22 U.S.C. 6205(a))
23 is amended by striking “advise the Chief Executive Officer
24 of” and inserting “oversee and advise the Chief Executive
25 Officer and”.

1 (e) RADIO FREE AFRICA; RADIO FREE AMERICAS.—
2 Not later than 180 days after the date of the enactment
3 of this Act, the Chief Executive Officer of the United
4 States Agency for Global Media shall submit a report to
5 the Committee on Foreign Relations of the Senate, the
6 Committee on Appropriations of the Senate, the Com-
7 mittee on Foreign Affairs of the House of Representatives,
8 and the Committee on Appropriations of the House of
9 Representatives that details the financial and other re-
10 sources that would be required to establish and operate
11 2 nonprofit organizations, modeled after Radio Free Eu-
12 rope/Radio Liberty and Radio Free Asia, for the purposes
13 of providing accurate, uncensored, and reliable news and
14 information to—

15 (1) the region of Africa, with respect to Radio
16 Free Africa; and

17 (2) the region of Latin America and the Carib-
18 bean, with respect to Radio Free Americas.

19 **SEC. 6604. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PRO-**
20 **GRAM.**

21 (a) IN GENERAL.—The Mutual Educational and Cul-
22 tural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is
23 amended by adding at the end the following:

1 **“SEC. 115. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PRO-**
2 **GRAM.**

3 “(a) ESTABLISHMENT.—There is established the
4 John Lewis Civil Rights Fellowship Program (referred to
5 in this section as the ‘Fellowship Program’) within the J.
6 William Fulbright Educational Exchange Program.

7 “(b) PURPOSES.—The purposes of the Fellowship
8 Program are—

9 “(1) to honor the legacy of Representative John
10 Lewis by promoting a greater understanding of the
11 history and tenets of nonviolent civil rights move-
12 ments; and

13 “(2) to advance foreign policy priorities of the
14 United States by promoting studies, research, and
15 international exchange in the subject of nonviolent
16 movements that established and protected civil
17 rights around the world.

18 “(c) ADMINISTRATION.—The Bureau of Educational
19 and Cultural Affairs (referred to in this section as the ‘Bu-
20 reau’) shall administer the Fellowship Program in accord-
21 ance with policy guidelines established by the Board, in
22 consultation with the binational Fulbright Commissions
23 and United States Embassies.

24 “(d) SELECTION OF FELLOWS.—

25 “(1) IN GENERAL.—The Board shall annually
26 select qualified individuals to participate in the Fel-

1 lowship Program. The Bureau may determine the
2 number of fellows selected each year, which, when-
3 ever feasible, shall be not fewer than 25.

4 “(2) OUTREACH.—

5 “(A) IN GENERAL.—To the extent prac-
6 ticable, the Bureau shall conduct outreach at
7 institutions, including—

8 “(i) minority serving institutions, in-
9 cluding historically Black colleges and uni-
10 versities; and

11 “(ii) other appropriate institutions, as
12 determined by the Bureau.

13 “(B) DEFINITIONS.—In this paragraph:

14 “(i) HISTORICALLY BLACK COLLEGE
15 AND UNIVERSITY.—The term ‘historically
16 Black college and university’ has the mean-
17 ing given the term ‘part B institution’ in
18 section 322 of the Higher Education Act
19 of 1965 (20 U.S.C. 1061).

20 “(ii) MINORITY SERVING INSTITU-
21 TION.—The term ‘minority-serving institu-
22 tion’ means an eligible institution under
23 section 371(a) of the Higher Education
24 Act of 1965 (20 U.S.C. 1067q(a)).

1 “(e) FELLOWSHIP ORIENTATION.—Annually, the Bu-
2 reau shall organize and administer a fellowship orienta-
3 tion, which shall—

4 “(1) be held in Washington, D.C., or at another
5 location selected by the Bureau; and

6 “(2) include programming to honor the legacy
7 of Representative John Lewis.

8 “(f) STRUCTURE.—

9 “(1) WORK PLAN.—To carry out the purposes
10 described in subsection (b)—

11 “(A) each fellow selected pursuant to sub-
12 section (d) shall arrange an internship or re-
13 search placement—

14 “(i) with a nongovernmental organiza-
15 tion, academic institution, or other organi-
16 zation approved by the Bureau; and

17 “(ii) in a country with an operational
18 Fulbright U.S. Student Program; and

19 “(B) the Bureau shall, for each fellow, ap-
20 prove a work plan that identifies the target ob-
21 jectives for the fellow, including specific duties
22 and responsibilities relating to those objectives.

23 “(2) CONFERENCES; PRESENTATIONS.—Each
24 fellow shall—

1 “(A) attend a fellowship orientation orga-
2 nized and administered by the Bureau under
3 subsection (e);

4 “(B) not later than the date that is 1 year
5 after the end of the fellowship period, attend a
6 fellowship summit organized and administered
7 by the Bureau, which—

8 “(i) whenever feasible, shall be held in
9 Atlanta, Georgia, or another location of
10 importance to the civil rights movement in
11 the United States; and

12 “(ii) may coincide with other events
13 facilitated by the Bureau; and

14 “(C) at such summit, give a presentation
15 on lessons learned during the period of fellow-
16 ship.

17 “(3) FELLOWSHIP PERIOD.—Each fellowship
18 under this section shall continue for a period deter-
19 mined by the Bureau, which, whenever feasible, shall
20 be not fewer than 10 months.

21 “(g) FELLOWSHIP AWARD.—The Bureau shall pro-
22 vide each fellow under this section with an allowance that
23 is equal to the amount needed for—

24 “(1) the reasonable costs of the fellow during
25 the fellowship period; and

1 “(2) travel and lodging expenses related to at-
2 tending the orientation and summit required under
3 subsection (e)(2).

4 “(h) ANNUAL REPORT.—Not later than 1 year after
5 the date of the completion of the Fellowship Program by
6 the initial cohort of fellows selected under subsection (d),
7 and annually thereafter, the Secretary of State shall sub-
8 mit to the Committee on Foreign Relations of the Senate
9 and the Committee on Foreign Affairs of the House of
10 Representatives a report on the implementation of the Fel-
11 lowship Program, including—

12 “(1) a description of the demographics of the
13 cohort of fellows who completed a fellowship during
14 the preceding 1-year period;

15 “(2) a description of internship and research
16 placements, and research projects selected by such
17 cohort, under the Fellowship Program, including
18 feedback from—

19 “(A) such cohort on implementation of the
20 Fellowship Program; and

21 “(B) the Secretary on lessons learned; and

22 “(3) an analysis of trends relating to the diver-
23 sity of each cohort of fellows and the topics of
24 projects completed since the establishment of the
25 Fellowship Program.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENTS TO
2 THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE
3 ACT OF 1961.—Section 112(a) of the Mutual Educational
4 and Cultural Exchange Act of 1961 (22 U.S.C. 2460(a))
5 is amended—

6 (1) in paragraph (8), by striking “; and” and
7 inserting a semicolon;

8 (2) in paragraph (9), by striking the period and
9 inserting “; and”; and

10 (3) by adding at the end the following new
11 paragraph:

12 “(10) the John Lewis Civil Rights Fellowship
13 Program established under section 115, which pro-
14 vides funding for international internships and re-
15 search placements for early- to mid-career individ-
16 uals from the United States to study nonviolent civil
17 rights movements in self-arranged placements with
18 universities or nongovernmental organizations in for-
19 eign countries.”.

20 **SEC. 6605. DOMESTIC ENGAGEMENT AND PUBLIC AFFAIRS.**

21 (a) STRATEGY REQUIRED.—Not later than 180 days
22 after the date of the enactment of this Act, the Secretary
23 shall develop a strategy to explain to the American people
24 the value of the work of the Department and United

1 States foreign policy to advancing the national security of
2 the United States. The strategy shall include—

3 (1) tools to inform the American people about
4 the non-partisan importance of United States diplo-
5 macy and foreign relations and to utilize public di-
6 plomacy to meet the United States' national security
7 priorities;

8 (2) efforts to reach the widest possible audience
9 of Americans, including those who historically have
10 not had exposure to United States foreign policy ef-
11 forts and priorities;

12 (3) additional staffing and resource needs in-
13 cluding—

14 (A) domestic positions within the Bureau
15 of Global Public Affairs to focus on engagement
16 with the American people as outlined in para-
17 graph (1);

18 (B) positions within the Bureau of Edu-
19 cational and Cultural Affairs to enhance pro-
20 gram and reach the widest possible audience;

21 (C) increasing the number of fellowship
22 and detail programs that place Foreign Service
23 and civil service employees outside the Depart-
24 ment for a limited time, including Pearson Fel-

1 lows, Reta Joe Lewis Local Diplomats, Brook-
2 ings Fellows, and Georgetown Fellows; and

3 (D) recommendations for increasing par-
4 ticipation in the Hometown Diplomats program
5 and evaluating this program as well as other
6 opportunities for Department officers to engage
7 with American audiences while traveling within
8 the United States.

9 **SEC. 6606. EXTENSION OF GLOBAL ENGAGEMENT CENTER.**

10 Section 1287(j) of the National Defense Authoriza-
11 tion Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is
12 amended by striking “on the date that is 8 years after
13 the date of the enactment of this Act” and inserting “on
14 September 30, 2026”.

15 **SEC. 6607. PAPERWORK REDUCTION ACT.**

16 Section 5603(d) of the National Defense Authoriza-
17 tion Act for Fiscal Year 2022 (Public Law 117–81) is
18 amended by adding at the end the following new para-
19 graph:

20 “(4) United States Information and Edu-
21 cational Exchange Act of 1948 (Public Law 80–
22 402).”.

1 **SEC. 6608. MODERNIZATION AND ENHANCEMENT STRAT-**
2 **EGY.**

3 Not later than 180 days after the date of the enact-
4 ment of this Act, the Secretary shall submit a strategy
5 to the appropriate congressional committees for—

6 (1) modernizing and increasing the operational
7 and programming capacity of American Spaces and
8 American Corners throughout the world, including
9 by leveraging public-private partnerships;

10 (2) providing salaries to locally employed staff
11 of American Spaces and American Corners; and

12 (3) providing opportunities for United States
13 businesses and nongovernmental organizations to
14 better utilize American Spaces.

15 **TITLE LXVII—OTHER MATTERS**

16 **SEC. 6701. INTERNSHIPS OF UNITED STATES NATIONALS AT**
17 **INTERNATIONAL ORGANIZATIONS.**

18 (a) **IN GENERAL.**—The Secretary of State is author-
19 ized to bolster efforts to increase the number of United
20 States citizens representative of the American people occu-
21 pying positions in the United Nations system, agencies,
22 and commissions, and in other international organizations,
23 including by awarding grants to educational institutions
24 and students.

25 (b) **REPORT.**—Not later than 90 days after the date
26 of the enactment of this Act, the Secretary of State shall

1 submit a report to the appropriate congressional commit-
2 tees that identifies—

3 (1) the number of United States citizens who
4 are involved in internship programs at international
5 organizations;

6 (2) the distribution of the individuals described
7 in paragraph (1) among various international orga-
8 nizations; and

9 (3) grants, programs, and other activities that
10 are being utilized to recruit and fund United States
11 citizens to participate in internship programs at
12 international organizations.

13 (c) ELIGIBILITY.—An individual referred to in sub-
14 section (a) is an individual who—

15 (1) is enrolled at or received their degree within
16 two years from—

17 (A) an institution of higher education; or

18 (B) an institution of higher education
19 based outside the United States, as determined
20 by the Secretary of State; and

21 (2) is a citizen of the United States.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated \$1,500,000 for the Depart-
24 ment of State for fiscal year 2024 to carry out the grant
25 program authorized under subsection (a).

1 **SEC. 6702. TRAINING FOR INTERNATIONAL ORGANIZA-**
2 **TIONS.**

3 (a) TRAINING PROGRAMS.—Section 708 of the For-
4 eign Service Act of 1980 (22 U.S.C. 4028) is amended
5 by adding at the end of the following new subsection:

6 “(e) TRAINING IN MULTILATERAL DIPLOMACY.—

7 “(1) IN GENERAL.—The Secretary, in consulta-
8 tion with other senior officials as appropriate, shall
9 establish training courses on—

10 “(A) the conduct of diplomacy at inter-
11 national organizations and other multilateral in-
12 stitutions; and

13 “(B) broad-based multilateral negotiations
14 of international instruments.

15 “(2) REQUIRED TRAINING.—Members of the
16 Service, including appropriate chiefs of mission and
17 other officers who are assigned to United States
18 missions representing the United States to inter-
19 national organizations and other multilateral institu-
20 tions or who are assigned in other positions that
21 have as their primary responsibility formulation of
22 policy related to such organizations and institutions,
23 or participation in negotiations of international in-
24 struments, shall receive specialized training in the
25 areas described in paragraph (1) prior to the begin-
26 ning of service for such assignment or, if receiving

1 such training at that time is not practical, within
2 the first year of beginning such assignment.”.

3 (b) TRAINING FOR DEPARTMENT EMPLOYEES.—The
4 Secretary of State shall ensure that employees of the De-
5 partment of State who are assigned to positions described
6 in paragraph (2) of subsection (e) of section 708 of the
7 Foreign Service Act of 1980 (as added by subsection (a)
8 of this section), including members of the civil service or
9 general service, or who are seconded to international orga-
10 nizations for a period of at least one year, receive training
11 described in such subsection and participate in other such
12 courses as the Secretary may recommend to build or aug-
13 ment identifiable skills that would be useful for such De-
14 partment officials representing United States interests at
15 these institutions and organizations.

16 **SEC. 6703. MODIFICATION TO TRANSPARENCY ON INTER-**
17 **NATIONAL AGREEMENTS AND NON-BINDING**
18 **INSTRUMENTS.**

19 Section 112b of title 1, United States Code, as most
20 recently amended by section 5947 of the James M. Inhofe
21 National Defense Authorization Act for Fiscal Year 2023
22 (Public Law 117–263; 136 Stat. 3476), is further amend-
23 ed—

24 (1) by redesignating subsections (h) through (l)
25 as subsections (i) through (m), respectively; and

1 (2) by inserting after subsection (g) the fol-
2 lowing:

3 “(h)(1) If the Secretary is aware or has reason to
4 believe that the requirements of subsection (a), (b), or (c)
5 have not been fulfilled with respect to an international
6 agreement or qualifying non-binding instrument, the Sec-
7 retary shall—

8 “(A) immediately bring the matter to the atten-
9 tion of the office or agency responsible for the agree-
10 ment or qualifying non-binding instrument; and

11 “(B) request the office or agency to provide
12 within 7 days the text or other information nec-
13 essary to fulfill the requirements of the relevant sub-
14 section.

15 “(2) Upon receiving the text or other information re-
16 quested pursuant to paragraph (1), the Secretary shall—

17 “(A) fulfill the requirements of subsection (a),
18 (b), or (c), as the case may be, with respect to the
19 agreement or qualifying non-binding instrument con-
20 cerned—

21 “(i) by including such text or other infor-
22 mation in the next submission required by sub-
23 section (a)(1);

24 “(ii) by providing such information in writ-
25 ing to the Majority Leader of the Senate, the

1 Minority Leader of the Senate, the Speaker of
2 the House of Representatives, the Minority
3 Leader of the House of Representatives, and
4 the appropriate congressional committees before
5 provision of the submission described in clause
6 (i); or

7 “(iii) in relation to subsection (b), by mak-
8 ing the text of the agreement or qualifying non-
9 binding instrument and the information de-
10 scribed in subparagraphs (A)(iii) and (B)(iii) of
11 subsection (a)(1) relating to the agreement or
12 instrument available to the public on the
13 website of the Department of State within 15
14 days of receiving the text or other information
15 requested pursuant to paragraph (1); and

16 “(B) provide to the Majority Leader of the Sen-
17 ate, the Minority Leader of the Senate, the Speaker
18 of the House of Representatives, the Minority Lead-
19 er of the House of Representatives, and the appro-
20 priate congressional committees, either in the next
21 submission required by subsection (a)(1) or before
22 such submission, a written statement explaining the
23 reason for the delay in fulfilling the requirements of
24 subsection (a), (b), or (c), as the case may be.”.

1 **SEC. 6704. REPORT ON PARTNER FORCES UTILIZING**
2 **UNITED STATES SECURITY ASSISTANCE**
3 **IDENTIFIED AS USING HUNGER AS A WEAPON**
4 **OF WAR.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) the United States recognizes the link be-
8 tween armed conflict and conflict-induced food inse-
9 curity;

10 (2) Congress recognizes and condemns the role
11 of nefarious security actors, including state and non-
12 state armed groups, who have utilized hunger as a
13 weapon of war, including through the unanimous
14 adoption of House of Representatives Resolution
15 922 and Senate Resolution 669 relating to
16 “[c]ondemning the use of hunger as a weapon of
17 war and recognizing the effect of conflict on global
18 food security and famine”; and

19 (3) the United States should use the diplomatic
20 and humanitarian tools at our disposal to not only
21 fight global hunger, mitigate the spread of conflict,
22 and promote critical, lifesaving assistance, but also
23 hold perpetrators using hunger as a weapon of war
24 to account.

25 (b) DEFINITIONS.—In this paragraph:

1 (1) HUNGER AS A WEAPON OF WAR.—The term
2 “hunger as a weapon of war” means—

3 (A) intentional starvation of civilians;

4 (B) intentional and reckless destruction,
5 removal, looting, or rendering useless objects
6 necessary for food production and distribution,
7 such as farmland, markets, mills, food pro-
8 cessing and storage facilities, food stuffs, crops,
9 livestock, agricultural assets, waterways, water
10 systems, drinking water facilities and supplies,
11 and irrigation networks;

12 (C) undue denial of humanitarian access
13 and deprivation of objects indispensable to peo-
14 ple’s survival, such as food supplies and nutri-
15 tion resources; and

16 (D) willful interruption of market systems
17 for populations in need, including through the
18 prevention of travel and manipulation of cur-
19 rency exchange.

20 (2) SECURITY ASSISTANCE.—The term “secu-
21 rity assistance” means assistance meeting the defini-
22 tion of “security assistance” under section 502B of
23 the Foreign Assistance Act of 1961 (22 U.S.C.
24 2304).

1 (c) REPORT.—Not later than 180 days after the date
2 of the enactment of this Act, the Secretary, in consultation
3 with the Administrator of the United States Agency for
4 International Development, and the Secretary of Defense
5 shall submit a report to the appropriate congressional
6 committees, the Committee on Armed Services of the Sen-
7 ate, and the Committee on Armed Services of the House
8 of Representatives regarding—

9 (1) United States-funded security assistance
10 and cooperation; and

11 (2) whether the governments and entities re-
12 ceiving such assistance have or are currently using
13 hunger as a weapon of war.

14 (d) ELEMENTS.—The report required under sub-
15 section (c) shall—

16 (1) identify countries receiving United States-
17 funded security assistance or participating in secu-
18 rity programs and activities, including in coordina-
19 tion with the Department of Defense, that are cur-
20 rently experiencing famine-like conditions as a result
21 of conflict;

22 (2) describe the actors and actions taken by
23 such actors in the countries identified pursuant to
24 paragraph (1) who are utilizing hunger as a weapon
25 of war; and

1 (3) describe any current or existing plans to
2 continue providing United States-funded security as-
3 sistance to recipient countries.

4 (e) FORM.—The report required under subsection (c)
5 shall be submitted in unclassified form, but may include
6 a classified annex.

7 **SEC. 6705. INFRASTRUCTURE PROJECTS AND INVEST-**
8 **MENTS BY THE UNITED STATES AND PEOP-**
9 **LE'S REPUBLIC OF CHINA.**

10 Not later than 1 year after the date of the enactment
11 of this Act, the Secretary, in coordination with the Admin-
12 istrator of the United States Agency for International De-
13 velopment and the Chief Executive Officer of the Develop-
14 ment Finance Corporation, shall submit to the appropriate
15 congressional committees, the Committee on Appropria-
16 tions of the Senate, and the Committee on Appropriations
17 of the House of Representatives a report regarding the
18 opportunities and costs of infrastructure projects in Mid-
19 dle East, African, and Latin American and Caribbean
20 countries, which shall—

21 (1) describe the nature and total funding of
22 United States infrastructure investments and con-
23 struction in Middle East, African, and Latin Amer-
24 ican and Caribbean countries, and that of United
25 States allies and partners in the same regions;

1 (2) describe the nature and total funding of in-
2 frastructure investments and construction by the
3 People’s Republic of China in Middle East, African,
4 and Latin American and Caribbean countries;

5 (3) assess the national security threats posed by
6 the infrastructure investment gap between the Peo-
7 ple’s Republic of China and the United States and
8 United States allies and partners, including—

9 (A) infrastructure, such as ports;

10 (B) access to critical and strategic min-
11 erals;

12 (C) digital and telecommunication infra-
13 structure;

14 (D) threats to supply chains; and

15 (E) general favorability towards the Peo-
16 ple’s Republic of China and the United States
17 and United States’ allies and partners among
18 Middle East, African, and Latin American and
19 Caribbean countries;

20 (4) assess the opportunities and challenges for
21 companies based in the United States to invest in in-
22 frastructure projects in Middle East, African, and
23 Latin American and Caribbean countries;

24 (5) describe options for the United States Gov-
25 ernment to undertake to increase support for United

1 States businesses engaged in large-scale infrastruc-
2 ture projects in Middle East, African, and Latin
3 American and Caribbean countries; and

4 (6) identify regional infrastructure priorities,
5 ranked according to United States national interests,
6 in Middle East, African, and Latin American and
7 Caribbean countries.

8 **SEC. 6706. SPECIAL ENVOYS.**

9 (a) REVIEW.—Not later than 180 days after the date
10 of the enactment of this Act, the Secretary shall conduct
11 a review of all special envoy positions to determine—

12 (1) which special envoy positions are needed to
13 accomplish the mission of the Department;

14 (2) which special envoy positions could be ab-
15 sorbed into the Department’s existing bureau struc-
16 ture;

17 (3) which special envoy positions were estab-
18 lished by an Act of Congress; and

19 (4) which special envoy positions were created
20 by the Executive Branch without explicit congres-
21 sional approval.

22 (b) REPORT.—Not later than 60 days after the com-
23 pletion of the review required under subsection (a), the
24 Secretary shall submit a report to the appropriate congres-
25 sional committees that includes—

1 (1) a list of every special envoy position in the
2 Department;

3 (2) a detailed justification of the need for each
4 special envoy, if warranted;

5 (3) a list of the special envoy positions that
6 could be absorbed into the Department's existing bu-
7 reau structure without compromising the mission of
8 the Department;

9 (4) a list of the special envoy positions that
10 were created by an Act of Congress; and

11 (5) a list of the special envoy positions that are
12 not expressly authorized by statute.

13 **SEC. 6707. US-ASEAN CENTER.**

14 (a) **DEFINED TERM.**—In this section, the term
15 “ASEAN” means the Association of Southeast Asian Na-
16 tions.

17 (b) **ESTABLISHMENT.**—The Secretary is authorized
18 to enter into a public-private partnership for the purposes
19 of establishing a US-ASEAN Center in the United States
20 to support United States economic and cultural engage-
21 ment with Southeast Asia.

22 (c) **FUNCTIONS.**—Notwithstanding any other provi-
23 sion of law, the US-ASEAN Center established pursuant
24 to subsection (b) may—

1 (1) provide grants for research to support and
2 elevate the importance of the US–ASEAN partner-
3 ship;

4 (2) facilitate activities to strengthen US–
5 ASEAN trade and investment;

6 (3) expand economic and technological relation-
7 ships between ASEAN countries and the United
8 States into new areas of cooperation;

9 (4) provide training to United States citizens
10 and citizens of ASEAN countries that improve peo-
11 ple-to-people ties;

12 (5) develop educational programs to increase
13 awareness for the United States and ASEAN coun-
14 tries on the importance of relations between the
15 United States and ASEAN countries; and

16 (6) carry out other activities the Secretary con-
17 siders necessary to strengthen ties between the
18 United States and ASEAN countries and achieve the
19 objectives of the US–ASEAN Center.

20 **SEC. 6708. BRIEFINGS ON THE UNITED STATES-EUROPEAN**
21 **UNION TRADE AND TECHNOLOGY COUNCIL.**

22 It is the sense of Congress that the United States-
23 European Union Trade and Technology Council is an im-
24 portant forum for the United States and in the European
25 Union to engage on transatlantic trade, investment, and

1 engagement on matters related to critical and emerging
2 technology and that the Department should provide reg-
3 ular updates to the appropriate congressional committees
4 on the deliverables and policy initiatives announced at
5 United States-European Union Trade and Technology
6 Council ministerials

7 **SEC. 6709. MODIFICATION AND REPEAL OF REPORTS.**

8 (a) COUNTRY REPORTS ON HUMAN RIGHTS PRAC-
9 TICES.—

10 (1) IN GENERAL.—The Secretary shall examine
11 the production of the 2023 and subsequent annual
12 Country Reports on Human Rights Practices by the
13 Assistant Secretary for Democracy, Human Rights,
14 and Labor as required under sections 116(d) and
15 502B(b) of the Foreign Assistance Act of 1961 (22
16 U.S.C. 2151n(d), 2304(b)) to maximize—

17 (A) cost and personnel efficiencies;

18 (B) the potential use of data and analytic
19 tools and visualization; and

20 (C) advancement of the modernization
21 agenda for the Department announced by the
22 Secretary on October 27, 2021.

23 (2) TRANSNATIONAL REPRESSION AMEND-
24 MENTS TO ANNUAL COUNTRY REPORTS ON HUMAN
25 RIGHTS PRACTICES.—Section 116(d) of the Foreign

1 Assistance Act of 1961 (22 U.S.C. 2151n(d)) is
2 amended by adding at the end the following new
3 paragraph:

4 “(13) Wherever applicable, a description of the
5 nature and extent of acts of transnational repression
6 that occurred during the preceding year, including
7 identification of—

8 “(A) incidents in which a government har-
9 assed, intimidated, or killed individuals outside
10 of their internationally recognized borders and
11 the patterns of such repression among repeat
12 offenders;

13 “(B) countries in which such transnational
14 repression occurs and the role of the govern-
15 ments of such countries in enabling, preventing,
16 mitigating, and responding to such acts;

17 “(C) the tactics used by the governments
18 of countries identified pursuant to subpara-
19 graph (A), including the actions identified and
20 any new techniques observed;

21 “(D) in the case of digital surveillance and
22 harassment, the type of technology or platform,
23 including social media, smart city technology,
24 health tracking systems, general surveillance
25 technology, and data access, transfer, and stor-

1 age procedures, used by the governments of
2 countries identified pursuant to subparagraph
3 (A) for such actions; and

4 “(E) groups and types of individuals tar-
5 geted by acts of transnational repression in
6 each country in which such acts occur.”.

7 (b) ELIMINATION OF OBSOLETE REPORTS.—

8 (1) ANNUAL REPORTS RELATING TO FUNDING
9 MECHANISMS FOR TELECOMMUNICATIONS SECURITY
10 AND SEMICONDUCTORS.—Division H of the William
11 M. (Mac) Thornberry National Defense Authoriza-
12 tion Act for Fiscal Year 2021 (Public Law 116–283)
13 is amended—

14 (A) in section 9202(a)(2) (47 U.S.C.
15 906(a)(2))—

16 (i) by striking subparagraph (C); and

17 (ii) by redesignating subparagraph
18 (D) as subparagraph (C); and

19 (B) in section 9905 (15 U.S.C. 4655)—

20 (i) by striking subsection (e); and

21 (ii) by redesignating subsection (d) as
22 subsection (e).

23 (2) REPORTS RELATING TO FOREIGN ASSIST-
24 ANCE TO COUNTER RUSSIAN INFLUENCE AND MEDIA
25 ORGANIZATIONS CONTROLLED BY RUSSIA.—The

1 Countering Russian Influence in Europe and Eur-
2 asia Act of 2017 (title II of Public Law 115–44) is
3 amended—

4 (A) in section 254(e)—

5 (i) in paragraph (1)—

6 (I) by striking “IN GENERAL.—”;

7 (II) by redesignating subpara-
8 graphs (A), (B), and (C) as para-
9 graphs (1), (2), and (3), respectively,
10 and moving such paragraphs 2 ems to
11 the left; and

12 (ii) by striking paragraph (2); and

13 (B) by striking section 255.

14 (3) ANNUAL REPORT ON PROMOTING THE RULE
15 OF LAW IN THE RUSSIAN FEDERATION.—Section
16 202 of the Russia and Moldova Jackson-Vanik Re-
17 peal and Sergei Magnitsky Rule of Law Account-
18 ability Act of 2012 (Public Law 112–208) is amend-
19 ed by striking subsection (a).

20 (4) ANNUAL REPORT ON ADVANCING FREEDOM
21 AND DEMOCRACY.—Section 2121 of the Advance
22 Democratic Values, Address Nondemocratic Coun-
23 tries, and Enhance Democracy Act of 2007 (title
24 XXI of Public Law 110–53) is amended by striking
25 subsection (c).

1 (5) ANNUAL REPORTS ON UNITED STATES-
2 VIETNAM HUMAN RIGHTS DIALOGUE MEETINGS.—
3 Section 702 of the Foreign Relations Authorization
4 Act, Fiscal Year 2003 (22 U.S.C. 2151n note) is re-
5 pealed.

6 **SEC. 6710. MODIFICATION OF BUILD ACT OF 2018 TO**
7 **PRIORITIZE PROJECTS THAT ADVANCE NA-**
8 **TIONAL SECURITY.**

9 Section 1412 of the Build Act of 2018 (22 U.S.C.
10 9612) is amended by adding at the end the following sub-
11 section:

12 “(d) PRIORITIZATION OF NATIONAL SECURITY IN-
13 TERESTS.—The Corporation shall prioritize the provision
14 of support under title II in projects that advance core na-
15 tional security interests of the United States with respect
16 to the People’s Republic of China.”.

17 **SEC. 6711. PERMITTING FOR INTERNATIONAL BRIDGES.**

18 The International Bridge Act of 1972 (33 U.S.C. 535
19 et seq.) is amended by inserting after section 5 the fol-
20 lowing:

21 **“SEC. 6. PERMITTING FOR INTERNATIONAL BRIDGES.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) ELIGIBLE APPLICANT.—The term ‘eligible
24 applicant’ means an entity that has submitted an
25 application for a Presidential permit during the pe-

1 riod beginning on December 1, 2020, and ending on
2 December 31, 2024, for any of the following:

3 “(A) 1 or more international bridges in
4 Webb County, Texas.

5 “(B) An international bridge in Cameron
6 County, Texas.

7 “(C) An international bridge in Maverick
8 County, Texas.

9 “(2) PRESIDENTIAL PERMIT.—

10 “(A) IN GENERAL.—The term ‘Presi-
11 dential permit’ means—

12 “(i) an approval by the President to
13 construct, maintain, and operate an inter-
14 national bridge under section 4; or

15 “(ii) an approval by the President to
16 construct, maintain, and operate an inter-
17 national bridge pursuant to a process de-
18 scribed in Executive Order 13867 (84 Fed.
19 Reg. 15491; relating to Issuance of Per-
20 mits With Respect to Facilities and Land
21 Transportation Crossings at the Inter-
22 national Boundaries of the United States)
23 (or any successor Executive Order).

24 “(B) INCLUSION.—The term ‘Presidential
25 permit’ includes an amendment to an approval

1 described in clause (i) or (ii) of subparagraph
2 (A).

3 “(3) SECRETARY.—The term ‘Secretary’ means
4 the Secretary of State.

5 “(b) APPLICATION.—An eligible applicant for a Pres-
6 idential permit to construct, maintain, and operate an
7 international bridge shall submit an application for the
8 permit to the Secretary.

9 “(c) RECOMMENDATION.—

10 “(1) IN GENERAL.—Not later than 60 days
11 after the date on which the Secretary receives an ap-
12 plication under subsection (b), the Secretary shall
13 make a recommendation to the President—

14 “(A) to grant the Presidential permit; or

15 “(B) to deny the Presidential permit.

16 “(2) CONSIDERATION.—The sole basis for a
17 recommendation under paragraph (1) shall be
18 whether the international bridge is in the foreign
19 policy interests of the United States.

20 “(d) PRESIDENTIAL ACTION.—

21 “(1) IN GENERAL.—The President shall grant
22 or deny the Presidential permit for an application
23 under subsection (b) by not later than 60 days after
24 the earlier of—

1 “(A) the date on which the Secretary
2 makes a recommendation under subsection
3 (c)(1); and

4 “(B) the date on which the Secretary is re-
5 quired to make a recommendation under sub-
6 section (c)(1).

7 “(2) NO ACTION.—

8 “(A) IN GENERAL.—Subject to subpara-
9 graph (B), if the President does not grant or
10 deny the Presidential permit for an application
11 under subsection (b) by the deadline described
12 in paragraph (1), the Presidential permit shall
13 be considered to have been granted as of that
14 deadline.

15 “(B) REQUIREMENT.—As a condition on a
16 Presidential permit considered to be granted
17 under subparagraph (A), the eligible applicant
18 shall complete all applicable environmental doc-
19 uments required pursuant to Public Law 91-
20 190 (42 U.S.C. 4321 et seq.).

21 “(e) DOCUMENT REQUIREMENTS.—Notwithstanding
22 any other provision of law, the Secretary shall not require
23 an eligible applicant for a Presidential permit—

24 “(1) to include in the application under sub-
25 section (b) environmental documents prepared pur-

1 suant to Public Law 91–190 (42 U.S.C. 4321 et
2 seq.); or

3 “(2) to have completed any environmental re-
4 view under Public Law 91–190 (42 U.S.C. 4321 et
5 seq.) prior to the President granting a Presidential
6 permit under subsection (d).

7 “(f) RULES OF CONSTRUCTION.—Nothing in this
8 section—

9 “(1) prohibits the President from granting a
10 Presidential permit conditioned on the eligible appli-
11 cant completing all environmental documents pursu-
12 ant to Public Law 91–190 (42 U.S.C. 4321 et seq.);

13 “(2) prohibits the Secretary from requesting a
14 list of all permits and approvals from Federal, State,
15 and local agencies that the eligible applicant believes
16 are required in connection with the international
17 bridge, or a brief description of how those permits
18 and approvals will be acquired; or

19 “(3) exempts an eligible applicant from the re-
20 quirement to complete all environmental documents
21 pursuant to Public Law 91–190 (42 U.S.C. 4321 et
22 seq.) prior to construction of an international
23 bridge.”.

1 **TITLE LXVIII—AUKUS MATTERS**

2 **SEC. 6801. DEFINITIONS.**

3 In this title:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Foreign Relations
8 and the Committee on Armed Services of the
9 Senate; and

10 (B) the Committee on Foreign Affairs and
11 the Committee on Armed Services of the House
12 of Representatives.

13 (2) AUKUS PARTNERSHIP.—

14 (A) IN GENERAL.—The term “AUKUS
15 partnership” means the enhanced trilateral se-
16 curity partnership between Australia, the
17 United Kingdom, and the United States an-
18 nounced in September 2021.

19 (B) PILLARS.—The AUKUS partnership
20 includes the following two pillars:

21 (i) Pillar One is focused on developing
22 a pathway for Australia to acquire conven-
23 tionally armed, nuclear-powered sub-
24 marines.

1 (ii) Pillar Two is focused on enhanc-
2 ing trilateral collaboration on advanced de-
3 fense capabilities, including hypersonic and
4 counter hypersonic capabilities, quantum
5 technologies, undersea technologies, and
6 artificial intelligence.

7 (3) INTERNATIONAL TRAFFIC IN ARMS REGULA-
8 TIONS.—The term “International Traffic in Arms
9 Regulations” means subchapter M of chapter I of
10 title 22, Code of Federal Regulations (or successor
11 regulations).

12 **Subtitle A—Outlining the AUKUS** 13 **Partnership**

14 **SEC. 6811. STATEMENT OF POLICY ON THE AUKUS PART-** 15 **nership.**

16 (a) STATEMENT OF POLICY.—It is the policy of the
17 United States that—

18 (1) the AUKUS partnership is integral to
19 United States national security, increasing United
20 States and allied capability in the undersea domain
21 of the Indo-Pacific, and developing cutting edge mili-
22 tary capabilities;

23 (2) the transfer of conventionally armed, nu-
24 clear-powered submarines to Australia, if imple-
25 mented appropriately, will position the United States

1 and its allies to maintain peace and security in the
2 Indo-Pacific;

3 (3) the transfer of conventionally armed, nu-
4 clear-powered submarines to Australia will be safely
5 implemented with the highest nonproliferation stand-
6 ards in alignment with—

7 (A) safeguards established by the Inter-
8 national Atomic Energy Agency; and

9 (B) the Additional Protocol to the Agree-
10 ment between Australia and the International
11 Atomic Energy Agency for the application of
12 safeguards in connection with the Treaty on the
13 Non-Proliferation of Nuclear Weapons, signed
14 at Vienna September 23, 1997;

15 (4) the United States will enter into a mutual
16 defense agreement with Australia, modeled on the
17 1958 bilateral mutual defense agreement with the
18 United Kingdom, for the sole purpose of facilitating
19 the transfer of naval nuclear propulsion technology
20 to Australia;

21 (5) working with the United Kingdom and Aus-
22 tralia to develop and provide joint advanced military
23 capabilities to promote security and stability in the
24 Indo-Pacific will have tangible impacts on United
25 States military effectiveness across the world;

1 (6) in order to better facilitate cooperation
2 under Pillar 2 of the AUKUS partnership, it is im-
3 perative that every effort be made to streamline
4 United States export controls consistent with nec-
5 essary and reciprocal security safeguards on United
6 States technology at least comparable to those of the
7 United States;

8 (7) the trade authorization mechanism for the
9 AUKUS partnership administered by the Depart-
10 ment is a critical first step in reimagining the
11 United States export control system to carry out the
12 AUKUS partnership and expedite technology shar-
13 ing and defense trade among the United States,
14 Australia, and the United Kingdom; and

15 (8) the vast majority of United States defense
16 trade with Australia is conducted through the For-
17 eign Military Sales (FMS) process, the preponder-
18 ance of defense trade with the United Kingdom is
19 conducted through Direct Commercial Sales (DCS),
20 and efforts to streamline United States export con-
21 trols should focus on both Foreign Military Sales
22 and Direct Commercial Sales.

1 **SEC. 6812. SENIOR ADVISOR FOR THE AUKUS PARTNER-**
2 **SHIP AT THE DEPARTMENT OF STATE.**

3 (a) IN GENERAL.—There shall be a Senior Advisor
4 for the AUKUS partnership at the Department, who—

5 (1) shall report directly to the Secretary; and

6 (2) may not hold another position in the De-
7 partment concurrently while holding the position of
8 Senior Advisor for the AUKUS partnership.

9 (b) DUTIES.—The Senior Advisor shall—

10 (1) be responsible for coordinating efforts re-
11 lated to the AUKUS partnership across the Depart-
12 ment, including the bureaus engaged in nonprolifera-
13 tion, defense trade, security assistance, and diplo-
14 matic relations in the Indo-Pacific;

15 (2) serve as the lead within the Department for
16 implementation of the AUKUS partnership in inter-
17 agency processes, consulting with counterparts in
18 the Department of Defense, the Department of
19 Commerce, the Department of Energy, the Office of
20 Naval Reactors, and any other relevant agencies;

21 (3) lead diplomatic efforts related to the
22 AUKUS partnership with other governments to ex-
23 plain how the partnership will enhance security and
24 stability in the Indo-Pacific; and

25 (4) consult regularly with the appropriate con-
26 gressional committees, and keep such committees

1 fully and currently informed, on issues related to the
2 AUKUS partnership, including in relation to the
3 AUKUS Pillar 1 objective of supporting Australia’s
4 acquisition of conventionally armed, nuclear-powered
5 submarines and the Pillar 2 objective of jointly de-
6 veloping advanced military capabilities to support se-
7 curity and stability in the Indo-Pacific, as affirmed
8 by the President of the United States, the Prime
9 Minister of the United Kingdom, and the Prime
10 Minister of Australia on April 5, 2022.

11 (c) PERSONNEL TO SUPPORT THE SENIOR ADVI-
12 SOR.—The Secretary shall ensure that the Senior Advisor
13 is adequately staffed, including through encouraging de-
14 tails, or assignment of employees of the Department, with
15 expertise related to the implementation of the AUKUS
16 partnership, including staff with expertise in—

- 17 (1) nuclear policy, including nonproliferation;
18 (2) defense trade and security cooperation, in-
19 cluding security assistance; and
20 (3) relations with respect to political-military
21 issues in the Indo-Pacific and Europe.

22 (d) NOTIFICATION.—Not later than 180 days after
23 the date of the enactment of this Act, and not later than
24 90 days after a Senior Advisor assumes such position, the
25 Secretary shall notify the appropriate congressional com-

1 mittees of the number of full-time equivalent positions, rel-
2 evant expertise, and duties of any employees of the De-
3 partment or detailees supporting the Senior Advisor.

4 (e) SUNSET.—

5 (1) IN GENERAL.—The position of the Senior
6 Advisor for the AUKUS partnership shall terminate
7 on the date that is 8 years after the date of the en-
8 actment of this Act.

9 (2) RENEWAL.—The Secretary may renew the
10 position of the Senior Advisor for the AUKUS part-
11 nership for 1 additional period of 4 years, following
12 notification to the appropriate congressional commit-
13 tees of the renewal.

14 **Subtitle B—Authorization for**
15 **AUKUS Submarine Training**

16 **SEC. 6823. AUSTRALIA, UNITED KINGDOM, AND UNITED**
17 **STATES SUBMARINE SECURITY TRAINING.**

18 (a) IN GENERAL.—The President may transfer or ex-
19 port directly to private individuals in Australia defense
20 services that may be transferred to the Government of
21 Australia under the Arms Export Control Act (22 U.S.C.
22 2751 et seq.) to support the development of the submarine
23 industrial base of Australia necessary for submarine secu-
24 rity activities between Australia, the United Kingdom, and
25 the United States, including if such individuals are not

1 officers, employees, or agents of the Government of Aus-
2 tralia.

3 (b) SECURITY CONTROLS.—

4 (1) IN GENERAL.—Any defense service trans-
5 ferred or exported under subsection (a) shall be sub-
6 ject to appropriate security controls to ensure that
7 any sensitive information conveyed by such transfer
8 or export is protected from disclosure to persons un-
9 authorized by the United States to receive such in-
10 formation.

11 (2) CERTIFICATION.—Not later than 30 days
12 before the first transfer or export of a defense serv-
13 ice under subsection (a), and annually thereafter,
14 the President shall certify to the Committee on For-
15 eign Relations of the Senate and the Committee on
16 Foreign Affairs of the House of Representatives that
17 the controls described in paragraph (1) will protect
18 the information described in such paragraph for the
19 defense services so transferred or exported.

20 (c) APPLICATION OF REQUIREMENTS FOR RE-
21 TRANSFER AND REEXPORT.—Any person who receives
22 any defense service transferred or exported under sub-
23 section (a) may retransfer or reexport such service to
24 other persons only in accordance with the requirements
25 of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

1 **Subtitle C—Streamlining and Pro-**
2 **tecting Transfers of United**
3 **States Military Technology**
4 **From Compromise**

5 **SEC. 6831. PRIORITY FOR AUSTRALIA AND THE UNITED**
6 **KINGDOM IN FOREIGN MILITARY SALES AND**
7 **DIRECT COMMERCIAL SALES.**

8 (a) **IN GENERAL.**—The President shall institute poli-
9 cies and procedures for letters of request from Australia
10 and the United Kingdom to transfer defense articles and
11 services under section 21 of the Arms Export Control Act
12 (22 U.S.C. 2761) related to AUKUS to receive expedited
13 consideration and processing relative to all other letters
14 of request other than from Taiwan and Ukraine.

15 (b) **TECHNOLOGY TRANSFER POLICY FOR AUS-**
16 **TRALIA, CANADA, AND THE UNITED KINGDOM.**—

17 (1) **IN GENERAL.**—The Secretary, in consulta-
18 tion with the Secretary of Defense, shall create an
19 anticipatory release policy for the transfer of tech-
20 nologies described in paragraph (2) to Australia, the
21 United Kingdom, and Canada through Foreign Mili-
22 tary Sales and Direct Commercial Sales that are not
23 covered by an exemption under the International
24 Traffic in Arms Regulations.

1 (2) CAPABILITIES DESCRIBED.—The capabili-
2 ties described in this paragraph are—

3 (A) Pillar One-related technologies associ-
4 ated with submarine and associated combat sys-
5 tems; and

6 (B) Pillar Two-related technologies, includ-
7 ing hypersonic missiles, cyber capabilities, arti-
8 ficial intelligence, quantum technologies, under-
9 sea capabilities, and other advanced tech-
10 nologies.

11 (3) EXPEDITED DECISION-MAKING.—Review of
12 a transfer under the policy established under para-
13 graph (1) shall be subject to an expedited decision-
14 making process.

15 (c) INTERAGENCY POLICY AND GUIDANCE.—The
16 Secretary and the Secretary of Defense shall jointly review
17 and update interagency policies and implementation guid-
18 ance related to requests for Foreign Military Sales and
19 Direct Commercial Sales, including by incorporating the
20 anticipatory release provisions of this section.

1 **SEC. 6832. IDENTIFICATION AND PRE-CLEARANCE OF PLAT-**
2 **FORMS, TECHNOLOGIES, AND EQUIPMENT**
3 **FOR SALE TO AUSTRALIA AND THE UNITED**
4 **KINGDOM THROUGH FOREIGN MILITARY**
5 **SALES AND DIRECT COMMERCIAL SALES.**

6 Not later than 90 days after the date of the enact-
7 ment of this Act, and on a biennial basis thereafter for
8 8 years, the President shall submit to the Committee on
9 Foreign Relations of the Senate and the Committee on
10 Foreign Affairs of the House of Representatives a report
11 that includes a list of advanced military platforms, tech-
12 nologies, and equipment that are pre-cleared and
13 prioritized for sale and release to Australia, the United
14 Kingdom and Canada through the Foreign Military Sales
15 and Direct Commercial Sales programs without regard to
16 whether a letter of request or license to purchase such
17 platforms, technologies, or equipment has been received
18 from any of such country. Each list may include items
19 that are not related to the AUKUS partnership but may
20 not include items that are not covered by an exemption
21 under the International Traffic in Arms Regulations ex-
22 cept unmanned aerial or hypersonic systems.

1 **SEC. 6833. EXPORT CONTROL EXEMPTIONS AND STAND-**
2 **ARDS.**

3 (a) IN GENERAL.—Section 38 of the Arms Export
4 Control Act of 1976 (22 U.S.C. 2778) is amended by add-
5 ing at the end the following new subsection:

6 “(l) AUKUS DEFENSE TRADE COOPERATION.—

7 “(1) EXEMPTION FROM LICENSING AND AP-
8 PROVAL REQUIREMENTS.—Subject to paragraph (2)
9 and notwithstanding any other provision of this sec-
10 tion, the Secretary of State may exempt from the li-
11 censing or other approval requirements of this sec-
12 tion exports and transfers (including reexports, re-
13 transfers, temporary imports, and brokering activi-
14 ties) of defense articles and defense services between
15 or among the United States, the United Kingdom,
16 and Australia that—

17 “(A) are not excluded by those countries;

18 “(B) are not referred to in sub-
19 section(j)(1)(C)(ii); and

20 “(C) involve only persons or entities that
21 are approved by—

22 “(i) the Secretary of State; and

23 “(ii) the Ministry of Defense, the Min-
24 istry of Foreign Affairs, or other similar
25 authority within those countries.

1 “(2) LIMITATION.—The authority provided in
2 subparagraph (1) shall not apply to any activity, in-
3 cluding exports, transfers, reexports, retransfers,
4 temporary imports, or brokering, of United States
5 defense articles and defense services involving any
6 country or a person or entity of any country other
7 than the United States, the United Kingdom, and
8 Australia.”.

9 (b) REQUIRED STANDARDS OF EXPORT CON-
10 TROLS.—The Secretary may only exercise the authority
11 under subsection (l)(1) of section 38 of the Arms Export
12 Control Act of 1976, as added by subsection (a) of this
13 section, with respect to the United Kingdom or Australia
14 30 days after the Secretary submits to the appropriate
15 congressional committees an unclassified certification and
16 detailed unclassified assessment (which may include a
17 classified annex) that the country concerned has imple-
18 mented standards for a system of export controls that sat-
19 isfies the elements of section 38(j)(2) of the Arms Export
20 Control Act (22 U.S.C. 2778(j)(2)) for United States-ori-
21 gin defense articles and defense services, and for control-
22 ling the provision of military training, that are comparable
23 to those standards administered by the United States in
24 effect on the date of the enactment of this Act.

25 (c) CERTAIN REQUIREMENTS NOT APPLICABLE.—

1 (1) IN GENERAL.—Paragraphs (1), (2), and (3)
2 of section 3(d) of the Arms Export Control Act (22
3 U.S.C. 2753(d)) shall not apply to any export or
4 transfer that is the subject of an exemption under
5 subsection (l)(1) of section 38 of the Arms Export
6 Control Act of 1976, as added by subsection (a) of
7 this section.

8 (2) QUARTERLY REPORTS.—The Secretary
9 shall—

10 (A) require all exports and transfers that
11 would be subject to the requirements of para-
12 graphs (1), (2), and (3) of section 3(d) of the
13 Arms Export Control Act (22 U.S.C. 2753(d))
14 but for the application of subsection (l)(1) of
15 section 38 of the Arms Export Control Act of
16 1976, as added by subsection (a) of this sec-
17 tion, to be reported to the Secretary; and

18 (B) submit such reports to the Committee
19 on Foreign Relations of the Senate and Com-
20 mittee on Foreign Affairs of the House of Rep-
21 resentatives on a quarterly basis.

22 (d) SUNSET.—Any exemption under subsection (l)(1)
23 of section 38 of the Arms Export Control Act of 1976,
24 as added by subsection (a) of this section, shall terminate
25 on the date that is 15 years after the date of the enact-

1 ment of this Act. The Secretary of State may renew such
2 exemption for 5 years upon a certification to the Com-
3 mittee on Foreign Relations of the Senate and the Com-
4 mittee on Foreign Affairs of the House of Representatives
5 that such exemption is in the vital national interest of the
6 United States with a detailed justification for such certifi-
7 cation.

8 (e) REPORTS.—

9 (1) ANNUAL REPORT.—

10 (A) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, and
12 annually thereafter until no exemptions under
13 subsection (l)(1) of section 38 of the Arms Ex-
14 port Control Act of 1976, as added by sub-
15 section (a) of this section, remain in effect, the
16 Secretary shall submit to the Committee on
17 Foreign Relations of the Senate and the Com-
18 mittee on Foreign Affairs of the House of Rep-
19 resentatives a report on the operation of exemp-
20 tions issued under such subsection (l)(1), in-
21 cluding whether any changes to such exemp-
22 tions are likely to be made in the coming year.

23 (B) INITIAL REPORT.—The first report
24 submitted under subparagraph (A) shall also
25 include an assessment of key recommendations

1 the United States Government has provided to
2 the Governments of Australia and the United
3 Kingdom to revise laws, regulations, and poli-
4 cies of such countries that are required to im-
5 plement the AUKUS partnership.

6 (2) REPORT ON EXPEDITED REVIEW OF EX-
7 PORT LICENSES FOR EXPORTS OF ADVANCED TECH-
8 NOLOGIES.—Not later than 180 days after the date
9 of the enactment of this Act, the Secretary of State,
10 in coordination with the Secretary of Defense, shall
11 report on the practical application of a possible “fast
12 track” decision-making process for applications,
13 classified or unclassified, to export defense articles
14 and defense services to Australia, the United King-
15 dom, and Canada.

16 **SEC. 6834. EXPEDITED REVIEW OF EXPORT LICENSES FOR**
17 **EXPORTS OF ADVANCED TECHNOLOGIES TO**
18 **AUSTRALIA, THE UNITED KINGDOM, AND**
19 **CANADA.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the Secretary, in coordi-
22 nation with the Secretary of Defense, shall initiate a rule-
23 making to establish an expedited decision-making process,
24 classified or unclassified, for applications to export to Aus-
25 tralia, the United Kingdom, and Canada commercial, ad-

1 vanced-technology defense articles and defense services
2 that are not covered by an exemption under the Inter-
3 national Traffic in Arms Regulations.

4 (b) ELIGIBILITY.—To qualify for the expedited deci-
5 sion-making process described in subsection (a), an appli-
6 cation shall be for an export of defense articles or defense
7 services that will take place wholly within or between the
8 physical territory of Australia, Canada, or the United
9 Kingdom and the United States and with governments or
10 corporate entities from such countries.

11 (c) AVAILABILITY OF EXPEDITED PROCESS.—The
12 expedited decision-making process described in subsection
13 (a) shall be available for both classified and unclassified
14 items, and the process must satisfy the following criteria
15 to the extent practicable:

16 (1) Any licensing application to export defense
17 articles and services that is related to a government
18 to government agreement must be approved, re-
19 turned, or denied within 30 days of submission.

20 (2) For all other licensing requests, any review
21 shall be completed not later than 45 calendar days
22 after the date of application.

23 **SEC. 6835. UNITED STATES MUNITIONS LIST.**

24 (a) EXEMPTION FOR THE GOVERNMENTS OF THE
25 UNITED KINGDOM AND AUSTRALIA FROM CERTIFI-

1 CATION AND CONGRESSIONAL NOTIFICATION REQUIRE-
2 MENTS APPLICABLE TO CERTAIN TRANSFERS.—Section
3 38(f)(3) of the Arms Export Control Act (22 U.S.C.
4 2778(f)(3)) is amended by inserting “, the United King-
5 dom, or Australia” after “Canada”.

6 (b) UNITED STATES MUNITIONS LIST PERIODIC RE-
7 VIEWS.—

8 (1) IN GENERAL.—The Secretary, acting
9 through authority delegated by the President to
10 carry out periodic reviews of items on the United
11 States Munitions List under section 38(f) of the
12 Arms Export Control Act (22 U.S.C. 2778(f)) and
13 in coordination with the Secretary of Defense, the
14 Secretary of Energy, the Secretary of Commerce,
15 and the Director of the Office of Management and
16 Budget, shall carry out such reviews not less fre-
17 quently than every 3 years.

18 (2) SCOPE.—The periodic reviews described in
19 paragraph (1) shall focus on matters including—

20 (A) interagency resources to address cur-
21 rent threats faced by the United States;

22 (B) the evolving technological and eco-
23 nomic landscape;

1 (C) the widespread availability of certain
2 technologies and items on the United States
3 Munitions List; and

4 (D) risks of misuse of United States-origin
5 defense articles.

6 (3) CONSULTATION.—The Department of State
7 may consult with the Defense Trade Advisory Group
8 (DTAG) and other interested parties in conducting
9 the periodic review described in paragraph (1).

10 **Subtitle D—Other AUKUS Matters**

11 **SEC. 6841. REPORTING RELATED TO THE AUKUS PARTNER-** 12 **SHIP.**

13 (a) REPORT ON INSTRUMENTS.—

14 (1) IN GENERAL.—Not later than 30 days after
15 the signature, conclusion, or other finalization of any
16 non-binding instrument related to the AUKUS part-
17 nership, the President shall submit to the appro-
18 priate congressional committees the text of such in-
19 strument.

20 (2) NON-DUPLICATION OF EFFORTS; RULE OF
21 CONSTRUCTION.—To the extent the text of a non-
22 binding instrument is submitted to the appropriate
23 congressional committees pursuant to subsection (a),
24 such text does not need to be submitted to Congress
25 pursuant to section 112b(a)(1)(A)(ii) of title 1,

1 United States Code, as amended by section 5947 of
2 the James M. Inhofe National Defense Authoriza-
3 tion Act for Fiscal Year 2023 (Public Law 117–263;
4 136 Stat. 3476). Paragraph (1) shall not be con-
5 strued to relieve the executive branch of any other
6 requirement of section 112b of title 1, United States
7 Code, as amended so amended, or any other provi-
8 sion of law.

9 (3) DEFINITIONS.—In this section:

10 (A) IN GENERAL.—The term “text”, with
11 respect to a non-binding instrument, includes—

12 (i) any annex, appendix, codicil, side
13 agreement, side letter, or any document of
14 similar purpose or function to the afore-
15 mentioned, regardless of the title of the
16 document, that is entered into contempora-
17 neously and in conjunction with the non-
18 binding instrument; and

19 (ii) any implementing agreement or
20 arrangement, or any document of similar
21 purpose or function to the aforementioned,
22 regardless of the title of the document,
23 that is entered into contemporaneously and
24 in conjunction with the non-binding instru-
25 ment.

1 (B) CONTEMPORANEOUSLY AND IN CON-
2 JUNCTION WITH.—As used in subparagraph
3 (A), the term “contemporaneously and in con-
4 junction with”—

- 5 (i) shall be construed liberally; and
6 (ii) may not be interpreted to require
7 any action to have occurred simultaneously
8 or on the same day.

9 (b) REPORT ON AUKUS PARTNERSHIP.—

10 (1) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, and bi-
12 ennially thereafter, the Secretary, in coordination
13 with the Secretary of Defense and other appropriate
14 heads of agencies, shall submit to the appropriate
15 congressional committees a report on the AUKUS
16 partnership.

17 (2) ELEMENTS.—Each report required under
18 paragraph (1) shall include the following elements:

19 (A) STRATEGY.—

- 20 (i) An identification of the defensive
21 military capability gaps and capacity short-
22 falls that the AUKUS partnership seeks to
23 offset.

1 (ii) An explanation of the total cost to
2 the United States associated with Pillar
3 One of the AUKUS partnership.

4 (iii) A detailed explanation of how en-
5 hanced access to the industrial base of
6 Australia is contributing to strengthening
7 the United States strategic position in
8 Asia.

9 (iv) A detailed explanation of the mili-
10 tary and strategic benefit provided by the
11 improved access provided by naval bases of
12 Australia.

13 (v) A detailed assessment of how Aus-
14 tralia's sovereign conventionally armed nu-
15 clear attack submarines contribute to
16 United States defense and deterrence ob-
17 jectives in the Indo-Pacific region.

18 (B) IMPLEMENT THE AUKUS PARTNER-
19 SHIP.—

20 (i) Progress made on achieving the
21 Optimal Pathway established for Aus-
22 tralia's development of conventionally
23 armed, nuclear-powered submarines, in-
24 cluding the following elements:

1 (I) A description of progress
2 made by Australia, the United King-
3 dom, and the United States to con-
4 clude an Article 14 arrangement with
5 the International Atomic Energy
6 Agency.

7 (II) A description of the status of
8 efforts of Australia, the United King-
9 dom, and the United States to build
10 the supporting infrastructure to base
11 conventionally armed, nuclear-powered
12 attack submarines.

13 (III) Updates on the efforts by
14 Australia, the United Kingdom, and
15 the United States to train a workforce
16 that can build, sustain, and operate
17 conventionally armed, nuclear-powered
18 attack submarines.

19 (IV) A description of progress in
20 establishing submarine support facili-
21 ties capable of hosting rotational
22 forces in western Australia by 2027.

23 (V) A description of progress
24 made in improving United States sub-
25 marine production capabilities that

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1 will enable the United States to
2 meet—

3 (aa) its objectives of pro-
4 viding up to five Virginia Class
5 submarines to Australia by the
6 early to mid-2030's; and

7 (bb) United States sub-
8 marine production requirements.

9 (ii) Progress made on Pillar Two of
10 the AUKUS partnership, including the fol-
11 lowing elements:

12 (I) An assessment of the efforts
13 of Australia, the United Kingdom,
14 and the United States to enhance col-
15 laboration across the following eight
16 trilateral lines of effort:

17 (aa) Underseas capabilities.

18 (bb) Quantum technologies.

19 (cc) Artificial intelligence
20 and autonomy.

21 (dd) Advanced cyber capa-
22 bilities.

23 (ee) Hypersonic and
24 counter-hypersonic capabilities.

25 (ff) Electronic warfare.

1 (gg) Innovation.

2 (hh) Information sharing.

3 (II) An assessment of any new
4 lines of effort established.

5 **DIVISION G—UNIDENTIFIED**
6 **ANOMALOUS PHENOMENA**
7 **DISCLOSURE**

8 **SEC. 9001. SHORT TITLE.**

9 This division may be cited as the “Unidentified
10 Anomalous Phenomena Disclosure Act of 2023” or the
11 “UAP Disclosure Act of 2023”.

12 **SEC. 9002. FINDINGS, DECLARATIONS, AND PURPOSES.**

13 (a) **FINDINGS AND DECLARATIONS.**—Congress finds
14 and declares the following:

15 (1) All Federal Government records related to
16 unidentified anomalous phenomena should be pre-
17 served and centralized for historical and Federal
18 Government purposes.

19 (2) All Federal Government records concerning
20 unidentified anomalous phenomena should carry a
21 presumption of immediate disclosure and all records
22 should be eventually disclosed to enable the public to
23 become fully informed about the history of the Fed-
24 eral Government’s knowledge and involvement sur-
25 rounding unidentified anomalous phenomena.

1 (3) Legislation is necessary to create an en-
2 forceable, independent, and accountable process for
3 the public disclosure of such records.

4 (4) Legislation is necessary because credible
5 evidence and testimony indicates that Federal Gov-
6 ernment unidentified anomalous phenomena records
7 exist that have not been declassified or subject to
8 mandatory declassification review as set forth in Ex-
9 ecutive Order 13526 (50 U.S.C. 3161 note; relating
10 to classified national security information) due in
11 part to exemptions under the Atomic Energy Act of
12 1954 (42 U.S.C. 2011 et seq.), as well as an over-
13 broad interpretation of “transclassified foreign nu-
14 clear information”, which is also exempt from man-
15 datory declassification, thereby preventing public
16 disclosure under existing provisions of law.

17 (5) Legislation is necessary because section 552
18 of title 5, United States Code (commonly referred to
19 as the “Freedom of Information Act”), as imple-
20 mented by the Executive branch of the Federal Gov-
21 ernment, has proven inadequate in achieving the
22 timely public disclosure of Government unidentified
23 anomalous phenomena records that are subject to
24 mandatory declassification review.

1 (6) Legislation is necessary to restore proper
2 oversight over unidentified anomalous phenomena
3 records by elected officials in both the executive and
4 legislative branches of the Federal Government that
5 has otherwise been lacking as of the enactment of
6 this Act.

7 (7) Legislation is necessary to afford complete
8 and timely access to all knowledge gained by the
9 Federal Government concerning unidentified anoma-
10 lous phenomena in furtherance of comprehensive
11 open scientific and technological research and devel-
12 opment essential to avoiding or mitigating potential
13 technological surprise in furtherance of urgent na-
14 tional security concerns and the public interest.

15 (b) PURPOSES.—The purposes of this division are—

16 (1) to provide for the creation of the unidenti-
17 fied anomalous phenomena Records Collection at the
18 National Archives and Records Administration; and

19 (2) to require the expeditious public trans-
20 mission to the Archivist and public disclosure of
21 such records.

22 **SEC. 9003. DEFINITIONS.**

23 In this division:

24 (1) ARCHIVIST.—The term “Archivist” means
25 the Archivist of the United States.

1 (2) CLOSE OBSERVER.—The term “close ob-
2 server” means anyone who has come into close prox-
3 imity to unidentified anomalous phenomena or non-
4 human intelligence.

5 (3) COLLECTION.—The term “Collection”
6 means the Unidentified Anomalous Phenomena
7 Records Collection established under section 9004.

8 (4) CONTROLLED DISCLOSURE CAMPAIGN
9 PLAN.—The term “Controlled Disclosure Campaign
10 Plan” means the Controlled Disclosure Campaign
11 Plan required by section 9009(c)(3).

12 (5) CONTROLLING AUTHORITY.—The term
13 “controlling authority” means any Federal, State, or
14 local government department, office, agency, com-
15 mittee, commission, commercial company, academic
16 institution, or private sector entity in physical pos-
17 session of technologies of unknown origin or biologi-
18 cal evidence of non-human intelligence.

19 (6) DIRECTOR.—The term “Director” means
20 the Director of the Office of Government Ethics.

21 (7) EXECUTIVE AGENCY.—The term “Executive
22 agency” means an Executive agency, as defined in
23 subsection 552(f) of title 5, United States Code.

24 (8) GOVERNMENT OFFICE.—The term “Govern-
25 ment office” means any department, office, agency,

1 committee, or commission of the Federal Govern-
2 ment and any independent office or agency without
3 exception that has possession or control, including
4 via contract or other agreement, of unidentified
5 anomalous phenomena records.

6 (9) IDENTIFICATION AID.—The term “identi-
7 fication aid” means the written description prepared
8 for each record, as required in section 9004.

9 (10) LEADERSHIP OF CONGRESS.—The term
10 “leadership of Congress” means—

11 (A) the majority leader of the Senate;

12 (B) the minority leader of the Senate;

13 (C) the Speaker of the House of Rep-
14 resentatives; and

15 (D) the minority leader of the House of
16 Representatives.

17 (11) LEGACY PROGRAM.—The term “legacy
18 program” means all Federal, State, and local gov-
19 ernment, commercial industry, academic, and private
20 sector endeavors to collect, exploit, or reverse engi-
21 neer technologies of unknown origin or examine bio-
22 logical evidence of living or deceased non-human in-
23 telligence that pre-dates the date of the enactment
24 of this Act.

1 (12) NATIONAL ARCHIVES.—The term “Na-
2 tional Archives” means the National Archives and
3 Records Administration and all components thereof,
4 including presidential archival depositories estab-
5 lished under section 2112 of title 44, United States
6 Code.

7 (13) NON-HUMAN INTELLIGENCE.—The term
8 “non-human intelligence” means any sentient intel-
9 ligent non-human lifeform regardless of nature or ul-
10 timate origin that may be presumed responsible for
11 unidentified anomalous phenomena or of which the
12 Federal Government has become aware.

13 (14) ORIGINATING BODY.—The term “origi-
14 nating body” means the Executive agency, Federal
15 Government commission, committee of Congress, or
16 other Governmental entity that created a record or
17 particular information within a record.

18 (15) PROSAIC ATTRIBUTION.—The term “pro-
19 saic attribution” means having a human (either for-
20 eign or domestic) origin and operating according to
21 current, proven, and generally understood scientific
22 and engineering principles and established laws-of-
23 nature and not attributable to non-human intel-
24 ligence.

1 (16) PUBLIC INTEREST.—The term “public in-
2 terest” means the compelling interest in the prompt
3 public disclosure of unidentified anomalous phe-
4 nomena records for historical and Governmental
5 purposes and for the purpose of fully informing the
6 people of the United States about the history of the
7 Federal Government’s knowledge and involvement
8 surrounding unidentified anomalous phenomena.

9 (17) RECORD.—The term “record” includes a
10 book, paper, report, memorandum, directive, email,
11 text, or other form of communication, or map, pho-
12 tograph, sound or video recording, machine-readable
13 material, computerized, digitized, or electronic infor-
14 mation, including intelligence, surveillance, recon-
15 naissance, and target acquisition sensor data, re-
16 gardless of the medium on which it is stored, or
17 other documentary material, regardless of its phys-
18 ical form or characteristics.

19 (18) REVIEW BOARD.—The term “Review
20 Board” means the Unidentified Anomalous Phe-
21 nomena Records Review Board established by sec-
22 tion 9007.

23 (19) TECHNOLOGIES OF UNKNOWN ORIGIN.—
24 The term “technologies of unknown origin” means
25 any materials or meta-materials, ejecta, crash de-

1 bris, mechanisms, machinery, equipment, assemblies
2 or sub-assemblies, engineering models or processes,
3 damaged or intact aerospace vehicles, and damaged
4 or intact ocean-surface and undersea craft associ-
5 ated with unidentified anomalous phenomena or in-
6 corporating science and technology that lacks prosaic
7 attribution or known means of human manufacture.

8 (20) TEMPORARILY NON-ATTRIBUTED OB-
9 JECTS.—

10 (A) IN GENERAL.—The term “temporarily
11 non-attributed objects” means the class of ob-
12 jects that temporarily resist prosaic attribution
13 by the initial observer as a result of environ-
14 mental or system limitations associated with the
15 observation process that nevertheless ultimately
16 have an accepted human origin or known phys-
17 ical cause. Although some unidentified anoma-
18 lous phenomena may at first be interpreted as
19 temporarily non-attributed objects, they are not
20 temporarily non-attributed objects, and the two
21 categories are mutually exclusive.

22 (B) INCLUSION.—The term “temporarily
23 non-attributed objects” includes—

24 (i) natural celestial, meteorological,
25 and undersea weather phenomena;

1 (ii) mundane human-made airborne
2 objects, clutter, and marine debris;

3 (iii) Federal, State, and local govern-
4 ment, commercial industry, academic, and
5 private sector aerospace platforms;

6 (iv) Federal, State, and local govern-
7 ment, commercial industry, academic, and
8 private sector ocean-surface and undersea
9 vehicles; and

10 (v) known foreign systems.

11 (21) THIRD AGENCY.—The term “third agen-
12 cy” means a Government agency that originated a
13 unidentified anomalous phenomena record that is in
14 the possession of another Government agency.

15 (22) UNIDENTIFIED ANOMALOUS PHE-
16 NOMENA.—

17 (A) IN GENERAL.—The term “unidentified
18 anomalous phenomena” means any object oper-
19 ating or judged capable of operating in outer-
20 space, the atmosphere, ocean surfaces, or un-
21 dersea lacking prosaic attribution due to per-
22 formance characteristics and properties not pre-
23 viously known to be achievable based upon com-
24 monly accepted physical principles. Unidentified
25 anomalous phenomena are differentiated from

1 both attributed and temporarily non-attributed
 2 objects by one or more of the following
 3 observables:

4 (i) Instantaneous acceleration absent
 5 apparent inertia.

6 (ii) Hypersonic velocity absent a ther-
 7 mal signature and sonic shockwave.

8 (iii) Transmedium (such as space-to-
 9 ground and air-to-undersea) travel.

10 (iv) Positive lift contrary to known
 11 aerodynamic principles.

12 (v) Multispectral signature control.

13 (vi) Physical or invasive biological ef-
 14 fects to close observers and the environ-
 15 ment.

16 (B) INCLUSIONS.—The term “unidentified
 17 anomalous phenomena” includes what were pre-
 18 viously described as—

19 (i) flying discs;

20 (ii) flying saucers;

21 (iii) unidentified aerial phenomena;

22 (iv) unidentified flying objects
 23 (UFOs); and

24 (v) unidentified submerged objects
 25 (USOs).

1 (23) UNIDENTIFIED ANOMALOUS PHENOMENA
2 RECORD.—The term “unidentified anomalous phe-
3 nomena record” means a record that is related to
4 unidentified anomalous phenomena, technologies of
5 unknown origin, or non-human intelligence (and all
6 equivalent subjects by any other name with the spe-
7 cific and sole exclusion of temporarily non-attributed
8 objects) that was created or made available for use
9 by, obtained by, or otherwise came into the posses-
10 sion of—

11 (A) the Executive Office of the President;

12 (B) the Department of Defense and its
13 progenitors, the Department of War and the
14 Department of the Navy;

15 (C) the Department of the Army;

16 (D) the Department of the Navy;

17 (E) the Department of the Air Force, spe-
18 cifically the Air Force Office of Special Inves-
19 tigations;

20 (F) the Department of Energy and its pro-
21 genitors, the Manhattan Project, the Atomic
22 Energy Commission, and the Energy Research
23 and Development Administration;

24 (G) the Office of the Director of National
25 Intelligence;

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- 1 (H) the Central Intelligence Agency and
2 its progenitor, the Office of Strategic Services;
3 (I) the National Reconnaissance Office;
4 (J) the Defense Intelligence Agency;
5 (K) the National Security Agency;
6 (L) the National Geospatial-Intelligence
7 Agency;
8 (M) the National Aeronautics and Space
9 Administration:
10 (N) the Federal Bureau of Investigation;
11 (O) the Federal Aviation Administration;
12 (P) the National Oceanic and Atmospheric
13 Administration;
14 (Q) the Library of Congress;
15 (R) the National Archives and Records Ad-
16 ministration;
17 (S) any Presidential library;
18 (T) any Executive agency;
19 (U) any independent office or agency;
20 (V) any other department, office, agency,
21 committee, or commission of the Federal Gov-
22 ernment;
23 (W) any State or local government depart-
24 ment, office, agency, committee, or commission
25 that provided support or assistance or per-

1 formed work, in connection with a Federal in-
2 quiry into unidentified anomalous phenomena,
3 technologies of unknown origin, or non-human
4 intelligence; and

5 (X) any private sector person or entity for-
6 merly or currently under contract or some other
7 agreement with the Federal Government.

8 **SEC. 9004. UNIDENTIFIED ANOMALOUS PHENOMENA**
9 **RECORDS COLLECTION AT THE NATIONAL**
10 **ARCHIVES AND RECORDS ADMINISTRATION.**

11 (a) ESTABLISHMENT.—

12 (1) IN GENERAL.—(A) Not later than 60 days
13 after the date of the enactment of this Act, the Ar-
14 chivist shall commence establishment of a collection
15 of records in the National Archives to be known as
16 the “Unidentified Anomalous Phenomena Records
17 Collection”.

18 (B) In carrying out subparagraph (A), the Ar-
19 chivist shall ensure the physical integrity and origi-
20 nal provenance (or if indeterminate, the earliest his-
21 torical owner) of all records in the Collection.

22 (C) The Collection shall consist of record copies
23 of all Government, Government-provided, or Govern-
24 ment-funded records relating to unidentified anoma-
25 lous phenomena, technologies of unknown origin,

1 and non-human intelligence (or equivalent subjects
2 by any other name with the specific and sole exclu-
3 sion of temporarily non-attributed objects), which
4 shall be transmitted to the National Archives in ac-
5 cordance with section 2107 of title 44, United States
6 Code.

7 (D) The Archivist shall prepare and publish a
8 subject guidebook and index to the Collection.

9 (2) CONTENTS.—The Collection shall include
10 the following:

11 (A) All unidentified anomalous phenomena
12 records, regardless of age or date of creation—

13 (i) that have been transmitted to the
14 National Archives or disclosed to the public
15 in an unredacted form prior to the date of
16 the enactment of this Act;

17 (ii) that are required to be trans-
18 mitted to the National Archives; and

19 (iii) that the disclosure of which is
20 postponed under this Act.

21 (B) A central directory comprised of iden-
22 tification aids created for each record trans-
23 mitted to the Archivist under section 9005.

24 (C) All Review Board records as required
25 by this Act.

1 (b) DISCLOSURE OF RECORDS.—All unidentified
2 anomalous phenomena records transmitted to the National
3 Archives for disclosure to the public shall—

4 (1) be included in the Collection; and

5 (2) be available to the public—

6 (A) for inspection and copying at the Na-
7 tional Archives within 30 days after their trans-
8 mission to the National Archives; and

9 (B) digitally via the National Archives on-
10 line database within a reasonable amount of
11 time not to exceed 180 days thereafter.

12 (c) FEES FOR COPYING.—

13 (1) IN GENERAL.—The Archivist shall—

14 (A) charge fees for copying unidentified
15 anomalous phenomena records; and

16 (B) grant waivers of such fees pursuant to
17 the standards established by section 552(a)(4)
18 of title 5, United States Code.

19 (2) AMOUNT OF FEES.—The amount of a fee
20 charged by the Archivist pursuant to paragraph
21 (1)(A) for the copying of an unidentified anomalous
22 phenomena record shall be such amount as the Ar-
23 chivist determines appropriate to cover the costs in-
24 curred by the National Archives in making and pro-
25 viding such copy, except that in no case may the

1 amount of the fee charged exceed the actual ex-
2 penses incurred by the National Archives in making
3 and providing such copy.

4 (d) ADDITIONAL REQUIREMENTS.—

5 (1) USE OF FUNDS.—The Collection shall be
6 preserved, protected, archived, digitized, and made
7 available to the public at the National Archives and
8 via the official National Archives online database
9 using appropriations authorized, specified, and re-
10 stricted for use under the terms of this Act.

11 (2) SECURITY OF RECORDS.—The National Se-
12 curity Program Office at the National Archives, in
13 consultation with the National Archives Information
14 Security Oversight Office, shall establish a program
15 to ensure the security of the postponed unidentified
16 anomalous phenomena records in the protected, and
17 yet-to-be disclosed or classified portion of the Collec-
18 tion.

19 (e) OVERSIGHT.—

20 (1) SENATE.—The Committee on Homeland
21 Security and Governmental Affairs of the Senate
22 shall have continuing legislative oversight jurisdic-
23 tion in the Senate with respect to the Collection.

24 (2) HOUSE OF REPRESENTATIVES.—The Com-
25 mittee on Oversight and Accountability of the House

1 of Representatives shall have continuing legislative
2 oversight jurisdiction in the House of Representa-
3 tives with respect to the Collection.

4 **SEC. 9005. REVIEW, IDENTIFICATION, TRANSMISSION TO**
5 **THE NATIONAL ARCHIVES, AND PUBLIC DIS-**
6 **CLOSURE OF UNIDENTIFIED ANOMALOUS**
7 **PHENOMENA RECORDS BY GOVERNMENT OF-**
8 **FICES.**

9 (a) IDENTIFICATION, ORGANIZATION, AND PREPARA-
10 TION FOR TRANSMISSION.—

11 (1) IN GENERAL.—As soon as practicable after
12 the date of the enactment of this Act, each head of
13 a Government office shall—

14 (A) identify and organize records in the
15 possession of the Government office or under
16 the control of the Government office relating to
17 unidentified anomalous phenomena; and

18 (B) prepare such records for transmission
19 to the Archivist for inclusion in the Collection.

20 (2) PROHIBITIONS.—(A) No unidentified anom-
21 alous phenomena record shall be destroyed, altered,
22 or mutilated in any way.

23 (B) No unidentified anomalous phenomena
24 record made available or disclosed to the public prior
25 to the date of the enactment of this Act may be

1 withheld, redacted, postponed for public disclosure,
2 or reclassified.

3 (C) No unidentified anomalous phenomena
4 record created by a person or entity outside the Fed-
5 eral Government (excluding names or identities con-
6 sistent with the requirements of section 9006) shall
7 be withheld, redacted, postponed for public dislo-
8 sure, or reclassified.

9 (b) CUSTODY OF UNIDENTIFIED ANOMALOUS PHE-
10 NOMENA RECORDS PENDING REVIEW.—During the re-
11 view by the heads of Government offices under subsection
12 (c) and pending review activity by the Review Board, each
13 head of a Government office shall retain custody of the
14 unidentified anomalous phenomena records of the office
15 for purposes of preservation, security, and efficiency, un-
16 less—

17 (1) the Review Board requires the physical
18 transfer of the records for purposes of conducting an
19 independent and impartial review;

20 (2) transfer is necessary for an administrative
21 hearing or other Review Board function; or

22 (3) it is a third agency record described in sub-
23 section (c)(2)(C).

24 (c) REVIEW BY HEADS OF GOVERNMENT OFFICES.—

1 (1) IN GENERAL.—Not later than 300 days
2 after the date of the enactment of this Act, each
3 head of a Government office shall review, identify,
4 and organize each unidentified anomalous phe-
5 nomena record in the custody or possession of the
6 office for—

7 (A) disclosure to the public;

8 (B) review by the Review Board; and

9 (C) transmission to the Archivist.

10 (2) REQUIREMENTS.—In carrying out para-
11 graph (1), the head of a Government office shall—

12 (A) determine which of the records of the
13 office are unidentified anomalous phenomena
14 records;

15 (B) determine which of the unidentified
16 anomalous phenomena records of the office
17 have been officially disclosed or made publicly
18 available in a complete and unredacted form;

19 (C)(i) determine which of the unidentified
20 anomalous phenomena records of the office, or
21 particular information contained in such a
22 record, was created by a third agency or by an-
23 other Government office; and

24 (ii) transmit to a third agency or other
25 Government office those records, or particular

1 information contained in those records, or com-
2 plete and accurate copies thereof;

3 (D)(i) determine whether the unidentified
4 anomalous phenomena records of the office or
5 particular information in unidentified anoma-
6 lous phenomena records of the office are cov-
7 ered by the standards for postponement of pub-
8 lic disclosure under this division; and

9 (ii) specify on the identification aid re-
10 quired by subsection (d) the applicable post-
11 ponement provision contained in section 9006;

12 (E) organize and make available to the Re-
13 view Board all unidentified anomalous phe-
14 nomena records identified under subparagraph
15 (D) the public disclosure of, which in-whole or
16 in-part, may be postponed under this division;

17 (F) organize and make available to the Re-
18 view Board any record concerning which the of-
19 fice has any uncertainty as to whether the
20 record is an unidentified anomalous phenomena
21 record governed by this division;

22 (G) give precedence of work to—

23 (i) the identification, review, and
24 transmission of unidentified anomalous
25 phenomena records not already publicly

1 available or disclosed as of the date of the
2 enactment of this Act;

3 (ii) the identification, review, and
4 transmission of all records that most un-
5 ambiguously and definitively pertain to un-
6 identified anomalous phenomena, tech-
7 nologies of unknown origin, and non-
8 human intelligence;

9 (iii) the identification, review, and
10 transmission of unidentified anomalous
11 phenomena records that on the date of the
12 enactment of this Act are the subject of
13 litigation under section 552 of title 5,
14 United States Code; and

15 (iv) the identification, review, and
16 transmission of unidentified anomalous
17 phenomena records with earliest prove-
18 nance when not inconsistent with clauses
19 (i) through (iii) and otherwise feasible; and

20 (H) make available to the Review Board
21 any additional information and records that the
22 Review Board has reason to believe the Review
23 Board requires for conducting a review under
24 this division.

1 (3) PRIORITY OF EXPEDITED REVIEW FOR DI-
2 RECTORS OF CERTAIN ARCHIVAL DEPOSITORIES.—
3 The Director of each archival depository established
4 under section 2112 of title 44, United States Code,
5 shall have as a priority the expedited review for pub-
6 lic disclosure of unidentified anomalous phenomena
7 records in the possession and custody of the deposi-
8 tory, and shall make such records available to the
9 Review Board as required by this division.

10 (d) IDENTIFICATION AIDS.—

11 (1) IN GENERAL.—(A) Not later than 45 days
12 after the date of the enactment of this Act, the Ar-
13 chivist, in consultation with the heads of such Gov-
14 ernment offices as the Archivist considers appro-
15 priate, shall prepare and make available to all Gov-
16 ernment offices a standard form of identification, or
17 finding aid, for use with each unidentified anoma-
18 lous phenomena record subject to review under this
19 division whether in hardcopy (physical), softcopy
20 (electronic), or digitized data format as may be ap-
21 propriate.

22 (B) The Archivist shall ensure that the identi-
23 fication aid program is established in such a manner
24 as to result in the creation of a uniform system for
25 cataloging and finding every unidentified anomalous

1 phenomena record subject to review under this divi-
2 sion where ever and how ever stored in hardcopy
3 (physical), softcopy (electronic), or digitized data
4 format.

5 (2) REQUIREMENTS FOR GOVERNMENT OF-
6 FICES.—Upon completion of an identification aid
7 using the standard form of identification prepared
8 and made available under subparagraph (A) of para-
9 graph (1) for the program established pursuant to
10 subparagraph (B) of such paragraph, the head of a
11 Government office shall—

12 (A) attach a printed copy to each physical
13 unidentified anomalous phenomena record, and
14 an electronic copy to each softcopy or digitized
15 data unidentified anomalous phenomena record,
16 the identification aid describes;

17 (B) transmit to the Review Board a print-
18 ed copy for each physical unidentified anoma-
19 lous phenomena record and an electronic copy
20 for each softcopy or digitized data unidentified
21 anomalous phenomena record the identification
22 aid describes; and

23 (C) attach a printed copy to each physical
24 unidentified anomalous phenomena record, and
25 an electronic copy to each softcopy or digitized

1 data unidentified anomalous phenomena record
2 the identification aid describes, when trans-
3 mitted to the Archivist.

4 (3) RECORDS OF THE NATIONAL ARCHIVES
5 THAT ARE PUBLICLY AVAILABLE.—Unidentified
6 anomalous phenomena records which are in the pos-
7 session of the National Archives on the date of the
8 enactment of this Act, and which have been publicly
9 available in their entirety without redaction, shall be
10 made available in the Collection without any addi-
11 tional review by the Review Board or another au-
12 thorized office under this division, and shall not be
13 required to have such an identification aid unless re-
14 quired by the Archivist.

15 (e) TRANSMISSION TO THE NATIONAL ARCHIVES.—
16 Each head of a Government office shall—

17 (1) transmit to the Archivist, and make imme-
18 diately available to the public, all unidentified anom-
19 alous phenomena records of the Government office
20 that can be publicly disclosed, including those that
21 are publicly available on the date of the enactment
22 of this Act, without any redaction, adjustment, or
23 withholding under the standards of this division; and

24 (2) transmit to the Archivist upon approval for
25 postponement by the Review Board or upon comple-

1 tion of other action authorized by this division, all
2 unidentified anomalous phenomena records of the
3 Government office the public disclosure of which has
4 been postponed, in whole or in part, under the
5 standards of this division, to become part of the pro-
6 tected, yet-to-be disclosed, or classified portion of
7 the Collection.

8 (f) CUSTODY OF POSTPONED UNIDENTIFIED ANOMA-
9 LOUS PHENOMENA RECORDS.—An unidentified anoma-
10 lous phenomena record the public disclosure of which has
11 been postponed shall, pending transmission to the Archi-
12 vist, be held for reasons of security and preservation by
13 the originating body until such time as the information
14 security program has been established at the National Ar-
15 chives as required in section 9004(d)(2).

16 (g) PERIODIC REVIEW OF POSTPONED UNIDENTI-
17 FIED ANOMALOUS PHENOMENA RECORDS.—

18 (1) IN GENERAL.—All postponed or redacted
19 records shall be reviewed periodically by the origi-
20 nating agency and the Archivist consistent with the
21 recommendations of the Review Board in the Con-
22 trolled Disclosure Campaign Plan under section
23 9009(e)(3)(B).

24 (2) REQUIREMENTS.—(A) A periodic review
25 under paragraph (1) shall address the public disclo-

1 sure of additional unidentified anomalous phe-
2 nomena records in the Collection under the stand-
3 ards of this division.

4 (B) All postponed unidentified anomalous phe-
5 nomena records determined to require continued
6 postponement shall require an unclassified written
7 description of the reason for such continued post-
8 ponement relevant to these specific records. Such de-
9 scription shall be provided to the Archivist and pub-
10 lished in the Federal Register upon determination.

11 (C) The time and release requirements specified
12 in the Controlled Disclosure Campaign Plan shall be
13 revised or amended only if the Review Board is still
14 in session and concurs with the rationale for post-
15 ponement, subject to the limitations in section
16 9009(d)(1).

17 (D) The periodic review of postponed unidenti-
18 fied anomalous phenomena records shall serve to
19 downgrade and declassify security classified informa-
20 tion.

21 (E) Each unidentified anomalous phenomena
22 record shall be publicly disclosed in full, and avail-
23 able in the Collection, not later than the date that
24 is 25 years after the date of the first creation of the

1 record by the originating body, unless the President
2 certifies, as required by this division, that—

3 (i) continued postponement is made nec-
4 essary by an identifiable harm to the military
5 defense, intelligence operations, law enforce-
6 ment, or conduct of foreign relations; and

7 (ii) the identifiable harm is of such gravity
8 that it outweighs the public interest in disclo-
9 sure.

10 (h) REQUIREMENTS FOR EXECUTIVE AGENCIES.—

11 (1) IN GENERAL.—Executive agencies shall—

12 (A) transmit digital records electronically
13 in accordance with section 2107 of title 44,
14 United States Code;

15 (B) charge fees for copying unidentified
16 anomalous phenomena records; and

17 (C) grant waivers of such fees pursuant to
18 the standards established by section 552(a)(4)
19 of title 5, United States Code.

20 (2) AMOUNT OF FEES.—The amount of a fee
21 charged by the head of an Executive agency pursu-
22 ant to paragraph (1)(B) for the copying of an un-
23 identified anomalous phenomena record shall be
24 such amount as the head determines appropriate to
25 cover the costs incurred by the Executive agency in

1 making and providing such copy, except that in no
2 case may the amount of the fee charged exceed the
3 actual expenses incurred by the Executive agency in
4 making and providing such copy.

5 **SEC. 9006. GROUNDS FOR POSTPONEMENT OF PUBLIC DIS-**
6 **CLOSURE OF UNIDENTIFIED ANOMALOUS**
7 **PHENOMENA RECORDS.**

8 Disclosure of unidentified anomalous phenomena
9 records or particular information in unidentified anoma-
10 lous phenomena records to the public may be postponed
11 subject to the limitations of this division if there is clear
12 and convincing evidence that—

13 (1) the threat to the military defense, intel-
14 ligence operations, or conduct of foreign relations of
15 the United States posed by the public disclosure of
16 the unidentified anomalous phenomena record is of
17 such gravity that it outweighs the public interest in
18 disclosure, and such public disclosure would reveal—

19 (A) an intelligence agent whose identity
20 currently requires protection;

21 (B) an intelligence source or method which
22 is currently utilized, or reasonably expected to
23 be utilized, by the Federal Government and
24 which has not been officially disclosed, the dis-

1 closure of which would interfere with the con-
2 duct of intelligence activities; or

3 (C) any other matter currently relating to
4 the military defense, intelligence operations, or
5 conduct of foreign relations of the United
6 States, the disclosure of which would demon-
7 strably and substantially impair the national se-
8 curity of the United States;

9 (2) the public disclosure of the unidentified
10 anomalous phenomena record would reveal the name
11 or identity of a living person who provided confiden-
12 tial information to the Federal Government and
13 would pose a substantial risk of harm to that per-
14 son;

15 (3) the public disclosure of the unidentified
16 anomalous phenomena record could reasonably be
17 expected to constitute an unwarranted invasion of
18 personal privacy, and that invasion of privacy is so
19 substantial that it outweighs the public interest; or

20 (4) the public disclosure of the unidentified
21 anomalous phenomena record would compromise the
22 existence of an understanding of confidentiality cur-
23 rently requiring protection between a Federal Gov-
24 ernment agent and a cooperating individual or a for-

1 eign government, and public disclosure would be so
2 harmful that it outweighs the public interest.

3 **SEC. 9007. ESTABLISHMENT AND POWERS OF THE UNIDEN-**
4 **TIFIED ANOMALOUS PHENOMENA RECORDS**
5 **REVIEW BOARD.**

6 (a) ESTABLISHMENT.—There is established as an
7 independent agency a board to be known as the “Unidenti-
8 fied Anomalous Phenomena Records Review Board”.

9 (b) APPOINTMENT.—

10 (1) IN GENERAL.—The President, by and with
11 the advice and consent of the Senate, shall appoint,
12 without regard to political affiliation, 9 citizens of
13 the United States to serve as members of the Review
14 Board to ensure and facilitate the review, trans-
15 mission to the Archivist, and public disclosure of
16 government records relating to unidentified anoma-
17 lous phenomena.

18 (2) PERIOD FOR NOMINATIONS.—(A) The
19 President shall make nominations to the Review
20 Board not later than 90 calendar days after the date
21 of the enactment of this Act.

22 (B) If the Senate votes not to confirm a nomi-
23 nation to the Review Board, the President shall
24 make an additional nomination not later than 30
25 days thereafter.

1 (3) CONSIDERATION OF RECOMMENDATIONS.—

2 (A) The President shall make nominations to the
3 Review Board after considering persons rec-
4 ommended by the following:

5 (i) The majority leader of the Senate.

6 (ii) The minority leader of the Senate.

7 (iii) The Speaker of the House of Rep-
8 resentatives.

9 (iv) The minority leader of the House of
10 Representatives.

11 (v) The Secretary of Defense.

12 (vi) The National Academy of Sciences.

13 (vii) Established nonprofit research organi-
14 zations relating to unidentified anomalous phe-
15 nomena.

16 (viii) The American Historical Association.

17 (ix) Such other persons and organizations
18 as the President considers appropriate.

19 (B) If an individual or organization described in
20 subparagraph (A) does not recommend at least 2
21 nominees meeting the qualifications stated in para-
22 graph (5) by the date that is 45 days after the date
23 of the enactment of this Act, the President shall
24 consider for nomination the persons recommended

1 by the other individuals and organizations described
2 in such subparagraph.

3 (C) The President may request an individual or
4 organization described in subparagraph (A) to sub-
5 mit additional nominations.

6 (4) QUALIFICATIONS.—Persons nominated to
7 the Review Board—

8 (A) shall be impartial citizens, none of
9 whom shall have had any previous or current
10 involvement with any legacy program or con-
11 trolling authority relating to the collection, ex-
12 ploitation, or reverse engineering of technologies
13 of unknown origin or the examination of bio-
14 logical evidence of living or deceased non-
15 human intelligence;

16 (B) shall be distinguished persons of high
17 national professional reputation in their respec-
18 tive fields who are capable of exercising the
19 independent and objective judgment necessary
20 to the fulfillment of their role in ensuring and
21 facilitating the review, transmission to the pub-
22 lic, and public disclosure of records related to
23 the government's understanding of, and activi-
24 ties associated with unidentified anomalous phe-
25 nomena, technologies of unknown origin, and

1 non-human intelligence and who possess an ap-
 2 preciation of the value of such material to the
 3 public, scholars, and government; and

4 (C) shall include at least—

5 (i) 1 current or former national secu-
 6 rity official;

7 (ii) 1 current or former foreign service
 8 official;

9 (iii) 1 scientist or engineer;

10 (iv) 1 economist;

11 (v) 1 professional historian; and

12 (vi) 1 sociologist.

13 (5) MANDATORY CONFLICTS OF INTEREST RE-
 14 VIEW.—

15 (A) IN GENERAL.—The Director shall con-
 16 duct a review of each individual nominated and
 17 appointed to the position of member of the Re-
 18 view Board to ensure the member does not have
 19 any conflict of interest during the term of the
 20 service of the member.

21 (B) REPORTS.—During the course of the
 22 review under subparagraph (A), if the Director
 23 becomes aware that the member being reviewed
 24 possesses a conflict of interest to the mission of
 25 the Review Board, the Director shall, not later

1 than 30 days after the date on which the Direc-
2 tor became aware of the conflict of interest,
3 submit to the Committee on Homeland Security
4 and Governmental Affairs of the Senate and the
5 Committee on Oversight and Accountability of
6 the House of Representatives a report on the
7 conflict of interest.

8 (c) SECURITY CLEARANCES.—

9 (1) IN GENERAL.—All Review Board nominees
10 shall be granted the necessary security clearances
11 and accesses, including any and all relevant Presi-
12 dential, departmental, and agency special access pro-
13 grams, in an accelerated manner subject to the
14 standard procedures for granting such clearances.

15 (2) QUALIFICATION FOR NOMINEES.—All nomi-
16 nees for appointment to the Review Board under
17 subsection (b) shall qualify for the necessary security
18 clearances and accesses prior to being considered for
19 confirmation by the Committee on Homeland Secu-
20 rity and Governmental Affairs of the Senate.

21 (d) CONSIDERATION BY THE SENATE.—Nominations
22 for appointment under subsection (b) shall be referred to
23 the Committee on Homeland Security and Governmental
24 Affairs of the Senate for consideration.

1 (e) VACANCY.—A vacancy on the Review Board shall
2 be filled in the same manner as specified for original ap-
3 pointment within 30 days of the occurrence of the vacancy.

4 (f) REMOVAL OF REVIEW BOARD MEMBER.—

5 (1) IN GENERAL.—No member of the Review
6 Board shall be removed from office, other than—

7 (A) by impeachment and conviction; or

8 (B) by the action of the President for inef-
9 ficiency, neglect of duty, malfeasance in office,
10 physical disability, mental incapacity, or any
11 other condition that substantially impairs the
12 performance of the member's duties.

13 (2) NOTICE OF REMOVAL.—(A) If a member of
14 the Review Board is removed from office, and that
15 removal is by the President, not later than 10 days
16 after the removal, the President shall submit to the
17 leadership of Congress, the Committee on Homeland
18 Security and Governmental Affairs of the Senate
19 and the Committee on Oversight and Reform of the
20 House of Representatives a report specifying the
21 facts found and the grounds for the removal.

22 (B) The President shall publish in the Federal
23 Register a report submitted under subparagraph
24 (A), except that the President may, if necessary to
25 protect the rights of a person named in the report

1 or to prevent undue interference with any pending
2 prosecution, postpone or refrain from publishing any
3 or all of the report until the completion of such
4 pending cases or pursuant to privacy protection re-
5 quirements in law.

6 (3) JUDICIAL REVIEW.—(A) A member of the
7 Review Board removed from office may obtain judi-
8 cial review of the removal in a civil action com-
9 menced in the United States District Court for the
10 District of Columbia.

11 (B) The member may be reinstated or granted
12 other appropriate relief by order of the court.

13 (g) COMPENSATION OF MEMBERS.—

14 (1) IN GENERAL.—A member of the Review
15 Board, other than the Executive Director under sec-
16 tion 9008(c)(1), shall be compensated at a rate
17 equal to the daily equivalent of the annual rate of
18 basic pay prescribed for level IV of the Executive
19 Schedule under section 5315 of title 5, United
20 States Code, for each day (including travel time)
21 during which the member is engaged in the perform-
22 ance of the duties of the Review Board.

23 (2) TRAVEL EXPENSES.—A member of the Re-
24 view Board shall be allowed reasonable travel ex-
25 penses, including per diem in lieu of subsistence, at

1 rates for employees of agencies under subchapter I
2 of chapter 57 of title 5, United States Code, while
3 away from the member's home or regular place of
4 business in the performance of services for the Re-
5 view Board.

6 (h) DUTIES OF THE REVIEW BOARD.—

7 (1) IN GENERAL.—The Review Board shall con-
8 sider and render decisions on a determination by a
9 Government office to seek to postpone the disclosure
10 of unidentified anomalous phenomena records.

11 (2) CONSIDERATIONS AND RENDERING OF DE-
12 CISIONS.—In carrying out paragraph (1), the Review
13 Board shall consider and render decisions—

14 (A) whether a record constitutes a uniden-
15 tified anomalous phenomena record; and

16 (B) whether a unidentified anomalous phe-
17 nomena record or particular information in a
18 record qualifies for postponement of disclosure
19 under this division.

20 (i) POWERS.—

21 (1) IN GENERAL.—The Review Board shall
22 have the authority to act in a manner prescribed
23 under this division, including authority—

1 (A) to direct Government offices to com-
2 plete identification aids and organize unidenti-
3 fied anomalous phenomena records;

4 (B) to direct Government offices to trans-
5 mit to the Archivist unidentified anomalous
6 phenomena records as required under this divi-
7 sion, including segregable portions of unidenti-
8 fied anomalous phenomena records and sub-
9 stitutes and summaries of unidentified anoma-
10 lous phenomena records that can be publicly
11 disclosed to the fullest extent;

12 (C)(i) to obtain access to unidentified
13 anomalous phenomena records that have been
14 identified and organized by a Government of-
15 fice;

16 (ii) to direct a Government office to make
17 available to the Review Board, and if necessary
18 investigate the facts surrounding, additional in-
19 formation, records, or testimony from individ-
20 uals which the Review Board has reason to be-
21 lieve are required to fulfill its functions and re-
22 sponsibilities under this division; and

23 (iii) request the Attorney General to sub-
24 poena private persons to compel testimony,

1 records, and other information relevant to its
2 responsibilities under this division;

3 (D) require any Government office to ac-
4 count in writing for the destruction of any
5 records relating to unidentified anomalous phe-
6 nomena, technologies of unknown origin, or
7 non-human intelligence;

8 (E) receive information from the public re-
9 garding the identification and public disclosure
10 of unidentified anomalous phenomena records;

11 (F) hold hearings, administer oaths, and
12 subpoena witnesses and documents;

13 (G) use the Federal Acquisition Service in
14 the same manner and under the same condi-
15 tions as other Executive agencies; and

16 (H) use the United States mails in the
17 same manner and under the same conditions as
18 other Executive agencies.

19 (2) ENFORCEMENT OF SUBPOENA.—A sub-
20 poena issued under paragraph (1)(C)(iii) may be en-
21 forced by any appropriate Federal court acting pur-
22 suant to a lawful request of the Review Board.

23 (j) WITNESS IMMUNITY.—The Review Board shall be
24 considered to be an agency of the United States for pur-
25 poses of section 6001 of title 18, United States Code. Wit-

1 nesses, close observers, and whistleblowers providing infor-
2 mation directly to the Review Board shall also be afforded
3 the protections provided to such persons specified under
4 section 1673(b) of the James M. Inhofe National Defense
5 Authorization Act for Fiscal Year 2023 (50 U.S.C.
6 3373b(b)).

7 (k) OVERSIGHT.—

8 (1) SENATE.—The Committee on Homeland
9 Security and Governmental Affairs of the Senate
10 shall have continuing legislative oversight jurisdic-
11 tion in the Senate with respect to the official con-
12 duct of the Review Board and the disposition of
13 postponed records after termination of the Review
14 Board, and shall have access to any records held or
15 created by the Review Board.

16 (2) HOUSE OF REPRESENTATIVES.—Unless
17 otherwise determined appropriate by the House of
18 Representatives, the Committee on Oversight and
19 Accountability of the House of Representatives shall
20 have continuing legislative oversight jurisdiction in
21 the House of Representatives with respect to the of-
22 ficial conduct of the Review Board and the disposi-
23 tion of postponed records after termination of the
24 Review Board, and shall have access to any records
25 held or created by the Review Board.

1 (3) DUTY TO COOPERATE.—The Review Board
2 shall have the duty to cooperate with the exercise of
3 oversight jurisdiction described in this subsection.

4 (4) SECURITY CLEARANCES.—The Chairmen
5 and Ranking Members of the Committee on Home-
6 land Security and Governmental Affairs of the Sen-
7 ate and the Committee on Oversight and Account-
8 ability of the House of Representatives, and staff of
9 such committees designated by such Chairmen and
10 Ranking Members, shall be granted all security
11 clearances and accesses held by the Review Board,
12 including to relevant Presidential and department or
13 agency special access and compartmented access
14 programs.

15 (l) SUPPORT SERVICES.—The Administrator of the
16 General Services Administration shall provide administra-
17 tive services for the Review Board on a reimbursable basis.

18 (m) INTERPRETIVE REGULATIONS.—The Review
19 Board may issue interpretive regulations.

20 (n) TERMINATION AND WINDING DOWN.—

21 (1) IN GENERAL.—The Review Board and the
22 terms of its members shall terminate not later than
23 September 30, 2030, unless extended by Congress.

24 (2) REPORTS.—Upon its termination, the Re-
25 view Board shall submit to the President and Con-

1 gress reports, including a complete and accurate ac-
2 counting of expenditures during its existence and
3 shall complete all other reporting requirements
4 under this division.

5 (3) TRANSFER OF RECORDS.—Upon termi-
6 nation and winding down, the Review Board shall
7 transfer all of its records to the Archivist for inclu-
8 sion in the Collection, and no record of the Review
9 Board shall be destroyed.

10 **SEC. 9008. UNIDENTIFIED ANOMALOUS PHENOMENA**
11 **RECORDS REVIEW BOARD PERSONNEL.**

12 (a) EXECUTIVE DIRECTOR.—

13 (1) APPOINTMENT.—Not later than 45 days
14 after the date of the enactment of this Act, the
15 President shall appoint 1 citizen of the United
16 States, without regard to political affiliation, to the
17 position of Executive Director of the Review Board.
18 This position counts as 1 of the 9 Review Board
19 members under section 9007(b)(1).

20 (2) QUALIFICATIONS.—The person appointed as
21 Executive Director shall be a private citizen of integ-
22 rity and impartiality who—

23 (A) is a distinguished professional; and

24 (B) is not a present employee of the Fed-
25 eral Government; and

1 (C) has had no previous or current involve-
2 ment with any legacy program or controlling
3 authority relating to the collection, exploitation,
4 or reverse engineering of technologies of un-
5 known origin or the examination of biological
6 evidence of living or deceased non-human intel-
7 ligence.

8 (3) MANDATORY CONFLICTS OF INTEREST RE-
9 VIEW.—

10 (A) IN GENERAL.—The Director shall con-
11 duct a review of each individual appointed to
12 the position of Executive Director to ensure the
13 Executive Director does not have any conflict of
14 interest during the term of the service of the
15 Executive Director.

16 (B) REPORTS.—During the course of the
17 review under subparagraph (A), if the Director
18 becomes aware that the Executive Director pos-
19 sesses a conflict of interest to the mission of the
20 Review Board, the Director shall, not later than
21 30 days after the date on which the Director
22 became aware of the conflict of interest, submit
23 to the Committee on Homeland Security and
24 Governmental Affairs of the Senate and the
25 Committee on Oversight and Accountability of

1 the House of Representatives a report on the
2 conflict of interest.

3 (4) SECURITY CLEARANCES.—(A) A candidate
4 for Executive Director shall be granted all the nec-
5 essary security clearances and accesses, including to
6 relevant Presidential and department or agency spe-
7 cial access and compartmented access programs in
8 an accelerated manner subject to the standard pro-
9 cedures for granting such clearances.

10 (B) A candidate shall qualify for the necessary
11 security clearances and accesses prior to being ap-
12 pointed by the President.

13 (5) FUNCTIONS.—The Executive Director
14 shall—

15 (A) serve as principal liaison to the Execu-
16 tive Office of the President and Congress;

17 (B) serve as Chairperson of the Review
18 Board;

19 (C) be responsible for the administration
20 and coordination of the Review Board's review
21 of records;

22 (D) be responsible for the administration
23 of all official activities conducted by the Review
24 Board;

1 (E) exercise tie-breaking Review Board au-
2 thority to decide or determine whether any
3 record should be disclosed to the public or post-
4 poned for disclosure; and

5 (F) retain right-of-appeal directly to the
6 President for decisions pertaining to executive
7 branch unidentified anomalous phenomena
8 records for which the Executive Director and
9 Review Board members may disagree.

10 (6) REMOVAL.—The Executive Director shall
11 not be removed for reasons other for cause on the
12 grounds of inefficiency, neglect of duty, malfeasance
13 in office, physical disability, mental incapacity, or
14 any other condition that substantially impairs the
15 performance of the responsibilities of the Executive
16 Director or the staff of the Review Board.

17 (b) STAFF.—

18 (1) IN GENERAL.—The Review Board, without
19 regard to the civil service laws, may appoint and ter-
20 minate additional personnel as are necessary to en-
21 able the Review Board and its Executive Director to
22 perform the duties of the Review Board.

23 (2) QUALIFICATIONS.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), a person appointed to the

1 staff of the Review Board shall be a citizen of
2 integrity and impartiality who has had no pre-
3 vious or current involvement with any legacy
4 program or controlling authority relating to the
5 collection, exploitation, or reverse engineering of
6 technologies of unknown origin or the examina-
7 tion of biological evidence of living or deceased
8 non-human intelligence.

9 (B) CONSULTATION WITH DIRECTOR OF
10 THE OFFICE OF GOVERNMENT ETHICS.—In
11 their consideration of persons to be appointed
12 as staff of the Review Board under paragraph
13 (1), the Review Board shall consult with the Di-
14 rector—

15 (i) to determine criteria for possible
16 conflicts of interest of staff of the Review
17 Board, consistent with ethics laws, stat-
18 utes, and regulations for employees of the
19 executive branch of the Federal Govern-
20 ment; and

21 (ii) ensure that no person selected for
22 such position of staff of the Review Board
23 possesses a conflict of interests in accord-
24 ance with the criteria determined pursuant
25 to clause (i).

1 (3) SECURITY CLEARANCES.—(A) A candidate
2 for staff shall be granted the necessary security
3 clearances (including all necessary special access
4 program clearances) in an accelerated manner sub-
5 ject to the standard procedures for granting such
6 clearances.

7 (B)(i) The Review Board may offer conditional
8 employment to a candidate for a staff position pend-
9 ing the completion of security clearance background
10 investigations. During the pendency of such inves-
11 tigation, the Review Board shall ensure that any
12 such employee does not have access to, or responsi-
13 bility involving, classified or otherwise restricted un-
14 identified anomalous phenomena record materials.

15 (ii) If a person hired on a conditional basis
16 under clause (i) is denied or otherwise does not qual-
17 ify for all security clearances necessary to carry out
18 the responsibilities of the position for which condi-
19 tional employment has been offered, the Review
20 Board shall immediately terminate the person's em-
21 ployment.

22 (4) SUPPORT FROM NATIONAL DECLASSIFICA-
23 TION CENTER.—The Archivist shall assign one rep-
24 resentative in full-time equivalent status from the
25 National Declassification Center to advise and sup-

1 port the Review Board disclosure postponement re-
2 view process in a non-voting staff capacity.

3 (c) COMPENSATION.—Subject to such rules as may
4 be adopted by the Review Board, without regard to the
5 provisions of title 5, United States Code, governing ap-
6 pointments in the competitive service and without regard
7 to the provisions of chapter 51 and subchapter III of chap-
8 ter 53 of that title relating to classification and General
9 Schedule pay rates—

10 (1) the Executive Director shall be compensated
11 at a rate not to exceed the rate of basic pay for level
12 II of the Executive Schedule and shall serve the en-
13 tire tenure as one full-time equivalent; and

14 (2) the Executive Director shall appoint and fix
15 compensation of such other personnel as may be
16 necessary to carry out this division.

17 (d) ADVISORY COMMITTEES.—

18 (1) AUTHORITY.—The Review Board may cre-
19 ate advisory committees to assist in fulfilling the re-
20 sponsibilities of the Review Board under this divi-
21 sion.

22 (2) FACA.—Any advisory committee created by
23 the Review Board shall be subject to chapter 10 of
24 title 5, United States Code.

1 (e) SECURITY CLEARANCE REQUIRED.—An indi-
 2 vidual employed in any position by the Review Board (in-
 3 cluding an individual appointed as Executive Director)
 4 shall be required to qualify for any necessary security
 5 clearance prior to taking office in that position, but may
 6 be employed conditionally in accordance with subsection
 7 (b)(3)(B) before qualifying for that clearance.

8 **SEC. 9009. REVIEW OF RECORDS BY THE UNIDENTIFIED**
 9 **ANOMALOUS PHENOMENA RECORDS REVIEW**
 10 **BOARD.**

11 (a) CUSTODY OF RECORDS REVIEWED BY REVIEW
 12 BOARD.—Pending the outcome of a review of activity by
 13 the Review Board, a Government office shall retain cus-
 14 tody of its unidentified anomalous phenomena records for
 15 purposes of preservation, security, and efficiency, unless—

16 (1) the Review Board requires the physical
 17 transfer of records for reasons of conducting an
 18 independent and impartial review; or

19 (2) such transfer is necessary for an adminis-
 20 trative hearing or other official Review Board func-
 21 tion.

22 (b) STARTUP REQUIREMENTS.—The Review Board
 23 shall—

24 (1) not later than 90 days after the date of its
 25 appointment, publish a schedule in the Federal Reg-

1 ister for review of all unidentified anomalous phe-
2 nomena records;

3 (2) not later than 180 days after the date of
4 the enactment of this Act, begin its review of un-
5 identified anomalous phenomena records under this
6 division; and

7 (3) periodically thereafter as warranted, but not
8 less frequently than semiannually, publish a revised
9 schedule in the Federal Register addressing the re-
10 view and inclusion of any unidentified anomalous
11 phenomena records subsequently discovered.

12 (c) DETERMINATIONS OF THE REVIEW BOARD.—

13 (1) IN GENERAL.—The Review Board shall di-
14 rect that all unidentified anomalous phenomena
15 records be transmitted to the Archivist and disclosed
16 to the public in the Collection in the absence of clear
17 and convincing evidence that—

18 (A) a Government record is not an uniden-
19 tified anomalous phenomena record; or

20 (B) a Government record, or particular in-
21 formation within an unidentified anomalous
22 phenomena record, qualifies for postponement
23 of public disclosure under this division.

24 (2) REQUIREMENTS.—In approving postpone-
25 ment of public disclosure of a unidentified anoma-

1 lous phenomena record, the Review Board shall seek
2 to—

3 (A) provide for the disclosure of segregable
4 parts, substitutes, or summaries of such a
5 record; and

6 (B) determine, in consultation with the
7 originating body and consistent with the stand-
8 ards for postponement under this division,
9 which of the following alternative forms of dis-
10 closure shall be made by the originating body:

11 (i) Any reasonably segregable par-
12 ticular information in a unidentified anom-
13 alous phenomena record.

14 (ii) A substitute record for that infor-
15 mation which is postponed.

16 (iii) A summary of a unidentified
17 anomalous phenomena record.

18 (3) CONTROLLED DISCLOSURE CAMPAIGN
19 PLAN.—With respect to unidentified anomalous phe-
20 nomena records, particular information in unidenti-
21 fied anomalous phenomena records, recovered tech-
22 nologies of unknown origin, and biological evidence
23 for non-human intelligence the public disclosure of
24 which is postponed pursuant to section 9006, or for
25 which only substitutions or summaries have been

1 disclosed to the public, the Review Board shall cre-
2 ate and transmit to the President, the Archivist, the
3 Committee on Homeland Security and Governmental
4 Affairs of the Senate, and the Committee on Over-
5 sight and Accountability of the House of Represent-
6 atives a Controlled Disclosure Campaign Plan, with
7 classified appendix, containing—

8 (A) a description of actions by the Review
9 Board, the originating body, the President, or
10 any Government office (including a justification
11 of any such action to postpone disclosure of any
12 record or part of any record) and of any official
13 proceedings conducted by the Review Board
14 with regard to specific unidentified anomalous
15 phenomena records; and

16 (B) a benchmark-driven plan, based upon
17 a review of the proceedings and in conformity
18 with the decisions reflected therein, recom-
19 mending precise requirements for periodic re-
20 view, downgrading, and declassification as well
21 as the exact time or specified occurrence fol-
22 lowing which each postponed item may be ap-
23 propriately disclosed to the public under this di-
24 vision.

1 (4) NOTICE FOLLOWING REVIEW AND DETER-
2 MINATION.—(A) Following its review and a deter-
3 mination that a unidentified anomalous phenomena
4 record shall be publicly disclosed in the Collection or
5 postponed for disclosure and held in the protected
6 Collection, the Review Board shall notify the head of
7 the originating body of the determination of the Re-
8 view Board and publish a copy of the determination
9 in the Federal Register within 14 days after the de-
10 termination is made.

11 (B) Contemporaneous notice shall be made to
12 the President for Review Board determinations re-
13 garding unidentified anomalous phenomena records
14 of the executive branch of the Federal Government,
15 and to the oversight committees designated in this
16 division in the case of records of the legislative
17 branch of the Federal Government. Such notice shall
18 contain a written unclassified justification for public
19 disclosure or postponement of disclosure, including
20 an explanation of the application of any standards
21 contained in section 9006.

22 (d) PRESIDENTIAL AUTHORITY OVER REVIEW
23 BOARD DETERMINATION.—

24 (1) PUBLIC DISCLOSURE OR POSTPONEMENT
25 OF DISCLOSURE.—After the Review Board has made

1 a formal determination concerning the public disclo-
2 sure or postponement of disclosure of an unidenti-
3 fied anomalous phenomena record of the executive
4 branch of the Federal Government or information
5 within such a record, or of any information con-
6 tained in a unidentified anomalous phenomena
7 record, obtained or developed solely within the exec-
8 utive branch of the Federal Government, the Presi-
9 dent shall—

10 (A) have the sole and nondelegable author-
11 ity to require the disclosure or postponement of
12 such record or information under the standards
13 set forth in section 9006; and

14 (B) provide the Review Board with both an
15 unclassified and classified written certification
16 specifying the President's decision within 30
17 days after the Review Board's determination
18 and notice to the executive branch agency as re-
19 quired under this division, stating the justifica-
20 tion for the President's decision, including the
21 applicable grounds for postponement under sec-
22 tion 9006, accompanied by a copy of the identi-
23 fication aid required under section 9004.

24 (2) PERIODIC REVIEW.—(A) Any unidentified
25 anomalous phenomena record postponed by the

1 President shall henceforth be subject to the require-
2 ments of periodic review, downgrading, declassifica-
3 tion, and public disclosure in accordance with the
4 recommended timeline and associated requirements
5 specified in the Controlled Disclosure Campaign
6 Plan unless these conflict with the standards set
7 forth in section 9006.

8 (B) This paragraph supersedes all prior declas-
9 sification review standards that may previously have
10 been deemed applicable to unidentified anomalous
11 phenomena records.

12 (3) RECORD OF PRESIDENTIAL POSTPONE-
13 MENT.—The Review Board shall, upon its receipt—

14 (A) publish in the Federal Register a copy
15 of any unclassified written certification, state-
16 ment, and other materials transmitted by or on
17 behalf of the President with regard to postpone-
18 ment of unidentified anomalous phenomena
19 records; and

20 (B) revise or amend recommendations in
21 the Controlled Disclosure Campaign Plan ac-
22 cordingly.

23 (e) NOTICE TO PUBLIC.—Every 30 calendar days, be-
24 ginning on the date that is 60 calendar days after the date
25 on which the Review Board first approves the postpone-

1 ment of disclosure of a unidentified anomalous phenomena
2 record, the Review Board shall publish in the Federal Reg-
3 ister a notice that summarizes the postponements ap-
4 proved by the Review Board or initiated by the President,
5 the Senate, or the House of Representatives, including a
6 description of the subject, originating agency, length or
7 other physical description, and each ground for postpone-
8 ment that is relied upon to the maximum extent classifica-
9 tion restrictions permitting.

10 (f) REPORTS BY THE REVIEW BOARD.—

11 (1) IN GENERAL.—The Review Board shall re-
12 port its activities to the leadership of Congress, the
13 Committee on Homeland Security and Governmental
14 Affairs of the Senate, the Committee on Oversight
15 and Reform of the House of Representatives, the
16 President, the Archivist, and the head of any Gov-
17 ernment office whose records have been the subject
18 of Review Board activity.

19 (2) FIRST REPORT.—The first report shall be
20 issued on the date that is 1 year after the date of
21 enactment of this Act, and subsequent reports every
22 1 year thereafter until termination of the Review
23 Board.

24 (3) CONTENTS.—A report under paragraph (1)
25 shall include the following information:

1 (A) A financial report of the expenses for
2 all official activities and requirements of the
3 Review Board and its personnel.

4 (B) The progress made on review, trans-
5 mission to the Archivist, and public disclosure
6 of unidentified anomalous phenomena records.

7 (C) The estimated time and volume of un-
8 identified anomalous phenomena records in-
9 volved in the completion of the Review Board's
10 performance under this division.

11 (D) Any special problems, including re-
12 quests and the level of cooperation of Govern-
13 ment offices, with regard to the ability of the
14 Review Board to operate as required by this di-
15 vision.

16 (E) A record of review activities, including
17 a record of postponement decisions by the Re-
18 view Board or other related actions authorized
19 by this division, and a record of the volume of
20 records reviewed and postponed.

21 (F) Suggestions and requests to Congress
22 for additional legislative authority needs.

23 (4) COPIES AND BRIEFS.—Coincident with the
24 reporting requirements in paragraph (2), or more
25 frequently as warranted by new information, the Re-

1 view Board shall provide copies to, and fully brief,
2 at a minimum the President, the Archivist, leader-
3 ship of Congress, the Chairmen and Ranking Mem-
4 bers of the Committee on Homeland Security and
5 Governmental Affairs of the Senate and the Com-
6 mittee on Oversight and Accountability of the House
7 of Representatives, and the Chairs and Chairmen, as
8 the case may be, and Ranking Members and Vice
9 Chairmen, as the case may be, of such other com-
10 mittees as leadership of Congress determines appro-
11 priate on the Controlled Disclosure Campaign Plan,
12 classified appendix, and postponed disclosures, spe-
13 cifically addressing—

14 (A) recommendations for periodic review,
15 downgrading, and declassification as well as the
16 exact time or specified occurrence following
17 which specific unidentified anomalous phe-
18 nomena records and material may be appro-
19 priately disclosed;

20 (B) the rationale behind each postpone-
21 ment determination and the recommended
22 means to achieve disclosure of each postponed
23 item;

24 (C) any other findings that the Review
25 Board chooses to offer; and

1 (D) an addendum containing copies of re-
2 ports of postponed records to the Archivist re-
3 quired under subsection (c)(3) made since the
4 date of the preceding report under this sub-
5 section.

6 (5) NOTICE.—At least 90 calendar days before
7 completing its work, the Review Board shall provide
8 written notice to the President and Congress of its
9 intention to terminate its operations at a specified
10 date.

11 (6) BRIEFING THE ALL-DOMAIN ANOMALY RES-
12 OLUTION OFFICE.—Coincident with the provision in
13 paragraph (5), if not accomplished earlier under
14 paragraph (4), the Review Board shall brief the All-
15 domain Anomaly Resolution Office established pur-
16 suant to section 1683 of the National Defense Au-
17 thorization Act for Fiscal Year 2022 (50 U.S.C.
18 3373), or its successor, as subsequently designated
19 by Act of Congress, on the Controlled Disclosure
20 Campaign Plan, classified appendix, and postponed
21 disclosures.

1 **SEC. 9010. DISCLOSURE OF RECOVERED TECHNOLOGIES**
2 **OF UNKNOWN ORIGIN AND BIOLOGICAL EVI-**
3 **DENCE OF NON-HUMAN INTELLIGENCE.**

4 (a) **EXERCISE OF EMINENT DOMAIN.**—The Federal
5 Government shall exercise eminent domain over any and
6 all recovered technologies of unknown origin and biological
7 evidence of non-human intelligence that may be controlled
8 by private persons or entities in the interests of the public
9 good.

10 (b) **AVAILABILITY TO REVIEW BOARD.**—Any and all
11 such material, should it exist, shall be made available to
12 the Review Board for personal examination and subse-
13 quent disclosure determination at a location suitable to the
14 controlling authority of said material and in a timely man-
15 ner conducive to the objectives of the Review Board in ac-
16 cordance with the requirements of this division.

17 (c) **ACTIONS OF REVIEW BOARD.**—In carrying out
18 subsection (b), the Review Board shall consider and render
19 decisions—

20 (1) whether the material examined constitutes
21 technologies of unknown origin or biological evidence
22 of non-human intelligence beyond a reasonable
23 doubt;

24 (2) whether recovered technologies of unknown
25 origin, biological evidence of non-human intelligence,

1 or a particular subset of material qualifies for post-
2 ponement of disclosure under this division; and

3 (3) what changes, if any, to the current disposi-
4 tion of said material should the Federal Government
5 make to facilitate full disclosure.

6 (d) REVIEW BOARD ACCESS TO TESTIMONY AND
7 WITNESSES.—The Review Board shall have access to all
8 testimony from unidentified anomalous phenomena wit-
9 nesses, close observers and legacy program personnel and
10 whistleblowers within the Federal Government’s posses-
11 sion as of and after the date of the enactment of this Act
12 in furtherance of Review Board disclosure determination
13 responsibilities in section 9007(h) and subsection (c) of
14 this section.

15 (e) SOLICITATION OF ADDITIONAL WITNESSES.—
16 The Review Board shall solicit additional unidentified
17 anomalous phenomena witness and whistleblower testi-
18 mony and afford protections under section 1673(b) of the
19 James M. Inhofe National Defense Authorization Act for
20 Fiscal Year 2023 (50 U.S.C. 3373b(b)) if deemed bene-
21 ficial in fulfilling Review Board responsibilities under this
22 division.

23 **SEC. 9011. DISCLOSURE OF OTHER MATERIALS AND ADDI-**
24 **TIONAL STUDY.**

25 (a) MATERIALS UNDER SEAL OF COURT.—

1 (1) INFORMATION HELD UNDER SEAL OF A
2 COURT.—The Review Board may request the Attor-
3 ney General to petition any court in the United
4 States or abroad to release any information relevant
5 to unidentified anomalous phenomena, technologies
6 of unknown origin, or non-human intelligence that is
7 held under seal of the court.

8 (2) INFORMATION HELD UNDER INJUNCTION
9 OF SECRETARY OF GRAND JURY.—(A) The Review
10 Board may request the Attorney General to petition
11 any court in the United States to release any infor-
12 mation relevant to unidentified anomalous phe-
13 nomena, technologies of unknown origin, or non-
14 human intelligence that is held under the injunction
15 of secrecy of a grand jury.

16 (B) A request for disclosure of unidentified
17 anomalous phenomena, technologies of unknown ori-
18 gin, and non-human intelligence materials under this
19 division shall be deemed to constitute a showing of
20 particularized need under rule 6 of the Federal
21 Rules of Criminal Procedure.

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

24 (1) the Attorney General should assist the Re-
25 view Board in good faith to unseal any records that

1 the Review Board determines to be relevant and held
2 under seal by a court or under the injunction of se-
3 crecy of a grand jury;

4 (2) the Secretary of State should contact any
5 foreign government that may hold material relevant
6 to unidentified anomalous phenomena, technologies
7 of unknown origin, or non-human intelligence and
8 seek disclosure of such material; and

9 (3) all heads of Executive agencies should co-
10 operate in full with the Review Board to seek the
11 disclosure of all material relevant to unidentified
12 anomalous phenomena, technologies of unknown ori-
13 gin, and non-human intelligence consistent with the
14 public interest.

15 **SEC. 9012. RULES OF CONSTRUCTION.**

16 (a) **PRECEDENCE OVER OTHER LAW.**—When this di-
17 vision requires transmission of a record to the Archivist
18 or public disclosure, it shall take precedence over any
19 other provision of law (except section 6103 of the Internal
20 Revenue Code of 1986 specifying confidentiality and dis-
21 closure of tax returns and tax return information), judicial
22 decision construing such provision of law, or common law
23 doctrine that would otherwise prohibit such transmission
24 or disclosure, with the exception of deeds governing access

1 to or transfer or release of gifts and donations of records
2 to the United States Government.

3 (b) FREEDOM OF INFORMATION ACT.—Nothing in
4 this division shall be construed to eliminate or limit any
5 right to file requests with any executive agency or seek
6 judicial review of the decisions pursuant to section 552
7 of title 5, United States Code.

8 (c) JUDICIAL REVIEW.—Nothing in this division shall
9 be construed to preclude judicial review, under chapter 7
10 of title 5, United States Code, of final actions taken or
11 required to be taken under this division.

12 (d) EXISTING AUTHORITY.—Nothing in this division
13 revokes or limits the existing authority of the President,
14 any executive agency, the Senate, or the House of Rep-
15 resentatives, or any other entity of the Federal Govern-
16 ment to publicly disclose records in its possession.

17 (e) RULES OF THE SENATE AND HOUSE OF REP-
18 RESENTATIVES.—To the extent that any provision of this
19 division establishes a procedure to be followed in the Sen-
20 ate or the House of Representatives, such provision is
21 adopted—

22 (1) as an exercise of the rulemaking power of
23 the Senate and House of Representatives, respec-
24 tively, and is deemed to be part of the rules of each
25 House, respectively, but applicable only with respect

1 to the procedure to be followed in that House, and
2 it supersedes other rules only to the extent that it
3 is inconsistent with such rules; and

4 (2) with full recognition of the constitutional
5 right of either House to change the rules (so far as
6 they relate to the procedure of that House) at any
7 time, in the same manner, and to the same extent
8 as in the case of any other rule of that House.

9 **SEC. 9013. TERMINATION OF EFFECT OF DIVISION.**

10 (a) PROVISIONS PERTAINING TO THE REVIEW
11 BOARD.—The provisions of this division that pertain to
12 the appointment and operation of the Review Board shall
13 cease to be effective when the Review Board and the terms
14 of its members have terminated pursuant to section
15 9007(n).

16 (b) OTHER PROVISIONS.—(1) The remaining provi-
17 sions of this division shall continue in effect until such
18 time as the Archivist certifies to the President and Con-
19 gress that all unidentified anomalous phenomena records
20 have been made available to the public in accordance with
21 this division.

22 (2) In facilitation of the provision in paragraph (1),
23 the All-domain Anomaly Resolution Office established pur-
24 suant to section 1683 of the National Defense Authoriza-
25 tion Act for Fiscal Year 2022 (50 U.S.C. 3373), or its

1 successor as subsequently designated by Act of Congress,
2 shall develop standardized unidentified anomalous phe-
3 nomena declassification guidance applicable to any and all
4 unidentified anomalous phenomena records generated by
5 originating bodies subsequent to termination of the Review
6 Board consistent with the requirements and intent of the
7 Controlled Disclosure Campaign Plan with respect to un-
8 identified anomalous phenomena records originated prior
9 to Review Board termination.

10 **SEC. 9014. AUTHORIZATION OF APPROPRIATIONS.**

11 There is authorized to be appropriated to carry out
12 the provisions of this division \$20,000,000 for fiscal year
13 2024.

14 **SEC. 9015. SEVERABILITY.**

15 If any provision of this division or the application
16 thereof to any person or circumstance is held invalid, the
17 remainder of this division and the application of that pro-
18 vision to other persons not similarly situated or to other
19 circumstances shall not be affected by the invalidation.

20 **DIVISION H—ARCHITECT OF**
21 **THE CAPITOL APPOINTMENT**
22 **ACT OF 2023**

23 **SEC. 10001. SHORT TITLE.**

24 This division may be cited as the “Architect of the
25 Capitol Appointment Act of 2023”.

1 **SEC. 10002. APPOINTMENT AND TERM OF SERVICE OF AR-**
2 **CHITECT OF THE CAPITOL.**

3 (a) APPOINTMENT.—The Architect of the Capitol
4 shall be appointed, without regard to political affiliation
5 and solely on the basis of fitness to perform the duties
6 of the office, upon a majority vote of a congressional com-
7 mission (referred to in this section as the “commission”)
8 consisting of the Speaker of the House of Representatives,
9 the majority leader of the Senate, the minority leaders of
10 the House of Representatives and Senate, the chair and
11 ranking minority member of the Committee on Appropria-
12 tions of the House of Representatives, the chairman and
13 ranking minority member of the Committee on Appropria-
14 tions of the Senate, the chair and ranking minority mem-
15 ber of the Committee on House Administration of the
16 House of Representatives, and the chairman and ranking
17 minority member of the Committee on Rules and Adminis-
18 tration of the Senate.

19 (b) TERM OF SERVICE.—The Architect of the Capitol
20 shall be appointed for a term of 10 years and, upon a
21 majority vote of the members of the commission, may be
22 reappointed for additional 10-year terms.

23 (c) REMOVAL.—The Architect of the Capitol may be
24 removed from office at any time upon a majority vote of
25 the members of the commission.

26 (d) CONFORMING AMENDMENTS.—

1 (1) Section 319 of the Legislative Branch Ap-
2 propriations Act, 1990 (2 U.S.C. 1801) is repealed.

3 (2) The matter under the heading “FOR THE
4 CAPITOL:” under the heading “DEPARTMENT OF
5 THE INTERIOR.” of the Act of February 14, 1902
6 (32 Stat. 19, chapter 17; incorporated in 2 U.S.C.
7 1811) is amended by striking “, and he shall be ap-
8 pointed by the President”.

9 (e) EFFECTIVE DATE.—This section, and the amend-
10 ments made by this section, shall apply with respect to
11 appointments made on or after the date of enactment of
12 this Act.

13 **SEC. 10003. APPOINTMENT OF DEPUTY ARCHITECT OF THE**
14 **CAPITOL; VACANCY IN ARCHITECT OR DEP-**
15 **UTY ARCHITECT.**

16 Section 1203 of title I of division H of the Consoli-
17 dated Appropriations Resolution, 2003 (2 U.S.C. 1805)
18 is amended—

19 (1) in subsection (a)—

20 (A) by inserting “(in this section referred
21 to as the ‘Architect’)” after “The Architect of
22 the Capitol”; and

23 (B) by inserting “(in this section referred
24 to as the ‘Deputy Architect’)” after “Deputy
25 Architect of the Capitol”;

1 (2) by redesignating subsection (b) as sub-
2 section (c);

3 (3) by inserting after subsection (a) the fol-
4 lowing:

5 “(b) DEADLINE.—The Architect shall appoint a Dep-
6 uty Architect under subsection (a) not later than 120 days
7 after—

8 “(1) the date on which the Architect is ap-
9 pointed under section 10002 of the Architect of the
10 Capitol Appointment Act of 2023, if there is no
11 Deputy Architect on the date of the appointment; or

12 “(2) the date on which a vacancy arises in the
13 office of the Deputy Architect.”;

14 (4) in subsection (c), as so redesignated, by
15 striking “of the Capitol” each place it appears; and

16 (5) by adding at the end the following:

17 “(d) FAILURE TO APPOINT.—If the Architect does
18 not appoint a Deputy Architect on or before the applicable
19 date specified in subsection (b), the congressional commis-
20 sion described in section 10002(a) of the Architect of the
21 Capitol Appointment Act of 2023 shall appoint the Deputy
22 Architect by a majority vote of the members of the com-
23 mission.

24 “(e) NOTIFICATION.—If the position of Deputy Ar-
25 chitect becomes vacant, the Architect shall immediately

1 notify the members of the congressional commission de-
2 scribed in section 10002(a) of the Architect of the Capitol
3 Appointment Act of 2023.”.

4 **SEC. 10004. DEPUTY ARCHITECT OF THE CAPITOL TO**
5 **SERVE AS ACTING IN CASE OF ABSENCE, DIS-**
6 **ABILITY, OR VACANCY.**

7 (a) IN GENERAL.—The Deputy Architect of the Cap-
8 itol (in this section referred to as the “Deputy Architect”)
9 shall act as Architect of the Capitol (in this section re-
10 ferred to as the “Architect”) if the Architect is absent or
11 disabled or there is no Architect.

12 (b) ABSENCE, DISABILITY, OR VACANCY IN OFFICE
13 OF DEPUTY ARCHITECT.—For purposes of subsection (a),
14 if the Deputy Architect is also absent or disabled or there
15 is no Deputy Architect, the congressional commission de-
16 scribed in section 10002(a) shall designate, by a majority
17 vote of the members of the commission, an individual to
18 serve as acting Architect until—

19 (1) the end of the absence or disability of the
20 Architect or the Deputy Architect; or

21 (2) in the case of vacancies in both positions,
22 an Architect has been appointed under section
23 10002(a).

24 (c) AUTHORITY.—An officer serving as acting Archi-
25 tect under subsection (a) or (b) shall perform all the duties

1 and exercise all the authorities of the Architect, including
 2 the authority to delegate the duties and authorities of the
 3 Architect in accordance with the matter under the heading
 4 “OFFICE OF THE ARCHITECT OF THE CAPITOL” under
 5 the heading “ARCHITECT OF THE CAPITOL” of the
 6 Legislative Appropriation Act, 1956 (2 U.S.C. 1803).

7 (d) CONFORMING AMENDMENT.—The matter under
 8 the heading “SALARIES” under the heading “OFFICE OF
 9 THE ARCHITECT OF THE CAPITOL” under the heading
 10 “ARCHITECT OF THE CAPITOL” of the Legislative
 11 Branch Appropriation Act, 1971 (2 U.S.C. 1804) is
 12 amended by striking “: *Provided,*” and all that follows
 13 through “no Architect”.

14 **DIVISION I—FAIR DEBT COLLEC-**
 15 **TION PRACTICES FOR**
 16 **SERVICEMEMBERS**

17 **SEC. 11001. SHORT TITLE.**

18 This division may be cited as the “Fair Debt Collec-
 19 tion Practices for Servicemembers Act”.

20 **SEC. 11002. ENHANCED PROTECTION AGAINST DEBT COL-**
 21 **LECTOR HARASSMENT OF**
 22 **SERVICEMEMBERS.**

23 (a) COMMUNICATION IN CONNECTION WITH DEBT
 24 COLLECTION.—Section 805 of the Fair Debt Collection

1 Practices Act (15 U.S.C. 1692c) is amended by adding
2 at the end the following:

3 “(e) COMMUNICATIONS CONCERNING SERVICEMEM-
4 BER DEBTS.—

5 “(1) DEFINITION.—In this subsection, the term
6 ‘covered member’ means—

7 “(A) a covered member or a dependent as
8 defined in section 987(i) of title 10, United
9 States Code; and

10 “(B)(i) an individual who was separated,
11 discharged, or released from duty described in
12 such section 987(i)(1), but only during the 365-
13 day period beginning on the date of separation,
14 discharge, or release; or

15 “(ii) a person, with respect to an individual
16 described in clause (i), described in subpara-
17 graph (A), (D), (E), or (I) of section 1072(2)
18 of title 10, United States Code.

19 “(2) PROHIBITIONS.—A debt collector may not,
20 in connection with the collection of any debt of a
21 covered member—

22 “(A) threaten to have the covered member
23 reduced in rank;

24 “(B) threaten to have the covered mem-
25 ber’s security clearance revoked; or

1 “(C) threaten to have the covered member
2 prosecuted under chapter 47 of title 10, United
3 States Code (the Uniform Code of Military Jus-
4 tice).”.

5 (b) UNFAIR PRACTICES.—Section 808 of the Fair
6 Debt Collection Practices Act (15 U.S.C. 1692f) is amend-
7 ed by adding at the end the following:

8 “(9) The representation to any covered member
9 (as defined under section 805(e)(1)) that failure to
10 cooperate with a debt collector will result in—

11 “(A) a reduction in rank of the covered
12 member;

13 “(B) a revocation of the covered member’s
14 security clearance; or

15 “(C) prosecution under chapter 47 of title
16 10, United States Code (the Uniform Code of
17 Military Justice).”.

18 **SEC. 11003. GAO STUDY.**

19 The Comptroller General of the United States shall
20 conduct a study and submit a report to Congress on the
21 impact of this division on—

22 (1) the timely delivery of information to a cov-
23 ered member (as defined in section 805(e) of the
24 Fair Debt Collection Practices Act, as added by this
25 division);

1 (2) military readiness; and

2 (3) national security, including the extent to
3 which covered members with security clearances
4 would be impacted by uncollected debt.

5 **DIVISION J—NATIVE AMERICAN**
6 **HOUSING ASSISTANCE AND**
7 **SELF-DETERMINATION REAU-**
8 **THORIZATION ACT OF 2023**

9 **SEC. 11001. SHORT TITLE.**

10 This division may be cited as the “Native American
11 Housing Assistance and Self-Determination Reauthoriza-
12 tion Act of 2023”.

13 **SEC. 11002. CONSOLIDATION OF ENVIRONMENTAL REVIEW**
14 **REQUIREMENTS.**

15 Section 105 of the Native American Housing Assist-
16 ance and Self-Determination Act of 1996 (25 U.S.C.
17 4115) is amended by adding at the end the following:

18 “(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW
19 REQUIREMENTS.—

20 “(1) IN GENERAL.—In the case of a recipient
21 of grant amounts under this Act that is carrying out
22 a project that qualifies as an affordable housing ac-
23 tivity under section 202, if the recipient is using 1
24 or more additional sources of Federal funds to carry
25 out the project, and the grant amounts received

1 under this Act constitute the largest single source of
2 Federal funds that the recipient reasonably expects
3 to commit to the project at the time of environ-
4 mental review, the Indian tribe of the recipient may
5 assume, in addition to all of the responsibilities for
6 environmental review, decision making, and action
7 under subsection (a), all of the additional respon-
8 sibilities for environmental review, decision making,
9 and action under provisions of law that would apply
10 to each Federal agency providing additional funding
11 were the Federal agency to carry out the project as
12 a Federal project.

13 “(2) DISCHARGE.—The assumption by the In-
14 dian tribe of the additional responsibilities for envi-
15 ronmental review, decision making, and action under
16 paragraph (1) with respect to a project shall be
17 deemed to discharge the responsibility of the applica-
18 ble Federal agency for environmental review, deci-
19 sion making, and action with respect to the project.

20 “(3) CERTIFICATION.—An Indian tribe that as-
21 sumes the additional responsibilities under para-
22 graph (1), shall certify, in addition to the require-
23 ments under subsection (c)—

1 “(A) the additional responsibilities that the
2 Indian tribe has fully carried out under this
3 subsection; and

4 “(B) that the certifying officer consents to
5 assume the status of a responsible Federal offi-
6 cial under the provisions of law that would
7 apply to each Federal agency providing addi-
8 tional funding under paragraph (1).

9 “(4) LIABILITY.—

10 “(A) IN GENERAL.—An Indian tribe that
11 completes an environmental review under this
12 subsection shall assume sole liability for the
13 content and quality of the review.

14 “(B) REMEDIES AND SANCTIONS.—Except
15 as provided in subparagraph (C), if the Sec-
16 retary approves a certification and release of
17 funds to an Indian tribe for a project in accord-
18 ance with subsection (b), but the Secretary or
19 the head of another Federal agency providing
20 funding for the project subsequently learns that
21 the Indian tribe failed to carry out the respon-
22 sibilities of the Indian tribe as described in sub-
23 section (a) or paragraph (1), as applicable, the
24 Secretary or other head, as applicable, may im-

1 pose appropriate remedies and sanctions in ac-
2 cordance with—

3 “(i) the regulations issued pursuant to
4 section 106; or

5 “(ii) such regulations as are issued by
6 the other head.

7 “(C) STATUTORY VIOLATION WAIVERS.—If
8 the Secretary waives the requirements under
9 this section in accordance with subsection (d)
10 with respect to a project for which an Indian
11 tribe assumes additional responsibilities under
12 paragraph (1), the waiver shall prohibit any
13 other Federal agency providing additional fund-
14 ing for the project from imposing remedies or
15 sanctions for failure to comply with require-
16 ments for environmental review, decision mak-
17 ing, and action under provisions of law that
18 would apply to the Federal agency.”.

19 **SEC. 11003. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 108 of the Native American Housing Assist-
21 ance and Self-Determination Act of 1996 (25 U.S.C.
22 4117) is amended, in the first sentence, by striking “2009
23 through 2013” and inserting “2024 through 2030”.

1 **SEC. 11004. STUDENT HOUSING ASSISTANCE.**

2 Section 202(3) of the Native American Housing As-
 3 sistance and Self-Determination Act of 1996 (25 U.S.C.
 4 4132(3)) is amended by inserting “including college hous-
 5 ing assistance” after “self-sufficiency and other services,”.

6 **SEC. 11005. APPLICATION OF RENT RULE ONLY TO UNITS**
 7 **OWNED OR OPERATED BY INDIAN TRIBE OR**
 8 **TRIBALLY DESIGNATED HOUSING ENTITY.**

9 Section 203(a)(2) of the Native American Housing
 10 Assistance and Self-Determination Act of 1996 (25 U.S.C.
 11 4133(a)(2)) is amended by inserting “owned or operated
 12 by a recipient and” after “residing in a dwelling unit”.

13 **SEC. 11006. DE MINIMIS EXEMPTION FOR PROCUREMENT**
 14 **OF GOODS AND SERVICES.**

15 Section 203(g) of the Native American Housing As-
 16 sistance and Self-Determination Act of 1996 (25 U.S.C.
 17 4133(g)) is amended by striking “\$5,000” and inserting
 18 “\$7,000”.

19 **SEC. 11007. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-IN-**
 20 **COME REQUIREMENT AND INCOME TAR-**
 21 **GETING.**

22 Section 205 of the Native American Housing Assist-
 23 ance and Self-Determination Act of 1996 (25 U.S.C.
 24 4135) is amended—

25 (1) in subsection (a)(1)—

1 (A) in subparagraph (C), by striking
2 “and” at the end; and

3 (B) by adding at the end the following:

4 “(E) notwithstanding any other provision
5 of this paragraph, in the case of rental housing
6 that is made available to a current rental family
7 for conversion to a homebuyer or a lease-pur-
8 chase unit, that the current rental family can
9 purchase through a contract of sale, lease-pur-
10 chase agreement, or any other sales agreement,
11 is made available for purchase only by the cur-
12 rent rental family, if the rental family was a
13 low-income family at the time of their initial oc-
14 cupancy of such unit; and”;

15 (2) in subsection (c)—

16 (A) by striking “The provisions” and in-
17 serting the following:

18 “(1) IN GENERAL.—The provisions”; and

19 (B) by adding at the end the following:

20 “(2) APPLICABILITY TO IMPROVEMENTS.—The
21 provisions of subsection (a)(2) regarding binding
22 commitments for the remaining useful life of prop-
23 erty shall not apply to improvements of privately
24 owned homes if the cost of the improvements do not

1 exceed 10 percent of the maximum total develop-
2 ment cost for the home.”.

3 **SEC. 11008. LEASE REQUIREMENTS AND TENANT SELEC-**
4 **TION.**

5 Section 207 of the Native American Housing Assist-
6 ance and Self-Determination Act of 1996 (25 U.S.C.
7 4137) is amended by adding at the end the following:

8 “(c) NOTICE OF TERMINATION.—The notice period
9 described in subsection (a)(3) shall apply to projects and
10 programs funded in part by amounts authorized under
11 this Act.”.

12 **SEC. 11009. INDIAN HEALTH SERVICE.**

13 (a) IN GENERAL.—Subtitle A of title II of the Native
14 American Housing Assistance and Self-Determination Act
15 of 1996 (25 U.S.C. 4131 et seq.) is amended by adding
16 at the end the following:

17 **“SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.**

18 “Notwithstanding any other provision of law, the Di-
19 rector of the Indian Health Service, or a recipient receiv-
20 ing funding for a housing construction or renovation
21 project under this title, may use funding from the Indian
22 Health Service for the construction of sanitation facilities
23 under that project.”.

24 (b) CLERICAL AMENDMENT.—The table of contents
25 in section 1(b) of the Native American Housing Assistance

1 and Self-Determination Act of 1996 (Public Law 104–
2 330; 110 Stat. 4016) is amended by inserting after the
3 item relating to section 210 the following:

“Sec. 211. IHS sanitation facilities construction.”.

4 **SEC. 11010. STATUTORY AUTHORITY TO SUSPEND GRANT**
5 **FUNDS IN EMERGENCIES.**

6 Section 401(a)(4) of the Native American Housing
7 Assistance and Self-Determination Act of 1996 (25 U.S.C.
8 4161(a)(4)) is amended—

9 (1) in subparagraph (A), by striking “may take
10 an action described in paragraph (1)(C)” and insert-
11 ing “may immediately take an action described in
12 paragraph (1)(C)”; and

13 (2) by striking subparagraph (B) and inserting
14 the following:

15 “(B) PROCEDURAL REQUIREMENTS.—

16 “(i) IN GENERAL.—If the Secretary
17 takes an action described in subparagraph
18 (A), the Secretary shall provide notice to
19 the recipient at the time that the Secretary
20 takes that action.

21 “(ii) NOTICE REQUIREMENTS.—The
22 notice under clause (i) shall inform the re-
23 cipient that the recipient may request a
24 hearing by not later than 30 days after the

1 date on which the Secretary provides the
2 notice.

3 “(iii) HEARING REQUIREMENTS.—A
4 hearing requested under clause (ii) shall be
5 conducted—

6 “(I) in accordance with subpart
7 A of part 26 of title 24, Code of Fed-
8 eral Regulations (or successor regula-
9 tions); and

10 “(II) to the maximum extent
11 practicable, on an expedited basis.

12 “(iv) FAILURE TO CONDUCT A HEAR-
13 ING.—If a hearing requested under clause
14 (ii) is not completed by the date that is
15 180 days after the date on which the re-
16 cipient requests the hearing, the action of
17 the Secretary to limit the availability of
18 payments shall no longer be effective.”.

19 **SEC. 11011. REPORTS TO CONGRESS.**

20 Section 407 of the Native American Housing Assist-
21 ance and Self-Determination Act of 1996 (25 U.S.C.
22 4167) is amended—

23 (1) in subsection (a), by striking “Congress”
24 and inserting “Committee on Indian Affairs and the
25 Committee on Banking, Housing and Urban Affairs

1 of the Senate and the Committee on Financial Serv-
2 ices of the House of Representatives”; and

3 (2) by adding at the end the following:

4 “(c) PUBLIC AVAILABILITY.—The report described in
5 subsection (a) shall be made publicly available, including
6 to recipients.”.

7 **SEC. 11012. 99-YEAR LEASEHOLD INTEREST IN TRUST OR**
8 **RESTRICTED LANDS FOR HOUSING PUR-**
9 **POSES.**

10 Section 702 of the Native American Housing Assist-
11 ance and Self-Determination Act of 1996 (25 U.S.C.
12 4211) is amended—

13 (1) in the section heading, by striking “**50-**
14 **YEAR**” and inserting “**99-YEAR**”;

15 (2) in subsection (b), by striking “50 years”
16 and inserting “99 years”; and

17 (3) in subsection (c)(2), by striking “50 years”
18 and inserting “99 years”.

19 **SEC. 11013. AMENDMENTS FOR BLOCK GRANTS FOR AF-**
20 **FORDABLE HOUSING ACTIVITIES.**

21 Section 802(e) of the Native American Housing As-
22 sistance and Self-Determination Act of 1996 (25 U.S.C.
23 4222(e)) is amended by—

24 (1) by striking “The Director” and inserting
25 the following:

1 “(1) IN GENERAL.—The Director”; and

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

3 “(2) SUBAWARDS.—Notwithstanding any other
4 provision of law, including provisions of State law
5 requiring competitive procurement, the Director may
6 make subawards to subrecipients, except for for-
7 profit entities, using amounts provided under this
8 title to carry out affordable housing activities upon
9 a determination by the Director that such subrecipi-
10 ents have adequate capacity to carry out activities in
11 accordance with this Act.”.

12 **SEC. 11014. REAUTHORIZATION OF NATIVE HAWAIIAN**
13 **HOMEOWNERSHIP PROVISIONS.**

14 Section 824 of the Native American Housing Assist-
15 ance and Self-Determination Act of 1996 (25 U.S.C.
16 4243) is amended by striking “such sums as may be nec-
17 essary” and all that follows through the period at the end
18 and inserting “such sums as may be necessary for each
19 of fiscal years 2024 through 2030.”.

20 **SEC. 11015. TOTAL DEVELOPMENT COST MAXIMUM**
21 **PROJECT COST.**

22 Affordable housing (as defined in section 4 of the Na-
23 tive American Housing Assistance and Self-Determination
24 Act of 1996 (25 U.S.C. 4103)) that is developed, acquired,
25 or assisted under the block grant program established

1 under section 101 of the Native American Housing Assist-
 2 ance and Self-Determination Act of 1996 (25 U.S.C.
 3 4111) shall not exceed by more than 20 percent, without
 4 prior approval of the Secretary of Housing and Urban De-
 5 velopment, the total development cost maximum cost for
 6 all housing assisted under an affordable housing activity,
 7 including development and model activities.

8 **SEC. 11016. COMMUNITY-BASED DEVELOPMENT ORGANIZA-**
 9 **TIONS AND SPECIAL ACTIVITIES BY INDIAN**
 10 **TRIBES.**

11 Section 105 of the Housing and Community Develop-
 12 ment Act of 1974 (42 U.S.C. 5305) is amended by adding
 13 at the end the following:

14 “(i) INDIAN TRIBES AND TRIBALLY DESIGNATED
 15 HOUSING ENTITIES AS COMMUNITY-BASED DEVELOP-
 16 MENT ORGANIZATIONS.—

17 “(1) DEFINITION.—In this subsection, the term
 18 ‘tribally designated housing entity’ has the meaning
 19 given the term in section 4 of the Native American
 20 Housing Assistance and Self-Determination Act of
 21 1996 (25 U.S.C. 4103).

22 “(2) QUALIFICATION.—An Indian tribe, a trib-
 23 ally designated housing entity, or a tribal organiza-
 24 tion shall qualify as a community-based development
 25 organization for purposes of carrying out new hous-

1 dian family, Indian housing authority, or Indian Tribe on
2 trust land and fee simple land.”; and

3 (2) in subsection (b)—

4 (A) by amending paragraph (2) to read as
5 follows:

6 “(2) ELIGIBLE HOUSING.—The loan shall be
7 used to construct, acquire, refinance, or rehabilitate
8 1- to 4-family dwellings that are standard housing.”;

9 (B) in paragraph (4)—

10 (i) by redesignating subparagraphs
11 (A) through (D) as clauses (i) through
12 (iv), respectively, and adjusting the mar-
13 gins accordingly;

14 (ii) by striking “The loan” and insert-
15 ing the following:

16 “(A) IN GENERAL.—The loan”;

17 (iii) in subparagraph (A), as so des-
18 igned, by adding at the end the fol-
19 lowing:

20 “(v) Any other lender that is super-
21 vised, approved, regulated, or insured by
22 any agency of the Federal Government, in-
23 cluding any entity certified as a community
24 development financial institution by the
25 Community Development Financial Insti-

1 tutions Fund established under section
2 104(a) of the Riegle Community Develop-
3 ment and Regulatory Improvement Act of
4 1994 (12 U.S.C. 4703(a)).”; and

5 (iv) by adding at the end the fol-
6 lowing:

7 “(B) DIRECT GUARANTEE PROCESS.—

8 “(i) AUTHORIZATION.—The Secretary
9 may authorize qualifying lenders to partici-
10 pate in a direct guarantee process for ap-
11 proving loans under this section.

12 “(ii) INDEMNIFICATION.—

13 “(I) IN GENERAL.—If the Sec-
14 retary determines that a mortgage
15 guaranteed through a direct guar-
16 antee process under this subpara-
17 graph was not originated in accord-
18 ance with the requirements estab-
19 lished by the Secretary, the Secretary
20 may require the lender approved
21 under this subparagraph to indemnify
22 the Secretary for the loss, irrespective
23 of whether the violation caused the
24 mortgage default.

1 “(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

10 “(C) REVIEW OF MORTGAGEES.—

11 “(i) IN GENERAL.—The Secretary
12 may periodically review the mortgagees
13 originating, underwriting, or servicing single family mortgage loans under this section.
14
15

16 “(ii) REQUIREMENTS.—In conducting
17 a review under clause (i), the Secretary—

18 “(I) shall compare the mortgagee
19 with other mortgagees originating or
20 underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;
21
22
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25

1 “(II) may compare the mort-
2 gagee with such other mortgagees
3 based on underwriting quality, geo-
4 graphic area served, or any commonly
5 used factors the Secretary determines
6 necessary for comparing mortgage de-
7 fault risk, provided that the compari-
8 son is of factors that the Secretary
9 would expect to affect the default risk
10 of mortgage loans guaranteed by the
11 Secretary;

12 “(iii) shall implement such compari-
13 sons by regulation, notice, or mortgagee
14 letter; and

15 “(I) may terminate the approval
16 of a mortgagee to originate, under-
17 write, or service loan guarantees for
18 housing under this section if the Sec-
19 retary determines that the mortgage
20 loans originated, underwritten, or
21 serviced by the mortgagee present an
22 unacceptable risk to the Indian Hous-
23 ing Loan Guarantee Fund established
24 under subsection (i)—

1 “(aa) based on a comparison
2 of any of the factors set forth in
3 this subparagraph; or

4 “(bb) by a determination
5 that the mortgagee engaged in
6 fraud or misrepresentation.”; and

7 (C) in paragraph (5)(A), by inserting be-
8 fore the semicolon at the end the following: “ex-
9 cept, as determined by the Secretary, when
10 there is a loan modification under subsection
11 (h)(1)(B), the term of the loan shall not exceed
12 40 years”.

13 (b) LOAN GUARANTEES FOR INDIAN HOUSING.—
14 Section 184(i)(5) of the Housing and Community Devel-
15 opment Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is
16 amended—

17 (1) in subparagraph (B), by inserting after the
18 first sentence the following: “There are authorized
19 to be appropriated for those costs such sums as may
20 be necessary for each of fiscal years 2024 through
21 2030.”; and

22 (2) in subparagraph (C), by striking “2008
23 through 2012” and inserting “2024 through 2030”.

1 **SEC. 11018. LOAN GUARANTEES FOR NATIVE HAWAIIAN**
 2 **HOUSING.**

3 Section 184A of the Housing and Community Devel-
 4 opment Act of 1992 (12 U.S.C. 1715z–13b) is amended—

5 (1) in subsection (b), by inserting “, and to ex-
 6 pand homeownership opportunities to Native Hawai-
 7 ian families who are eligible to receive a homestead
 8 under the Hawaiian Homes Commission Act, 1920
 9 (42 Stat. 108) on fee simple lands in the State of
 10 Hawaii” after “markets”;

11 (2) in subsection (c)—

12 (A) by amending paragraph (2) to read as
 13 follows:

14 “(2) **ELIGIBLE HOUSING.**—The loan shall be
 15 used to construct, acquire, refinance, or rehabilitate
 16 1- to 4-family dwellings that are standard housing.”;

17 (B) in paragraph (4)—

18 (i) in subparagraph (B)—

19 (I) by redesignating clause (iv) as
 20 clause (v); and

21 (II) by adding after clause (iii)
 22 the following:

23 “(iv) Any other lender that is super-
 24 vised, approved, regulated, or insured by
 25 any agency of the Federal Government, in-
 26 cluding any entity certified as a community

1 development financial institution by the
2 Community Development Financial Insti-
3 tutions Fund established under section
4 104(a) of the Riegle Community Develop-
5 ment and Regulatory Improvement Act of
6 1994 (12 U.S.C. 4703(a)).”; and

7 (ii) by adding at the end the fol-
8 lowing:

9 “(C) INDEMNIFICATION.—

10 “(i) IN GENERAL.—If the Secretary
11 determines that a mortgage guaranteed
12 through a direct guarantee process under
13 this section was not originated in accord-
14 ance with the requirements established by
15 the Secretary, the Secretary may require
16 the lender approved under this section to
17 indemnify the Secretary for the loss, irre-
18 spective of whether the violation caused the
19 mortgage default.

20 “(ii) DIRECT GUARANTEE ENDORSE-
21 MENT.—The Secretary may, dependent on
22 the availability of systems development and
23 staffing resources, delegate to eligible lend-
24 ers the authority to directly endorse loans
25 under this section.

1 “(iii) FRAUD OR MISREPRESENTA-
2 TION.—If fraud or misrepresentation was
3 involved in the direct guarantee endorse-
4 ment process by a lender under this sec-
5 tion, the Secretary shall require the ap-
6 proved direct guarantee endorsement lend-
7 er to indemnify the Secretary for any loss
8 or potential loss, regardless of whether the
9 fraud or misrepresentation caused or may
10 cause the loan default.

11 “(iv) IMPLEMENTATION.—The Sec-
12 retary may implement any requirements
13 described in this subparagraph by regula-
14 tion, notice, or Dear Lender Letter.”.

15 (C) in paragraph (5)(A), by inserting be-
16 fore the semicolon at the end the following: “ex-
17 cept, as determined by the Secretary, when
18 there is a loan modification under subsection
19 (i)(1)(B), the term of the loan shall not exceed
20 40 years”;

21 (3) in subsection (d)—

22 (A) in paragraph (1), by adding at the end
23 the following:

24 “(C) EXCEPTION.—When the Secretary
25 exercises its discretion to delegate direct guar-

1 antee endorsement authority pursuant to sub-
2 section (c)(4)(C)(ii), subparagraphs (A) and
3 (B) of this paragraph shall not apply.”;

4 (B) by amending paragraph (2) to read as
5 follows:

6 “(2) STANDARD FOR APPROVAL.—

7 “(A) APPROVAL.—The Secretary may ap-
8 prove a loan for guarantee under this section
9 and issue a certificate under this subsection
10 only if the Secretary determines that there is a
11 reasonable prospect of repayment of the loan.

12 “(B) EXCEPTIONS.—When the Secretary
13 exercises its discretion to delegate direct guar-
14 antee endorsement authority pursuant to sub-
15 section (c)(4)(C)(ii)—

16 “(i) subparagraph (A) shall not apply;

17 and

18 “(ii) the direct guarantee endorsement
19 lender may issue a certificate under this
20 paragraph as evidence of the guarantee in
21 accordance with requirements prescribed
22 by the Secretary.”; and

23 (C) in paragraph (3)(A), by inserting “or,
24 where applicable, the direct guarantee endorse-
25 ment lender,” after “Secretary” and

1 (4) in subsection (j)(5)(B), by inserting after
2 the first sentence the following: “There are author-
3 ized to be appropriated for those costs such sums as
4 may be necessary for each of fiscal years 2024
5 through 2030.”.

6 **SEC. 11019. DRUG ELIMINATION PROGRAM.**

7 (a) DEFINITIONS.—In this section:

8 (1) CONTROLLED SUBSTANCE.—The term
9 “controlled substance” has the meaning given the
10 term in section 102 of the Controlled Substances
11 Act (21 U.S.C. 802).

12 (2) DRUG-RELATED CRIME.—The term “drug-
13 related crime” means the illegal manufacture, sale,
14 distribution, use, or possession with intent to manu-
15 facture, sell, distribute, or use a controlled sub-
16 stance.

17 (3) RECIPIENT.—The term “recipient”—

18 (A) has the meaning given the term in sec-
19 tion 4 of the Native American Housing Assist-
20 ance and Self-Determination Act of 1996 (25
21 U.S.C. 4103); and

22 (B) includes a recipient of funds under
23 title VIII of that Act (25 U.S.C. 4221 et seq.).

24 (4) SECRETARY.—The term “Secretary” means
25 the Secretary of Housing and Urban Development.

1 (b) ESTABLISHMENT.—The Secretary may, in con-
2 sultation with the Bureau of Indian Affairs and relevant
3 Tribal law enforcement agencies, make grants under this
4 section to recipients of assistance under the Native Amer-
5 ican Housing Assistance and Self-Determination Act of
6 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-
7 related and violent crime.

8 (c) ELIGIBLE ACTIVITIES.—Grants under this sec-
9 tion may be used for—

10 (1) the employment of security personnel;

11 (2) reimbursement of State, local, Tribal, or
12 Bureau of Indian Affairs law enforcement agencies
13 for additional security and protective services;

14 (3) physical improvements which are specifically
15 designed to enhance security;

16 (4) the employment of 1 or more individuals—

17 (A) to investigate drug-related or violent
18 crime in and around the real property com-
19 prising housing assisted under the Native
20 American Housing Assistance and Self-Deter-
21 mination Act of 1996 (25 U.S.C. 4101 et seq.);
22 and

23 (B) to provide evidence relating to such
24 crime in any administrative or judicial pro-
25 ceeding;

1 (5) the provision of training, communications
2 equipment, and other related equipment for use by
3 voluntary tenant patrols acting in cooperation with
4 law enforcement officials;

5 (6) programs designed to reduce use of drugs
6 in and around housing communities funded under
7 the Native American Housing Assistance and Self-
8 Determination Act of 1996 (25 U.S.C. 4101 et
9 seq.), including drug-abuse prevention, intervention,
10 referral, and treatment programs;

11 (7) providing funding to nonprofit resident
12 management corporations and resident councils to
13 develop security and drug abuse prevention pro-
14 grams involving site residents;

15 (8) sports programs and sports activities that
16 serve primarily youths from housing communities
17 funded through and are operated in conjunction
18 with, or in furtherance of, an organized program or
19 plan designed to reduce or eliminate drugs and
20 drug-related problems in and around those commu-
21 nities; and

22 (9) other programs for youth in school settings
23 that address drug prevention and positive alter-
24 natives for youth, including education and activities

1 related to science, technology, engineering, and
2 math.

3 (d) APPLICATIONS.—

4 (1) IN GENERAL.—To receive a grant under
5 this subsection, an eligible applicant shall submit an
6 application to the Secretary, at such time, in such
7 manner, and accompanied by—

8 (A) a plan for addressing the problem of
9 drug-related or violent crime in and around of
10 the housing administered or owned by the appli-
11 cant for which the application is being sub-
12 mitted; and

13 (B) such additional information as the Sec-
14 retary may reasonably require.

15 (2) CRITERIA.—The Secretary shall approve ap-
16 plications submitted under paragraph (1) on the
17 basis of thresholds or criteria such as—

18 (A) the extent of the drug-related or vio-
19 lent crime problem in and around the housing
20 or projects proposed for assistance;

21 (B) the quality of the plan to address the
22 crime problem in the housing or projects pro-
23 posed for assistance, including the extent to
24 which the plan includes initiatives that can be
25 sustained over a period of several years;

1 (C) the capability of the applicant to carry
2 out the plan; and

3 (D) the extent to which tenants, the Tribal
4 government, and the Tribal community support
5 and participate in the design and implementa-
6 tion of the activities proposed to be funded
7 under the application.

8 (e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—
9 In evaluating the extent of the drug-related crime problem
10 pursuant to subsection (d)(2), the Secretary may consider
11 whether housing or projects proposed for assistance are
12 located in a high intensity drug trafficking area designated
13 pursuant to section 707(b) of the Office of National Drug
14 Control Policy Reauthorization Act of 1998 (21 U.S.C.
15 1706(b)).

16 (f) REPORTS.—

17 (1) GRANTEE REPORTS.—The Secretary shall
18 require grantees under this section to provide peri-
19 odic reports that include the obligation and expendi-
20 ture of grant funds, the progress made by the grant-
21 ee in implementing the plan described in subsection
22 (d)(1)(A), and any change in the incidence of drug-
23 related crime in projects assisted under section.

24 (2) HUD REPORTS.—Not later than 1 year
25 after the date of enactment of this Act, the Sec-

1 retary shall submit to Congress a report describing
2 the system used to distribute funding to grantees
3 under this section, which shall include descriptions
4 of—

5 (A) the methodology used to distribute
6 amounts made available under this section; and

7 (B) actions taken by the Secretary to en-
8 sure that amounts made available under section
9 are not used to fund baseline local government
10 services, as described in subsection (h)(2).

11 (g) NOTICE OF FUNDING AWARDS.—The Secretary
12 shall publish on the website of the Department a notice
13 of all grant awards made pursuant to section, which shall
14 identify the grantees and the amount of the grants.

15 (h) MONITORING.—

16 (1) IN GENERAL.—The Secretary shall audit
17 and monitor the program funded under this sub-
18 section to ensure that assistance provided under this
19 subsection is administered in accordance with the
20 provisions of section.

21 (2) PROHIBITION OF FUNDING BASELINE SERV-
22 ICES.—

23 (A) IN GENERAL.—Amounts provided
24 under this section may not be used to reim-
25 burse or support any local law enforcement

1 agency or unit of general local government for
2 the provision of services that are included in the
3 baseline of services required to be provided by
4 any such entity pursuant to a local cooperative
5 agreement pursuant under the Indian Self-De-
6 termination and Education Assistance Act (25
7 U.S.C. 5301 et seq.) or any provision of an an-
8 nual contributions contract for payments in lieu
9 of taxation with the Bureau of Indian Affairs.

10 (B) DESCRIPTION.—Each grantee under
11 this section shall describe, in the report under
12 subsection (f)(1), such baseline of services for
13 the unit of Tribal government in which the ju-
14 risdiction of the grantee is located.

15 (3) ENFORCEMENT.—The Secretary shall pro-
16 vide for the effective enforcement of this section, as
17 specified in the program requirements published in
18 a notice by the Secretary, which may include—

19 (A) the use of on-site monitoring, inde-
20 pendent public audit requirements, certification
21 by Tribal or Federal law enforcement or Tribal
22 government officials regarding the performance
23 of baseline services referred to in paragraph
24 (2);

1 (B) entering into agreements with the At-
 2 torney General to achieve compliance, and
 3 verification of compliance, with the provisions of
 4 this section; and

5 (C) adopting enforcement authority that is
 6 substantially similar to the authority provided
 7 to the Secretary under the Native American
 8 Housing Assistance and Self-Determination Act
 9 of 1996 (25 U.S.C. 4101 et seq.)

10 (i) AUTHORIZATION OF APPROPRIATIONS.—There
 11 are authorized to be appropriated such sums as may be
 12 necessary for each fiscal years 2024 through 2030 to carry
 13 out this section.

14 **SEC. 11020. RENTAL ASSISTANCE FOR HOMELESS OR AT-**
 15 **RISK INDIAN VETERANS.**

16 Section 8(o)(19) of the United States Housing Act
 17 of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding
 18 at the end the following:

19 “(E) INDIAN VETERANS HOUSING RENTAL
 20 ASSISTANCE PROGRAM.—

21 “(i) DEFINITIONS.—In this subpara-
 22 graph:

23 “(I) ELIGIBLE INDIAN VET-
 24 ERAN.—The term ‘eligible Indian vet-

1 eran’ means an Indian veteran who
2 is—

3 “(aa) homeless or at risk of
4 homelessness; and

5 “(bb) living—

6 “(AA) on or near a res-
7 ervation; or

8 “(BB) in or near any
9 other Indian area.

10 “(II) ELIGIBLE RECIPIENT.—

11 The term ‘eligible recipient’ means a
12 recipient eligible to receive a grant
13 under section 101 of the Native
14 American Housing Assistance and
15 Self-Determination Act of 1996 (25
16 U.S.C. 4111).

17 “(III) INDIAN; INDIAN AREA.—

18 The terms ‘Indian’ and ‘Indian area’
19 have the meanings given those terms
20 in section 4 of the Native American
21 Housing Assistance and Self-Deter-
22 mination Act of 1996 (25 U.S.C.
23 4103).

1 “(IV) INDIAN VETERAN.—The
2 term ‘Indian veteran’ means an In-
3 dian who is a veteran.

4 “(V) PROGRAM.—The term ‘Pro-
5 gram’ means the Tribal HUD–VASH
6 program carried out under clause (ii).

7 “(VI) TRIBAL ORGANIZATION.—
8 The term ‘tribal organization’ has the
9 meaning given the term in section 4
10 of the Indian Self-Determination and
11 Education Assistance Act (25 U.S.C.
12 5304).

13 “(ii) PROGRAM SPECIFICATIONS.—
14 The Secretary shall use not less than 5
15 percent of the amounts made available for
16 rental assistance under this paragraph to
17 carry out a rental assistance and sup-
18 ported housing program, to be known as
19 the ‘Tribal HUD–VASH program’, in con-
20 junction with the Secretary of Veterans Af-
21 fairs, by awarding grants for the benefit of
22 eligible Indian veterans.

23 “(iii) MODEL.—

24 “(I) IN GENERAL.—Except as
25 provided in subclause (II), the Sec-

1 retary shall model the Program on the
2 rental assistance and supported hous-
3 ing program authorized under sub-
4 paragraph (A) and applicable appro-
5 priations Acts, including administra-
6 tion in conjunction with the Secretary
7 of Veterans Affairs.

8 “(II) EXCEPTIONS.—

9 “(aa) SECRETARY OF HOUS-
10 ING AND URBAN DEVELOP-
11 MENT.—After consultation with
12 Indian tribes, eligible recipients,
13 and any other appropriate tribal
14 organizations, the Secretary may
15 make necessary and appropriate
16 modifications to facilitate the use
17 of the Program by eligible recipi-
18 ents to serve eligible Indian vet-
19 erans.

20 “(bb) SECRETARY OF VET-
21 ERANS AFFAIRS.—After consulta-
22 tion with Indian tribes, eligible
23 recipients, and any other appro-
24 priate tribal organizations, the
25 Secretary of Veterans Affairs

1 may make necessary and appro-
2 priate modifications to facilitate
3 the use of the Program by eligi-
4 ble recipients to serve eligible In-
5 dian veterans.

6 “(iv) ELIGIBLE RECIPIENTS.—The
7 Secretary shall make amounts for rental
8 assistance and associated administrative
9 costs under the Program available in the
10 form of grants to eligible recipients.

11 “(v) FUNDING CRITERIA.—The Sec-
12 retary shall award grants under the Pro-
13 gram based on—

14 “(I) need;

15 “(II) administrative capacity; and

16 “(III) any other funding criteria
17 established by the Secretary in a no-
18 tice published in the Federal Register
19 after consulting with the Secretary of
20 Veterans Affairs.

21 “(vi) ADMINISTRATION.—Grants
22 awarded under the Program shall be ad-
23 ministered in accordance with the Native
24 American Housing Assistance and Self-De-

1 termination Act of 1996 (25 U.S.C. 4101
2 et seq.), except that recipients shall—

3 “(I) submit to the Secretary, in a
4 manner prescribed by the Secretary,
5 reports on the utilization of rental as-
6 sistance provided under the Program;
7 and

8 “(II) provide to the Secretary in-
9 formation specified by the Secretary
10 to assess the effectiveness of the Pro-
11 gram in serving eligible Indian vet-
12 erans.

13 “(vii) CONSULTATION.—

14 “(I) GRANT RECIPIENTS; TRIBAL
15 ORGANIZATIONS.—The Secretary, in
16 coordination with the Secretary of
17 Veterans Affairs, shall consult with el-
18 igible recipients and any other appro-
19 priate tribal organization on the de-
20 sign of the Program to ensure the ef-
21 fective delivery of rental assistance
22 and supportive services to eligible In-
23 dian veterans under the Program.

24 “(II) INDIAN HEALTH SERV-
25 ICE.—The Director of the Indian

1 Health Service shall provide any as-
2 sistance requested by the Secretary or
3 the Secretary of Veterans Affairs in
4 carrying out the Program.

5 “(viii) WAIVER.—

6 “(I) IN GENERAL.—Except as
7 provided in subclause (II), the Sec-
8 retary may waive or specify alter-
9 native requirements for any provision
10 of law (including regulations) that the
11 Secretary administers in connection
12 with the use of rental assistance made
13 available under the Program if the
14 Secretary finds that the waiver or al-
15 ternative requirement is necessary for
16 the effective delivery and administra-
17 tion of rental assistance under the
18 Program to eligible Indian veterans.

19 “(II) EXCEPTION.—The Sec-
20 retary may not waive or specify alter-
21 native requirements under subclause
22 (I) for any provision of law (including
23 regulations) relating to labor stand-
24 ards or the environment.

1 “(ix) RENEWAL GRANTS.—The Sec-
2 retary may—

3 “(I) set aside, from amounts
4 made available for tenant-based rental
5 assistance under this subsection and
6 without regard to the amounts used
7 for new grants under clause (ii), such
8 amounts as may be necessary to
9 award renewal grants to eligible re-
10 cipients that received a grant under
11 the Program in a previous year; and

12 “(II) specify criteria that an eli-
13 gible recipient must satisfy to receive
14 a renewal grant under subclause (I),
15 including providing data on how the
16 eligible recipient used the amounts of
17 any grant previously received under
18 the Program.

19 “(x) REPORTING.—

20 “(I) IN GENERAL.—Not later
21 than 1 year after the date of enact-
22 ment of this subparagraph, and every
23 5 years thereafter, the Secretary, in
24 coordination with the Secretary of

1 Veterans Affairs and the Director of
2 the Indian Health Service, shall—

3 “(aa) conduct a review of
4 the implementation of the Pro-
5 gram, including any factors that
6 may have limited its success; and

7 “(bb) submit a report de-
8 scribing the results of the review
9 under item (aa) to—

10 “(AA) the Committee
11 on Indian Affairs, the Com-
12 mittee on Banking, Housing,
13 and Urban Affairs, the
14 Committee on Veterans’ Af-
15 fairs, and the Committee on
16 Appropriations of the Sen-
17 ate; and

18 “(BB) the Sub-
19 committee on Indian, Insu-
20 lar and Alaska Native Af-
21 fairs of the Committee on
22 Natural Resources, the
23 Committee on Financial
24 Services, the Committee on
25 Veterans’ Affairs, and the

1 Committee on Appropria-
2 tions of the House of Rep-
3 resentatives.

4 “(II) ANALYSIS OF HOUSING
5 STOCK LIMITATION.—The Secretary
6 shall include in the initial report sub-
7 mitted under subclause (I) a descrip-
8 tion of—

9 “(aa) any regulations gov-
10 erning the use of formula current
11 assisted stock (as defined in sec-
12 tion 1000.314 of title 24, Code of
13 Federal Regulations (or any suc-
14 cessor regulation)) within the
15 Program;

16 “(bb) the number of recipi-
17 ents of grants under the Pro-
18 gram that have reported the reg-
19 ulations described in item (aa) as
20 a barrier to implementation of
21 the Program; and

22 “(cc) proposed alternative
23 legislation or regulations devel-
24 oped by the Secretary in con-
25 sultation with recipients of

1 grants under the Program to
2 allow the use of formula current
3 assisted stock within the Pro-
4 gram.”.

5 **SEC. 11021. CONTINUUM OF CARE.**

6 (a) DEFINITIONS.—In this section—

7 (1) the terms “collaborative applicant” and “el-
8 ible entity” have the meanings given those terms
9 in section 401 of the McKinney-Vento Homeless As-
10 sistance Act (42 U.S.C. 11360); and

11 (2) the terms “Indian tribe” and “tribally des-
12 igned housing entity” have the meanings given
13 those terms in section 4 of the Native American
14 Housing Assistance and Self-Determination Act of
15 1996 (25 U.S.C. 4103).

16 (b) NONAPPLICATION OF CIVIL RIGHTS LAWS.—
17 With respect to the funds made available for the Con-
18 tinuum of Care program authorized under subtitle C of
19 title IV of the McKinney-Vento Homeless Assistance Act
20 (42 U.S.C. 11381 et seq.) under the heading “Homeless
21 Assistance Grants” in the Department of Housing and
22 Urban Development Appropriations Act, 2021 (Public
23 Law 116–260) and under section 231 of the Department
24 of Housing and Urban Development Appropriations Act,
25 2020 (42 U.S.C. 11364a), title VI of the Civil Rights Act

1 of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the
2 Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall
3 not apply to applications by or awards for projects to be
4 carried out—

5 (1) on or off reservation or trust lands for
6 awards made to Indian tribes or tribally designated
7 housing entities; or

8 (2) on reservation or trust lands for awards
9 made to eligible entities.

10 (c) CERTIFICATION.—With respect to funds made
11 available for the Continuum of Care program authorized
12 under subtitle C of title IV of the McKinney-Vento Home-
13 less Assistance Act (42 U.S.C. 11381 et seq.) under the
14 heading “Homeless Assistance Grants” under section 231
15 of the Department of Housing and Urban Development
16 Appropriations Act, 2020 (42 U.S.C. 11364a)—

17 (1) applications for projects to be carried out
18 on reservations or trust land shall contain a certifi-
19 cation of consistency with an approved Indian hous-
20 ing plan developed under section 102 of the Native
21 American Housing Assistance and Self-Determina-
22 tion Act (25 U.S.C. 4112), notwithstanding section
23 106 of the Cranston-Gonzalez National Affordable
24 Housing Act (42 U.S.C. 12706) and section 403 of

1 the McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11361);

3 (2) Indian tribes and tribally designated hous-
4 ing entities that are recipients of awards for projects
5 on reservations or trust land shall certify that they
6 are following an approved housing plan developed
7 under section 102 of the Native American Housing
8 Assistance and Self-Determination Act (25 U.S.C.
9 4112); and

10 (3) a collaborative applicant for a Continuum of
11 Care whose geographic area includes only reserva-
12 tion and trust land is not required to meet the re-
13 quirement in section 402(f)(2) of the McKinney-
14 Vento Homeless Assistance Act (42 U.S.C.
15 11360a(f)(2)).

16 **SEC. 11022. LEVERAGING.**

17 All funds provided under a grant made pursuant to
18 this division or the amendments made by this division may
19 be used for purposes of meeting matching or cost partici-
20 pation requirements under any other Federal housing pro-
21 gram, provided that such grants made pursuant to the Na-
22 tive American Housing Assistance and Self-Determination
23 Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accord-
24 ance with that Act.

1 **DIVISION K—FORT BELKNAP IN-**
2 **DIAN COMMUNITY WATER**
3 **RIGHTS SETTLEMENT ACT OF**
4 **2023**

5 **SEC. 11001. SHORT TITLE.**

6 This division may be cited as the “Fort Belknap In-
7 dian Community Water Rights Settlement Act of 2023”.

8 **SEC. 11002. PURPOSES.**

9 The purposes of this division are—

10 (1) to achieve a fair, equitable, and final settle-
11 ment of claims to water rights in the State of Mon-
12 tana for—

13 (A) the Fort Belknap Indian Community
14 of the Fort Belknap Reservation of Montana;
15 and

16 (B) the United States, acting as trustee
17 for the Fort Belknap Indian Community and
18 allottees;

19 (2) to authorize, ratify, and confirm the water
20 rights compact entered into by the Fort Belknap In-
21 dian Community and the State, to the extent that
22 the Compact is consistent with this division;

23 (3) to authorize and direct the Secretary—

24 (A) to execute the Compact; and

1 (B) to take any other actions necessary to
2 carry out the Compact in accordance with this
3 division;

4 (4) to authorize funds necessary for the imple-
5 mentation of the Compact and this division; and

6 (5) to authorize the exchange and transfer of
7 certain Federal and State land.

8 **SEC. 11003. DEFINITIONS.**

9 In this division:

10 (1) ALLOTTEE.—The term “allottee” means an
11 individual who holds a beneficial real property inter-
12 est in an allotment of Indian land that is—

13 (A) located within the Reservation; and

14 (B) held in trust by the United States.

15 (2) BLACKFEET TRIBE.—The term “Blackfoot
16 Tribe” means the Blackfoot Tribe of the Blackfoot
17 Indian Reservation of Montana.

18 (3) CERCLA.—The term “CERCLA” means the
19 Comprehensive Environmental Response, Compensa-
20 tion, and Liability Act of 1980 (42 U.S.C. 9601 et
21 seq.).

22 (4) COMMISSIONER.—The term “Commis-
23 sioner” means the Commissioner of Reclamation.

24 (5) COMPACT.—The term “Compact” means—

1 (A) the Fort Belknap-Montana water
2 rights compact dated April 16, 2001, as con-
3 tained in section 85–20–1001 of the Montana
4 Code Annotated (2021); and

5 (B) any appendix (including appendix
6 amendments), part, or amendment to the Com-
7 pact that is executed to make the Compact con-
8 sistent with this division.

9 (6) ENFORCEABILITY DATE.—The term “en-
10 forceability date” means the date described in sec-
11 tion 11011(f).

12 (7) FORT BELKNAP INDIAN COMMUNITY.—The
13 term “Fort Belknap Indian Community” means the
14 Gros Ventre and Assiniboine Tribes of the Fort
15 Belknap Reservation of Montana, a federally recog-
16 nized Indian Tribal entity included on the list pub-
17 lished by the Secretary pursuant to section 104(a)
18 of the Federally Recognized Indian Tribe List Act of
19 1994 (25 U.S.C. 5131(a)).

20 (8) FORT BELKNAP INDIAN COMMUNITY COUN-
21 CIL.—The term “Fort Belknap Indian Community
22 Council” means the governing body of the Fort
23 Belknap Indian Community.

24 (9) FORT BELKNAP INDIAN IRRIGATION
25 PROJECT.—

1 (A) IN GENERAL.—The term “Fort
2 Belknap Indian Irrigation Project” means the
3 Federal Indian irrigation project constructed
4 and operated by the Bureau of Indian Affairs,
5 consisting of the Milk River unit, including—

6 (i) the Three Mile unit; and

7 (ii) the White Bear unit.

8 (B) INCLUSIONS.—The term “Fort
9 Belknap Indian Irrigation Project” includes any
10 addition to the Fort Belknap Indian Irrigation
11 Project constructed pursuant to this division,
12 including expansion of the Fort Belknap Indian
13 Irrigation Project, the Pumping Plant, delivery
14 Pipe and Canal, the Fort Belknap Reservoir
15 and Dam, and the Peoples Creek Flood Protec-
16 tion Project.

17 (10) IMPLEMENTATION FUND.—The term “Im-
18 plementation Fund” means the Fort Belknap Indian
19 Community Water Settlement Implementation Fund
20 established by section 11013(a).

21 (11) INDIAN TRIBE.—The term “Indian Tribe”
22 has the meaning given the term in section 4 of the
23 Indian Self-Determination and Education Assistance
24 Act (25 U.S.C. 5304).

1 (12) LAKE ELWELL.—The term “Lake Elwell”
2 means the water impounded on the Marias River in
3 the State by Tiber Dam, a feature of the Lower
4 Marias Unit of the Pick-Sloan Missouri River Basin
5 Program authorized by section 9 of the Act of De-
6 cember 22, 1944 (commonly known as the “Flood
7 Control Act of 1944”) (58 Stat. 891, chapter 665).

8 (13) MALTA IRRIGATION DISTRICT.—The term
9 “Malta Irrigation District” means the public cor-
10 poration—

11 (A) created on December 28, 1923, pursu-
12 ant to the laws of the State relating to irriga-
13 tion districts; and

14 (B) headquartered in Malta, Montana.

15 (14) MILK RIVER.—The term “Milk River”
16 means the mainstem of the Milk River and each
17 tributary of the Milk River between the headwaters
18 of the Milk River and the confluence of the Milk
19 River with the Missouri River, consisting of—

20 (A) Montana Water Court Basins 40F,
21 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and
22 40O; and

23 (B) the portion of the Milk River and each
24 tributary of the Milk River that flows through

1 the Canadian Provinces of Alberta and Sas-
2 katchewan.

3 (15) MILK RIVER PROJECT.—

4 (A) IN GENERAL.—The term “Milk River
5 Project” means the Bureau of Reclamation
6 project conditionally approved by the Secretary
7 on March 14, 1903, pursuant to the Act of
8 June 17, 1902 (32 Stat. 388, chapter 1093),
9 commencing at Lake Sherburne Reservoir and
10 providing water to a point approximately 6
11 miles east of Nashua, Montana.

12 (B) INCLUSIONS.—The term “Milk River
13 Project” includes—

14 (i) the St. Mary Unit;

15 (ii) the Fresno Dam and Reservoir;

16 and

17 (iii) the Dodson pumping unit.

18 (16) MISSOURI RIVER BASIN.—The term “Mis-
19 souri River Basin” means the hydrologic basin of
20 the Missouri River, including tributaries.

21 (17) OPERATIONS AND MAINTENANCE.—The
22 term “operations and maintenance” means the Bu-
23 reau of Indian Affairs operations and maintenance
24 activities related to costs described in section

1 171.500 of title 25, Code of Federal Regulations (or
2 a successor regulation).

3 (18) OPERATIONS, MAINTENANCE, AND RE-
4 PLACEMENT.—The term “operations, maintenance,
5 and replacement” means—

6 (A) any recurring or ongoing activity asso-
7 ciated with the day-to-day operation of a
8 project;

9 (B) any activity relating to scheduled or
10 unscheduled maintenance of a project; and

11 (C) any activity relating to repairing, re-
12 placing, or rehabilitating a feature of a project.

13 (19) PICK-SLOAN MISSOURI RIVER BASIN PRO-
14 GRAM.—The term “Pick-Sloan Missouri River Basin
15 Program” means the Pick-Sloan Missouri River
16 Basin Program (authorized by section 9 of the Act
17 of December 22, 1944 (commonly known as the
18 “Flood Control Act of 1944”) (58 Stat. 891, chapter
19 665)).

20 (20) PMM.—The term “PMM” means the
21 Principal Meridian, Montana.

22 (21) RESERVATION.—

23 (A) IN GENERAL.—The term “Reserva-
24 tion” means the area of the Fort Belknap Res-

1 ervation in the State, as modified by this divi-
2 sion.

3 (B) INCLUSIONS.—The term “Reserva-
4 tion” includes—

5 (i) all land and interests in land es-
6 tablished by—

7 (I) the Agreement with the Gros
8 Ventre and Assiniboine Tribes of the
9 Fort Belknap Reservation, ratified by
10 the Act of May 1, 1888 (25 Stat. 113,
11 chapter 212), as modified by the
12 Agreement with the Indians of the
13 Fort Belknap Reservation of October
14 9, 1895 (ratified by the Act of June
15 10, 1896) (29 Stat. 350, chapter
16 398);

17 (II) the Act of March 3, 1921
18 (41 Stat. 1355, chapter 135); and

19 (III) Public Law 94–114 (25
20 U.S.C. 5501 et seq.);

21 (ii) the land known as the “Hancock
22 lands” purchased by the Fort Belknap In-
23 dian Community pursuant to the Fort
24 Belknap Indian Community Council Reso-
25 lution No. 234–89 (October 2, 1989); and

1 (iii) all land transferred to the United
2 States to be held in trust for the benefit of
3 the Fort Belknap Indian Community under
4 section 11006.

5 (22) SECRETARY.—The term “Secretary”
6 means the Secretary of the Interior.

7 (23) ST. MARY UNIT.—

8 (A) IN GENERAL.—The term “St. Mary
9 Unit” means the St. Mary Storage Unit of the
10 Milk River Project authorized by Congress on
11 March 25, 1905.

12 (B) INCLUSIONS.—The term “St. Mary
13 Unit” includes—

- 14 (i) Sherburne Dam and Reservoir;
15 (ii) Swift Current Creek Dike;
16 (iii) Lower St. Mary Lake;
17 (iv) St. Mary Canal Diversion Dam;
18 and
19 (v) St. Mary Canal and appur-
20 tenances.

21 (24) STATE.—The term “State” means the
22 State of Montana.

23 (25) TRIBAL WATER CODE.—The term “Tribal
24 water code” means the Tribal water code enacted by

1 the Fort Belknap Indian Community pursuant to
2 section 11005(g).

3 (26) TRIBAL WATER RIGHTS.—The term “Trib-
4 al water rights” means the water rights of the Fort
5 Belknap Indian Community, as described in Article
6 III of the Compact and this division, including the
7 allocation of water to the Fort Belknap Indian Com-
8 munity from Lake Elwell under section 11007.

9 (27) TRUST FUND.—The term “Trust Fund”
10 means the Aaniiih Nakoda Settlement Trust Fund
11 established for the Fort Belknap Indian Community
12 under section 11012(a).

13 **SEC. 11004. RATIFICATION OF COMPACT.**

14 (a) RATIFICATION OF COMPACT.—

15 (1) IN GENERAL.—As modified by this division,
16 the Compact is authorized, ratified, and confirmed.

17 (2) AMENDMENTS.—Any amendment to the
18 Compact is authorized, ratified, and confirmed to
19 the extent that the amendment is executed to make
20 the Compact consistent with this division.

21 (b) EXECUTION.—

22 (1) IN GENERAL.—To the extent that the Com-
23 pact does not conflict with this division, the Sec-
24 retary shall execute the Compact, including all ap-

1 pendices to, or parts of, the Compact requiring the
2 signature of the Secretary.

3 (2) MODIFICATIONS.—Nothing in this division
4 precludes the Secretary from approving any modi-
5 fication to an appendix to the Compact that is con-
6 sistent with this division, to the extent that the
7 modification does not otherwise require congres-
8 sional approval under section 2116 of the Revised
9 Statutes (25 U.S.C. 177) or any other applicable
10 provision of Federal law.

11 (c) ENVIRONMENTAL COMPLIANCE.—

12 (1) IN GENERAL.—In implementing the Com-
13 pact and this division, the Secretary shall comply
14 with all applicable provisions of—

15 (A) the Endangered Species Act of 1973
16 (16 U.S.C. 1531 et seq.);

17 (B) the National Environmental Policy Act
18 of 1969 (42 U.S.C. 4321 et seq.), including the
19 implementing regulations of that Act; and

20 (C) other applicable Federal environmental
21 laws and regulations.

22 (2) COMPLIANCE.—

23 (A) IN GENERAL.—In implementing the
24 Compact and this division, the Fort Belknap
25 Indian Community shall prepare any necessary

1 environmental documents, except for any envi-
2 ronmental documents required under section
3 11008, consistent with all applicable provisions
4 of—

5 (i) the Endangered Species Act of
6 1973 (16 U.S.C. 1531 et seq.);

7 (ii) the National Environmental Policy
8 Act of 1969 (42 U.S.C. 4231 et seq.), in-
9 cluding the implementing regulations of
10 that Act; and

11 (iii) all other applicable Federal envi-
12 ronmental laws and regulations.

13 (B) AUTHORIZATIONS.—The Secretary
14 shall—

15 (i) independently evaluate the docu-
16 mentation submitted under subparagraph
17 (A); and

18 (ii) be responsible for the accuracy,
19 scope, and contents of that documentation.

20 (3) EFFECT OF EXECUTION.—The execution of
21 the Compact by the Secretary under this section
22 shall not constitute a major Federal action for pur-
23 poses of the National Environmental Policy Act of
24 1969 (42 U.S.C. 4321 et seq.).

1 (4) COSTS.—Any costs associated with the per-
2 formance of the compliance activities described in
3 paragraph (2) shall be paid from funds deposited in
4 the Trust Fund, subject to the condition that any
5 costs associated with the performance of Federal ap-
6 proval or other review of such compliance work or
7 costs associated with inherently Federal functions
8 shall remain the responsibility of the Secretary.

9 **SEC. 11005. TRIBAL WATER RIGHTS.**

10 (a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

11 (1) IN GENERAL.—The Tribal water rights are
12 ratified, confirmed, and declared to be valid.

13 (2) USE.—Any use of the Tribal water rights
14 shall be subject to the terms and conditions of the
15 Compact and this division.

16 (3) CONFLICT.—In the event of a conflict be-
17 tween the Compact and this division, this division
18 shall control.

19 (b) INTENT OF CONGRESS.—It is the intent of Con-
20 gress to provide to each allottee benefits that are equiva-
21 lent to, or exceed, the benefits the allottees possess on the
22 day before the date of enactment of this division, taking
23 into consideration—

1 (1) the potential risks, cost, and time delay as-
2 sociated with litigation that would be resolved by the
3 Compact and this division;

4 (2) the availability of funding under this divi-
5 sion and from other sources;

6 (3) the availability of water from the Tribal
7 water rights; and

8 (4) the applicability of section 7 of the Act of
9 February 8, 1887 (24 Stat. 390, chapter 119; 25
10 U.S.C. 381), and this division to protect the inter-
11 ests of allottees.

12 (c) TRUST STATUS OF TRIBAL WATER RIGHTS.—

13 The Tribal water rights—

14 (1) shall be held in trust by the United States
15 for the use and benefit of the Fort Belknap Indian
16 Community and allottees in accordance with this di-
17 vision; and

18 (2) shall not be subject to loss through non-use,
19 forfeiture, or abandonment.

20 (d) ALLOTTEES.—

21 (1) APPLICABILITY OF THE ACT OF FEBRUARY
22 8, 1887.—The provisions of section 7 of the Act of
23 February 8, 1887 (24 Stat. 390, chapter 119; 25
24 U.S.C. 381), relating to the use of water for irriga-
25 tion purposes, shall apply to the Tribal water rights.

1 (2) ENTITLEMENT TO WATER.—Any entitle-
2 ment to water of an allottee under Federal law shall
3 be satisfied from the Tribal water rights.

4 (3) ALLOCATIONS.—An allottee shall be entitled
5 to a just and equitable allocation of water for irriga-
6 tion purposes.

7 (4) CLAIMS.—

8 (A) EXHAUSTION OF REMEDIES.—Before
9 asserting any claim against the United States
10 under section 7 of the Act of February 8, 1887
11 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or
12 any other applicable law, an allottee shall ex-
13 haust remedies available under the Tribal water
14 code or other applicable Tribal law.

15 (B) ACTION FOR RELIEF.—After the ex-
16 haustion of all remedies available under the
17 Tribal water code or other applicable Tribal
18 law, an allottee may seek relief under section 7
19 of the Act of February 8, 1887 (24 Stat. 390,
20 chapter 119; 25 U.S.C. 381), or other applica-
21 ble law.

22 (5) AUTHORITY OF THE SECRETARY.—The Sec-
23 retary shall have the authority to protect the rights
24 of allottees in accordance with this section.

1 (e) AUTHORITY OF THE FORT BELKNAP INDIAN
2 COMMUNITY.—

3 (1) IN GENERAL.—The Fort Belknap Indian
4 Community shall have the authority to allocate, dis-
5 tribute, and lease the Tribal water rights for use on
6 the Reservation in accordance with the Compact,
7 this division, and applicable Federal law.

8 (2) OFF-RESERVATION USE.—The Fort
9 Belknap Indian Community may allocate, distribute,
10 and lease the Tribal water rights for off-Reservation
11 use in accordance with the Compact, this division,
12 and applicable Federal law—

13 (A) subject to the approval of the Sec-
14 retary; or

15 (B) pursuant to Tribal water leasing regu-
16 lations consistent with the requirements of sub-
17 section (f).

18 (3) LAND LEASES BY ALLOTTEES.—Notwith-
19 standing paragraph (1), an allottee may lease any
20 interest in land held by the allottee, together with
21 any water right determined to be appurtenant to the
22 interest in land, in accordance with the Tribal water
23 code.

24 (f) TRIBAL WATER LEASING REGULATIONS.—

1 (1) IN GENERAL.—At the discretion of the Fort
2 Belknap Indian Community, any water lease of the
3 Fort Belknap Indian Community of the Tribal water
4 rights for use on or off the Reservation shall not re-
5 quire the approval of the Secretary if the lease—

6 (A) is executed under tribal regulations,
7 approved by the Secretary under this sub-
8 section;

9 (B) is in accordance with the Compact;
10 and

11 (C) does not exceed a term of 100 years,
12 except that a lease may include an option to
13 renew for 1 additional term of not to exceed
14 100 years.

15 (2) AUTHORITY OF THE SECRETARY OVER
16 TRIBAL WATER LEASING REGULATIONS.—

17 (A) IN GENERAL.—The Secretary shall
18 have the authority to approve or disapprove any
19 Tribal water leasing regulations issued in ac-
20 cordance with paragraph (1).

21 (B) CONSIDERATIONS FOR APPROVAL.—
22 The Secretary shall approve any Tribal water
23 leasing regulations issued in accordance with
24 paragraph (1) if the Tribal water leasing regu-
25 lations—

1 (i) provide for an environmental re-
2 view process that includes—

3 (I) the identification and evalua-
4 tion of any significant effects of the
5 proposed action on the environment;
6 and

7 (II) a process for ensuring that—

8 (aa) the public is informed
9 of, and has a reasonable oppor-
10 tunity to comment on, any sig-
11 nificant environmental impacts of
12 the proposed action identified by
13 the Fort Belknap Indian Com-
14 munity; and

15 (bb) the Fort Belknap In-
16 dian Community provides re-
17 sponses to relevant and sub-
18 stantive public comments on
19 those impacts prior to its ap-
20 proval of a water lease; and

21 (ii) are consistent with this division
22 and the Compact.

23 (3) REVIEW PROCESS.—

24 (A) IN GENERAL.—Not later than 120
25 days after the date on which Tribal water leas-

1 ing regulations under paragraph (1) are sub-
2 mitted to the Secretary, the Secretary shall re-
3 view and approve or disapprove the regulations.

4 (B) WRITTEN DOCUMENTATION.—If the
5 Secretary disapproves the Tribal water leasing
6 regulations described in subparagraph (A), the
7 Secretary shall include written documentation
8 with the disapproval notification that describes
9 the basis for this disapproval.

10 (C) EXTENSION.—The deadline described
11 in subparagraph (A) may be extended by the
12 Secretary, after consultation with the Fort
13 Belknap Indian Community.

14 (4) FEDERAL ENVIRONMENTAL REVIEW.—Not-
15 withstanding paragraphs (2) and (3), if the Fort
16 Belknap Indian Community carries out a project or
17 activity funded by a Federal agency, the Fort
18 Belknap Indian Community—

19 (A) shall have the authority to rely on the
20 environmental review process of the applicable
21 Federal agency; and

22 (B) shall not be required to carry out a
23 tribal environmental review process under this
24 subsection.

1 (5) DOCUMENTATION.—If the Fort Belknap In-
2 dian Community issues a lease pursuant to Tribal
3 water leasing regulations under paragraph (1), the
4 Fort Belknap Indian Community shall provide the
5 Secretary and the State a copy of the lease, includ-
6 ing any amendments or renewals to the lease.

7 (6) LIMITATION OF LIABILITY.—

8 (A) IN GENERAL.—The United States
9 shall not be liable in any claim relating to the
10 negotiation, execution, or approval of any lease
11 or exchange agreement or storage agreement,
12 including any claims relating to the terms in-
13 cluded in such an agreement, made pursuant to
14 Tribal water leasing regulations under para-
15 graph (1).

16 (B) OBLIGATIONS.—The United States
17 shall have no trust obligation or other obliga-
18 tion to monitor, administer, or account for—

19 (i) any funds received by the Fort
20 Belknap Indian Community as consider-
21 ation under any lease or exchange agree-
22 ment or storage agreement; or

23 (ii) the expenditure of those funds.

24 (g) TRIBAL WATER CODE.—

1 (1) IN GENERAL.—Notwithstanding Article
2 IV.A.2. of the Compact, not later than 4 years after
3 the date on which the Fort Belknap Indian Commu-
4 nity approves the Compact in accordance with sec-
5 tion 11011(f)(1), the Fort Belknap Indian Commu-
6 nity shall enact a Tribal water code that provides
7 for—

8 (A) the administration, management, regu-
9 lation, and governance of all uses of the Tribal
10 water rights in accordance with the Compact
11 and this division; and

12 (B) the establishment by the Fort Belknap
13 Indian Community of the conditions, permit re-
14 quirements, and other requirements for the allo-
15 cation, distribution, or use of the Tribal water
16 rights in accordance with the Compact and this
17 division.

18 (2) INCLUSIONS.—Subject to the approval of
19 the Secretary, the Tribal water code shall provide—

20 (A) that use of water by allottees shall be
21 satisfied with water from the Tribal water
22 rights;

23 (B) a process by which an allottee may re-
24 quest that the Fort Belknap Indian Community
25 provide water for irrigation use in accordance

1 with this division, including the provision of
2 water under any allottee lease under section 4
3 of the Act of June 25, 1910 (36 Stat. 856,
4 chapter 431; 25 U.S.C. 403);

5 (C) a due process system for the consider-
6 ation and determination by the Fort Belknap
7 Indian Community of any request of an allottee
8 (or a successor in interest to an allottee) for an
9 allocation of water for irrigation purposes on al-
10 lotted land, including a process for—

11 (i) appeal and adjudication of any de-
12 nied or disputed distribution of water; and

13 (ii) resolution of any contested admin-
14 istrative decision;

15 (D) a requirement that any allottee assert-
16 ing a claim relating to the enforcement of rights
17 of the allottee under the Tribal water code, in-
18 cluding to the quantity of water allocated to
19 land of the allottee, shall exhaust all remedies
20 available to the allottee under Tribal law before
21 initiating an action against the United States
22 or petitioning the Secretary pursuant to sub-
23 section (d)(4)(B);

24 (E) a process by which an owner of fee
25 land within the boundaries of the Reservation

1 may apply for use of a portion of the Tribal
2 water rights; and

3 (F) a process for the establishment of a
4 controlled Groundwater area and for the man-
5 agement of that area in cooperation with estab-
6 lishment of a contiguous controlled Ground-
7 water area off the Reservation established pur-
8 suant to Section B.2. of Article IV of the Com-
9 pact and State law.

10 (3) ACTION BY SECRETARY.—

11 (A) IN GENERAL.—During the period be-
12 ginning on the date of enactment of this Act
13 and ending on the date on which a Tribal water
14 code described in paragraphs (1) and (2) is en-
15 acted, the Secretary shall administer, with re-
16 spect to the rights of allottees, the Tribal water
17 rights in accordance with the Compact and this
18 division.

19 (B) APPROVAL.—The Tribal water code
20 described in paragraphs (1) and (2) shall not be
21 valid unless—

22 (i) the provisions of the Tribal water
23 code required by paragraph (2) are ap-
24 proved by the Secretary; and

1 (ii) each amendment to the Tribal
2 water code that affects a right of an allot-
3 tee is approved by the Secretary.

4 (C) APPROVAL PERIOD.—

5 (i) IN GENERAL.—The Secretary shall
6 approve or disapprove the Tribal water
7 code or an amendment to the Tribal water
8 code by not later than 180 days after the
9 date on which the Tribal water code or
10 amendment to the Tribal water code is
11 submitted to the Secretary.

12 (ii) EXTENSIONS.—The deadline de-
13 scribed in clause (i) may be extended by
14 the Secretary, after consultation with the
15 Fort Belknap Indian Community.

16 (h) ADMINISTRATION.—

17 (1) NO ALIENATION.—The Fort Belknap In-
18 dian Community shall not permanently alienate any
19 portion of the Tribal water rights.

20 (2) PURCHASES OR GRANTS OF LAND FROM IN-
21 DIANS.—An authorization provided by this division
22 for the allocation, distribution, leasing, or other ar-
23 rangement entered into pursuant to this division
24 shall be considered to satisfy any requirement for
25 authorization of the action required by Federal law.

1 (3) PROHIBITION ON FORFEITURE.—The non-
2 use of all or any portion of the Tribal water rights
3 by any water user shall not result in the forfeiture,
4 abandonment, relinquishment, or other loss of all or
5 any portion of the Tribal water rights.

6 (i) EFFECT.—Except as otherwise expressly provided
7 in this section, nothing in this division—

8 (1) authorizes any action by an allottee against
9 any individual or entity, or against the Fort Belknap
10 Indian Community, under Federal, State, Tribal, or
11 local law; or

12 (2) alters or affects the status of any action
13 brought pursuant to section 1491(a) of title 28,
14 United States Code.

15 (j) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM
16 POWER RATES.—

17 (1) IN GENERAL.—Notwithstanding any other
18 provision of law, the Secretary, in cooperation with
19 the Secretary of Energy, shall make available the
20 Pick-Sloan Missouri River Basin Program irrigation
21 project pumping power rates to the Fort Belknap
22 Indian Community, the Fort Belknap Indian Irriga-
23 tion Project, and any projects funded under this di-
24 vision.

1 (2) AUTHORIZED PURPOSES.—The power rates
2 made available under paragraph (1) shall be author-
3 ized for the purposes of wheeling, administration,
4 and payment of irrigation project pumping power
5 rates, including project use power for gravity power.

6 **SEC. 11006. EXCHANGE AND TRANSFER OF LAND.**

7 (a) EXCHANGE OF ELIGIBLE LAND AND STATE
8 LAND.—

9 (1) DEFINITIONS.—In this subsection:

10 (A) ELIGIBLE LAND.—The term “eligible
11 land” means—

12 (i) public lands (as defined in section
13 103 of the Federal Land Policy and Man-
14 agement Act of 1976 (43 U.S.C. 1702))
15 that are administered by the Secretary,
16 acting through the Director of the Bureau
17 of Land Management; and

18 (ii) land in the National Forest Sys-
19 tem (as defined in section 11(a) of the
20 Forest and Rangeland Resources Planning
21 Act of 1974 (16 U.S.C. 1609(a)) that is
22 administered by the Secretary of Agri-
23 culture, acting through the Chief of the
24 Forest Service.

1 (B) SECRETARY CONCERNED.—The term
2 “Secretary concerned” means, as applicable—

3 (i) the Secretary, with respect to the
4 eligible land administered by the Bureau of
5 Land Management; and

6 (ii) the Secretary of Agriculture, with
7 respect to eligible land managed by the
8 Forest Service.

9 (2) NEGOTIATIONS AUTHORIZED.—

10 (A) IN GENERAL.—The Secretary con-
11 cerned shall offer to enter into negotiations
12 with the State for the purpose of exchanging el-
13 igible land described in paragraph (4) for the
14 State land described in paragraph (3).

15 (B) REQUIREMENTS.—Any exchange of
16 land made pursuant to this subsection shall be
17 subject to the terms and conditions of this sub-
18 section.

19 (C) PRIORITY.—

20 (i) IN GENERAL.—In carrying out this
21 paragraph, the Secretary and the Sec-
22 retary of Agriculture shall, during the 5-
23 year period beginning on the date of enact-
24 ment of this Act, give priority to an ex-

1 change of eligible land located within the
2 State for State land.

3 (ii) SECRETARY OF AGRICULTURE.—
4 The responsibility of the Secretary of Agri-
5 culture under clause (i), during the 5-year
6 period described in that clause, shall be
7 limited to negotiating with the State an ac-
8 ceptable package of land in the National
9 Forest System (as defined in section 11(a)
10 of the Forest and Rangeland Resources
11 Planning Act of 1974 (16 U.S.C.
12 1609(a))).

13 (3) STATE LAND.—The Secretary is authorized
14 to accept the following parcels of State land located
15 on and off the Reservation:

16 (A) 717.56 acres in T. 26 N., R. 22 E.,
17 sec. 16.

18 (B) 707.04 acres in T. 27 N., R. 22 E.,
19 sec. 16.

20 (C) 640 acres in T. 27 N., R. 21 E., sec.
21 36.

22 (D) 640 acres in T. 26 N., R. 23 E., sec.
23 16.

24 (E) 640 acres in T. 26 N., R. 23 E., sec.
25 36.

- 1 (F) 640 acres in T. 26 N., R. 26 E., sec.
2 16.
- 3 (G) 640 acres in T. 26 N., R. 22 E., sec.
4 36.
- 5 (H) 640 acres in T. 27 N., R. 23 E., sec.
6 16.
- 7 (I) 640 acres in T. 27 N., R. 25 E., sec.
8 36.
- 9 (J) 640 acres in T. 28 N., R. 22 E., sec.
10 36.
- 11 (K) 640 acres in T. 28 N., R. 23 E., sec.
12 16.
- 13 (L) 640 acres in T. 28 N., R. 24 E., sec.
14 36.
- 15 (M) 640 acres in T. 28 N., R. 25 E., sec.
16 16.
- 17 (N) 640 acres in T. 28 N., R. 25 E., sec.
18 36.
- 19 (O) 640 acres in T. 28 N., R. 26 E., sec.
20 16.
- 21 (P) 94.96 acres in T. 28 N., R. 26 E., sec.
22 36, under lease by the Fort Belknap Indian
23 Community Council on the date of enactment of
24 this Act, comprised of—
25 (i) 30.68 acres in lot 5;

1 (ii) 26.06 acres in lot 6;

2 (iii) 21.42 acres in lot 7; and

3 (iv) 16.8 acres in lot 8.

4 (Q) 652.32 acres in T. 29 N., R. 22 E.,
5 sec. 16, excluding the 73.36 acres under lease
6 by individuals who are not members of the Fort
7 Belknap Indian Community, on the date of en-
8 actment of this Act.

9 (R) 640 acres in T. 29 N., R. 22 E., sec.
10 36.

11 (S) 640 acres in T. 29 N., R. 23 E., sec.
12 16.

13 (T) 640 acres in T. 29 N., R. 24 E., sec.
14 16.

15 (U) 640 acres in T. 29 N., R. 24 E., sec.
16 36.

17 (V) 640 acres in T. 29 N., R. 25 E., sec.
18 16.

19 (W) 640 acres in T. 29 N., R. 25 E., sec.
20 36.

21 (X) 640 acres in T. 29 N., R. 26 E., sec.
22 16.

23 (Y) 663.22 acres in T. 30 N., R. 22 E.,
24 sec. 16, excluding the 58.72 acres under lease
25 by individuals who are not members of the Fort

1 Belknap Indian Community on the date of en-
2 actment of this Act.

3 (Z) 640 acres in T. 30 N., R. 22 E., sec.
4 36.

5 (AA) 640 acres in T. 30 N., R. 23 E., sec.
6 16.

7 (BB) 640 acres in T. 30 N., R. 23 E., sec.
8 36.

9 (CC) 640 acres in T. 30 N., R. 24 E., sec.
10 16.

11 (DD) 640 acres in T. 30 N., R. 24 E., sec.
12 36.

13 (EE) 640 acres in T. 30 N., R. 25 E., sec.
14 16.

15 (FF) 275.88 acres in T. 30 N., R. 26 E.,
16 sec. 36, under lease by the Fort Belknap Indian
17 Community Council on the date of enactment of
18 this Act.

19 (GG) 640 acres in T. 31 N., R. 22 E., sec.
20 36.

21 (HH) 640 acres in T. 31 N., R. 23 E., sec.
22 16.

23 (II) 640 acres in T. 31 N., R. 23 E., sec.
24 36.

1 (JJ) 34.04 acres in T. 31 N., R. 26 E.,
2 sec. 16, lot 4.

3 (KK) 640 acres in T. 25 N., R. 22 E., sec.
4 16.

5 (4) ELIGIBLE LAND.—

6 (A) IN GENERAL.—Subject to valid exist-
7 ing rights, the reservation of easements or
8 rights-of-way deemed necessary to be retained
9 by the Secretary concerned, and the require-
10 ments of this subsection, the Secretary is au-
11 thorized and directed to convey to the State any
12 eligible land within the State identified in the
13 negotiations authorized by paragraph (2) and
14 agreed to by the Secretary concerned.

15 (B) EXCEPTIONS.—The Secretary con-
16 cerned shall exclude from any conveyance any
17 parcel of eligible land that is—

18 (i) included within the National Land-
19 scape Conservation System established by
20 section 2002(a) of the Omnibus Public
21 Land Management Act of 2009 (16 U.S.C.
22 7202(a)), without regard to whether that
23 land has been identified as available for
24 disposal in a land use plan;

1 (ii) designated as wilderness by Con-
2 gress;

3 (iii) within a component of the Na-
4 tional Wild and Scenic Rivers System; or

5 (iv) designated in the Forest Land
6 and Resource Management Plan as a Re-
7 search Natural Area.

8 (C) ADMINISTRATIVE RESPONSIBILITY.—

9 The Secretary shall be responsible for meeting
10 all substantive and any procedural requirements
11 necessary to complete the exchange and the
12 conveyance of the eligible land.

13 (5) LAND INTO TRUST.—On completion of the
14 land exchange authorized by this subsection, the
15 Secretary shall, as soon as practicable after the en-
16 forceability date, take the land received by the
17 United States pursuant to this subsection into trust
18 for the benefit of the Fort Belknap Indian Commu-
19 nity.

20 (6) TERMS AND CONDITIONS.—

21 (A) EQUAL VALUE.—The values of the eli-
22 gible land and State land exchanged under this
23 subsection shall be equal, except that the Sec-
24 retary concerned may—

1 (i) exchange land that is of approxi-
2 mately equal value if such an exchange
3 complies with the requirements of section
4 206(h) of the Federal Land Policy and
5 Management Act of 1976 (43 U.S.C.
6 1716(h)) (and any regulations imple-
7 menting that section) without regard to
8 the monetary limitation described in para-
9 graph (1)(A) of that section; and

10 (ii) make or accept an equalization
11 payment, or waive an equalization pay-
12 ment, if such a payment or waiver of a
13 payment complies with the requirements of
14 section 206(b) of that Act (43 U.S.C.
15 1716(b)) (and any regulations imple-
16 menting that section).

17 (B) IMPACTS ON LOCAL GOVERNMENTS.—

18 In identifying eligible land to be exchanged with
19 the State, the Secretary concerned and the
20 State may—

21 (i) consider the financial impacts of
22 exchanging specific eligible land on local
23 governments; and

1 (ii) attempt to minimize the financial
2 impact of the exchange on local govern-
3 ments.

4 (C) EXISTING AUTHORIZATIONS.—

5 (i) ELIGIBLE LAND CONVEYED TO
6 THE STATE.—

7 (I) IN GENERAL.—Any eligible
8 land conveyed to the State under this
9 subsection shall be subject to any
10 valid existing rights, contracts, leases,
11 permits, and rights-of-way, unless the
12 holder of the right, contract, lease,
13 permit, or right-of-way requests an
14 earlier termination in accordance with
15 existing law.

16 (II) ASSUMPTION BY STATE.—

17 The State shall assume all benefits
18 and obligations of the Forest Service
19 or the Bureau of Land Management,
20 as applicable, under the existing
21 rights, contracts, leases, permits, and
22 rights-of-way described in subclause
23 (I).

24 (ii) STATE LAND CONVEYED TO THE
25 UNITED STATES.—

1 (I) IN GENERAL.—Any State
2 land conveyed to the United States
3 under this subsection and taken into
4 trust for the benefit of the Fort
5 Belknap Indian Community subject
6 shall be to any valid existing rights,
7 contracts, leases, permits, and rights-
8 of-way, unless the holder of the right,
9 contract, lease, permit, or right-of-way
10 requests an earlier termination in ac-
11 cordance with existing law.

12 (II) ASSUMPTION BY BUREAU OF
13 INDIAN AFFAIRS.—The Bureau of In-
14 dian Affairs shall—

15 (aa) assume all benefits and
16 obligations of the State under the
17 existing rights, contracts, leases,
18 permits, and rights-of-way de-
19 scribed in subclause (I); and

20 (bb) disburse to the Fort
21 Belknap Indian Community any
22 amounts that accrue to the
23 United States from those rights,
24 contracts, leases, permits, and
25 rights-of-way, after the date of

1 transfer from any sale, bonus,
2 royalty, or rental relating to that
3 land in the same manner as
4 amounts received from other land
5 held by the Secretary in trust for
6 the benefit of the Fort Belknap
7 Indian Community.

8 (D) PERSONAL PROPERTY.—

9 (i) IN GENERAL.—Any improvements
10 constituting personal property, as defined
11 by State law, belonging to the holder of a
12 right, contract, lease, permit, or right-of-
13 way on land transferred to the United
14 States under this subsection shall—

15 (I) remain the property of the
16 holder; and

17 (II) be removed not later than 90
18 days after the date on which the
19 right, contract, lease, permit, or right-
20 of-way expires, unless the Fort
21 Belknap Indian Community and the
22 holder agree otherwise.

23 (ii) REMAINING PROPERTY.—Any per-
24 sonal property described in clause (i) re-
25 maining with the holder described in that

1 clause beyond the 90-day period described
2 in subclause (II) of that clause shall—

3 (I) become the property of the
4 Fort Belknap Indian Community; and

5 (II) be subject to removal and
6 disposition at the discretion of the
7 Fort Belknap Indian Community.

8 (iii) LIABILITY OF PREVIOUS HOLD-
9 ER.—The holder of personal property de-
10 scribed in clause (i) shall be liable for costs
11 incurred by the Fort Belknap Indian Com-
12 munity in removing and disposing of the
13 personal property under clause (ii)(II).

14 (7) TECHNICAL CORRECTIONS.—Notwith-
15 standing the descriptions of the parcels of land
16 owned by the State under paragraph (3), the State
17 may, with the consent of the Fort Belknap Indian
18 Community, make technical corrections to the legal
19 land descriptions to more specifically identify the
20 State parcels to be exchanged.

21 (8) ASSISTANCE.—The Secretary shall provide
22 \$10,000,000 of financial or other assistance to the
23 State and the Fort Belknap Indian Community as
24 may be necessary to obtain the appraisals, and to

1 satisfy administrative requirements, necessary to ac-
2 complish the exchanges under paragraph (2).

3 (b) FEDERAL LAND TRANSFERS.—

4 (1) IN GENERAL.—Subject to valid existing
5 rights and the requirements of this subsection, all
6 right, title, and interest of the United States in and
7 to the land described in paragraph (2) shall be held
8 by the United States in trust for the benefit of the
9 Fort Belknap Indian Community as part of the Res-
10 ervation on the enforceability date.

11 (2) FEDERAL LAND.—

12 (A) BUREAU OF LAND MANAGEMENT PAR-
13 CELS.—

14 (i) 59.46 acres in T. 25 N., R. 22 E.,
15 sec. 4, comprised of—

16 (I) 19.55 acres in lot 10;

17 (II) 19.82 acres in lot 11; and

18 (III) 20.09 acres in lot 16.

19 (ii) 324.24 acres in the N¹/₂ of T. 25
20 N., R. 22 E., sec. 5.

21 (iii) 403.56 acres in T. 25 N., R. 22
22 E., sec. 9, comprised of—

23 (I) 20.39 acres in lot 2;

24 (II) 20.72 acres in lot 7;

25 (III) 21.06 acres in lot 8;

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- 1 (IV) 40.00 acres in lot 9;
- 2 (V) 40.00 acres in lot 10;
- 3 (VI) 40.00 acres in lot 11;
- 4 (VII) 40.00 acres in lot 12;
- 5 (VIII) 21.39 acres in lot 13; and
- 6 (IX) 160 acres in SW¹/₄.

7 (iv) 70.63 acres in T. 25 N., R. 22
8 E., sec. 13, comprised of—

- 9 (I) 18.06 acres in lot 5;
- 10 (II) 18.25 acres in lot 6;
- 11 (III) 18.44 acres in lot 7; and
- 12 (IV) 15.88 acres in lot 8.

13 (v) 71.12 acres in T. 25 N., R. 22 E.,
14 sec. 14, comprised of—

- 15 (I) 17.65 acres in lot 5;
- 16 (II) 17.73 acres in lot 6;
- 17 (III) 17.83 acres in lot 7; and
- 18 (IV) 17.91 acres in lot 8.

19 (vi) 103.29 acres in T. 25 N., R. 22
20 E., sec. 15, comprised of—

- 21 (I) 21.56 acres in lot 6;
- 22 (II) 29.50 acres in lot 7;
- 23 (III) 17.28 acres in lot 8;
- 24 (IV) 17.41 acres in lot 9; and
- 25 (V) 17.54 acres in lot 10.

1 (vii) 160 acres in T. 26 N., R. 21 E.,
2 sec. 1, comprised of—

3 (I) 80 acres in the S¹/₂ of the
4 NW¹/₄; and

5 (II) 80 acres in the W¹/₂ of the
6 SW¹/₄.

7 (viii) 567.50 acres in T. 26 N., R. 21
8 E., sec. 2, comprised of—

9 (I) 82.54 acres in the E¹/₂ of the
10 NW¹/₄;

11 (II) 164.96 acres in the NE¹/₄;
12 and

13 (III) 320 acres in the S¹/₂.

14 (ix) 240 acres in T. 26 N., R. 21 E.,
15 sec. 3, comprised of—

16 (I) 40 acres in the SE¹/₄ of the
17 NW¹/₄;

18 (II) 160 acres in the SW¹/₄; and

19 (III) 40 acres in the SW¹/₄ of the
20 SE¹/₄.

21 (x) 120 acres in T. 26 N., R. 21 E.,
22 sec. 4, comprised of—

23 (I) 80 acres in the E¹/₂ of the
24 SE¹/₄; and

1 (II) 40 acres in the NW¹/₄ of the
2 SE¹/₄.

3 (xi) 200 acres in T. 26 N., R. 21 E.,
4 sec. 5, comprised of—

5 (I) 160 acres in the SW¹/₄; and

6 (II) 40 acres in the SW¹/₄ of the
7 NW¹/₄.

8 (xii) 40 acres in the SE¹/₄ of the
9 SE¹/₄ of T. 26 N., R. 21 E., sec. 6.

10 (xiii) 240 acres in T. 26 N., R. 21 E.,
11 sec. 8, comprised of—

12 (I) 40 acres in the NE¹/₄ of the
13 SW¹/₄;

14 (II) 160 acres in the NW¹/₄; and

15 (III) 40 acres in the NW¹/₄ of
16 the SE¹/₄.

17 (xiv) 320 acres in the E¹/₂ of T. 26
18 N., R. 21 E., sec. 9.

19 (xv) 640 acres in T. 26 N., R. 21 E.,
20 sec. 10.

21 (xvi) 600 acres in T. 26 N., R. 21 E.,
22 sec. 11, comprised of—

23 (I) 320 acres in the N¹/₂;

24 (II) 80 acres in the N¹/₂ of the
25 SE¹/₄;

1 (III) 160 acres in the SW¹/₄; and

2 (IV) 40 acres in the SW¹/₄ of the

3 SE¹/₄.

4 (xvii) 525.81 acres in T. 26 N., R. 22

5 E., sec. 21, comprised of—

6 (I) 6.62 acres in lot 1;

7 (II) 5.70 acres in lot 2;

8 (III) 56.61 acres in lot 5;

9 (IV) 56.88 acres in lot 6;

10 (V) 320 acres in the W¹/₂; and

11 (VI) 80 acres in the W¹/₂ of the

12 SE¹/₄.

13 (xviii) 719.58 acres in T. 26 N., R. 22

14 E., sec. 28.

15 (xix) 560 acres in T. 26 N., R. 22 E.,

16 sec. 29, comprised of—

17 (I) 320 acres in the N¹/₂;

18 (II) 160 acres in the N¹/₂ of the

19 S¹/₂; and

20 (III) 80 acres in the S¹/₂ of the

21 SE¹/₄.

22 (xx) 400 acres in T. 26 N., R. 22 E.,

23 sec. 32, comprised of—

24 (I) 320 acres in the S¹/₂; and

1 (II) 80 acres in the S¹/₂ of the
2 NW¹/₄.

3 (xxi) 455.51 acres in T. 26 N., R. 22
4 E., sec. 33, comprised of—

5 (I) 58.25 acres in lot 3;

6 (II) 58.5 acres in lot 4;

7 (III) 58.76 acres in lot 5;

8 (IV) 40 acres in the NW¹/₄ of the
9 NE¹/₄;

10 (V) 160 acres in the SW¹/₄; and

11 (VI) 80 acres in the W¹/₂ of the
12 SE¹/₄.

13 (xxii) 88.71 acres in T. 27 N., R. 21
14 E., sec. 1, comprised of—

15 (I) 24.36 acres in lot 1;

16 (II) 24.35 acres in lot 2; and

17 (III) 40 acres in the SW¹/₄ of the
18 SW¹/₄.

19 (xxiii) 80 acres in T. 27 N., R. 21 E.,
20 sec. 3, comprised of—

21 (I) 40 acres in lot 11; and

22 (II) 40 acres in lot 12.

23 (xxiv) 80 acres in T. 27 N., R. 21 E.,
24 sec. 11, comprised of—

1 (I) 40 acres in the NW¹/₄ of the
2 SW¹/₄; and

3 (II) 40 acres in the SW¹/₄ of the
4 NW¹/₄.

5 (xxv) 200 acres in T. 27 N., R. 21 E.,
6 sec. 12, comprised of—

7 (I) 80 acres in the E¹/₂ of the
8 SW¹/₄;

9 (II) 40 acres in the NW¹/₄ of the
10 NW¹/₄; and

11 (III) 80 acres in the S¹/₂ of the
12 NW¹/₄.

13 (xxvi) 40 acres in the SE¹/₄ of the
14 NE¹/₄ of T. 27 N., R. 21 E., sec. 23.

15 (xxvii) 320 acres in T. 27 N., R. 21
16 E., sec. 24, comprised of—

17 (I) 80 acres in the E¹/₂ of the
18 NW¹/₄;

19 (II) 160 acres in the NE¹/₄;

20 (III) 40 acres in the NE¹/₄ of the
21 SE¹/₄; and

22 (IV) 40 acres in the SW¹/₄ of the
23 SW¹/₄.

24 (xxviii) 120 acres in T. 27 N., R. 21
25 E., sec. 25, comprised of—

1 (I) 80 acres in the S¹/₂ of the
2 NE¹/₄; and

3 (II) 40 acres in the SE¹/₄ of the
4 NW¹/₄.

5 (xxix) 40 acres in the NE¹/₄ of the
6 SE¹/₄ of T. 27 N., R. 21 E., sec. 26.

7 (xxx) 160 acres in the NW¹/₄ of T. 27
8 N., R. 21 E., sec. 27.

9 (xxxii) 40 acres in the SW¹/₄ of the
10 SW¹/₄ of T. 27 N., R. 21 E., sec. 29.

11 (xxxiii) 40 acres in the SW¹/₄ of the
12 NE¹/₄ of T. 27 N., R. 21 E., sec 30.

13 (xxxiiii) 120 acres in T. 27 N., R. 21
14 E., sec. 33, comprised of—

15 (I) 40 acres in the SE¹/₄ of the
16 NE¹/₄; and

17 (II) 80 acres in the N¹/₂ of the
18 SE¹/₄.

19 (xxxiv) 440 acres in T. 27 N., R. 21
20 E., sec. 34, comprised of—

21 (I) 160 acres in the N¹/₂ of the
22 S¹/₂;

23 (II) 160 acres in the NE¹/₄;

24 (III) 80 acres in the S¹/₂ of the
25 NW¹/₄; and

1 (IV) 40 acres in the SE¹/₄ of the
2 SE¹/₄.

3 (xxxv) 133.44 acres in T. 27 N., R.
4 22 E., sec. 4, comprised of—

5 (I) 28.09 acres in lot 5;

6 (II) 25.35 acres in lot 6;

7 (III) 40 acres in lot 10; and

8 (IV) 40 acres in lot 15.

9 (xxxvi) 160 acres in T. 27 N., R. 22
10 E., sec. 7, comprised of—

11 (I) 40 acres in the NE¹/₄ of the
12 NE¹/₄;

13 (II) 40 acres in the NW¹/₄ of the
14 SW¹/₄; and

15 (III) 80 acres in the W¹/₂ of the
16 NW¹/₄.

17 (xxxvii) 120 acres in T. 27 N., R. 22
18 E., sec. 8, comprised of—

19 (I) 80 acres in the E¹/₂ of the
20 NW¹/₄; and

21 (II) 40 acres in the NE¹/₄ of the
22 SW¹/₄.

23 (xxxviii) 40 acres in the SW¹/₄ of the
24 NW¹/₄ of T. 27 N., R. 22 E., sec. 9.

1 (xxxix) 40 acres in the NE¹/₄ of the
2 SW¹/₄ of T. 27 N., R. 22 E., sec. 17.

3 (xl) 40 acres in the NW¹/₄ of the
4 NW¹/₄ of T. 27 N., R. 22 E., sec. 19.

5 (xli) 40 acres in the SE¹/₄ of the
6 NW¹/₄ of T. 27 N., R. 22 E., sec. 20.

7 (xlii) 80 acres in the W¹/₂ of the SE¹/₄
8 of T. 27 N., R. 22 E., sec. 31.

9 (xliii) 52.36 acres in the SE¹/₄ of the
10 SE¹/₄ of T. 27 N., R. 22 E., sec. 33.

11 (xliv) 40 acres in the NE¹/₄ of the
12 SW¹/₄ of T. 28 N., R. 22 E., sec. 29.

13 (xlv) 40 acres in the NE¹/₄ of the
14 NE¹/₄ of T. 26 N., R. 21 E., sec. 7.

15 (xlvi) 40 acres in the SW¹/₄ of the
16 NW¹/₄ of T. 26 N., R. 21 E., sec. 12.

17 (xlvii) 42.38 acres in the NW¹/₄ of the
18 NE¹/₄ of T. 26 N., R. 22 E., sec. 6.

19 (xlviii) 320 acres in the E¹/₂ of T. 26
20 N., R. 22 E., sec. 17.

21 (xlix) 80 acres in the E¹/₂ of the
22 NE¹/₄ of T. 26 N., R. 22 E., sec. 20.

23 (l) 240 acres in T. 26 N., R. 22 E.,
24 sec. 30, comprised of—

1 (I) 80 acres in the E¹/₂ of the
2 NE¹/₄;

3 (II) 80 acres in the N¹/₂ of the
4 SE¹/₄;

5 (III) 40 acres in the SE¹/₄ of the
6 NW¹/₄; and

7 (IV) 40 acres in the SW¹/₄ of the
8 NE¹/₄.

9 (B) BUREAU OF INDIAN AFFAIRS.—The
10 parcels of approximately 3,519.3 acres of trust
11 land that have been converted to fee land, judi-
12 cially foreclosed on, acquired by the Depart-
13 ment of Agriculture, and transferred to the Bu-
14 reau of Indian Affairs, described in clauses (i)
15 through (iii).

16 (i) PARCEL 1.—The land described in
17 this clause is 640 acres in T. 29 N., R. 26
18 E., comprised of—

19 (I) 160 acres in the SW¹/₄ of sec.
20 27;

21 (II) 160 acres in the NE¹/₄ of
22 sec. 33; and

23 (III) 320 acres in the W¹/₂ of
24 sec. 34.

1 (ii) PARCEL 2.—The land described in
 2 this clause is 320 acres in the N¹/₂ of T.
 3 30 N., R. 23 E., sec. 28.

4 (iii) PARCEL 3.—The land described
 5 in this clause is 2,559.3 acres, comprised
 6 of—

7 (I) T. 28 N., R. 24 E., includ-
 8 ing—

9 (aa) of sec. 16—

10 (AA) 5 acres in the
 11 E¹/₂, W¹/₂, E¹/₂, W¹/₂, W¹/₂,
 12 NE¹/₄;

13 (BB) 10 acres in the
 14 E¹/₂, E¹/₂, W¹/₂, W¹/₂,
 15 NE¹/₄;

16 (CC) 40 acres in the
 17 E¹/₂, W¹/₂, NE¹/₄;

18 (DD) 40 acres in the
 19 W¹/₂, E¹/₂, NE¹/₄;

20 (EE) 20 acres in the
 21 W¹/₂, E¹/₂, E¹/₂, NE¹/₄;

22 (FF) 5 acres in the
 23 W¹/₂, W¹/₂, E¹/₂, E¹/₂, E¹/₂,
 24 NE¹/₄; and

1 (GG) 160 acres in the
2 SE¹/₄;

3 (bb) 640 acres in sec. 21;

4 (cc) 320 acres in the S¹/₂ of
5 sec. 22; and

6 (dd) 320 acres in the W¹/₂
7 of sec. 27;

8 (II) T. 29 N., R. 25 E., PMM,
9 including—

10 (aa) 320 acres in the S¹/₂ of
11 sec. 1; and

12 (bb) 320 acres in the N¹/₂ of
13 sec. 12;

14 (III) 39.9 acres in T. 29 N., R.
15 26 E., PMM, sec. 6, lot 2;

16 (IV) T. 30 N., R. 26 E., PMM,
17 including—

18 (aa) 39.4 acres in sec. 3, lot
19 2;

20 (bb) 40 acres in the SW¹/₄
21 of the SW¹/₄ of sec. 4;

22 (cc) 80 acres in the E¹/₂ of
23 the SE¹/₄ of sec. 5;

24 (dd) 80 acres in the S¹/₂ of
25 the SE¹/₄ of sec. 7; and

1 (ee) 40 acres in the N¹/₂,
2 N¹/₂, NE¹/₄ of sec. 18; and
3 (V) 40 acres in T. 31 N., R. 26
4 E., PMM, the NW¹/₄ of the SE¹/₄ of
5 sec. 31.

6 (3) TERMS AND CONDITIONS.—

7 (A) EXISTING AUTHORIZATIONS.—

8 (i) IN GENERAL.—Federal land trans-
9 ferred under this subsection shall be con-
10 veyed and taken into trust subject to valid
11 existing rights, contracts, leases, permits,
12 and rights-of-way, unless the holder of the
13 right, contract, lease, permit, and rights-
14 of-way requests an earlier termination in
15 accordance with existing law.

16 (ii) ASSUMPTION BY BUREAU OF IN-
17 DIAN AFFAIRS.—The Bureau of Indian Af-
18 fairs shall—

19 (I) assume all benefits and obli-
20 gations of the previous land manage-
21 ment agency under the existing rights,
22 contracts, leases, permits, and rights-
23 of-way described in clause (i); and

24 (II) disburse to the Fort Belknap
25 Indian Community any amounts that

1 accrue to the United States from
2 those rights, contracts, leases, per-
3 mits, and rights-of-ways after the date
4 of transfer from any sale, bonus, roy-
5 alty, or rental relating to that land in
6 the same manner as amounts received
7 from other land held by the Secretary
8 in trust for the Fort Belknap Indian
9 Community.

10 (B) PERSONAL PROPERTY.—

11 (i) IN GENERAL.—Any improvements
12 constituting personal property, as defined
13 by State law, belonging to the holder of a
14 right, contract, lease, permit, or right-of-
15 way on land transferred under this sub-
16 section shall—

17 (I) remain the property of the
18 holder; and

19 (II) be removed from the land
20 not later than 90 days after the date
21 on which the right, contract, lease,
22 permit, or right-of-way expires, unless
23 the Fort Belknap Indian Community
24 and the holder agree otherwise.

1 (ii) REMAINING PROPERTY.—Any per-
2 sonal property described in clause (i) re-
3 maining with the holder described in that
4 clause beyond the 90-day period described
5 in subclause (II) of that clause shall—

6 (I) become the property of the
7 Fort Belknap Indian Community; and

8 (II) be subject to removal and
9 disposition at the discretion of the
10 Fort Belknap Indian Community.

11 (iii) LIABILITY OF PREVIOUS HOLD-
12 ER.—The holder of personal property de-
13 scribed in clause (i) shall be liable to the
14 Fort Belknap Indian Community for costs
15 incurred by the Fort Belknap Indian Com-
16 munity in removing and disposing of the
17 property under clause (ii)(II).

18 (C) EXISTING ROADS.—If any road within
19 the Federal land transferred under this sub-
20 section is necessary for customary access to pri-
21 vate land, the Bureau of Indian Affairs shall
22 offer the owner of the private land to apply for
23 a right-of-way along the existing road, at the
24 expense of the landowner.

1 (D) LIMITATION ON THE TRANSFER OF
2 WATER RIGHTS.—Water rights that transfer
3 with the land described in paragraph (2) shall
4 not become part of the Tribal water rights, un-
5 less those rights are recognized and ratified in
6 the Compact.

7 (4) WITHDRAWAL OF FEDERAL LAND.—

8 (A) IN GENERAL.—Subject to valid exist-
9 ing rights, effective on the date of enactment of
10 this Act, all Federal land within the parcels de-
11 scribed in paragraph (2) is withdrawn from all
12 forms of—

13 (i) entry, appropriation, or disposal
14 under the public land laws;

15 (ii) location, entry, and patent under
16 the mining laws; and

17 (iii) disposition under all laws per-
18 taining to mineral and geothermal leasing
19 or mineral materials.

20 (B) EXPIRATION.—The withdrawals pursu-
21 ant to subparagraph (A) shall terminate on the
22 date that the Secretary takes the land into
23 trust for the benefit of the Fort Belknap Indian
24 Community pursuant to paragraph (1).

1 (C) NO NEW RESERVATION OF FEDERAL
2 WATER RIGHTS.—Nothing in this paragraph es-
3 tablishes a new reservation in favor of the
4 United States or the Fort Belknap Indian Com-
5 munity with respect to any water or water right
6 on the land withdrawn by this paragraph.

7 (5) TECHNICAL CORRECTIONS.—Notwith-
8 standing the descriptions of the parcels of Federal
9 land in paragraph (2), the United States may, with
10 the consent of the Fort Belknap Indian Community,
11 make technical corrections to the legal land descrip-
12 tions to more specifically identify the parcels.

13 (6) SURVEY.—

14 (A) IN GENERAL.—Unless the United
15 States or the Fort Belknap Indian Community
16 request an additional survey for the transferred
17 land or a technical correction is made under
18 paragraph (5), the description of land under
19 this subsection shall be controlling.

20 (B) ADDITIONAL SURVEY.—If the United
21 States or the Fort Belknap Indian Community
22 requests an additional survey, that survey shall
23 control the total acreage to be transferred into
24 trust under this subsection.

1 (C) ASSISTANCE.—The Secretary shall
2 provide such financial or other assistance as
3 may be necessary—

4 (i) to conduct additional surveys
5 under this subsection; and

6 (ii) to satisfy administrative require-
7 ments necessary to accomplish the land
8 transfers under this subsection.

9 (7) DATE OF TRANSFER.—The Secretary shall
10 complete all land transfers under this subsection and
11 shall take the land into trust for the benefit of the
12 Fort Belknap Indian Community as expeditiously as
13 practicable after the enforceability date, but not
14 later than 10 years after the enforceability date.

15 (c) TRIBALLY OWNED FEE LAND.—Not later than
16 10 years after the enforceability date, the Secretary shall
17 take into trust for the benefit of the Fort Belknap Indian
18 Community all fee land owned by the Fort Belknap Indian
19 Community on or adjacent to the Reservation to become
20 part of the Reservation, provided that—

21 (1) the land is free from any liens, encum-
22 brances, or other infirmities; and

23 (2) no evidence exists of any hazardous sub-
24 stances on, or other environmental liability with re-
25 spect to, the land.

1 (d) DODSON LAND.—

2 (1) IN GENERAL.—Subject to paragraph (2), as
3 soon as practicable after the enforceability date, but
4 not later than 10 years after the enforceability date,
5 the Dodson Land described in paragraph (3) shall
6 be taken into trust by the United States for the ben-
7 efit of the Fort Belknap Indian Community as part
8 of the Reservation.

9 (2) RESTRICTIONS.—The land taken into trust
10 under paragraph (1) shall be subject to a perpetual
11 easement, reserved by the United States for use by
12 the Bureau of Reclamation, its contractors, and its
13 assigns for—

14 (A) the right of ingress and egress for
15 Milk River Project purposes;

16 (B) the right to—

17 (i) seep, flood, and overflow the trans-
18 ferred land for Milk River Project pur-
19 poses;

20 (ii) conduct routine and non-routine
21 operation, maintenance, and replacement
22 activities on the Milk River Project facili-
23 ties, including modification to the
24 headworks at the upstream end of the
25 Dodson South Canal in support of Dodson

1 South Canal enlargement, to include all as-
2 sociated access, construction, and material
3 storage necessary to complete those activi-
4 ties; and

5 (iii) prohibit the construction of per-
6 manent structures on the transferred land,
7 except—

8 (I) as provided in the cooperative
9 agreement under paragraph (4); and

10 (II) to meet the requirements of
11 the Milk River Project.

12 (3) DESCRIPTION OF DODSON LAND.—

13 (A) IN GENERAL.—The Dodson Land re-
14 ferred to in paragraphs (1) and (2) is the ap-
15 proximately 2,500 acres of land owned by the
16 United States that is, as of the date of enact-
17 ment of this Act, under the jurisdiction of the
18 Bureau of Reclamation and located at the
19 northeastern corner of the Reservation (which
20 extends to the point in the middle of the main
21 channel of the Milk River), where the Milk
22 River Project facilities, including the Dodson
23 Diversion Dam, headworks to the Dodson
24 South Canal, and Dodson South Canal, are lo-

1 cated, and more particularly described as fol-
2 lows:

3 (i) Supplemental Plat of T. 30 N., R.
4 26 E., PMM, secs. 1 and 2.

5 (ii) Supplemental Plat of T. 31 N., R.
6 25 E., PMM, sec. 13.

7 (iii) Supplemental Plat of T. 31 N.,
8 R. 26 E., PMM, secs. 18, 19, 20, and 29.

9 (iv) Supplemental Plat of T. 31 N., R.
10 26 E., PMM, secs. 26, 27, 35, and 36.

11 (B) CLARIFICATION.—The supplemental
12 plats described in clauses (i) through (iv) of
13 subparagraph (A) are official plats, as docu-
14 mented by retracement boundary surveys of the
15 General Land Office, approved on March 11,
16 1938, and on record at the Bureau of Land
17 Management.

18 (C) TECHNICAL CORRECTIONS.—Notwith-
19 standing the descriptions of the parcels of Fed-
20 eral land in subparagraph (A), the United
21 States may, with the consent of the Fort
22 Belknap Indian Community, make technical
23 corrections to the legal land descriptions to
24 more specifically identify the parcels to be
25 transferred.

1 (4) COOPERATIVE AGREEMENT.—Not later
2 than 3 years after the enforceability date, the Bu-
3 reau of Reclamation, the Malta Irrigation District,
4 the Bureau of Indian Affairs, and the Fort Belknap
5 Indian Community shall negotiate and enter into a
6 cooperative agreement that identifies the uses to
7 which the Fort Belknap Indian Community may put
8 the land described in paragraph (3), provided that
9 the cooperative agreement may be amended by mu-
10 tual agreement of the Fort Belknap Indian Commu-
11 nity, Bureau of Reclamation, the Malta Irrigation
12 District, and the Bureau of Indian Affairs, including
13 to modify the perpetual easement to narrow the
14 boundaries of the easement or to terminate the per-
15 petual easement and cooperative agreement.

16 (e) LAND STATUS.—All land held in trust by the
17 United States for the benefit of the Fort Belknap Indian
18 Community under this section shall be—

19 (1) beneficially owned by the Fort Belknap In-
20 dian Community; and

21 (2) part of the Reservation and administered in
22 accordance with the laws and regulations generally
23 applicable to land held in trust by the United States
24 for the benefit of an Indian Tribe.

1 **SEC. 11007. STORAGE ALLOCATION FROM LAKE ELWELL.**

2 (a) STORAGE ALLOCATION OF WATER TO FORT
3 BELKNAP INDIAN COMMUNITY.—The Secretary shall allo-
4 cate to the Fort Belknap Indian Community 20,000 acre-
5 feet per year of water stored in Lake Elwell for use by
6 the Fort Belknap Indian Community for any beneficial
7 purpose on or off the Reservation, under a water right
8 held by the United States and managed by the Bureau
9 of Reclamation for the benefit of the Fort Belknap Indian
10 Community, as measured and diverted at the outlet works
11 of the Tiber Dam or through direct pumping from Lake
12 Elwell.

13 (b) TREATMENT.—

14 (1) IN GENERAL.—The allocation to the Fort
15 Belknap Indian Community under subsection (a)
16 shall be considered to be part of the Tribal water
17 rights.

18 (2) PRIORITY DATE.—The priority date of the
19 allocation to the Fort Belknap Indian Community
20 under subsection (a) shall be the priority date of the
21 Lake Elwell water right held by the Bureau of Rec-
22 lamation.

23 (3) ADMINISTRATION.—The Fort Belknap In-
24 dian Community shall administer the water allocated
25 under subsection (a) in accordance with the Com-
26 pact and this division.

1 (c) ALLOCATION AGREEMENT.—

2 (1) IN GENERAL.—As a condition of receiving
3 the allocation under this section, the Fort Belknap
4 Indian Community shall enter into an agreement
5 with the Secretary to establish the terms and condi-
6 tions of the allocation, in accordance with the Com-
7 pact and this division.

8 (2) INCLUSIONS.—The agreement under para-
9 graph (1) shall include provisions establishing that—

10 (A) the agreement shall be without limit as
11 to term;

12 (B) the Fort Belknap Indian Community,
13 and not the United States, shall be entitled to
14 all consideration due to the Fort Belknap In-
15 dian Community under any lease, contract, ex-
16 change, or agreement entered into by the Fort
17 Belknap Indian Community pursuant to sub-
18 section (d);

19 (C) the United States shall have no obliga-
20 tion to monitor, administer, or account for—

21 (i) any funds received by the Fort
22 Belknap Indian Community as consider-
23 ation under any lease, contract, exchange,
24 or agreement entered into by the Fort

1 Belknap Indian Community pursuant to
2 subsection (d); or

3 (ii) the expenditure of those funds;

4 (D) if the capacity or function of Lake
5 Elwell facilities are significantly reduced, or are
6 anticipated to be significantly reduced, for an
7 extended period of time, the Fort Belknap In-
8 dian Community shall have the same storage
9 rights as other storage contractors with respect
10 to the allocation under this section;

11 (E) the costs associated with the construc-
12 tion of the storage facilities at Tiber Dam allo-
13 cable to the Fort Belknap Indian Community
14 shall be nonreimbursable;

15 (F) no water service capital charge shall be
16 due or payable for any water allocated to the
17 Fort Belknap Indian Community under this
18 section or the allocation agreement, regardless
19 of whether that water is delivered for use by the
20 Fort Belknap Indian Community or under a
21 lease, contract, exchange, or by agreement en-
22 tered into by the Fort Belknap Indian Commu-
23 nity pursuant to subsection (d);

24 (G) the Fort Belknap Indian Community
25 shall not be required to make payments to the

1 United States for any water allocated to the
2 Fort Belknap Indian Community under this
3 section or the allocation agreement, except for
4 each acre-foot of stored water leased or trans-
5 ferred for industrial purposes as described in
6 subparagraph (H); and

7 (H) for each acre-foot of stored water
8 leased or transferred by the Fort Belknap In-
9 dian Community for industrial purposes—

10 (i) the Fort Belknap Indian Commu-
11 nity shall pay annually to the United
12 States an amount necessary to cover the
13 proportional share of the annual oper-
14 ations, maintenance, and replacement costs
15 allocable to the quantity of water leased or
16 transferred by the Fort Belknap Indian
17 Community for industrial purposes; and

18 (ii) the annual payments of the Fort
19 Belknap Indian Community shall be re-
20 viewed and adjusted, as appropriate, to re-
21 flect the actual operations, maintenance,
22 and replacement costs for Tiber Dam.

23 (d) AGREEMENT BY FORT BELKNAP INDIAN COMMU-
24 NITY.—The Fort Belknap Indian Community may use,
25 lease, contract, exchange, or enter into other agreements

1 for the use of the water allocated to the Fort Belknap
2 Indian Community under subsection (a) if—

3 (1) the use of water that is the subject of such
4 an agreement occurs within the Missouri River
5 Basin; and

6 (2) the agreement does not permanently alien-
7 ate any water allocated to the Fort Belknap Indian
8 Community under that subsection.

9 (e) EFFECTIVE DATE.—The allocation under sub-
10 section (a) takes effect on the enforceability date.

11 (f) NO CARRYOVER STORAGE.—The allocation under
12 subsection (a) shall not be increased by any year-to-year
13 carryover storage.

14 (g) DEVELOPMENT AND DELIVERY COSTS.—The
15 United States shall not be required to pay the cost of de-
16 veloping or delivering any water allocated under this sec-
17 tion.

18 **SEC. 11008. MILK RIVER PROJECT MITIGATION.**

19 (a) IN GENERAL.—In complete satisfaction of the
20 Milk River Project mitigation requirements provided for
21 in Article VI.B. of the Compact, the Secretary, acting
22 through the Commissioner—

23 (1) in cooperation with the State and the
24 Blackfeet Tribe, shall carry out appropriate activi-
25 ties concerning the restoration of the St. Mary

1 Canal and associated facilities, including activities
2 relating to the—

3 (A) planning and design to restore the St.
4 Mary Canal and appurtenances to convey 850
5 cubic-feet per second; and

6 (B) rehabilitating, constructing, and re-
7 pairing of the St. Mary Canal and appur-
8 tenances; and

9 (2) in cooperation with the State and the Fort
10 Belknap Indian Community, shall carry out appro-
11 priate activities concerning the enlargement of
12 Dodson South Canal and associated facilities, includ-
13 ing activities relating to the—

14 (A) planning and design to enlarge Dodson
15 South Canal and headworks at the upstream
16 end of Dodson South Canal to divert and con-
17 vey 700 cubic-feet per second; and

18 (B) rehabilitating, constructing, and en-
19 larging the Dodson South Canal and headworks
20 at the upstream end of Dodson South Canal to
21 divert and convey 700 cubic-feet per second.

22 (b) FUNDING.—The total amount of obligations in-
23 curred by the Secretary, prior to any adjustments provided
24 for in section 11014(b), shall not exceed \$300,000,000 to
25 carry out activities described in subsection (c)(1).

1 (c) SATISFACTION OF MITIGATION REQUIREMENT.—

2 Notwithstanding any provision of the Compact, the miti-
3 gation required by Article VI.B. of the Compact shall be
4 deemed satisfied if—

5 (1) the Secretary has—

6 (A) restored the St. Mary Canal and asso-
7 ciated facilities to convey 850 cubic-feet per sec-
8 ond; and

9 (B) enlarged the Dodson South Canal and
10 headworks at the upstream end of Dodson
11 South Canal to divert and convey 700 cubic-feet
12 per second; or

13 (2) the Secretary—

14 (A) has expended all of the available fund-
15 ing provided pursuant to section
16 11014(a)(1)(D) to rehabilitate the St. Mary
17 Canal and enlarge the Dodson South Canal;
18 and

19 (B) despite diligent efforts, could not com-
20 plete the activities described in subsection (a).

21 (d) NONREIMBURSABILITY OF COSTS.—The costs to
22 the Secretary of carrying out this section shall be nonreim-
23 bursable.

1 **SEC. 11009. FORT BELKNAP INDIAN IRRIGATION PROJECT**
2 **SYSTEM.**

3 (a) IN GENERAL.—Subject to the availability of ap-
4 propriations, the Secretary shall rehabilitate, modernize,
5 and expand the Fort Belknap Indian Irrigation Project,
6 as generally described in the document of Natural Re-
7 sources Consulting Engineers, Inc., entitled “Fort
8 Belknap Indian Community Comprehensive Water Devel-
9 opment Plan” and dated February 2019, which shall in-
10 clude—

11 (1) planning, studies, and designing of the ex-
12 isting and expanded Milk River unit, including the
13 irrigation system, Pumping Plant, delivery pipe and
14 canal, Fort Belknap Dam and Reservoir, and Peo-
15 ples Creek Flood Protection Project;

16 (2) the rehabilitation, modernization, and con-
17 struction of the existing Milk River unit; and

18 (3) construction of the expanded Milk River
19 unit, including the irrigation system, Pumping
20 Plant, delivery pipe and canal, Fort Belknap Dam
21 and Reservoir, and Peoples Creek Flood Protection
22 Project.

23 (b) LEAD AGENCY.—The Bureau of Indian Affairs,
24 in coordination with the Bureau of Reclamation, shall
25 serve as the lead agency with respect to any activities car-
26 ried out under this section.

1 (c) CONSULTATION WITH THE FORT BELKNAP IN-
2 DIAN COMMUNITY.—The Secretary shall consult with the
3 Fort Belknap Indian Community on appropriate changes
4 to the final design and costs of any activity under this
5 section.

6 (d) FUNDING.—The total amount of obligations in-
7 curred by the Secretary in carrying out this section, prior
8 to any adjustment provided for in section 11014(b), shall
9 not exceed \$415,832,153.

10 (e) NONREIMBURSABILITY OF COSTS.—All costs in-
11 curred by the Secretary in carrying out this section shall
12 be nonreimbursable.

13 (f) ADMINISTRATION.—The Secretary and the Fort
14 Belknap Indian Community shall negotiate the cost of any
15 oversight activity carried out by the Bureau of Indian Af-
16 fairs or the Bureau of Reclamation under any agreement
17 entered into under subsection (j), subject to the condition
18 that the total cost for the oversight shall not exceed 3 per-
19 cent of the total project costs for each project.

20 (g) PROJECT MANAGEMENT COMMITTEE.—Not later
21 than 1 year after the date of enactment of this Act, the
22 Secretary shall facilitate the formation of a project man-
23 agement committee composed of representatives of the
24 Bureau of Indian Affairs, the Bureau of Reclamation, and
25 the Fort Belknap Indian Community—

1 (1) to review and make recommendations relat-
2 ing to cost factors, budgets, and implementing the
3 activities for rehabilitating, modernizing, and ex-
4 panding the Fort Belknap Indian Irrigation Project;
5 and

6 (2) to improve management of inherently gov-
7 ernmental activities through enhanced communica-
8 tion.

9 (h) PROJECT EFFICIENCIES.—If the total cost of
10 planning, studies, design, rehabilitation, modernization,
11 and construction activities relating to the projects de-
12 scribed in subsection (a) results in cost savings and is less
13 than the amounts authorized to be obligated, the Sec-
14 retary, at the request of the Fort Belknap Indian Commu-
15 nity, shall deposit those savings in the Fort Belknap In-
16 dian Community Water Resources and Water Rights Ad-
17 ministration, Operation, and Maintenance Account estab-
18 lished under section 11012(b)(2).

19 (i) TREATMENT.—Any activities carried out pursuant
20 to this section that result in improvements, additions, or
21 modifications to the Fort Belknap Indian Irrigation
22 Project shall—

23 (1) become a part of the Fort Belknap Indian
24 Irrigation Project; and

1 (2) be recorded in the inventory of the Sec-
2 retary relating to the Fort Belknap Indian Irrigation
3 Project.

4 (j) APPLICABILITY OF ISDEAA.—At the request of
5 the Fort Belknap Indian Community, and in accordance
6 with the Indian Self-Determination and Education Assist-
7 ance Act (25 U.S.C. 5301 et seq.), the Secretary shall
8 enter into agreements with the Fort Belknap Indian Com-
9 munity to carry out all or a portion of this section.

10 (k) EFFECT.—Nothing in this section—

11 (1) alters any applicable law under which the
12 Bureau of Indian Affairs collects assessments or car-
13 ries out the operations and maintenance of the Fort
14 Belknap Indian Irrigation Project; or

15 (2) impacts the availability of amounts under
16 section 11014.

17 (l) SATISFACTION OF FORT BELKNAP INDIAN IRRI-
18 GATION PROJECT SYSTEM REQUIREMENT.—The obliga-
19 tions of the Secretary under subsection (a) shall be
20 deemed satisfied if the Secretary—

21 (1) has rehabilitated, modernized, and expanded
22 the Fort Belknap Indian Irrigation Project in ac-
23 cordance with subsection (a); or

1 (2)(A) has expended all of the available funding
2 provided pursuant to paragraphs (1)(C) and
3 (2)(A)(iv) of section 11014(a); and

4 (B) despite diligent efforts, could not complete
5 the activities described in subsection (a).

6 **SEC. 11010. SATISFACTION OF CLAIMS.**

7 (a) IN GENERAL.—The benefits provided under this
8 division shall be in complete replacement of, complete sub-
9 stitution for, and full satisfaction of any claim of the Fort
10 Belknap Indian Community against the United States
11 that is waived and released by the Fort Belknap Indian
12 Community under section 11011(a).

13 (b) ALLOTTEES.—The benefits realized by the
14 allottees under this division shall be in complete replace-
15 ment of, complete substitution for, and full satisfaction
16 of—

17 (1) all claims waived and released by the United
18 States (acting as trustee for the allottees) under sec-
19 tion 11011(a)(2); and

20 (2) any claims of the allottees against the
21 United States similar to the claims described in sec-
22 tion 11011(a)(2) that the allottee asserted or could
23 have asserted.

24 **SEC. 11011. WAIVERS AND RELEASES OF CLAIMS.**

25 (a) IN GENERAL.—

1 (1) WAIVER AND RELEASE OF CLAIMS BY THE
2 FORT BELKNAP INDIAN COMMUNITY AND UNITED
3 STATES AS TRUSTEE FOR THE FORT BELKNAP IN-
4 DIAN COMMUNITY.—Subject to the reservation of
5 rights and retention of claims under subsection (d),
6 as consideration for recognition of the Tribal water
7 rights and other benefits described in the Compact
8 and this division, the Fort Belknap Indian Commu-
9 nity, acting on behalf of the Fort Belknap Indian
10 Community and members of the Fort Belknap In-
11 dian Community (but not any member of the Fort
12 Belknap Indian Community as an allottee), and the
13 United States, acting as trustee for the Fort
14 Belknap Indian Community and the members of the
15 Fort Belknap Indian Community (but not any mem-
16 ber of the Fort Belknap Indian Community as an al-
17 lottee), shall execute a waiver and release of all
18 claims for water rights within the State that the
19 Fort Belknap Indian Community, or the United
20 States acting as trustee for the Fort Belknap Indian
21 Community, asserted or could have asserted in any
22 proceeding, including a State stream adjudication,
23 on or before the enforceability date, except to the ex-
24 tent that such rights are recognized in the Compact
25 and this division.

1 (2) WAIVER AND RELEASE OF CLAIMS BY THE
2 UNITED STATES AS TRUSTEE FOR ALLOTTEES.—
3 Subject to the reservation of rights and the retention
4 of claims under subsection (d), as consideration for
5 recognition of the Tribal water rights and other ben-
6 efits described in the Compact and this division, the
7 United States, acting as trustee for the allottees,
8 shall execute a waiver and release of all claims for
9 water rights within the Reservation that the United
10 States, acting as trustee for the allottees, asserted or
11 could have asserted in any proceeding, including a
12 State stream adjudication, on or before the enforce-
13 ability date, except to the extent that such rights are
14 recognized in the Compact and this division.

15 (3) WAIVER AND RELEASE OF CLAIMS BY THE
16 FORT BELKNAP INDIAN COMMUNITY AGAINST THE
17 UNITED STATES.—Subject to the reservation of
18 rights and retention of claims under subsection (d),
19 the Fort Belknap Indian Community, acting on be-
20 half of the Fort Belknap Indian Community and
21 members of the Fort Belknap Indian Community
22 (but not any member of the Fort Belknap Indian
23 Community as an allottee), shall execute a waiver
24 and release of all claims against the United States

1 (including any agency or employee of the United
2 States)—

3 (A) first arising before the enforceability
4 date relating to—

5 (i) water rights within the State that
6 the United States, acting as trustee for the
7 Fort Belknap Indian Community, asserted
8 or could have asserted in any proceeding,
9 including a general stream adjudication in
10 the State, except to the extent that such
11 rights are recognized as Tribal water
12 rights under this division;

13 (ii) foregone benefits from nontribal
14 use of water, on and off the Reservation
15 (including water from all sources and for
16 all uses);

17 (iii) damage, loss, or injury to water,
18 water rights, land, or natural resources
19 due to loss of water or water rights, in-
20 cluding damages, losses, or injuries to
21 hunting, fishing, gathering, or cultural
22 rights due to loss of water or water rights,
23 claims relating to interference with, diver-
24 sion of, or taking of water, or claims relat-
25 ing to a failure to protect, acquire, replace,

1 or develop water, water rights, or water in-
2 frastructure) within the State;

3 (iv) a failure to establish or provide a
4 municipal rural or industrial water delivery
5 system on the Reservation;

6 (v) damage, loss, or injury to water,
7 water rights, land, or natural resources
8 due to construction, operation, and man-
9 agement of the Fort Belknap Indian Irri-
10 gation Project and other Federal land and
11 facilities (including damages, losses, or in-
12 juries to Tribal fisheries, fish habitat, wild-
13 life, and wildlife habitat);

14 (vi) a failure to provide for operation
15 and maintenance, or deferred maintenance,
16 for the Fort Belknap Indian Irrigation
17 Project or any other irrigation system or
18 irrigation project;

19 (vii) the litigation of claims relating to
20 any water rights of the Fort Belknap In-
21 dian Community in the State;

22 (viii) the negotiation, execution, or
23 adoption of the Compact (including appen-
24 dices) and this division;

1 (ix) the taking or acquisition of land
2 or resources of the Fort Belknap Indian
3 Community for the construction or oper-
4 ation of the Fort Belknap Indian Irriga-
5 tion Project or the Milk River Project; and

6 (x) the allocation of water of the Milk
7 River and the St. Mary River (including
8 tributaries) between the United States and
9 Canada pursuant to the International
10 Boundary Waters Treaty of 1909 (36 Stat.
11 2448); and

12 (B) relating to damage, loss, or injury to
13 water, water rights, land, or natural resources
14 due to mining activities in the Little Rockies
15 Mountains prior to the date of trust acquisition,
16 including damages, losses, or injuries to hunt-
17 ing, fishing, gathering, or cultural rights.

18 (b) EFFECTIVENESS.—The waivers and releases
19 under subsection (a) shall take effect on the enforceability
20 date.

21 (c) OBJECTIONS IN MONTANA WATER COURT.—
22 Nothing in this division or the Compact prohibits the Fort
23 Belknap Indian Community, a member of the Fort
24 Belknap Indian Community, an allottee, or the United
25 States in any capacity from objecting to any claim to a

1 water right filed in any general stream adjudication in the
2 Montana Water Court.

3 (d) RESERVATION OF RIGHTS AND RETENTION OF
4 CLAIMS.—Notwithstanding the waivers and releases under
5 subsection (a), the Fort Belknap Indian Community, act-
6 ing on behalf of the Fort Belknap Indian Community and
7 members of the Fort Belknap Indian Community, and the
8 United States, acting as trustee for the Fort Belknap In-
9 dian Community and the allottees shall retain—

10 (1) all claims relating to—

11 (A) the enforcement of water rights recog-
12 nized under the Compact, any final court decree
13 relating to those water rights, or this division or
14 to water rights accruing on or after the enforce-
15 ability date;

16 (B) the quality of water under—

17 (i) CERCLA, including damages to
18 natural resources;

19 (ii) the Safe Drinking Water Act (42
20 U.S.C. 300f et seq.);

21 (iii) the Federal Water Pollution Con-
22 trol Act (33 U.S.C. 1251 et seq.); and

23 (iv) any regulations implementing the
24 Acts described in clauses (i) through (iii);

1 (C) damage, loss, or injury to land or nat-
2 ural resources that are—

3 (i) not due to loss of water or water
4 rights (including hunting, fishing, gath-
5 ering, or cultural rights); and

6 (ii) not described in subsection (a)(3);
7 and

8 (D) an action to prevent any person or
9 party (as defined in sections 29 and 30 of Arti-
10 cle II of the Compact) from interfering with the
11 enjoyment of the Tribal water rights;

12 (2) all claims relating to off-Reservation hunt-
13 ing rights, fishing rights, gathering rights, or other
14 rights;

15 (3) all claims relating to the right to use and
16 protect water rights acquired after the date of enact-
17 ment of this Act;

18 (4) all claims relating to the allocation of
19 waters of the Milk River and the Milk River Project
20 between the Fort Belknap Indian Community and
21 the Blackfeet Tribe, pursuant to section 3705(e)(3)
22 of the Blackfeet Water Rights Settlement Act (Pub-
23 lic Law 114–322; 130 Stat. 1818);

1 (5) all claims relating to the enforcement of this
2 division, including the required transfer of land
3 under section 11006; and

4 (6) all rights, remedies, privileges, immunities,
5 and powers not specifically waived and released pur-
6 suant to this division or the Compact.

7 (e) EFFECT OF COMPACT AND DIVISION.—Nothing
8 in the Compact or this division—

9 (1) affects the authority of the Fort Belknap
10 Indian Community to enforce the laws of the Fort
11 Belknap Indian Community, including with respect
12 to environmental protections;

13 (2) affects the ability of the United States, act-
14 ing as sovereign, to carry out any activity authorized
15 by law, including—

16 (A) the Federal Water Pollution Control
17 Act (33 U.S.C. 1251 et seq.);

18 (B) the Safe Drinking Water Act (42
19 U.S.C. 300f et seq.);

20 (C) CERCLA; and

21 (D) any regulations implementing the Acts
22 described in subparagraphs (A) through (C);

23 (3) affects the ability of the United States to
24 act as trustee for any other Indian Tribe or an allot-
25 tee of any other Indian Tribe;

1 (4) confers jurisdiction on any State court—

2 (A) to interpret Federal law relating to
3 health, safety, or the environment;

4 (B) to determine the duties of the United
5 States or any other party under Federal law re-
6 lating to health, safety, or the environment; or

7 (C) to conduct judicial review of any Fed-
8 eral agency action;

9 (5) waives any claim of a member of the Fort
10 Belknap Indian Community in an individual capacity
11 that does not derive from a right of the Fort
12 Belknap Indian Community;

13 (6) revives any claim adjudicated in the decision
14 in *Gros Ventre Tribe v. United States*, 469 F.3d
15 801 (9th Cir. 2006); or

16 (7) revives any claim released by an allottee or
17 member of the Fort Belknap Indian Community in
18 the settlement in *Cobell v. Salazar*, No.
19 1:96CV01285–JR (D.D.C. 2012).

20 (f) ENFORCEABILITY DATE.—The enforceability date
21 shall be the date on which the Secretary publishes in the
22 Federal Register a statement of findings that—

23 (1) the eligible members of the Fort Belknap
24 Indian Community have voted to approve this divi-

1 sion and the Compact by a majority of votes cast on
2 the day of the vote;

3 (2)(A) the Montana Water Court has approved
4 the Compact in a manner from which no further ap-
5 peal may be taken; or

6 (B) if the Montana Water Court is found to
7 lack jurisdiction, the appropriate district court of the
8 United States has approved the Compact as a con-
9 sent decree from which no further appeal may be
10 taken;

11 (3) all of the amounts authorized to be appro-
12 priated under section 11014 have been appropriated
13 and deposited in the designated accounts;

14 (4) the Secretary and the Fort Belknap Indian
15 Community have executed the allocation agreement
16 described in section 11007(c)(1);

17 (5) the State has provided the required funding
18 into the Fort Belknap Indian Community Tribal Ir-
19 rigation and Other Water Resources Development
20 Account of the Trust Fund pursuant to section
21 11014(a)(3); and

22 (6) the waivers and releases under subsection
23 (a) have been executed by the Fort Belknap Indian
24 Community and the Secretary.

25 (g) TOLLING OF CLAIMS.—

1 (1) IN GENERAL.—Each applicable period of
2 limitation and time-based equitable defense relating
3 to a claim described in this section shall be tolled for
4 the period beginning on the date of enactment of
5 this Act and ending on the enforceability date.

6 (2) EFFECT OF SUBSECTION.—Nothing in this
7 subsection revives any claim or tolls any period of
8 limitations or time-based equitable defense that ex-
9 pired before the date of enactment of this Act.

10 (h) EXPIRATION.—

11 (1) IN GENERAL.—This division shall expire in
12 any case in which—

13 (A) the amounts authorized to be appro-
14 priated by this division have not been made
15 available to the Secretary by not later than—

16 (i) January 21, 2034; and

17 (ii) such alternative later date as is
18 agreed to by the Fort Belknap Indian
19 Community and the Secretary; or

20 (B) the Secretary fails to publish a state-
21 ment of findings under subsection (f) by not
22 later than—

23 (i) January 21, 2035; and

24 (ii) such alternative later date as is
25 agreed to by the Fort Belknap Indian

1 Community and the Secretary, after pro-
2 viding reasonable notice to the State.

3 (2) CONSEQUENCES.—If this division expires
4 under paragraph (1)—

5 (A) the waivers and releases under sub-
6 section (a) shall—

7 (i) expire; and

8 (ii) have no further force or effect;

9 (B) the authorization, ratification, con-
10 firmation, and execution of the Compact under
11 section 11004 shall no longer be effective;

12 (C) any action carried out by the Sec-
13 retary, and any contract or agreement entered
14 into, pursuant to this division shall be void;

15 (D) any unexpended Federal funds appro-
16 priated or made available to carry out the ac-
17 tivities authorized by this division, together with
18 any interest earned on those funds, and any
19 water rights or contracts to use water and title
20 to other property acquired or constructed with
21 Federal funds appropriated or made available
22 to carry out the activities authorized by this di-
23 vision shall be returned to the Federal Govern-
24 ment, unless otherwise agreed to by the Fort

1 Belknap Indian Community and the United
2 States and approved by Congress; and

3 (E) except for Federal funds used to ac-
4 quire or construct property that is returned to
5 the Federal Government under subparagraph
6 (D), the United States shall be entitled to offset
7 any Federal funds made available to carry out
8 this division that were expended or withdrawn,
9 or any funds made available to carry out this
10 division from other Federal authorized sources,
11 together with any interest accrued on those
12 funds, against any claims against the United
13 States—

14 (i) relating to—

15 (I) water rights in the State as-
16 sserted by—

17 (aa) the Fort Belknap In-
18 dian Community; or

19 (bb) any user of the Tribal
20 water rights; or

21 (II) any other matter described
22 in subsection (a)(3); or

23 (ii) in any future settlement of water
24 rights of the Fort Belknap Indian Commu-
25 nity or an allottee.

1 **SEC. 11012. AANIIH NAKODA SETTLEMENT TRUST FUND.**

2 (a) ESTABLISHMENT.—The Secretary shall establish
3 a trust fund for the Fort Belknap Indian Community, to
4 be known as the “Aaniiih Nakoda Settlement Trust
5 Fund”, to be managed, invested, and distributed by the
6 Secretary and to remain available until expended, with-
7 drawn, or reverted to the general fund of the Treasury,
8 consisting of the amounts deposited in the Trust Fund
9 under subsection (c), together with any investment earn-
10 ings, including interest, earned on those amounts, for the
11 purpose of carrying out this division.

12 (b) ACCOUNTS.—The Secretary shall establish in the
13 Trust Fund the following accounts:

14 (1) The Fort Belknap Indian Community Trib-
15 al Irrigation and Other Water Resources Develop-
16 ment Account.

17 (2) The Fort Belknap Indian Community
18 Water Resources and Water Rights Administration,
19 Operation, and Maintenance Account.

20 (3) The Fort Belknap Indian Community Clean
21 and Safe Domestic Water and Sewer Systems, and
22 Lake Elwell Project Account.

23 (c) DEPOSITS.—The Secretary shall deposit—

24 (1) in the Fort Belknap Indian Community
25 Tribal Irrigation and Other Water Resources Devel-
26 opment Account established under subsection (b)(1),

1 the amounts made available pursuant to paragraphs
2 (1)(A) and (2)(A)(i) of section 11014(a);

3 (2) in the Fort Belknap Indian Community
4 Water Resources and Water Rights Administration,
5 Operation, and Maintenance Account established
6 under subsection (b)(2), the amounts made available
7 pursuant to section 11014(a)(2)(A)(ii); and

8 (3) in the Fort Belknap Indian Community
9 Clean and Safe Domestic Water and Sewer Systems,
10 and Lake Elwell Project Account established under
11 subsection (b)(3), the amounts made available pur-
12 suant to paragraphs (1)(B) and (2)(A)(iii) of section
13 11014(a).

14 (d) MANAGEMENT AND INTEREST.—

15 (1) MANAGEMENT.—On receipt and deposit of
16 the funds into the accounts in the Trust Fund pur-
17 suant to subsection (c), the Secretary shall manage,
18 invest, and distribute all amounts in the Trust Fund
19 in accordance with the investment authority of the
20 Secretary under—

21 (A) the first section of the Act of June 24,
22 1938 (25 U.S.C. 162a);

23 (B) the American Indian Trust Fund Man-
24 agement Reform Act of 1994 (25 U.S.C. 4001
25 et seq.); and

1 (C) this section.

2 (2) INVESTMENT EARNINGS.—In addition to
3 the amounts deposited under subsection (c), any in-
4 vestment earnings, including interest, credited to
5 amounts held in the Trust Fund shall be available
6 for use in accordance with subsections (e) and (g).

7 (e) AVAILABILITY OF AMOUNTS.—

8 (1) IN GENERAL.—Amounts appropriated to,
9 and deposited in, the Trust Fund, including any in-
10 vestment earnings, including interest, earned on
11 those amounts shall be made available—

12 (A) to the Fort Belknap Indian Commu-
13 nity by the Secretary beginning on the enforce-
14 ability date; and

15 (B) subject to the uses and restrictions in
16 this section.

17 (2) EXCEPTIONS.—Notwithstanding paragraph
18 (1)—

19 (A) amounts deposited in the Fort Belknap
20 Indian Community Tribal Irrigation and Other
21 Water Resources Development Account estab-
22 lished under subsection (b)(1) shall be available
23 to the Fort Belknap Indian Community on the
24 date on which the amounts are deposited for

1 uses described in subparagraph (A) and (B) of
 2 subsection (g)(1);

3 (B) amounts deposited in the Fort
 4 Belknap Indian Community Water Resources
 5 and Water Rights Administration, Operation,
 6 and Maintenance Account established under
 7 subsection (b)(2) shall be made available to the
 8 Fort Belknap Indian Community on the date on
 9 which the amounts are deposited and the Fort
 10 Belknap Indian Community has satisfied the re-
 11 quirements of section 11011(f)(1), for the uses
 12 described in subsection (g)(2)(A); and

13 (C) amounts deposited in the Fort Belknap
 14 Indian Community Clean and Safe Domestic
 15 Water and Sewer Systems, and Lake Elwell
 16 Project Account established under subsection
 17 (b)(3) shall be available to the Fort Belknap In-
 18 dian Community on the date on which the
 19 amounts are deposited for the uses described in
 20 subsection (g)(3)(A).

21 (f) WITHDRAWALS.—

22 (1) AMERICAN INDIAN TRUST FUND MANAGE-
 23 MENT REFORM ACT OF 1994.—

24 (A) IN GENERAL.—The Fort Belknap In-
 25 dian Community may withdraw any portion of

1 the funds in the Trust Fund on approval by the
2 Secretary of a Tribal management plan sub-
3 mitted by the Fort Belknap Indian Community
4 in accordance with the American Indian Trust
5 Fund Management Reform Act of 1994 (25
6 U.S.C. 4001 et seq.).

7 (B) REQUIREMENTS.—In addition to the
8 requirements under the American Indian Trust
9 Fund Management Reform Act of 1994 (25
10 U.S.C. 4001 et seq.), the Tribal management
11 plan under this paragraph shall require that the
12 Fort Belknap Indian Community spend all
13 amounts withdrawn from the Trust Fund, and
14 any investment earnings accrued through the
15 investments under the Tribal management plan,
16 in accordance with this division.

17 (C) ENFORCEMENT.—The Secretary may
18 carry out such judicial and administrative ac-
19 tions as the Secretary determines to be nec-
20 essary—

21 (i) to enforce the Tribal management
22 plan; and

23 (ii) to ensure that amounts withdrawn
24 from the Trust Fund by the Fort Belknap

1 Indian Community under this paragraph
2 are used in accordance with this division.

3 (2) WITHDRAWALS UNDER EXPENDITURE
4 PLAN.—

5 (A) IN GENERAL.—The Fort Belknap In-
6 dian Community may submit to the Secretary a
7 request to withdraw funds from the Trust Fund
8 pursuant to an approved expenditure plan.

9 (B) REQUIREMENTS.—To be eligible to
10 withdraw funds under an expenditure plan
11 under this paragraph, the Fort Belknap Indian
12 Community shall submit to the Secretary for
13 approval an expenditure plan for any portion of
14 the Trust Fund that the Fort Belknap Indian
15 Community elects to withdraw pursuant to this
16 paragraph, subject to the condition that the
17 funds shall be used for the purposes described
18 in this division.

19 (C) INCLUSIONS.—An expenditure plan
20 under this paragraph shall include a description
21 of the manner and purpose for which the
22 amounts proposed to be withdrawn from the
23 Trust Fund will be used by the Fort Belknap
24 Indian Community in accordance with sub-
25 sections (e) and (g).

1 (D) APPROVAL.—On receipt of an expendi-
2 ture plan under this paragraph, the Secretary
3 shall approve the expenditure plan if the Sec-
4 retary determines that the expenditure plan—

5 (i) is reasonable; and

6 (ii) is consistent with, and will be used
7 for, the purposes of this division.

8 (E) ENFORCEMENT.—The Secretary may
9 carry out such judicial and administrative ac-
10 tions as the Secretary determines to be nec-
11 essary to enforce an expenditure plan under
12 this paragraph to ensure that amounts dis-
13 bursed under this paragraph are used in ac-
14 cordance with this division.

15 (g) USES.—Amounts from the Trust Fund shall be
16 used by the Fort Belknap Indian Community for the fol-
17 lowing purposes:

18 (1) FORT BELKNAP INDIAN COMMUNITY TRIBAL
19 IRRIGATION AND OTHER WATER RESOURCES DEVEL-
20 OPMENT ACCOUNT.—Amounts in the Fort Belknap
21 Indian Community Tribal Irrigation and Other
22 Water Resources Development Account established
23 under subsection (b)(1) shall be used to pay the cost
24 of activities relating to—

1 (A) planning, studies, and design of the
2 Southern Tributary Irrigation Project and the
3 Peoples Creek Irrigation Project, including the
4 Upper Peoples Creek Dam and Reservoir, as
5 generally described in the document of Natural
6 Resources Consulting Engineers, Inc., entitled
7 “Fort Belknap Indian Community Comprehen-
8 sive Water Development Plan” and dated Feb-
9 ruary 2019;

10 (B) environmental compliance;

11 (C) construction of the Southern Tributary
12 Irrigation Project and the Peoples Creek Irriga-
13 tion Project, including the Upper Peoples Creek
14 Dam and Reservoir;

15 (D) wetlands restoration and development;

16 (E) stock watering infrastructure; and

17 (F) on farm development support and re-
18 acquisition of fee lands within the Fort Belknap
19 Indian Irrigation Project and Fort Belknap In-
20 dian Community irrigation projects within the
21 Reservation.

22 (2) FORT BELKNAP INDIAN COMMUNITY WATER
23 RESOURCES AND WATER RIGHTS ADMINISTRATION,
24 OPERATION, AND MAINTENANCE ACCOUNT.—
25 Amounts in the Fort Belknap Indian Community

1 Water Resources and Water Rights Administration,
2 Operation, and Maintenance Account established
3 under subsection (b)(2), the principal and invest-
4 ment earnings, including interest, may only be used
5 by the Fort Belknap Indian Community to pay the
6 costs of activities described in subparagraphs (A)
7 through (C) as follows:

8 (A) \$9,000,000 shall be used for the estab-
9 lishment, operation, and capital expenditures in
10 connection with the administration of the Tribal
11 water resources and water rights development,
12 including the development or enactment of a
13 Tribal water code.

14 (B) Only investment earnings, including
15 interest, on \$29,299,059 shall be used and be
16 available to pay the costs of activities for ad-
17 ministration, operations, and regulation of the
18 Tribal water resources and water rights depart-
19 ment, in accordance with the Compact and this
20 division.

21 (C) Only investment earnings, including in-
22 terest, on \$28,331,693 shall be used and be
23 available to pay the costs of activities relating
24 to a portion of the annual assessment costs for
25 the Fort Belknap Indian Community and Tribal

1 members, including allottees, under the Fort
2 Belknap Indian Irrigation Project and Fort
3 Belknap Indian Community irrigation projects
4 within the Reservation.

5 (3) FORT BELKNAP INDIAN COMMUNITY CLEAN
6 AND SAFE DOMESTIC WATER AND SEWER SYSTEMS,
7 AND LAKE ELWELL PROJECT ACCOUNT.—Amounts
8 in the Fort Belknap Indian Community Clean and
9 Safe Domestic Water and Sewer Systems, and Lake
10 Elwell Project Account established under subsection
11 (b)(3), the principal and investment earnings, in-
12 cluding interest, may only be used by the Fort
13 Belknap Indian Community to pay the costs of ac-
14 tivities relating to—

15 (A) planning, studies, design, and environ-
16 mental compliance of domestic water supply,
17 and sewer collection and treatment systems, as
18 generally described in the document of Natural
19 Resources Consulting Engineers, Inc., entitled
20 “Fort Belknap Indian Community Comprehen-
21 sive Water Development Plan” and dated Feb-
22 ruary 2019, including the Lake Elwell Project
23 water delivery to the southern part of the Res-
24 ervation;

1 (B) construction of domestic water supply,
2 sewer collection, and treatment systems;

3 (C) construction, in accordance with appli-
4 cable law, of infrastructure for delivery of Lake
5 Elwell water diverted from the Missouri River
6 to the southern part of the Reservation; and

7 (D) planning, studies, design, environ-
8 mental compliance, and construction of a Tribal
9 wellness center for a work force health and
10 wellbeing project.

11 (h) LIABILITY.—The Secretary shall not be liable for
12 any expenditure or investment of amounts withdrawn from
13 the Trust Fund by the Fort Belknap Indian Community
14 pursuant to subsection (f).

15 (i) PROJECT EFFICIENCIES.—If the total cost of the
16 activities described in subsection (g) results in cost savings
17 and is less than the amounts authorized to be obligated
18 under any of paragraphs (1) through (3) of that sub-
19 section required to carry out those activities, the Sec-
20 retary, at the request of the Fort Belknap Indian Commu-
21 nity, shall deposit those savings in the Trust Fund to be
22 used in accordance with that subsection.

23 (j) ANNUAL REPORT.—The Fort Belknap Indian
24 Community shall submit to the Secretary an annual ex-
25 penditure report describing accomplishments and amounts

1 spent from use of withdrawals under a Tribal management
2 plan or an expenditure plan described in this section.

3 (k) NO PER CAPITA PAYMENTS.—No principal or in-
4 terest amount in any account established by this section
5 shall be distributed to any member of the Fort Belknap
6 Indian Community on a per capita basis.

7 (l) EFFECT.—Nothing in this division entitles the
8 Fort Belknap Indian Community to judicial review of a
9 determination of the Secretary regarding whether to ap-
10 prove a Tribal management plan under subsection (f)(1)
11 or an expenditure plan under subsection (f)(2), except as
12 provided under subchapter II of chapter 5, and chapter
13 7, of title 5, United States Code (commonly known as the
14 “Administrative Procedure Act”).

15 **SEC. 11013. FORT BELKNAP INDIAN COMMUNITY WATER**
16 **SETTLEMENT IMPLEMENTATION FUND.**

17 (a) ESTABLISHMENT.—There is established in the
18 Treasury of the United States a non-trust, interest-bear-
19 ing account to be known as the “Fort Belknap Indian
20 Community Water Settlement Implementation Fund”, to
21 be managed and distributed by the Secretary, for use by
22 the Secretary for carrying out this division.

23 (b) ACCOUNTS.—The Secretary shall establish in the
24 Implementation Fund the following accounts:

1 (1) The Fort Belknap Indian Irrigation Project
2 System Account.

3 (2) The Milk River Project Mitigation Account.

4 (c) DEPOSITS.—The Secretary shall deposit—

5 (1) in the Fort Belknap Indian Irrigation
6 Project System Account established under subsection
7 (b)(1), the amount made available pursuant to para-
8 graphs (1)(C) and (2)(A)(iv) of section 11014(a);
9 and

10 (2) in the Milk River Project Mitigation Ac-
11 count established under subsection (b)(2), the
12 amount made available pursuant to section
13 11014(a)(1)(D).

14 (d) USES.—

15 (1) FORT BELKNAP INDIAN IRRIGATION
16 PROJECT SYSTEM ACCOUNT.—The Fort Belknap In-
17 dian Irrigation Project Rehabilitation Account estab-
18 lished under subsection (b)(1) shall be used to carry
19 out section 11009, except as provided in subsection
20 (h) of that section.

21 (2) MILK RIVER PROJECT MITIGATION AC-
22 COUNT.—The Milk River Project Mitigation Account
23 established under subsection (b)(2) may only be used
24 to carry out section 11008.

25 (e) MANAGEMENT.—

1 (1) IN GENERAL.—Amounts in the Implementa-
2 tion Fund shall not be available to the Secretary for
3 expenditure until the enforceability date.

4 (2) EXCEPTION.—Notwithstanding paragraph
5 (1), amounts deposited in the Fort Belknap Indian
6 Irrigation Project System Account established under
7 subsection (b)(1) shall be available to the Secretary
8 on the date on which the amounts are deposited for
9 uses described in paragraphs (1) and (2) of section
10 11009(a).

11 (f) INTEREST.—In addition to the deposits under
12 subsection (c), any interest credited to amounts unex-
13 pended in the Implementation Fund are authorized to be
14 appropriated to be used in accordance with the uses de-
15 scribed in subsection (d).

16 **SEC. 11014. FUNDING.**

17 (a) FUNDING.—

18 (1) AUTHORIZATION OF APPROPRIATIONS.—
19 Subject to subsection (b), there are authorized to be
20 appropriated to the Secretary—

21 (A) for deposit in the Fort Belknap Indian
22 Community Tribal Irrigation and Other Water
23 Resources Development Account of the Trust
24 Fund established under section 11012(b)(1),
25 \$89,643,100, to be retained until expended,

1 withdrawn, or reverted to the general fund of
2 the Treasury;

3 (B) for deposit in the Fort Belknap Indian
4 Community Clean and Safe Domestic Water
5 and Sewer Systems, and Lake Elwell Project
6 Account of the Trust Fund established under
7 section 11012(b)(3), \$331,885,220, to be re-
8 tained until expended, withdrawn, or reverted to
9 the general fund of the Treasury;

10 (C) for deposit in the Fort Belknap Indian
11 Irrigation Project System Account of the Imple-
12 mentation Fund established under section
13 11013(b)(1), such sums as are necessary, but
14 not more than \$187,124,469, for the Secretary
15 to carry out section 11009, to be retained until
16 expended, withdrawn, or reverted to the general
17 fund of the Treasury; and

18 (D) for deposit in the Milk River Project
19 Mitigation Account of the Implementation Fund
20 established under section 11013(b)(2), such
21 sums as are necessary, but not more than
22 \$300,000,000, for the Secretary to carry out
23 obligations of the Secretary under section
24 11008, to be retained until expended, with-

1 drawn, or reverted to the general fund of the
2 Treasury.

3 (2) MANDATORY APPROPRIATIONS.—

4 (A) IN GENERAL.—Out of any funds in the
5 Treasury not otherwise appropriated, the Sec-
6 retary of the Treasury shall deposit—

7 (i) in the Fort Belknap Indian Com-
8 munity Tribal Irrigation and Other Water
9 Resources Development Account of the
10 Trust Fund established under section
11 11012(b)(1), \$29,881,034, to be retained
12 until expended, withdrawn, or reverted to
13 the general fund of the Treasury;

14 (ii) in the Fort Belknap Indian Com-
15 munity Water Resources and Water Rights
16 Administration, Operation, and Mainte-
17 nance Account of the Trust Fund estab-
18 lished under section 11012(b)(2),
19 \$66,630,752;

20 (iii) in the Fort Belknap Indian Com-
21 munity Clean and Safe Domestic Water
22 and Sewer Systems, and Lake Elwell
23 Project Account of the Trust Fund estab-
24 lished under section 11012(b)(3),
25 \$110,628,407; and

1 (iv) in the Fort Belknap Indian Irri-
2 gation Project System Account of the Im-
3 plementation Fund established under sec-
4 tion 11013(b)(1), \$228,707,684.

5 (B) AVAILABILITY.—Amounts deposited in
6 the accounts under subparagraph (A) shall be
7 available without further appropriation.

8 (3) STATE COST SHARE.—The State shall con-
9 tribute \$5,000,000, plus any earned interest, pay-
10 able to the Secretary for deposit in the Fort Belknap
11 Indian Community Tribal Irrigation and Other
12 Water Resources Development Account of the Trust
13 Fund established under section 11012(b)(1) on ap-
14 proval of a final decree by the Montana Water Court
15 for the purpose of activities relating to the Upper
16 Peoples Creek Dam and Reservoir under subpara-
17 graphs (A) through (C) of section 11012(g)(1).

18 (b) FLUCTUATION IN COSTS.—

19 (1) IN GENERAL.—The amounts authorized to
20 be appropriated under paragraphs (1) and (2) of
21 subsection (a) and this subsection shall be—

22 (A) increased or decreased, as appropriate,
23 by such amounts as may be justified by reason
24 of ordinary fluctuations in costs occurring after
25 the date of enactment of this Act as indicated

1 by the Bureau of Reclamation Construction
2 Cost Index—Composite Trend; and

3 (B) adjusted to address construction cost
4 changes necessary to account for unforeseen
5 market volatility that may not otherwise be cap-
6 tured by engineering cost indices as determined
7 by the Secretary, including repricing applicable
8 to the types of construction and current indus-
9 try standards involved.

10 (2) REPETITION.—The adjustment process
11 under paragraph (1) shall be repeated for each sub-
12 sequent amount appropriated until the amount au-
13 thorized to be appropriated under subsection (a), as
14 adjusted, has been appropriated.

15 (3) PERIOD OF INDEXING.—

16 (A) TRUST FUND.—With respect to the
17 Trust Fund, the period of indexing adjustment
18 under paragraph (1) for any increment of fund-
19 ing shall end on the date on which the funds
20 are deposited into the Trust Fund.

21 (B) IMPLEMENTATION FUND.—With re-
22 spect to the Implementation Fund, the period
23 of adjustment under paragraph (1) for any in-
24 crement of funding shall be annually.

1 **SEC. 11015. MISCELLANEOUS PROVISIONS.**

2 (a) WAIVER OF SOVEREIGN IMMUNITY BY THE
3 UNITED STATES.—Except as provided in subsections (a)
4 through (e) of section 208 of the Department of Justice
5 Appropriation Act, 1953 (43 U.S.C. 666), nothing in this
6 division waives the sovereign immunity of the United
7 States.

8 (b) OTHER TRIBES NOT ADVERSELY AFFECTED.—
9 Nothing in this division quantifies or diminishes any land
10 or water right, or any claim or entitlement to land or
11 water, of an Indian Tribe, band, or community other than
12 the Fort Belknap Indian Community.

13 (c) ELIMINATION OF DEBTS OR LIENS AGAINST AL-
14 LOTMENTS OF THE FORT BELKNAP INDIAN COMMUNITY
15 MEMBERS WITHIN THE FORT BELKNAP INDIAN IRRIGA-
16 TION PROJECT.—On the date of enactment of this Act,
17 the Secretary shall cancel and eliminate all debts or liens
18 against the allotments of land held by the Fort Belknap
19 Indian Community and the members of the Fort Belknap
20 Indian Community due to construction assessments and
21 annual operation and maintenance charges relating to the
22 Fort Belknap Indian Irrigation Project.

23 (d) EFFECT ON CURRENT LAW.—Nothing in this di-
24 vision affects any provision of law (including regulations)
25 in effect on the day before the date of enactment of this

1 Act with respect to pre-enforcement review of any Federal
2 environmental enforcement action.

3 (e) EFFECT ON RECLAMATION LAWS.—The activities
4 carried out by the Commissioner under this division shall
5 not establish a precedent or impact the authority provided
6 under any other provision of the reclamation laws, includ-
7 ing—

8 (1) the Reclamation Rural Water Supply Act of
9 2006 (43 U.S.C. 2401 et seq.); and

10 (2) the Omnibus Public Land Management Act
11 of 2009 (Public Law 111–11; 123 Stat. 991).

12 (f) ADDITIONAL FUNDING.—Nothing in this division
13 prohibits the Fort Belknap Indian Community from seek-
14 ing—

15 (1) additional funds for Tribal programs or
16 purposes; or

17 (2) funding from the United States or the State
18 based on the status of the Fort Belknap Indian
19 Community as an Indian Tribe.

20 (g) RIGHTS UNDER STATE LAW.—Except as pro-
21 vided in section 1 of Article III of the Compact (relating
22 to the closing of certain water basins in the State to new
23 appropriations in accordance with the laws of the State),
24 nothing in this division or the Compact precludes the ac-
25 quisition or exercise of a right arising under State law (as

1 defined in section 6 of Article II of the Compact) to the
 2 use of water by the Fort Belknap Indian Community, or
 3 a member or allottee of the Fort Belknap Indian Commu-
 4 nity, outside the Reservation by—

5 (1) purchase of the right; or

6 (2) submitting to the State an application in
 7 accordance with State law.

8 (h) WATER STORAGE AND IMPORTATION.—Nothing
 9 in this division or the Compact prevents the Fort Belknap
 10 Indian Community from participating in any project to
 11 import water to, or to add storage in, the Milk River
 12 Basin.

13 **SEC. 11016. ANTIDEFICIENCY.**

14 The United States shall not be liable for any failure
 15 to carry out any obligation or activity authorized by this
 16 division, including any obligation or activity under the
 17 Compact, if—

18 (1) adequate appropriations are not provided by
 19 Congress expressly to carry out the purposes of this
 20 division; or

21 (2) there are not enough funds available in the
 22 Reclamation Water Settlements Fund established by
 23 section 10501(a) of the Omnibus Public Land Man-
 24 agement Act of 2009 (43 U.S.C. 407(a)) to carry
 25 out the purposes of this division.

1 **DIVISION L—COMMITTEE ON**
2 **HOMELAND SECURITY AND**
3 **GOVERNMENTAL AFFAIRS**
4 **TITLE LXIX—FEDERAL DATA**
5 **AND INFORMATION SECURITY**
6 **Subtitle A—Federal Data Center**
7 **Enhancement Act of 2023**

8 **SEC. 11001. SHORT TITLE.**

9 This subtitle may be cited as the “Federal Data Cen-
10 ter Enhancement Act of 2023”.

11 **SEC. 11002. FEDERAL DATA CENTER CONSOLIDATION INI-**
12 **TIATIVE AMENDMENTS.**

13 (a) FINDINGS.—Congress finds the following:

14 (1) The statutory authorization for the Federal
15 Data Center Optimization Initiative under section
16 834 of the Carl Levin and Howard P. “Buck”
17 McKeon National Defense Authorization Act for
18 Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law
19 113–291) expired at the end of fiscal year 2022.

20 (2) The expiration of the authorization de-
21 scribed in paragraph (1) presents Congress with an
22 opportunity to review the objectives of the Federal
23 Data Center Optimization Initiative to ensure that
24 the initiative is meeting the current needs of the
25 Federal Government.

1 (3) The initial focus of the Federal Data Center
2 Optimization Initiative, which was to consolidate
3 data centers and create new efficiencies, has resulted
4 in, since 2010—

5 (A) the consolidation of more than 6,000
6 Federal data centers; and

7 (B) cost savings and avoidance of
8 \$5,800,000,000.

9 (4) The need of the Federal Government for ac-
10 cess to data and data processing systems has evolved
11 since the date of enactment in 2014 of subtitle D of
12 title VIII of the Carl Levin and Howard P. “Buck”
13 McKeon National Defense Authorization Act for
14 Fiscal Year 2015.

15 (5) Federal agencies and employees involved in
16 mission critical functions increasingly need reliable
17 access to secure, reliable, and protected facilities to
18 house mission critical data and data operations to
19 meet the immediate needs of the people of the
20 United States.

21 (6) As of the date of enactment of this subtitle,
22 there is a growing need for Federal agencies to use
23 data centers and cloud applications that meet high
24 standards for cybersecurity, resiliency, and avail-
25 ability.

1 (b) MINIMUM REQUIREMENTS FOR NEW DATA CEN-
2 TERS.—Section 834 of the Carl Levin and Howard P.
3 “Buck” McKeon National Defense Authorization Act for
4 Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–
5 291) is amended—

6 (1) in subsection (a), by striking paragraphs
7 (3) and (4) and inserting the following:

8 “(3) NEW DATA CENTER.—The term ‘new data
9 center’ means—

10 “(A)(i) a data center or a portion thereof
11 that is owned, operated, or maintained by a
12 covered agency; or

13 “(ii) to the extent practicable, a data cen-
14 ter or portion thereof—

15 “(I) that is owned, operated, or main-
16 tained by a contractor on behalf of a cov-
17 ered agency on the date on which the con-
18 tract between the covered agency and the
19 contractor expires; and

20 “(II) with respect to which the cov-
21 ered agency extends the contract, or enters
22 into a new contract, with the contractor;
23 and

24 “(B) on or after the date that is 180 days
25 after the date of enactment of the Federal Data

1 Center Enhancement Act of 2023, a data cen-
2 ter or portion thereof that is—

3 “(i) established; or

4 “(ii) substantially upgraded or ex-
5 panded.”;

6 (2) by striking subsection (b) and inserting the
7 following:

8 “(b) MINIMUM REQUIREMENTS FOR NEW DATA
9 CENTERS.—

10 “(1) IN GENERAL.—Not later than 180 days
11 after the date of enactment of the Federal Data
12 Center Enhancement Act of 2023, the Administrator
13 shall establish minimum requirements for new data
14 centers in consultation with the Administrator of
15 General Services and the Federal Chief Information
16 Officers Council.

17 “(2) CONTENTS.—

18 “(A) IN GENERAL.—The minimum re-
19 quirements established under paragraph (1)
20 shall include requirements relating to—

21 “(i) the availability of new data cen-
22 ters;

23 “(ii) the use of new data centers;

24 “(iii) uptime percentage;

1 “(iv) protections against power fail-
2 ures, including on-site energy generation
3 and access to multiple transmission paths;

4 “(v) protections against physical in-
5 trusions and natural disasters;

6 “(vi) information security protections
7 required by subchapter II of chapter 35 of
8 title 44, United States Code, and other ap-
9 plicable law and policy; and

10 “(vii) any other requirements the Ad-
11 ministrators determines appropriate.

12 “(B) CONSULTATION.—In establishing the
13 requirements described in subparagraph (A)(vi),
14 the Administrator shall consult with the Direc-
15 tor of the Cybersecurity and Infrastructure Se-
16 curity Agency and the National Cyber Director.

17 “(3) INCORPORATION OF MINIMUM REQUIRE-
18 MENTS INTO CURRENT DATA CENTERS.—As soon as
19 practicable, and in any case not later than 90 days
20 after the Administrator establishes the minimum re-
21 quirements pursuant to paragraph (1), the Adminis-
22 trator shall issue guidance to ensure, as appropriate,
23 that covered agencies incorporate the minimum re-
24 quirements established under that paragraph into
25 the operations of any data center of a covered agen-

1 cy existing as of the date of enactment of the Fed-
2 eral Data Center Enhancement Act of 2023.

3 “(4) REVIEW OF REQUIREMENTS.—The Admin-
4 istrator, in consultation with the Administrator of
5 General Services and the Federal Chief Information
6 Officers Council, shall review, update, and modify
7 the minimum requirements established under para-
8 graph (1), as necessary.

9 “(5) REPORT ON NEW DATA CENTERS.—During
10 the development and planning lifecycle of a new data
11 center, if the head of a covered agency determines
12 that the covered agency is likely to make a manage-
13 ment or financial decision relating to any data cen-
14 ter, the head of the covered agency shall—

15 “(A) notify—

16 “(i) the Administrator;

17 “(ii) Committee on Homeland Secu-
18 rity and Governmental Affairs of the Sen-
19 ate; and

20 “(iii) Committee on Oversight and Ac-
21 countability of the House of Representa-
22 tives; and

23 “(B) describe in the notification with suffi-
24 cient detail how the covered agency intends to

1 comply with the minimum requirements estab-
2 lished under paragraph (1).

3 “(6) USE OF TECHNOLOGY.—In determining
4 whether to establish or continue to operate an exist-
5 ing data center, the head of a covered agency shall—

6 “(A) regularly assess the application port-
7 folio of the covered agency and ensure that each
8 at-risk legacy application is updated, replaced,
9 or modernized, as appropriate, to take advan-
10 tage of modern technologies; and

11 “(B) prioritize and, to the greatest extent
12 possible, leverage commercial cloud environ-
13 ments rather than acquiring, overseeing, or
14 managing custom data center infrastructure.

15 “(7) PUBLIC WEBSITE.—

16 “(A) IN GENERAL.—The Administrator
17 shall maintain a public-facing website that in-
18 cludes information, data, and explanatory state-
19 ments relating to the compliance of covered
20 agencies with the requirements of this section.

21 “(B) PROCESSES AND PROCEDURES.—In
22 maintaining the website described in subpara-
23 graph (A), the Administrator shall—

24 “(i) ensure covered agencies regularly,
25 and not less frequently than biannually,

1 update the information, data, and explana-
2 tory statements posed on the website, pur-
3 suant to guidance issued by the Adminis-
4 trator, relating to any new data centers
5 and, as appropriate, each existing data
6 center of the covered agency; and

7 “(ii) ensure that all information, data,
8 and explanatory statements on the website
9 are maintained as open Government data
10 assets.”; and

11 (3) in subsection (c), by striking paragraph (1)
12 and inserting the following:

13 “(1) IN GENERAL.—The head of a covered
14 agency shall oversee and manage the data center
15 portfolio and the information technology strategy of
16 the covered agency in accordance with Federal cy-
17 bersecurity guidelines and directives, including—

18 “(A) information security standards and
19 guidelines promulgated by the Director of the
20 National Institute of Standards and Tech-
21 nology;

22 “(B) applicable requirements and guidance
23 issued by the Director of the Office of Manage-
24 ment and Budget pursuant to section 3614 of
25 title 44, United States Code; and

1 “(C) directives issued by the Secretary of
2 Homeland Security under section 3553 of title
3 44, United States Code.”.

4 (c) EXTENSION OF SUNSET.—Section 834(e) of the
5 Carl Levin and Howard P. “Buck” McKeon National De-
6 fense Authorization Act for Fiscal Year 2015 (44 U.S.C.
7 3601 note; Public Law 113–291) is amended by striking
8 “2022” and inserting “2026”.

9 (d) GAO REVIEW.—Not later than 1 year after the
10 date of the enactment of this subtitle, and annually there-
11 after, the Comptroller General of the United States shall
12 review, verify, and audit the compliance of covered agen-
13 cies with the minimum requirements established pursuant
14 to section 834(b)(1) of the Carl Levin and Howard P.
15 “Buck” McKeon National Defense Authorization Act for
16 Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–
17 291) for new data centers and subsection (b)(3) of that
18 section for existing data centers, as appropriate.

19 **TITLE LXX—STEMMING THE**
20 **FLOW OF ILLICIT NARCOTICS**
21 **Subtitle A—Enhancing DHS Drug**
22 **Seizures Act**

23 **SEC. 11101. SHORT TITLE.**

24 This subtitle may be cited as the “Enhancing DHS
25 Drug Seizures Act”.

1 **SEC. 11102. COORDINATION AND INFORMATION SHARING.**

2 (a) **PUBLIC-PRIVATE PARTNERSHIPS.**—

3 (1) **STRATEGY.**—Not later than 180 days after
4 the date of enactment of this Act, the Secretary of
5 Homeland Security shall develop a strategy to
6 strengthen existing and establish new public-private
7 partnerships with shipping, chemical, and pharma-
8 ceutical industries to assist with early detection and
9 interdiction of illicit drugs and precursor chemicals.

10 (2) **CONTENTS.**—The strategy required under
11 paragraph (1) shall contain goals and objectives for
12 employees of the Department of Homeland Security
13 to ensure the tactics, techniques, and procedures
14 gained from the public-private partnerships de-
15 scribed in paragraph (1) are included in policies,
16 best practices, and training for the Department.

17 (3) **IMPLEMENTATION PLAN.**—Not later than
18 180 days after developing the strategy required
19 under paragraph (1), the Secretary of Homeland Se-
20 curity shall develop an implementation plan for the
21 strategy, which shall outline departmental lead and
22 support roles, responsibilities, programs, and
23 timelines for accomplishing the goals and objectives
24 of the strategy.

25 (4) **BRIEFING.**—The Secretary of Homeland
26 Security shall provide annual briefings to the Com-

1 mittee on Homeland Security and Governmental Af-
2 fairs of the Senate and the Committee on Homeland
3 Security of the House of Representatives regarding
4 the progress made in addressing the implementation
5 plan developed pursuant to paragraph (3).

6 (b) ASSESSMENT OF DRUG TASK FORCES.—

7 (1) IN GENERAL.—The Secretary of Homeland
8 Security shall conduct an assessment of the
9 counterdrug task forces in which the Department of
10 Homeland Security, including components of the De-
11 partment, participates in or leads, which shall in-
12 clude—

13 (A) areas of potential overlap;

14 (B) opportunities for sharing information
15 and best practices;

16 (C) how the Department's processes for
17 ensuring accountability and transparency in its
18 vetting and oversight of partner agency task
19 force members align with best practices; and

20 (D) corrective action plans for any capa-
21 bility limitations and deficient or negative find-
22 ings identified in the report for any such task
23 forces led by the Department.

24 (2) COORDINATION.—In conducting the assess-
25 ment required under paragraph (1), with respect to

1 counterdrug task forces that include foreign part-
2 ners, the Secretary of Homeland Security shall co-
3 ordinate with the Secretary of State.

4 (3) REPORT.—

5 (A) IN GENERAL.—Not later than 180
6 days after the date of enactment of this Act,
7 the Secretary of Homeland Security shall sub-
8 mit a report to the Committee on Homeland
9 Security and Governmental Affairs of the Sen-
10 ate and the Committee on Homeland Security
11 of the House of Representatives that contains a
12 summary of the results of the assessment con-
13 ducted pursuant to paragraph (1).

14 (B) FOREIGN PARTNERS.—If the report
15 submitted under subparagraph (A) includes in-
16 formation about counterdrug forces that include
17 foreign partners, the Secretary of Homeland
18 Security shall submit the report to the Com-
19 mittee on Foreign Relations of the Senate and
20 the Committee on Foreign Affairs of the House
21 of Representatives.

22 (4) CORRECTIVE ACTION PLAN.—The Secretary
23 of Homeland Security shall—

24 (A) implement the corrective action plans
25 described in paragraph (1)(D) immediately

1 after the submission of the report pursuant to
2 paragraph (2); and

3 (B) provide annual briefings to the Com-
4 mittee on Homeland Security and Govern-
5 mental Affairs of the Senate and the Committee
6 on Homeland Security of the House of Rep-
7 resentatives regarding the progress made in im-
8 plementing the corrective action plans.

9 (c) COMBINATION OF BRIEFINGS.—The Secretary of
10 Homeland Security may combine the briefings required
11 under subsections (a)(4) and (b)(3)(B) and provide such
12 combined briefings through fiscal year 2026.

13 **SEC. 11103. DANGER PAY FOR DEPARTMENT OF HOMELAND**
14 **SECURITY PERSONNEL DEPLOYED ABROAD.**

15 (a) IN GENERAL.—Subtitle H of title VIII of the
16 Homeland Security Act of 2002 (6 U.S.C. 451 et seq.)
17 is amended by inserting after section 881 the following:

18 **“SEC. 881A. DANGER PAY ALLOWANCE.**

19 “(a) AUTHORIZATION.—An employee of the Depart-
20 ment, while stationed in a foreign area, may be granted
21 a danger pay allowance, not to exceed 35 percent of the
22 basic pay of such employee, for any period during which
23 such foreign area experiences a civil insurrection, a civil
24 war, ongoing terrorist acts, or wartime conditions that

1 threaten physical harm or imminent danger to the health
2 or well-being of such employee.

3 “(b) NOTICE.—Before granting or terminating a
4 danger pay allowance to any employee pursuant to sub-
5 section (a), the Secretary, after consultation with the Sec-
6 retary of State, shall notify the Committee on Homeland
7 Security and Governmental Affairs of the Senate, the
8 Committee on Foreign Relations of the Senate, the Com-
9 mittee on Homeland Security of the House of Representa-
10 tives, and the Committee on Foreign Affairs of the House
11 of Representatives of—

12 “(1) the intent to make such payments and the
13 circumstances justifying such payments; or

14 “(2) the intent to terminate such payments and
15 the circumstances justifying such termination.”.

16 **SEC. 11104. IMPROVING TRAINING TO FOREIGN-VETTED**
17 **LAW ENFORCEMENT OR NATIONAL SECURITY**
18 **UNITS.**

19 The Secretary of Homeland Security, or the designee
20 of the Secretary, may, with the concurrence of the Sec-
21 retary of State, provide training to foreign-vetted law en-
22 forcement or national security units and may waive reim-
23 bursement for salary expenses of such Department of
24 Homeland Security personnel, in accordance with an

1 agreement with the Department of Defense pursuant to
2 section 1535 of title 31, United States Code.

3 **SEC. 11105. ENHANCING THE OPERATIONS OF U.S. CUS-**
4 **TOMS AND BORDER PROTECTION IN FOR-**
5 **EIGN COUNTRIES.**

6 Section 411(f) of the Homeland Security Act of 2002
7 (6 U.S.C. 211(f)) is amended—

8 (1) by redesignating paragraph (4) as para-
9 graph (5); and

10 (2) by inserting after paragraph (3) the fol-
11 lowing:

12 “(4) PERMISSIBLE ACTIVITIES.—

13 “(A) IN GENERAL.—Employees of U.S.
14 Customs and Border Protection and other cus-
15 toms officers designated in accordance with the
16 authorities granted to officers and agents of Air
17 and Marine Operations may, with the concur-
18 rence of the Secretary of State, provide the sup-
19 port described in subparagraph (B) to authori-
20 ties of the government of a foreign country if
21 an arrangement has been entered into between
22 the Government of the United States and the
23 government of such country that permits such
24 support by such employees and officers.

1 “(B) SUPPORT DESCRIBED.—The support
2 described in this subparagraph is support for—

3 “(i) the monitoring, locating, tracking,
4 and deterrence of—

5 “(I) illegal drugs to the United
6 States;

7 “(II) the illicit smuggling of per-
8 sons and goods into the United
9 States;

10 “(III) terrorist threats to the
11 United States; and

12 “(IV) other threats to the secu-
13 rity or economy of the United States;

14 “(ii) emergency humanitarian efforts;
15 and

16 “(iii) law enforcement capacity-build-
17 ing efforts.

18 “(C) PAYMENT OF CLAIMS.—

19 “(i) IN GENERAL.—Subject to clauses
20 (ii) and (iv), the Secretary, with the con-
21 currence of the Secretary of State, may ex-
22 pend funds that have been appropriated or
23 otherwise made available for the operating
24 expenses of the Department to pay claims
25 for money damages against the United

1 States, in accordance with the first para-
2 graph of section 2672 of title 28, United
3 States Code, which arise in a foreign coun-
4 try in connection with U.S. Customs and
5 Border Protection operations in such coun-
6 try.

7 “(ii) SUBMISSION DEADLINE.—A
8 claim may be allowed under clause (i) only
9 if it is presented not later than 2 years
10 after it accrues.

11 “(iii) REPORT.—Not later than 90
12 days after the date on which the expendi-
13 ture authority under clause (i) expires pur-
14 suant to clause (iv), the Secretary shall
15 submit a report to the Committee on
16 Homeland Security and Governmental Af-
17 fairs and the Committee on Foreign Rela-
18 tions of the Senate and the Committee on
19 Homeland Security and Committee on
20 Foreign Affairs of the House of Represent-
21 atives that describes, for each of the pay-
22 ments made pursuant to clause (i)—

23 “(I) the foreign entity that re-
24 ceived such payment;

1 “(II) the amount paid to such
2 foreign entity;

3 “(III) the country in which such
4 foreign entity resides or has its prin-
5 cipal place of business; and

6 “(IV) a detailed account of the
7 circumstances justify such payment.

8 “(iv) SUNSET.—The expenditure au-
9 thority under clause (i) shall expire on the
10 date that is 5 years after the date of the
11 enactment of the Enhancing DHS Drug
12 Seizures Act.”.

13 **SEC. 11106. DRUG SEIZURE DATA IMPROVEMENT.**

14 (a) STUDY.—Not later than 180 days after the date
15 of the enactment of this Act, the Secretary of Homeland
16 Security shall conduct a study to identify any opportuni-
17 ties for improving drug seizure data collection.

18 (b) ELEMENTS.—The study required under sub-
19 section (a) shall—

20 (1) include a survey of the entities that use
21 drug seizure data; and

22 (2) address—

23 (A) any additional data fields or drug type
24 categories that should be added to U.S. Cus-
25 toms and Border Protection’s SEACATS, U.S.

1 Border Patrol’s e3 portal, and any other sys-
2 tems deemed appropriate by the Commissioner
3 of U.S. Customs and Border Protection, in ac-
4 cordance with the first recommendation in the
5 Government Accountability Office’s report
6 GAO–22–104725, entitled “Border Security:
7 CBP Could Improve How It Categorizes Drug
8 Seizure Data and Evaluates Training”;

9 (B) how all the Department of Homeland
10 Security components that collect drug seizure
11 data can standardize their data collection ef-
12 forts and deconflict drug seizure reporting;

13 (C) how the Department of Homeland Se-
14 curity can better identify, collect, and analyze
15 additional data on precursor chemicals, syn-
16 thetic drugs, novel psychoactive substances, and
17 analogues that have been seized by U.S. Cus-
18 toms and Border Protection and U.S. Immigra-
19 tion and Customs Enforcement; and

20 (D) how the Department of Homeland Se-
21 curity can improve its model of anticipated drug
22 flow into the United States.

23 (c) IMPLEMENTATION OF FINDINGS.—Following the
24 completion of the study required under subsection (a)—

1 (1) the Secretary of Homeland Security, in ac-
2 cordance with the Office of National Drug Control
3 Policy's 2022 National Drug Control Strategy, shall
4 modify Department of Homeland Security drug sei-
5 zure policies and training programs, as appropriate,
6 consistent with the findings of such study; and

7 (2) the Commissioner of U.S. Customs and
8 Border Protection, in consultation with the Director
9 of U.S. Immigration and Customs Enforcement,
10 shall make any necessary updates to relevant sys-
11 tems to include the results of confirmatory drug
12 testing results.

13 **SEC. 11107. DRUG PERFORMANCE MEASURES.**

14 Not later than 180 days after the date of enactment
15 of this Act, the Secretary of Homeland Security shall de-
16 velop and implement a plan to ensure that components
17 of the Department of Homeland Security develop and
18 maintain outcome-based performance measures that ade-
19 quately assess the success of drug interdiction efforts and
20 how to utilize the existing drug-related metrics and per-
21 formance measures to achieve the missions, goals, and tar-
22 gets of the Department.

1 **SEC. 11108. PENALTIES FOR HINDERING IMMIGRATION,**
2 **BORDER, AND CUSTOMS CONTROLS.**

3 (a) PERSONNEL AND STRUCTURES.—Title II of the
4 Immigration and Nationality Act (8 U.S.C. 1151 et seq.)
5 is amended by inserting after section 274D the following:

6 **“SECTION 274E. DESTROYING OR EVADING BORDER CON-**
7 **TROLS.**

8 “(a) IN GENERAL.—It shall be unlawful to knowingly
9 and without lawful authorization—

10 “(1)(A) destroy or significantly damage any
11 fence, barrier, sensor, camera, or other physical or
12 electronic device deployed by the Federal Govern-
13 ment to control an international border of, or a port
14 of entry to, the United States; or

15 “(B) otherwise construct, excavate, or make
16 any structure intended to defeat, circumvent or
17 evade such a fence, barrier, sensor camera, or other
18 physical or electronic device deployed by the Federal
19 Government to control an international border of, or
20 a port of entry to, the United States; and

21 “(2) in carrying out an act described in para-
22 graph (1), have the intent to knowingly and will-
23 fully—

24 “(A) secure a financial gain;

25 “(B) further the objectives of a criminal
26 organization; and

1 “(C) violate—

2 “(i) section 274(a)(1)(A)(i);

3 “(ii) the customs and trade laws of
4 the United States (as defined in section
5 2(4) of the Trade Facilitation and Trade
6 Enforcement Act of 2015 (Public Law
7 114–125));

8 “(iii) any other Federal law relating
9 to transporting controlled substances, agri-
10 culture, or monetary instruments into the
11 United States; or

12 “(iv) any Federal law relating to bor-
13 der controls measures of the United
14 States.

15 “(b) PENALTY.—Any person who violates subsection
16 (a) shall be fined under title 18, United States Code, im-
17 prisoned for not more than 5 years, or both.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 for the Immigration and Nationality Act (8 U.S.C. 1101
20 et seq.) is amended by inserting after the item relating
21 to section 274D the following:

“Sec. 274E. Destroying or evading border controls.”.

1 **Subtitle B—Non-Intrusive**
2 **Inspection Expansion Act**

3 **SEC. 11111. SHORT TITLE.**

4 This subtitle may be cited as the “Non-Intrusive In-
5 spection Expansion Act”.

6 **SEC. 11112. USE OF NON-INTRUSIVE INSPECTION SYSTEMS**

7 **AT LAND PORTS OF ENTRY.**

8 (a) **FISCAL YEAR 2026.**—Using non-intrusive inspec-
9 tion systems acquired through previous appropriations
10 Acts, beginning not later than September 30, 2026, U.S.
11 Customs and Border Protection shall use non-intrusive in-
12 spection systems at land ports of entry to scan, cumula-
13 tively, at ports of entry where systems are in place by the
14 deadline, not fewer than—

15 (1) 40 percent of passenger vehicles entering
16 the United States; and

17 (2) 90 percent of commercial vehicles entering
18 the United States.

19 (b) **SUBSEQUENT FISCAL YEARS.**—Beginning in fis-
20 cal year 2027, U.S. Customs and Border Protection shall
21 use non-intrusive inspection systems at land ports of entry
22 to reach the next projected benchmark for incremental
23 scanning of passenger and commercial vehicles entering
24 the United States at such ports of entry.

1 (c) BRIEFING.—Not later than May 30, 2026, the
2 Commissioner of U.S. Customs and Border Protection
3 shall brief the Committee on Homeland Security and Gov-
4 ernmental Affairs of the Senate and the Committee on
5 Homeland Security of the House of Representatives re-
6 garding the progress made during the first half of fiscal
7 year 2026 in achieving the scanning benchmarks described
8 in subsection (a).

9 (d) REPORT.—If the scanning benchmarks described
10 in subsection (a) are not met by the end of fiscal year
11 2026, not later than 120 days after the end of that fiscal
12 year, the Commissioner of U.S. Customs and Border Pro-
13 tection shall submit a report to the Committee on Home-
14 land Security and Governmental Affairs of the Senate and
15 the Committee on Homeland Security of the House of
16 Representatives that—

17 (1) analyzes the causes for not meeting such re-
18 quirements;

19 (2) identifies any resource gaps and challenges;
20 and

21 (3) details the steps that will be taken to ensure
22 compliance with such requirements in the subse-
23 quent fiscal year.

1 **SEC. 11113. NON-INTRUSIVE INSPECTION SYSTEMS FOR**
2 **OUTBOUND INSPECTIONS.**

3 (a) STRATEGY.—Not later than 180 days after the
4 date of the enactment of this Act, the Commissioner of
5 U.S. Customs and Border Protection shall submit a strat-
6 egy to the Committee on Homeland Security and Govern-
7 mental Affairs of the Senate and the Committee on Home-
8 land Security of the House of Representatives for increas-
9 ing sustained outbound inspection operations at land ports
10 of entry that includes—

11 (1) the number of existing and planned out-
12 bound inspection lanes at each port of entry;

13 (2) infrastructure limitations that limit the abil-
14 ity of U.S. Customs and Border Protection to deploy
15 non-intrusive inspection systems for outbound in-
16 spections;

17 (3) the number of additional non-intrusive in-
18 spection systems that are necessary to increase scan-
19 ning capacity for outbound inspections; and

20 (4) plans for funding and acquiring the systems
21 described in paragraph (3).

22 (b) IMPLEMENTATION.—Beginning not later than
23 September 30, 2026, U.S. Customs and Border Protection
24 shall use non-intrusive inspection systems at land ports
25 of entry to scan not fewer than 10 percent of all vehicles
26 exiting the United States through land ports of entry.

1 **SEC. 11114. GAO REVIEW AND REPORT.**

2 (a) REVIEW.—

3 (1) IN GENERAL.—The Comptroller General of
4 the United States shall conduct a review of the use
5 by U.S. Customs and Border Protection of non-in-
6 trusive inspection systems for border security.

7 (2) ELEMENTS.—The review required under
8 paragraph (1) shall—

9 (A) identify—

10 (i) the number and types of non-intru-
11 sive inspection systems deployed by U.S.
12 Customs and Border Protection; and

13 (ii) the locations to which such sys-
14 tems have been deployed; and

15 (B) examine the manner in which U.S.
16 Customs and Border Protection—

17 (i) assesses the effectiveness of such
18 systems; and

19 (ii) uses such systems in conjunction
20 with other border security resources and
21 assets, such as border barriers and tech-
22 nology, to detect and interdict drug smug-
23 gling and trafficking at the southwest bor-
24 der of the United States.

25 (b) REPORT.—Not later than 2 years after the date
26 of the enactment of this Act, the Comptroller General shall

1 submit a report to the Committee on Homeland Security
2 and Governmental Affairs of the Senate and the Com-
3 mittee on Homeland Security of the House of Representa-
4 tives containing the findings of the review conducted pur-
5 suant to subsection (a).

6 **Subtitle C—Securing America’s**
7 **Ports of Entry Act of 2023**

8 **SEC. 11121. SHORT TITLE.**

9 This subtitle may be cited as the “Securing America’s
10 Ports of Entry Act of 2023”.

11 **SEC. 11122. ADDITIONAL U.S. CUSTOMS AND BORDER PRO-**
12 **TECTION PERSONNEL.**

13 (a) **OFFICERS.**—Subject to appropriations, the Com-
14 missioner of U.S. Customs and Border Protection shall
15 hire, train, and assign not fewer than 600 new U.S. Cus-
16 toms and Border Protection officers above the current at-
17 trition level during every fiscal year until the total number
18 of U.S. Customs and Border Protection officers equals
19 and sustains the requirements identified each year in the
20 Workload Staffing Model.

21 (b) **SUPPORT STAFF.**—The Commissioner is author-
22 ized to hire, train, and assign support staff, including
23 technicians and Enterprise Services mission support, to
24 perform non-law enforcement administrative functions to

1 support the new U.S. Customs and Border Protection offi-
2 cers hired pursuant to subsection (a).

3 (c) TRAFFIC FORECASTS.—In calculating the number
4 of U.S. Customs and Border Protection officers needed
5 at each port of entry through the Workload Staffing
6 Model, the Commissioner shall—

7 (1) rely on data collected regarding the inspec-
8 tions and other activities conducted at each such
9 port of entry;

10 (2) consider volume from seasonal surges, other
11 projected changes in commercial and passenger vol-
12 umes, the most current commercial forecasts, and
13 other relevant information;

14 (3) consider historical volume and forecasts
15 prior to the COVID–19 pandemic and the impact on
16 international travel; and

17 (4) incorporate personnel requirements for in-
18 creasing the rate of outbound inspection operations
19 at land ports of entry.

20 (d) GAO REPORT.—If the Commissioner does not
21 hire the 600 additional U.S. Customs and Border Protec-
22 tion officers authorized under subsection (a) during fiscal
23 year 2024, or during any subsequent fiscal year in which
24 the hiring requirements set forth in the Workload Staffing

1 Model have not been achieved, the Comptroller General
2 of the United States shall—

3 (1) conduct a review of U.S. Customs and Bor-
4 der Protection hiring practices to determine the rea-
5 sons that such requirements were not achieved and
6 other issues related to hiring by U.S. Customs and
7 Border Protection; and

8 (2) submit a report to the Committee on Home-
9 land Security and Governmental Affairs of the Sen-
10 ate, the Committee on Finance of the Senate, the
11 Committee on Homeland Security of the House of
12 Representatives, and the Committee on Ways and
13 Means of the House of Representatives that de-
14 scribes the results of the review conducted pursuant
15 to paragraph (1).

16 **SEC. 11123. PORTS OF ENTRY INFRASTRUCTURE ENHANCE-**
17 **MENT REPORT.**

18 Not later than 90 days after the date of the enact-
19 ment of this Act, the Commissioner of U.S. Customs and
20 Border Protection shall submit a report to the Committee
21 on Homeland Security and Governmental Affairs of the
22 Senate, the Committee on Finance of the Senate, the
23 Committee on Homeland Security of the House of Rep-
24 resentatives, and the Committee on Ways and Means of
25 the House of Representatives that identifies—

1 (1) infrastructure improvements at ports of
2 entry that would enhance the ability of U.S. Cus-
3 toms and Border Protection officers to interdict
4 opioids and other drugs that are being illegally
5 transported into the United States, including a de-
6 scription of circumstances at specific ports of entry
7 that prevent the deployment of technology used at
8 other ports of entry;

9 (2) detection equipment that would improve the
10 ability of such officers to identify opioids, including
11 precursors and derivatives, that are being illegally
12 transported into the United States; and

13 (3) safety equipment that would protect such
14 officers from accidental exposure to such drugs or
15 other dangers associated with the inspection of po-
16 tential drug traffickers.

17 **SEC. 11124. REPORTING REQUIREMENTS.**

18 (a) TEMPORARY DUTY ASSIGNMENTS.—

19 (1) QUARTERLY REPORT.—The Commissioner
20 of U.S. Customs and Border Protection shall submit
21 a quarterly report to the appropriate congressional
22 committees that includes, for the reporting period—

23 (A) the number of temporary duty assign-
24 ments;

1 (B) the number of U.S. Customs and Bor-
2 der Protection officers required for each tem-
3 porary duty assignment;

4 (C) the ports of entry from which such of-
5 ficers were reassigned;

6 (D) the ports of entry to which such offi-
7 cers were reassigned;

8 (E) the ports of entry at which reimburs-
9 able service agreements have been entered into
10 that may be affected by temporary duty assign-
11 ments;

12 (F) the duration of each temporary duty
13 assignment;

14 (G) the cost of each temporary duty as-
15 signment; and

16 (H) the extent to which the temporary
17 duty assignments within the reporting period
18 were in support of the other U.S. Customs and
19 Border Protection activities or operations along
20 the southern border of the United States, in-
21 cluding the specific costs associated with such
22 temporary duty assignments.

23 (2) NOTICE.—Not later than 10 days before re-
24 deploying employees from 1 port of entry to another,
25 absent emergency circumstances—

1 (A) the Commissioner shall notify the di-
2 rector of the port of entry from which employ-
3 ees will be reassigned of the intended redeploy-
4 ments; and

5 (B) the port director shall notify impacted
6 facilities (including airports, seaports, and land
7 ports) of the intended redeployments.

8 (3) STAFF BRIEFING.—The Commissioner shall
9 brief all affected U.S. Customs and Border Protec-
10 tion employees regarding plans to mitigate
11 vulnerabilities created by any planned staffing re-
12 ductions at ports of entry.

13 (b) REPORTS ON U.S. CUSTOMS AND BORDER PRO-
14 TECTION AGREEMENTS.—Section 907(a) of the Trade Fa-
15 cilitation and Trade Enforcement Act of 2015 (19 U.S.C.
16 4451(a)) is amended—

17 (1) in paragraph (3), by striking “and an as-
18 sessment” and all that follows and inserting a pe-
19 riod;

20 (2) by redesignating paragraphs (4) through
21 (12) as paragraphs (5) through (13), respectively;

22 (3) by inserting after paragraph (3) the fol-
23 lowing:

24 “(4) A description of the factors that were con-
25 sidered before entering into the agreement, including

1 an assessment of how the agreement provides eco-
2 nomic benefits and security benefits (if applicable)
3 at the port of entry to which the agreement re-
4 lates.”; and

5 (4) in paragraph (5), as redesignated by para-
6 graph (2), by inserting after “the report” the fol-
7 lowing: “, including the locations of such services
8 and the total hours of reimbursable services under
9 the agreement, if any”.

10 (c) ANNUAL WORKLOAD STAFFING MODEL RE-
11 PORT.—As part of the Annual Report on Staffing required
12 under section 411(g)(5)(A) of the Homeland Security Act
13 of 2002 (6 U.S.C. 211(g)(5)(A)), the Commissioner shall
14 include—

15 (1) information concerning the progress made
16 toward meeting the U.S. Customs and Border Pro-
17 tection officer and support staff hiring targets set
18 forth in section 2, while accounting for attrition;

19 (2) an update to the information provided in
20 the Resource Optimization at the Ports of Entry re-
21 port, which was submitted to Congress on Sep-
22 tember 12, 2017, pursuant to the Department of
23 Homeland Security Appropriations Act, 2017 (divi-
24 sion F of Public Law 115–31); and

1 (3) a summary of the information included in
2 the reports required under subsection (a) and sec-
3 tion 907(a) of the Trade Facilitation and Trade En-
4 forcement Act of 2015, as amended by subsection
5 (b).

6 (d) **CBP ONE MOBILE APPLICATION.**—During the 2-
7 year period beginning on the date of the enactment of this
8 Act, the Commissioner of U.S. Customs and Border Pro-
9 tection shall publish a monthly report on the use of the
10 CBP One mobile application, including, with respect to
11 each reporting period—

12 (1) the number of application registration at-
13 tempts made through CBP One pursuant to the Cir-
14 cumvention of Lawful Pathways final rule (88 Fed.
15 Reg. 31314 (May 16, 2023)) that resulted in a sys-
16 tem error, disaggregated by error type;

17 (2) the total number of noncitizens who suc-
18 cessfully registered appointments through CBP One
19 pursuant to such rule;

20 (3) the total number of appointments made
21 through CBP One pursuant to such rule that went
22 unused;

23 (4) the total number of individuals who have
24 been granted parole with a Notice to Appear subse-

1 quent to appointments scheduled for such individ-
2 uals through CBP One pursuant to such rule; and

3 (5) the total number of noncitizens who have
4 been issued a Notice to Appear and have been trans-
5 ferred to U.S. Immigration and Customs Enforce-
6 ment custody subsequent to appointments scheduled
7 for such noncitizens through CBP One pursuant to
8 such rule.

9 (e) DEFINED TERM.—In this section, the term “ap-
10 propriate congressional committees” means—

11 (1) the Committee on Homeland Security and
12 Governmental Affairs of the Senate;

13 (2) the Committee on Appropriations of the
14 Senate;

15 (3) the Committee on Finance of the Senate;

16 (4) the Committee on Homeland Security of the
17 House of Representatives

18 (5) the Committee on Appropriations of the
19 House of Representatives; and

20 (6) the Committee on Ways and Means of the
21 House of Representatives.

22 **SEC. 11125. AUTHORIZATION OF APPROPRIATIONS.**

23 There is authorized to be appropriated to carry out
24 this subtitle—

25 (1) \$136,292,948 for fiscal year 2024; and

1 (2) \$156,918,590 for each of the fiscal years
2 2025 through 2029.

3 **Subtitle D—Border Patrol**
4 **Enhancement Act**

5 **SEC. 11131. SHORT TITLE.**

6 This subtitle may be cited as the “Border Patrol En-
7 hancement Act”.

8 **SEC. 11132. AUTHORIZED STAFFING LEVEL FOR THE**
9 **UNITED STATES BORDER PATROL.**

10 (a) **DEFINED TERM.**—In this subtitle, the term “vali-
11 dated personnel requirements determination model”
12 means a determination of the number of United States
13 Border Patrol agents needed to meet the critical mission
14 requirements of the United States Border Patrol to main-
15 tain an orderly process for migrants entering the United
16 States, that has been validated by a qualified research en-
17 tity pursuant to subsection (c).

18 (b) **UNITED STATES BORDER PATROL PERSONNEL**
19 **REQUIREMENTS DETERMINATION MODEL.**—

20 (1) **COMPLETION; NOTICE.**—Not later than 180
21 days after the date of the enactment of this Act, the
22 Commissioner shall complete a personnel require-
23 ments determination model for United States Border
24 Patrol that builds on the 5-year United States Bor-
25 der Patrol staffing and deployment plan referred to

1 on page 33 of House of Representatives Report
2 112–91 (May 26, 2011) and submit a notice of com-
3 pletion to—

4 (A) the Committee on Homeland Security
5 and Governmental Affairs of the Senate;

6 (B) the Committee on Homeland Security
7 of the House of Representatives;

8 (C) the Director of the Office of Personnel
9 Management; and

10 (D) the Comptroller General of the United
11 States.

12 (2) CERTIFICATION.—Not later than 30 days
13 after the completion of the personnel requirements
14 determination model described in paragraph (1), the
15 Commissioner shall submit a copy of such model, an
16 explanation of its development, and a strategy for
17 obtaining independent verification of such model,
18 to—

19 (A) the Committee on Homeland Security
20 and Governmental Affairs of the Senate;

21 (B) the Committee on Homeland Security
22 of the House of Representatives;

23 (C) the Office of Personnel Management;
24 and

1 (D) the Comptroller General of the United
2 States.

3 (c) INDEPENDENT STUDY OF PERSONNEL REQUIRE-
4 MENTS DETERMINATION MODEL.—

5 (1) REQUIREMENT FOR STUDY.—Not later than
6 90 days after the completion of the personnel re-
7 quirements determination model pursuant to sub-
8 section (b)(1), the Secretary of Homeland Security
9 shall select an entity that is technically,
10 managerially, and financially independent from the
11 Department of Homeland Security to conduct an
12 independent verification and validation of the model.

13 (2) REPORTS.—

14 (A) TO SECRETARY.—Not later than 1
15 year after the completion of the personnel re-
16 quirements determination model under sub-
17 section (b)(1), the entity performing the inde-
18 pendent verification and validation of the model
19 shall submit a report to the Secretary of Home-
20 land Security that includes—

21 (i) the results of the study conducted
22 pursuant to paragraph (1); and

23 (ii) any recommendations regarding
24 the model that such entity considers to be
25 appropriate.

1 (B) TO CONGRESS.—Not later than 30
2 days after receiving the report described in sub-
3 paragraph (A), the Secretary of Homeland Se-
4 curity shall submit such report, along with any
5 additional views or recommendations regarding
6 the personnel requirements determination
7 model, to the Committee on Homeland Security
8 and Governmental Affairs of the Senate and the
9 Committee on Homeland Security of the House
10 of Representatives.

11 (d) AUTHORITY TO HIRE ADDITIONAL PER-
12 SONNEL.—Beginning on the date that is 180 days after
13 receiving a report from a qualified research entity pursu-
14 ant to subsection (c)(2) that validates the personnel re-
15 quirements determination model and after implementing
16 any recommendations to improve or update such model,
17 the Secretary of Homeland Security may hire, train, and
18 assign 600 or more United States Border Patrol agents
19 above the attrition level during every fiscal year until the
20 number of active agents meets the level recommended by
21 the validated personnel requirements determination model.

1 **SEC. 11133. ESTABLISHMENT OF HIGHER RATES OF REGU-**
2 **LARLY SCHEDULED OVERTIME PAY FOR**
3 **UNITED STATES BORDER PATROL AGENTS**
4 **CLASSIFIED AT GS-12.**

5 Section 5550 of title 5, United States Code, is
6 amended by adding at the end the following:

7 “(h) SPECIAL OVERTIME PAY FOR GS-12 BORDER
8 PATROL AGENTS.—

9 “(1) IN GENERAL.—Notwithstanding para-
10 graphs (1)(F), (2)(C), and (3)(C) of subsection (b),
11 a border patrol agent encumbering a position at
12 grade GS-12 shall receive a special overtime pay-
13 ment under this subsection for hours of regularly
14 scheduled work described in paragraph (2)(A)(ii) or
15 (3)(A)(ii) of subsection (b), as applicable, that are
16 credited to the agent through actual performance of
17 work, crediting under rules for canine agents under
18 subsection (b)(1)(F), or substitution of overtime
19 hours in the same work period under subsection
20 (f)(2)(A), except that no such payment may be made
21 for periods of absence resulting in an hours obliga-
22 tion under paragraph (3) or (4) of subsection (f).

23 “(2) COMPUTATION.—The special overtime pay-
24 ment authorized under paragraph (1) shall be com-
25 puted by multiplying the credited hours by 50 per-

1 cent of the border patrol agent’s hourly rate of basic
2 pay, rounded to the nearest cent.

3 “(3) LIMITATIONS.—The special overtime pay-
4 ment authorized under paragraph (1)—

5 “(A) is not considered basic pay for retire-
6 ment under section 8331(3) or 8401(4) or for
7 any other purpose;

8 “(B) is not payable during periods of paid
9 leave or other paid time off; and

10 “(C) is not considered in computing an
11 agent’s lump-sum annual leave payment under
12 sections 5551 and 5552.”.

13 **SEC. 11134. GAO ASSESSMENT OF RECRUITING EFFORTS,**
14 **HIRING REQUIREMENTS, AND RETENTION OF**
15 **LAW ENFORCEMENT PERSONNEL.**

16 The Comptroller General of the United States shall—

17 (1) conduct an assessment of U.S. Customs and
18 Border Protection’s—

19 (A) efforts to recruit law enforcement per-
20 sonnel;

21 (B) hiring process and job requirements
22 relating to such recruitment; and

23 (C) retention of law enforcement per-
24 sonnel, including the impact of employee com-
25 pensation on such retention efforts; and

1 (2) not later than 2 years after the date of the
2 enactment of this Act, submit a report containing
3 the results of such assessment to—

4 (A) the Committee on Homeland Security
5 and Governmental Affairs of the Senate; and

6 (B) the Committee on Homeland Security
7 of the House of Representatives.

8 **SEC. 11135. CONTINUING TRAINING.**

9 (a) IN GENERAL.—The Commissioner shall require
10 all United States Border Patrol agents and other employ-
11 ees or contracted employees designated by the Commis-
12 sioner, to participate in annual continuing training to
13 maintain and update their understanding of—

14 (1) Department of Homeland Security policies,
15 procedures, and guidelines;

16 (2) the fundamentals of law, ethics, and profes-
17 sional conduct;

18 (3) applicable Federal law and regulations;

19 (4) precedential legal rulings, including Federal
20 Circuit Court and United States Supreme Court
21 opinions relating to the duty of care and treatment
22 of persons in the custody of the United States Bor-
23 der Patrol that the Commissioner determines are
24 relevant to active duty agents;

1 (5) applicable migration trends that the Com-
2 missioner determines are relevant;

3 (6) best practices for coordinating with commu-
4 nity stakeholders; and

5 (7) any other information that the Commis-
6 sioner determines to be relevant to active duty
7 agents.

8 (b) TRAINING SUBJECTS.—Continuing training
9 under this subsection shall include training regarding—

10 (1) non-lethal use of force policies available to
11 United States Border Patrol agents and de-esca-
12 lation strategies and methods;

13 (2) identifying, screening, and responding to
14 vulnerable populations, such as children, persons
15 with diminished mental capacity, victims of human
16 trafficking, pregnant mothers, victims of gender-
17 based violence, victims of torture or abuse, and the
18 acutely ill;

19 (3) trends in transnational criminal organiza-
20 tion activities that impact border security and mi-
21 gration;

22 (4) policies, strategies, and programs—

23 (A) to protect due process, the civil,
24 human, and privacy rights of individuals, and
25 the private property rights of land owners;

1 (B) to reduce the number of migrant and
2 agent deaths; and

3 (C) to improve the safety of agents on pa-
4 trol;

5 (5) personal resilience;

6 (6) anti-corruption and officer ethics training;

7 (7) current migration trends, including updated
8 cultural and societal issues of nations that are a sig-
9 nificant source of migrants who are—

10 (A) arriving at a United States port of
11 entry to seek humanitarian protection; or

12 (B) encountered at a United States inter-
13 national boundary while attempting to enter
14 without inspection;

15 (8) the impact of border security operations on
16 natural resources and the environment, including
17 strategies to limit the impact of border security op-
18 erations on natural resources and the environment;

19 (9) relevant cultural, societal, racial, and reli-
20 gious training, including cross-cultural communica-
21 tion skills;

22 (10) training authorized under the Prison Rape
23 Elimination Act of 2003 (42 U.S.C. 15601 et seq.);

24 (11) risk management and safety training that
25 includes agency protocols for ensuring public safety,

1 personal safety, and the safety of persons in the cus-
2 tody of the Department of Homeland Security;

3 (12) non-lethal, self-defense training; and

4 (13) any other training that meets the require-
5 ments to maintain and update the subjects identified
6 in subsection (a).

7 (c) COURSE REQUIREMENTS.—Courses offered under
8 this section—

9 (1) shall be administered by the United States
10 Border Patrol, in consultation with the Federal Law
11 Enforcement Training Center; and

12 (2) shall be approved in advance by the Com-
13 missioner of U.S. Customs and Border Protection to
14 ensure that such courses satisfy the requirements for
15 training under this section.

16 (d) ASSESSMENT.—Not later than 2 years after the
17 date of the enactment of this Act, the Comptroller General
18 of the United States shall submit a report to the Com-
19 mittee on Homeland Security and Governmental Affairs
20 of the Senate and the Committee on Homeland Security
21 of the House of Representatives that assesses the training
22 and education provided pursuant to this section, including
23 continuing education.

1 (e) FREQUENCY REQUIREMENTS.—Training offered
2 as part of continuing education under this section shall
3 include—

4 (1) annual courses focusing on the curriculum
5 described in paragraphs (1) through (6) of sub-
6 section (b); and

7 (2) biannual courses focusing on curriculum de-
8 scribed in paragraphs (7) through (12) of subsection
9 (b).

10 **SEC. 11136. REPORTING REQUIREMENTS.**

11 (a) RECRUITMENT AND RETENTION REPORT.—The
12 Comptroller General of the United States shall—

13 (1) conduct a study of the recruitment and re-
14 tention of female agents in the United States Border
15 Patrol that examines—

16 (A) the recruitment, application processes,
17 training, promotion, and other aspects of em-
18 ployment for women in the United States Bor-
19 der Patrol;

20 (B) the training, complaints system, and
21 redress for sexual harassment and assault; and

22 (C) additional issues related to recruitment
23 and retention of female Border Patrol agents;
24 and

1 (2) not later than 1 year after the date of the
2 enactment of this Act, submit a report containing
3 the results of such study and recommendations for
4 addressing any identified deficiencies or opportuni-
5 ties for improvement to—

6 (A) the Commissioner of U.S. Customs
7 and Border Protection;

8 (B) the Committee on Homeland Security
9 and Governmental Affairs of the Senate; and

10 (C) the Committee on Homeland Security
11 of the House of Representatives.

12 (b) IMPLEMENTATION REPORT.—Not later than 90
13 days after receiving the recruitment and retention report
14 required under subsection (a), the Commissioner shall
15 submit a report to the Committee on Homeland Security
16 and Governmental Affairs of the Senate and the Com-
17 mittee on Homeland Security of the House of Representa-
18 tives that describes the status of the Commissioner’s ef-
19 forts to implement any recommendations included in re-
20 cruitment and retention report.

21 **Subtitle E—END FENTANYL Act**

22 **SEC. 11141. SHORT TITLES.**

23 This subtitle may be cited as the “Eradicating Nar-
24 cotic Drugs and Formulating Effective New Tools to Ad-

1 dress National Yearly Losses of Life Act” or the “END
2 FENTANYL Act”.

3 **SEC. 11142. ENSURING TIMELY UPDATES TO U.S. CUSTOMS
4 AND BORDER PROTECTION FIELD MANUALS.**

5 (a) IN GENERAL.—Not less frequently than tri-
6 ennially, the Commissioner of U.S. Customs and Border
7 Protection shall review and update, as necessary, the cur-
8 rent policies and manuals of the Office of Field Operations
9 related to inspections at ports of entry to ensure the uni-
10 form implementation of inspection practices that will ef-
11 fectively respond to technological and methodological
12 changes designed to disguise illegal activity, such as the
13 smuggling of drugs and humans, along the border.

14 (b) REPORTING REQUIREMENT.—Shortly after each
15 update required under subsection (a), the Commissioner
16 of U.S. Customs and Border Protection shall submit a re-
17 port to the Committee on Homeland Security and Govern-
18 mental Affairs of the Senate and the Committee on Home-
19 land Security of the House of Representatives that sum-
20 marizes the policy and manual changes implemented by
21 such update.

1 **TITLE LXXI—IMPROVING LOB-**
2 **BYING DISCLOSURE RE-**
3 **QUIREMENTS**

4 **Subtitle A—Lobbying Disclosure**
5 **Improvement Act**

6 **SEC. 11201. SHORT TITLE.**

7 This subtitle may be cited as the “Lobbying Dislo-
8 sure Improvement Act”.

9 **SEC. 11202. REGISTRANT DISCLOSURE REGARDING FOR-**
10 **EIGN AGENT REGISTRATION EXEMPTION.**

11 Section 4(b) of the Lobbying Disclosure Act of 1995
12 (2 U.S.C. 1603(b)) is amended—

13 (1) in paragraph (6), by striking “; and” and
14 inserting a semicolon;

15 (2) in paragraph (7), by striking the period at
16 the end and inserting “; and”; and

17 (3) by adding at the end the following:

18 “(8) a statement as to whether the registrant is
19 exempt under section 3(h) of the Foreign Agents
20 Registration Act of 1938, as amended (22 U.S.C.
21 613(h)).”.

1 **Subtitle B—Disclosing Foreign**
2 **Influence in Lobbying Act**

3 **SEC. 11211. SHORT TITLE.**

4 This subtitle may be cited as the “Disclosing Foreign
5 Influence in Lobbying Act”.

6 **SEC. 11212. CLARIFICATION OF CONTENTS OF REGISTRA-**
7 **TION.**

8 Section 4(b) of the Lobbying Disclosure Act of 1995
9 (2 U.S.C. 1603(b)), as amended by section 11202 of this
10 title, is amended—

11 (1) in paragraph (8), as added by section
12 11202 of this title, by striking the period at the end
13 and inserting “; and”; and

14 (2) by adding at the end the following:

15 “(9) notwithstanding paragraph (4), the name
16 and address of each government of a foreign country
17 (including any agency or subdivision of a govern-
18 ment of a foreign country, such as a regional or mu-
19 nicipal unit of government) and foreign political
20 party, other than the client, that participates in the
21 direction, planning, supervision, or control of any
22 lobbying activities of the registrant.”.

1 **TITLE LXXII—PROTECTING OUR**
2 **DOMESTIC WORKFORCE AND**
3 **SUPPLY CHAIN**

4 **Subtitle A—Government-wide**
5 **Study Relating to High-security**
6 **Leased Space**

7 **SEC. 11301. GOVERNMENT-WIDE STUDY.**

8 (a) DEFINITIONS.—In this section:

9 (1) ADMINISTRATOR.—The term “Adminis-
10 trator” means the Administrator of General Serv-
11 ices.

12 (2) BENEFICIAL OWNER.—

13 (A) IN GENERAL.—The term “beneficial
14 owner”, with respect to a covered entity, means
15 each natural person who, directly or indirectly,
16 through any contract, arrangement, under-
17 standing, relationship, or otherwise—

18 (i) exercises substantial control over
19 the covered entity; or

20 (ii) owns or controls not less than 25
21 percent of the ownership interests of, or
22 receives substantial economic benefits from
23 the assets of, the covered entity.

1 (B) EXCLUSIONS.—The term “beneficial
2 owner”, with respect to a covered entity, does
3 not include—

4 (i) a minor;

5 (ii) a person acting as a nominee,
6 intermediary, custodian, or agent on behalf
7 of another person;

8 (iii) a person acting solely as an em-
9 ployee of the covered entity and whose con-
10 trol over or economic benefits from the
11 covered entity derives solely from the em-
12 ployment status of the person;

13 (iv) a person whose only interest in
14 the covered entity is through a right of in-
15 heritance, unless the person also meets the
16 requirements of subparagraph (A); or

17 (v) a creditor of the covered entity,
18 unless the creditor also meets the require-
19 ments of subparagraph (A).

20 (C) ANTI-ABUSE RULE.—The exclusions
21 under subparagraph (B) shall not apply if, in
22 the determination of the Administrator, an ex-
23 clusion is used for the purpose of evading, cir-
24 cumventing, or abusing the requirements of this
25 Act.

1 (3) CONTROL.—The term “control”, with re-
2 spect to a covered entity, means—

3 (A) having the authority or ability to de-
4 termine how the covered entity is utilized; or

5 (B) having some decisionmaking power for
6 the use of the covered entity.

7 (4) COVERED ENTITY.—The term “covered en-
8 tity” means—

9 (A) a person, corporation, company, busi-
10 ness association, partnership, society, trust, or
11 any other nongovernmental entity, organization,
12 or group; or

13 (B) any governmental entity or instrumen-
14 tality of a government.

15 (5) EXECUTIVE AGENCY.—The term “Executive
16 agency” has the meaning given the term in section
17 105 of title 5, United States Code.

18 (6) FEDERAL AGENCY.—The term “Federal
19 agency” means—

20 (A) an Executive agency; and

21 (B) any establishment in the legislative or
22 judicial branch of the Federal Government.

23 (7) FEDERAL LESSEE.—

24 (A) IN GENERAL.—The term “Federal les-
25 see” means—

- 1 (i) the Administrator;
2 (ii) the Architect of the Capitol; and
3 (iii) the head of any other Federal
4 agency that has independent statutory
5 leasing authority.

6 (B) EXCLUSIONS.—The term “Federal les-
7 see” does not include—

- 8 (i) the head of an element of the intel-
9 ligence community; or
10 (ii) the Secretary of Defense.

11 (8) FEDERAL TENANT.—

12 (A) IN GENERAL.—The term “Federal ten-
13 ant” means a Federal agency that is occupying
14 or will occupy a high-security leased space for
15 which a lease agreement has been secured on
16 behalf of the Federal agency.

17 (B) EXCLUSION.—The term “Federal ten-
18 ant” does not include an element of the intel-
19 ligence community.

20 (9) FOREIGN ENTITY.—The term “foreign enti-
21 ty” means—

22 (A) a corporation, company, business asso-
23 ciation, partnership, society, trust, or any other
24 nongovernmental entity, organization, or group

1 that is headquartered in or organized under the
2 laws of—

3 (i) a country that is not the United
4 States; or

5 (ii) a State, unit of local government,
6 or Indian Tribe that is not located within
7 or a territory of the United States; or

8 (B) a government or governmental instru-
9 mentality that is not—

10 (i) the United States Government; or

11 (ii) a State, unit of local government,
12 or Indian Tribe that is located within or a
13 territory of the United States.

14 (10) FOREIGN PERSON.—The term “foreign
15 person” means an individual who is not a United
16 States person.

17 (11) HIGH-SECURITY LEASED ADJACENT
18 SPACE.—The term “high-security leased adjacent
19 space” means a building or office space that shares
20 a boundary with or surrounds a high-security leased
21 space.

22 (12) HIGH-SECURITY LEASED SPACE.—The
23 term “high-security leased space” means a space
24 leased by a Federal lessee that—

1 (A) will be occupied by Federal employees
2 for nonmilitary activities; and

3 (B) has a facility security level of III, IV,
4 or V, as determined by the Federal tenant in
5 consultation with the Interagency Security
6 Committee, the Secretary of Homeland Secu-
7 rity, and the Administrator.

8 (13) HIGHEST-LEVEL OWNER.—The term
9 “highest-level owner” means an entity that owns or
10 controls—

11 (A) an immediate owner of the offeror of
12 a lease for a high-security leased adjacent
13 space; or

14 (B) 1 or more entities that control an im-
15 mediate owner of the offeror of a lease de-
16 scribed in subparagraph (A).

17 (14) IMMEDIATE OWNER.—The term “imme-
18 diate owner” means an entity, other than the offeror
19 of a lease for a high-security leased adjacent space,
20 that has direct control of that offeror, including—

21 (A) ownership or interlocking management;

22 (B) identity of interests among family
23 members;

24 (C) shared facilities and equipment; and

25 (D) the common use of employees.

1 (15) INTELLIGENCE COMMUNITY.—The term
2 “intelligence community” has the meaning given the
3 term in section 3 of the National Security Act of
4 1947 (50 U.S.C. 3003).

5 (16) SUBSTANTIAL ECONOMIC BENEFITS.—The
6 term “substantial economic benefits”, with respect
7 to a natural person described in paragraph
8 (2)(A)(ii), means having an entitlement to the funds
9 or assets of a covered entity that, as a practical mat-
10 ter, enables the person, directly or indirectly, to con-
11 trol, manage, or direct the covered entity.

12 (17) UNITED STATES PERSON.—The term
13 “United States person” means an individual who—

14 (A) is a citizen of the United States; or

15 (B) is an alien lawfully admitted for per-
16 manent residence in the United States.

17 (b) GOVERNMENT-WIDE STUDY.—

18 (1) COORDINATION STUDY.—The Adminis-
19 trator, in coordination with the Director of the Fed-
20 eral Protective Service, the Secretary of Homeland
21 Security, the Director of the Office of Management
22 and Budget, and any other relevant entities, as de-
23 termined by the Administrator, shall carry out a
24 Government-wide study examining options to assist
25 agencies (as defined in section 551 of title 5, United

1 States Code) to produce a security assessment proc-
2 ess for high-security leased adjacent space before en-
3 tering into a lease or novation agreement with a cov-
4 ered entity for the purposes of accommodating a
5 Federal tenant located in a high-security leased
6 space.

7 (2) CONTENTS.—The study required under
8 paragraph (1)—

9 (A) shall evaluate how to produce a secu-
10 rity assessment process that includes a process
11 for assessing the threat level of each occupancy
12 of a high-security leased adjacent space, includ-
13 ing through—

14 (i) site-visits;

15 (ii) interviews; and

16 (iii) any other relevant activities de-
17 termined necessary by the Director of the
18 Federal Protective Service; and

19 (B) may include a process for collecting
20 and using information on each immediate
21 owner, highest-level owner, or beneficial owner
22 of a covered entity that seeks to enter into a
23 lease with a Federal lessee for a high-security
24 leased adjacent space, including—

25 (i) name;

1 (ii) current residential or business
2 street address; and

3 (iii) an identifying number or docu-
4 ment that verifies identity as a United
5 States person, a foreign person, or a for-
6 eign entity.

7 (3) WORKING GROUP.—

8 (A) IN GENERAL.—Not later than 90 days
9 after the date of enactment of this Act, the Ad-
10 ministrator, in coordination with the Director of
11 Federal Protective Service, the Secretary of
12 Homeland Security, the Director of the Office
13 of Management and Budget, and any other rel-
14 evant entities, as determined by the Adminis-
15 trator, shall establish a working group to assist
16 in the carrying out of the study required under
17 paragraph (1).

18 (B) NO COMPENSATION.—A member of the
19 working group established under subparagraph
20 (A) shall receive no compensation as a result of
21 serving on the working group.

22 (C) SUNSET.—The working group estab-
23 lished under subparagraph (A) shall terminate
24 on the date on which the report required under
25 paragraph (6) is submitted.

1 (4) PROTECTION OF INFORMATION.—The Ad-
2 ministrators shall ensure that any information col-
3 lected pursuant to the study required under para-
4 graph (1) shall not be made available to the public.

5 (5) LIMITATION.—Nothing in this subsection
6 requires an entity located in the United States to
7 provide information requested pursuant to the study
8 required under paragraph (1).

9 (6) REPORT.—Not later than 2 years after the
10 date of enactment of this Act, the Administrator, in
11 coordination with the Director of Federal Protective
12 Service, the Secretary of Homeland Security, the Di-
13 rector of the Office of Management and Budget, and
14 any other relevant entities, as determined by the Ad-
15 ministrator, shall submit to the Committee on
16 Homeland Security and Governmental Affairs of the
17 Senate and the Committee on Transportation and
18 Infrastructure of the House of Representatives a re-
19 port describing—

20 (A) the results of the study required under
21 paragraph (1); and

22 (B) how all applicable privacy laws and
23 rights relating to the First and Fourth Amend-
24 ments to the Constitution of the United States
25 would be upheld and followed in—

1 (i) the security assessment process de-
2 scribed in subparagraph (A) of paragraph
3 (2); and

4 (ii) the information collection process
5 described in subparagraph (B) of that
6 paragraph.

7 (7) LIMITATION.—Nothing in this subsection
8 authorizes a Federal entity to mandate information
9 gathering unless specifically authorized by law.

10 (8) PROHIBITION.—No information collected
11 pursuant the security assessment process described
12 in paragraph (2)(A) may be used for law enforce-
13 ment purposes.

14 (9) NO ADDITIONAL FUNDING.—No additional
15 funds are authorized to be appropriated to carry out
16 this subsection.

17 **Subtitle B—Intergovernmental**
18 **Critical Minerals Task Force**

19 **SEC. 11311. SHORT TITLE.**

20 This subtitle may be cited as the “Intergovernmental
21 Critical Minerals Task Force Act”.

22 **SEC. 11312. FINDINGS.**

23 Congress finds that—

1 (1) current supply chains of critical minerals
2 pose a great risk to the national security of the
3 United States;

4 (2) critical minerals are necessary for transpor-
5 tation, technology, renewable energy, military equip-
6 ment and machinery, and other relevant sectors cru-
7 cial for the homeland and national security of the
8 United States;

9 (3) in 2022, the United States was 100 percent
10 import reliant for 12 out of 50 critical minerals and
11 more than 50 percent import reliant for an addi-
12 tional 31 critical mineral commodities classified as
13 “critical” by the United States Geological Survey,
14 and the People’s Republic of China was the top pro-
15 ducing nation for 30 of those 50 critical minerals;

16 (4) as of July, 2023, companies based in the
17 People’s Republic of China that extract critical min-
18 erals around the world have received hundreds of
19 charges of human rights violations;

20 (5) on March 26, 2014, the World Trade Orga-
21 nization ruled that the export restraints by the Peo-
22 ple’s Republic of China on rare earth metals violated
23 obligations under the protocol of accession to the
24 World Trade Organization, which harmed manufac-
25 turers and workers in the United States; and

1 (6) the President has yet to submit to Congress
2 the plans and recommendations that were due on the
3 December 27, 2022, deadline under section 5(a) of
4 the National Materials and Minerals Policy, Re-
5 search and Development Act of 1980 (30 U.S.C.
6 1604(a)), which are intended to support a coherent
7 national mineral and materials policy, including
8 through intergovernmental and interagency coordi-
9 nation.

10 **SEC. 11313. INTERGOVERNMENTAL CRITICAL MINERALS**

11 **TASK FORCE.**

12 (a) IN GENERAL.—Section 5 of the National Mate-
13 rials and Minerals Policy, Research and Development Act
14 of 1980 (30 U.S.C. 1604) is amended by adding at the
15 end the following:

16 “(g) INTERGOVERNMENTAL CRITICAL MINERALS
17 TASK FORCE.—

18 “(1) PURPOSES.—The purposes of the task
19 force established under paragraph (3)(B) are—

20 “(A) to assess the reliance of the United
21 States on the People’s Republic of China, and
22 other covered countries, for critical minerals,
23 and the resulting national security risks associ-
24 ated with that reliance, at each level of the Fed-

1 eral Government, Indian Tribes, and State,
2 local, and territorial governments;

3 “(B) to make recommendations to the
4 President for the implementation of this Act
5 with regard to critical minerals, including—

6 “(i) the congressional declarations of
7 policies in section 3; and

8 “(ii) revisions to the program plan of
9 the President and the initiatives required
10 under this section;

11 “(C) to make recommendations to secure
12 United States and global supply chains for crit-
13 ical minerals;

14 “(D) to make recommendations to reduce
15 the reliance of the United States, and partners
16 and allies of the United States, on critical min-
17 eral supply chains involving covered countries;
18 and

19 “(E) to facilitate cooperation, coordination,
20 and mutual accountability among each level of
21 the Federal Government, Indian Tribes, and
22 State, local, and territorial governments, on a
23 holistic response to the dependence on covered
24 countries for critical minerals across the United
25 States.

1 “(2) DEFINITIONS.—In this subsection:

2 “(A) APPROPRIATE COMMITTEES OF CON-
3 GRESS.—The term ‘appropriate committees of
4 Congress’ means—

5 “(i) the Committees on Homeland Se-
6 curity and Governmental Affairs, Energy
7 and Natural Resources, Armed Services,
8 Environment and Public Works, Com-
9 merce, Science, and Transportation, Fi-
10 nance, and Foreign Relations of the Sen-
11 ate; and

12 “(ii) the Committees on Oversight and
13 Accountability, Natural Resources, Armed
14 Services, Ways and Means, and Foreign
15 Affairs of the House of Representatives.

16 “(B) CHAIR.—The term ‘Chair’ means a
17 member of the Executive Office of the Presi-
18 dent, designated by the President pursuant to
19 paragraph (3)(A).

20 “(C) COVERED COUNTRY.—The term ‘cov-
21 ered country’ means—

22 “(i) a covered nation (as defined in
23 section 4872(d) of title 10, United States
24 Code); and

1 “(ii) any other country determined by
2 the task force to be a geostrategic compet-
3 itor or adversary of the United States with
4 respect to critical minerals.

5 “(D) CRITICAL MINERAL.—The term ‘crit-
6 ical mineral’ has the meaning given the term in
7 section 7002(a) of the Energy Act of 2020 (30
8 U.S.C. 1606(a)).

9 “(E) INDIAN TRIBE.—The term ‘Indian
10 Tribe’ has the meaning given the term in sec-
11 tion 4 of the Indian Self-Determination and
12 Education Assistance Act (25 U.S.C. 5304).

13 “(F) TASK FORCE.—The term ‘task force’
14 means the task force established under para-
15 graph (3)(B).

16 “(3) ESTABLISHMENT.—Not later than 90 days
17 after the date of enactment of this subsection, the
18 President shall—

19 “(A) designate a Chair for the task force;
20 and

21 “(B) acting through the Executive Office
22 of the President, establish a task force.

23 “(4) COMPOSITION; MEETINGS.—

24 “(A) APPOINTMENT.—The Chair, in con-
25 sultation with key intergovernmental, private,

1 and public sector stakeholders, shall appoint to
2 the task force representatives with expertise in
3 critical mineral supply chains from Federal
4 agencies, Indian Tribes, and State, local, and
5 territorial governments, including not less than
6 1 representative from each of—

7 “(i) the Bureau of Indian Affairs;

8 “(ii) the Bureau of Land Manage-
9 ment;

10 “(iii) the Critical Minerals Sub-
11 committee of the National Science and
12 Technology Council;

13 “(iv) the Department of Agriculture;

14 “(v) the Department of Commerce;

15 “(vi) the Department of Defense;

16 “(vii) the Department of Energy;

17 “(viii) the Department of Homeland
18 Security;

19 “(ix) the Department of the Interior;

20 “(x) the Department of Labor;

21 “(xi) the Department of State;

22 “(xii) the Department of Transpor-
23 tation;

24 “(xiii) the Environmental Protection
25 Agency;

1 “(xiv) the Export-Import Bank of the
2 United States;

3 “(xv) the Forest Service;

4 “(xvi) the General Services Adminis-
5 tration;

6 “(xvii) the National Science Founda-
7 tion;

8 “(xviii) the Office of the United
9 States Trade Representative;

10 “(xix) the United States International
11 Development Finance Corporation;

12 “(xx) the United States Geological
13 Survey; and

14 “(xxi) any other relevant Federal enti-
15 ty, as determined by the Chair.

16 “(B) CONSULTATION.—The task force
17 shall consult individuals with expertise in crit-
18 ical mineral supply chains, individuals from
19 States whose communities, businesses, and in-
20 dustries are involved in aspects of critical min-
21 eral supply chains, including mining and proc-
22 essing operations, and individuals from a di-
23 verse and balanced cross-section of—

24 “(i) intergovernmental consultees, in-
25 cluding—

- 1 “(I) State governments;
2 “(II) local governments;
3 “(III) territorial governments;
4 and
5 “(IV) Indian Tribes; and
6 “(ii) other stakeholders, including—
7 “(I) academic research institu-
8 tions;
9 “(II) corporations;
10 “(III) nonprofit organizations;
11 “(IV) private sector stakeholders;
12 “(V) trade associations;
13 “(VI) mining industry stake-
14 holders; and
15 “(VII) labor representatives.

16 “(C) MEETINGS.—

17 “(i) INITIAL MEETING.—Not later
18 than 90 days after the date on which all
19 representatives of the task force have been
20 appointed, the task force shall hold the
21 first meeting of the task force.

22 “(ii) FREQUENCY.—The task force
23 shall meet not less than once every 90
24 days.

25 “(5) DUTIES.—

1 “(A) IN GENERAL.—The duties of the task
2 force shall include—

3 “(i) facilitating cooperation, coordina-
4 tion, and mutual accountability for the
5 Federal Government, Indian Tribes, and
6 State, local, and territorial governments to
7 enhance data sharing and transparency to
8 build more robust and secure domestic
9 supply chains for critical minerals in sup-
10 port of the purposes described in para-
11 graph (1);

12 “(ii) providing recommendations with
13 respect to—

14 “(I) increasing capacities for
15 mining, processing, refinement, reuse,
16 and recycling of critical minerals in
17 the United States to facilitate the en-
18 vironmentally responsible production
19 of domestic resources to meet national
20 critical mineral needs, in consultation
21 with Tribal and local communities;

22 “(II) identifying how statutes,
23 regulations, and policies related to the
24 critical mineral supply chain, such as
25 stockpiling and development finance,

1 could be modified to accelerate envi-
2 ronmentally responsible domestic and
3 international production of critical
4 minerals, in consultation with Indian
5 Tribes and local communities;

6 “(III) strengthening the domestic
7 workforce to support growing critical
8 mineral supply chains with good-pay-
9 ing, safe jobs in the United States;

10 “(IV) identifying alternative do-
11 mestic and global sources to critical
12 minerals that the United States cur-
13 rently relies on the People’s Republic
14 of China or other covered countries
15 for mining, processing, refining, and
16 recycling, including the availability,
17 cost, and quality of those domestic al-
18 ternatives;

19 “(V) identifying critical minerals
20 and critical mineral supply chains that
21 the United States can onshore, at a
22 competitive availability, cost, and
23 quality, for those minerals and supply
24 chains that the United States relies

1 on the People’s Republic of China or
2 other covered countries to provide;

3 “(VI) opportunities for the Fed-
4 eral Government, Indian Tribes, and
5 State, local, and territorial govern-
6 ments to mitigate risks to the national
7 security of the United States with re-
8 spect to supply chains for critical min-
9 erals that the United States currently
10 relies on the People’s Republic of
11 China or other covered countries for
12 mining, processing, refining, and recy-
13 cling; and

14 “(VII) evaluating and integrating
15 the recommendations of the Critical
16 Minerals Subcommittee of the Na-
17 tional Science and Technology Council
18 into the recommendations of the task
19 force.

20 “(iii) prioritizing the recommendations
21 in clause (ii), taking into consideration eco-
22 nomic costs and focusing on the critical
23 mineral supply chains with vulnerabilities
24 posing the most significant risks to the na-
25 tional security of the United States;

1 “(iv) recommending specific strate-
2 gies, to be carried out in coordination with
3 the Secretary of State and the Secretary of
4 Commerce, to strengthen international
5 partnerships in furtherance of critical min-
6 erals supply chain security with inter-
7 national allies and partners, including a
8 strategy to collaborate with governments of
9 the allies and partners described in sub-
10 paragraph (B) to develop advanced mining,
11 refining, separation and processing tech-
12 nologies; and

13 “(v) other duties, as determined by
14 the Chair.

15 “(B) ALLIES AND PARTNERS.—The allies
16 and partners referred to subparagraph (A) in-
17 clude—

18 “(i) countries participating in the
19 Quadrilateral Security Dialogue;

20 “(ii) countries that are—

21 “(I) signatories to the Abraham
22 Accords; or

23 “(II) participants in the Negev
24 Forum;

1 “(iii) countries that are members of
2 the North Atlantic Treaty Organization;
3 and

4 “(iv) other countries or multilateral
5 partnerships the task force determines to
6 be appropriate.

7 “(C) REPORT.—The Chair shall—

8 “(i) not later than 60 days after the
9 date of enactment of this subsection, and
10 every 60 days thereafter until the require-
11 ments under subsection (a) are satisfied,
12 brief the appropriate committees of Con-
13 gress on the status of the compliance of
14 the President with completing the require-
15 ments under that subsection.

16 “(ii) not later than 2 years after the
17 date of enactment of this Act, submit to
18 the appropriate committees of Congress a
19 report, which shall be submitted in unclas-
20 sified form, but may include a classified
21 annex, that describes any findings, guide-
22 lines, and recommendations created in per-
23 forming the duties under subparagraph
24 (A);

1 “(iii) not later than 120 days after
2 the date on which the Chair submits the
3 report under clause (ii), publish that report
4 in the Federal Register and on the website
5 of the Office of Management and Budget,
6 except that the Chair shall redact informa-
7 tion from the report that the Chair deter-
8 mines could pose a risk to the national se-
9 curity of the United States by being pub-
10 licly available; and

11 “(iv) brief the appropriate committees
12 of Congress twice per year.

13 “(6) SUNSET.—The task force shall terminate
14 on the date that is 90 days after the date on which
15 the task force completes the requirements under
16 paragraph (5)(C).”.

17 (b) GAO STUDY.—

18 (1) DEFINITION OF CRITICAL MINERALS.—In
19 this subsection, the term “critical mineral” has the
20 meaning given the term in section 7002(a) of the
21 Energy Act of 2020 (30 U.S.C. 1606(a)).

22 (2) STUDY REQUIRED.—The Comptroller Gen-
23 eral of the United States shall conduct a study ex-
24 amining the Federal and State regulatory landscape

1 related to improving domestic supply chains for crit-
2 ical minerals in the United States.

3 (3) REPORT.—Not later than 18 months after
4 the date of enactment of this Act, the Comptroller
5 General of the United States shall submit to the ap-
6 propriate committees of Congress a report that de-
7 scribes the results of the study under paragraph (2).

8 **Subtitle C—Customs Trade Part-**
9 **nership Against Terrorism Pilot**
10 **Program Act of 2023**

11 **SEC. 11321. SHORT TITLE.**

12 This subtitle may be cited as the “Customs Trade
13 Partnership Against Terrorism Pilot Program Act of
14 2023” or the “CTPAT Pilot Program Act of 2023”.

15 **SEC. 11322. DEFINITIONS.**

16 In this subtitle:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Homeland Security
21 and Governmental Affairs and the Committee
22 on Finance of the Senate; and

23 (B) the Committee on Homeland Security
24 and the Committee on Ways and Means of the
25 House of Representatives.

1 (A) arranges international transportation
2 of freight and is licensed by the Department of
3 Transportation; and

4 (B) meets such other requirements as the
5 Secretary specifies in the Federal Register no-
6 tice required by subsection (a)(2); or

7 (2) an asset-based third-party logistics provider
8 that—

9 (A) facilitates cross border activity and is
10 licensed or bonded by the Federal Maritime
11 Commission, the Transportation Security Ad-
12 ministration, U.S. Customs and Border Protec-
13 tion, or the Department of Transportation;

14 (B) manages and executes logistics services
15 using its own warehousing assets and resources
16 on behalf of its customers; and

17 (C) meets such other requirements as the
18 Secretary specifies in the Federal Register no-
19 tice required by subsection (a)(2).

20 (c) REQUIREMENTS.—In carrying out the pilot pro-
21 gram required by subsection (a)(1), the Secretary shall—

22 (1) ensure that—

23 (A) not more than 10 entities described in
24 paragraph (1) of subsection (b) participate in
25 the pilot program; and

1 (B) not more than 10 entities described in
2 paragraph (2) of that subsection participate in
3 the program;

4 (2) provide for the participation of those enti-
5 ties on a voluntary basis;

6 (3) continue the program for a period of not
7 less than one year after the date on which the Sec-
8 retary publishes the Federal Register notice required
9 by subsection (a)(2); and

10 (4) terminate the pilot program not more than
11 5 years after that date.

12 (d) REPORT REQUIRED.—Not later than 180 days
13 after the termination of the pilot program under sub-
14 section (c)(4), the Secretary shall submit to the appro-
15 priate congressional committees a report on the findings
16 of, and any recommendations arising from, the pilot pro-
17 gram concerning the participation in CTPAT of entities
18 described in subsection (b), including an assessment of
19 participation by those entities.

20 **SEC. 11324. REPORT ON EFFECTIVENESS OF CTPAT.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of the enactment of this Act, the Comptroller General
23 of the United States shall submit to the appropriate con-
24 gressional committees a report assessing the effectiveness
25 of CTPAT.

1 (b) ELEMENTS.—The report required by subsection
2 (a) shall include the following:

3 (1) An analysis of—

4 (A) security incidents in the cargo supply
5 chain during the 5-year period preceding sub-
6 mission of the report that involved criminal ac-
7 tivity, including drug trafficking, human smug-
8 gling, commercial fraud, or terrorist activity;
9 and

10 (B) whether those incidents involved par-
11 ticipants in CTPAT or entities not participating
12 in CTPAT.

13 (2) An analysis of causes for the suspension or
14 removal of entities from participating in CTPAT as
15 a result of security incidents during that 5-year pe-
16 riod.

17 (3) An analysis of the number of active CTPAT
18 participants involved in one or more security inci-
19 dents while maintaining their status as participants.

20 (4) Recommendations to the Commissioner of
21 U.S. Customs and Border Protection for improve-
22 ments to CTPAT to improve prevention of security
23 incidents in the cargo supply chain involving partici-
24 pants in CTPAT.

1 **SEC. 11325. NO ADDITIONAL FUNDS AUTHORIZED.**

2 No additional funds are authorized to be appro-
3 priated for the purpose of carrying out this subtitle.

4 **Subtitle D—Military Spouse**
5 **Employment Act**

6 **SEC. 11331. SHORT TITLE.**

7 This subtitle may be cited as the “Military Spouse
8 Employment Act”.

9 **SEC. 11332. APPOINTMENT OF MILITARY SPOUSES.**

10 Section 3330d of title 5, United States Code, is
11 amended—

12 (1) in subsection (a)—

13 (A) by redesignating paragraph (3) as
14 paragraph (4);

15 (B) by inserting after paragraph (2) the
16 following:

17 “(3) The term ‘remote work’ refers to a par-
18 ticular type of telework under which an employee is
19 not expected to report to an officially established
20 agency location on a regular and recurring basis.”;
21 and

22 (C) by adding at the end the following:

23 “(5) The term ‘telework’ has the meaning given
24 the term in section 6501.”;

25 (2) in subsection (b)—

1 (A) in paragraph (1), by striking “or” at
2 the end;

3 (B) in paragraph (2), by striking the pe-
4 riod at the end and inserting “; or”; and

5 (C) by adding at the end the following:

6 “(3) a spouse of a member of the Armed Forces
7 on active duty, or a spouse of a disabled or deceased
8 member of the Armed Forces, to a position in which
9 the spouse will engage in remote work.”; and

10 (3) in subsection (c)(1), by striking “subsection
11 (a)(3)” and inserting “subsection (a)(4)”.

12 **SEC. 11333. GAO STUDY AND REPORT.**

13 (a) DEFINITIONS.—In this section—

14 (1) the terms “agency” means an agency de-
15 scribed in paragraph (1) or (2) of section 901(b) of
16 title 31, United States Code;

17 (2) the term “employee” means an employee of
18 an agency;

19 (3) the term “remote work” means a particular
20 type of telework under which an employee is not ex-
21 pected to report to an officially established agency
22 location on a regular and recurring basis; and

23 (4) the term “telework” means a work flexi-
24 bility arrangement under which an employee per-
25 forms the duties and responsibilities of such employ-

1 ee's position, and other authorized activities, from
2 an approved worksite other than the location from
3 which the employee would otherwise work.

4 (b) REQUIREMENT.—Not later than 18 months after
5 the date of enactment of this Act, the Comptroller General
6 of the United States shall conduct a study and publish
7 a report regarding the use of remote work by agencies,
8 which shall include a discussion of what is known regard-
9 ing—

10 (1) the number of employees who are engaging
11 in remote work;

12 (2) the role of remote work in agency recruit-
13 ment and retention efforts;

14 (3) the geographic location of employees who
15 engage in remote work;

16 (4) the effect that remote work has had on how
17 often employees are reporting to officially established
18 agency locations to perform the duties and respon-
19 sibilities of the positions of those employees and
20 other authorized activities; and

21 (5) how the use of remote work has affected
22 Federal office space utilization and spending.

1 **Subtitle E—Designation of Airports**

2 **SEC. 11341. DESIGNATION OF ADDITIONAL PORT OF ENTRY** 3 **FOR THE IMPORTATION AND EXPORTATION** 4 **OF WILDLIFE AND WILDLIFE PRODUCTS BY** 5 **THE UNITED STATES FISH AND WILDLIFE** 6 **SERVICE.**

7 (a) IN GENERAL.—Subject to appropriations and in
8 accordance with subsection (b), the Director of the United
9 States Fish and Wildlife Service shall designate 1 addi-
10 tional port as a “port of entry designated for the importa-
11 tion and exportation of wildlife and wildlife products”
12 under section 14.12 of title 50, Code of Federal Regula-
13 tions.

14 (b) CRITERIA FOR SELECTING ADDITIONAL DES-
15 IGNATED PORT.—The Director shall select the additional
16 port to be designated pursuant to subsection (a) from
17 among the United States airports that handled more than
18 8,000,000,000 pounds of cargo during 2021, as reported
19 by the Federal Aviation Administration Air Carrier Activ-
20 ity Information System, and based upon the analysis sub-
21 mitted to Congress by the Director pursuant to the Wild-
22 life Trafficking reporting directive under title I of Senate
23 Report 114–281.

1 **DIVISION M—INTELLIGENCE AU-**
 2 **THORIZATION ACT FOR FIS-**
 3 **CAL YEAR 2024**

4 **SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

5 (a) **SHORT TITLE.**—This division may be cited as the
 6 “Intelligence Authorization Act for Fiscal Year 2024”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
 8 this division is as follows:

DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
 YEAR 2024

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Intelligence Community Management Account.

Sec. 104. Increase in employee compensation and benefits authorized by law.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
 DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

Sec. 301. Plan to recruit, train, and retain personnel with experience in finan-
 cial intelligence and emerging technologies.

Sec. 302. Policy and performance framework for mobility of intelligence com-
 munity workforce.

Sec. 303. In-State tuition rates for active duty members of the intelligence com-
 munity.

Sec. 304. Standards, criteria, and guidance for counterintelligence vulnerability
 assessments and surveys.

Sec. 305. Improving administration of certain post-employment restrictions for
 intelligence community.

Sec. 306. Mission of the National Counterintelligence and Security Center.

Sec. 307. Prohibition relating to transport of individuals detained at United
 States Naval Station, Guantanamo Bay, Cuba.

Sec. 308. Department of Energy science and technology risk assessments.

Sec. 309. Congressional oversight of intelligence community risk assessments.

- Sec. 310. Inspector General review of dissemination by Federal Bureau of Investigation Richmond, Virginia, field office of certain document.
- Sec. 311. Office of Intelligence and Analysis.

Subtitle B—Central Intelligence Agency

- Sec. 321. Change to penalties and increased availability of mental health treatment for unlawful conduct on Central Intelligence Agency installations.
- Sec. 322. Modifications to procurement authorities of the Central Intelligence Agency.
- Sec. 323. Establishment of Central Intelligence Agency standard workplace sexual misconduct complaint investigation procedure.

TITLE IV—MATTERS CONCERNING FOREIGN COUNTRIES

Subtitle A—People's Republic of China

- Sec. 401. Intelligence community coordinator for accountability of atrocities of the People's Republic of China.
- Sec. 402. Interagency working group and report on the malign efforts of the People's Republic of China in Africa.
- Sec. 403. Amendment to requirement for annual assessment by intelligence community working group for monitoring the economic and technological capabilities of the People's Republic of China.
- Sec. 404. Assessments of reciprocity in the relationship between the United States and the People's Republic of China.
- Sec. 405. Annual briefing on intelligence community efforts to identify and mitigate Chinese Communist Party and Russian foreign malign influence operations against the United States.
- Sec. 406. Assessment of threat posed to United States ports by cranes manufactured by countries of concern.

Subtitle B—Other Foreign Countries

- Sec. 411. Report on efforts to capture and detain United States citizens as hostages.
- Sec. 412. Sense of Congress on priority of fentanyl in National Intelligence Priorities Framework.

TITLE V—MATTERS PERTAINING TO UNITED STATES ECONOMIC AND EMERGING TECHNOLOGY COMPETITION WITH UNITED STATES ADVERSARIES

Subtitle A—General Matters

- Sec. 501. Assignment of detailees from intelligence community to Department of Commerce.

Subtitle B—Next-generation Energy, Biotechnology, and Artificial Intelligence

- Sec. 511. Expanded annual assessment of economic and technological capabilities of the People's Republic of China.
- Sec. 512. Assessment of using civil nuclear energy for intelligence community capabilities.
- Sec. 513. Policies established by Director of National Intelligence for artificial intelligence capabilities.

TITLE VI—WHISTLEBLOWER MATTERS

- Sec. 601. Submittal to Congress of complaints and information by whistleblowers in the intelligence community.
- Sec. 602. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.
- Sec. 603. Establishing process parity for adverse security clearance and access determinations.
- Sec. 604. Elimination of cap on compensatory damages for retaliatory revocation of security clearances and access determinations.
- Sec. 605. Modification and repeal of reporting requirements.

TITLE VII—CLASSIFICATION REFORM

Subtitle A—Classification Reform Act of 2023

- Sec. 701. Short title.
- Sec. 702. Definitions.
- Sec. 703. Classification and declassification of information.
- Sec. 704. Transparency officers.

Subtitle B—Sensible Classification Act of 2023

- Sec. 711. Short title.
- Sec. 712. Definitions.
- Sec. 713. Findings and sense of the Senate.
- Sec. 714. Classification authority.
- Sec. 715. Promoting efficient declassification review.
- Sec. 716. Training to promote sensible classification.
- Sec. 717. Improvements to Public Interest Declassification Board.
- Sec. 718. Implementation of technology for classification and declassification.
- Sec. 719. Studies and recommendations on necessity of security clearances.

TITLE VIII—SECURITY CLEARANCE AND TRUSTED WORKFORCE

- Sec. 801. Review of shared information technology services for personnel vetting.
- Sec. 802. Timeliness standard for rendering determinations of trust for personnel vetting.
- Sec. 803. Annual report on personnel vetting trust determinations.
- Sec. 804. Survey to assess strengths and weaknesses of Trusted Workforce 2.0.
- Sec. 805. Prohibition on denial of eligibility for access to classified information solely because of past use of cannabis.

TITLE IX—ANOMALOUS HEALTH INCIDENTS

- Sec. 901. Improved funding flexibility for payments made by the Central Intelligence Agency for qualifying injuries to the brain.
- Sec. 902. Clarification of requirements to seek certain benefits relating to injuries to the brain.
- Sec. 903. Intelligence community implementation of HAVANA Act of 2021 authorities.
- Sec. 904. Report and briefing on Central Intelligence Agency handling of anomalous health incidents.

TITLE X—ELECTION SECURITY

Sec. 1001. Strengthening Election Cybersecurity to Uphold Respect for Elections through Independent Testing Act of 2023.

TITLE XI—OTHER MATTERS

Sec. 1101. Modification of reporting requirement for All-domain Anomaly Resolution Office.

Sec. 1102. Funding limitations relating to unidentified anomalous phenomena.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
4 TEES.—The term “congressional intelligence com-
5 mittees” has the meaning given such term in section
6 3 of the National Security Act of 1947 (50 U.S.C.
7 3003).

8 (2) INTELLIGENCE COMMUNITY.—The term
9 “intelligence community” has the meaning given
10 such term in such section.

11 **TITLE I—INTELLIGENCE** 12 **ACTIVITIES**

13 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

14 Funds are hereby authorized to be appropriated for
15 fiscal year 2024 for the conduct of the intelligence and
16 intelligence-related activities of the Federal Government.

17 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

18 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
19 authorized to be appropriated under section 101 for the
20 conduct of the intelligence activities of the Federal Gov-
21 ernment are those specified in the classified Schedule of
22 Authorizations prepared to accompany this division.

1 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
2 THORIZATIONS.—

3 (1) AVAILABILITY.—The classified Schedule of
4 Authorizations referred to in subsection (a) shall be
5 made available to the Committee on Appropriations
6 of the Senate, the Committee on Appropriations of
7 the House of Representatives, and to the President.

8 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
9 ject to paragraph (3), the President shall provide for
10 suitable distribution of the classified Schedule of Au-
11 thORIZATIONS referred to in subsection (a), or of ap-
12 propriate portions of such Schedule, within the exec-
13 utive branch of the Federal Government.

14 (3) LIMITS ON DISCLOSURE.—The President
15 shall not publicly disclose the classified Schedule of
16 Authorizations or any portion of such Schedule ex-
17 cept—

18 (A) as provided in section 601(a) of the
19 Implementing Recommendations of the 9/11
20 Commission Act of 2007 (50 U.S.C. 3306(a));

21 (B) to the extent necessary to implement
22 the budget; or

23 (C) as otherwise required by law.

1 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
2 **COUNT.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated for the Intelligence Commu-
5 nity Management Account of the Director of National In-
6 telligence for fiscal year 2024 the sum of \$658,950,000.

7 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
8 TIONS.—In addition to amounts authorized to be appro-
9 priated for the Intelligence Community Management Ac-
10 count by subsection (a), there are authorized to be appro-
11 priated for the Intelligence Community Management Ac-
12 count for fiscal year 2024 such additional amounts as are
13 specified in the classified Schedule of Authorizations re-
14 ferred to in section 102(a).

15 **SEC. 104. INCREASE IN EMPLOYEE COMPENSATION AND**
16 **BENEFITS AUTHORIZED BY LAW.**

17 Appropriations authorized by this division for salary,
18 pay, retirement, and other benefits for Federal employees
19 may be increased by such additional or supplemental
20 amounts as may be necessary for increases in such com-
21 pensation or benefits authorized by law.

1 **TITLE II—CENTRAL INTEL-**
2 **LIGENCE AGENCY RETIRE-**
3 **MENT AND DISABILITY SYS-**
4 **TEM**

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 \$514,000,000 for fiscal year 2024.

9 **TITLE III—INTELLIGENCE**
10 **COMMUNITY MATTERS**
11 **Subtitle A—General Intelligence**
12 **Community Matters**

13 **SEC. 301. PLAN TO RECRUIT, TRAIN, AND RETAIN PER-**
14 **SONNEL WITH EXPERIENCE IN FINANCIAL IN-**
15 **TELLIGENCE AND EMERGING TECH-**
16 **NOLOGIES.**

17 (a) **IN GENERAL.**—Not later than 180 days after the
18 date of the enactment of this Act, the Director of National
19 Intelligence, in coordination with the heads of human cap-
20 ital of the Central Intelligence Agency, the National Secu-
21 rity Agency, and the Federal Bureau of Investigation,
22 shall submit to the congressional intelligence committees,
23 the Committee on Appropriations of the Senate, and the
24 Committee on Appropriations of the House of Representa-
25 tives a plan for the intelligence community to recruit,

1 train, and retain personnel who have skills and experience
2 in financial intelligence and emerging technologies in order
3 to improve analytic tradecraft.

4 (b) ELEMENTS.—The plan required by subsection (a)
5 shall include the following elements:

6 (1) An assessment, including measurable bench-
7 marks of progress, of current initiatives of the intel-
8 ligence community to recruit, train, and retain per-
9 sonnel who have skills and experience in financial in-
10 telligence and emerging technologies.

11 (2) An assessment of whether personnel in the
12 intelligence community who have such skills are cur-
13 rently well integrated into the analytical cadre of the
14 relevant elements of the intelligence community that
15 produce analyses with respect to financial intel-
16 ligence and emerging technologies.

17 (3) An identification of challenges to hiring or
18 compensation in the intelligence community that
19 limit progress toward rapidly increasing the number
20 of personnel with such skills, and an identification of
21 hiring or other reforms to resolve such challenges.

22 (4) A determination of whether the National In-
23 telligence University has the resources and expertise
24 necessary to train existing personnel in financial in-
25 telligence and emerging technologies.

1 (5) A strategy, including measurable bench-
2 marks of progress, to, by January 1, 2025, increase
3 by 10 percent the analytical cadre of personnel with
4 expertise and previous employment in financial intel-
5 ligence and emerging technologies.

6 **SEC. 302. POLICY AND PERFORMANCE FRAMEWORK FOR**
7 **MOBILITY OF INTELLIGENCE COMMUNITY**
8 **WORKFORCE.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date of the enactment of this Act, the Director of National
11 Intelligence shall, in coordination with the Secretary of
12 Defense and the Director of the Office of Personnel Man-
13 agement as the Director of National Intelligence considers
14 appropriate, develop and implement a policy and perform-
15 ance framework to ensure the timely and effective mobility
16 of employees and contractors of the Federal Government
17 who are transferring employment between elements of the
18 intelligence community.

19 (b) ELEMENTS.—The policy and performance frame-
20 work required by subsection (a) shall include processes
21 with respect to the following:

22 (1) Human resources.

23 (2) Medical reviews.

24 (3) Determinations of suitability or eligibility
25 for access to classified information in accordance

1 with Executive Order 13467 (50 U.S.C. 3161 note;
2 relating to reforming processes related to suitability
3 for Government employment, fitness for contractor
4 employees, and eligibility for access to classified na-
5 tional security information).

6 **SEC. 303. IN-STATE TUITION RATES FOR ACTIVE DUTY**
7 **MEMBERS OF THE INTELLIGENCE COMMU-**
8 **NITY.**

9 (a) IN GENERAL.—Section 135(d) of the Higher
10 Education Act of 1965 (20 U.S.C. 1015d(d)), as amended
11 by section 6206(a)(4) of the Foreign Service Families Act
12 of 2021 (Public Law 117–81), is further amended—

13 (1) in paragraph (1), by striking “or” after the
14 semicolon;

15 (2) in paragraph (2), by striking the period at
16 the end and inserting “; or”; and

17 (3) by adding at the end the following new
18 paragraph:

19 “(3) a member of the intelligence community
20 (as defined in section 3 of the National Security Act
21 of 1947 (50 U.S.C. 3003)) (other than a member of
22 the Armed Forces of the United States) who is on
23 active duty for a period of more than 30 days.”.

24 (b) EFFECTIVE DATE.—The amendments made by
25 subsection (a) shall take effect at each public institution

1 of higher education in a State that receives assistance
2 under the Higher Education Act of 1965 (20 U.S.C. 1001
3 et seq.) for the first period of enrollment at such institu-
4 tion that begins after July 1, 2026.

5 **SEC. 304. STANDARDS, CRITERIA, AND GUIDANCE FOR**
6 **COUNTERINTELLIGENCE VULNERABILITY AS-**
7 **SESSMENTS AND SURVEYS.**

8 Section 904(d)(7)(A) of the Counterintelligence En-
9 hancement Act of 2002 (50 U.S.C. 3383(d)(7)(A)) is
10 amended to read as follows:

11 “(A) COUNTERINTELLIGENCE VULNER-
12 ABILITY ASSESSMENTS AND SURVEYS.—To de-
13 velop standards, criteria, and guidance for
14 counterintelligence risk assessments and sur-
15 veys of the vulnerability of the United States to
16 intelligence threats, including with respect to
17 critical infrastructure and critical technologies,
18 in order to identify the areas, programs, and
19 activities that require protection from such
20 threats.”.

21 **SEC. 305. IMPROVING ADMINISTRATION OF CERTAIN POST-**
22 **EMPLOYMENT RESTRICTIONS FOR INTEL-**
23 **LIGENCE COMMUNITY.**

24 Section 304 of the National Security Act of 1947 (50
25 U.S.C. 3073a) is amended—

1 (1) in subsection (c)(1)—

2 (A) by striking “A former” and inserting
3 the following:

4 “(A) IN GENERAL.—A former”; and

5 (B) by adding at the end the following:

6 “(B) PRIOR DISCLOSURE TO DIRECTOR OF
7 NATIONAL INTELLIGENCE.—

8 “(i) IN GENERAL.—In the case of a
9 former employee who occupies a covered
10 post-service position in violation of sub-
11 section (a), whether the former employee
12 voluntarily notified the Director of Na-
13 tional Intelligence of the intent of the
14 former employee to occupy such covered
15 post-service position before occupying such
16 post-service position may be used in deter-
17 mining whether the violation was knowing
18 and willful for purposes of subparagraph
19 (A).

20 “(ii) PROCEDURES AND GUIDANCE.—
21 The Director of National Intelligence may
22 establish procedures and guidance relating
23 to the submittal of notice for purposes of
24 clause (i).”; and

25 (2) in subsection (d)—

1 (A) in paragraph (1), by inserting “the re-
2 strictions under subsection (a) and” before “the
3 report requirements”;

4 (B) in paragraph (2), by striking “ceases
5 to occupy” and inserting “occupies”; and

6 (C) in paragraph (3)(B), by striking “be-
7 fore the person ceases to occupy a covered intel-
8 ligence position” and inserting “when the per-
9 son occupies a covered intelligence position”.

10 **SEC. 306. MISSION OF THE NATIONAL COUNTERINTEL-**
11 **LIGENCE AND SECURITY CENTER.**

12 (a) IN GENERAL.—Section 904 of the Counterintel-
13 ligence Enhancement Act of 2002 (50 U.S.C. 3383) is
14 amended—

15 (1) by redesignating subsections (d) through (i)
16 as subsections (e) through (j), respectively; and

17 (2) by inserting after subsection (c) the fol-
18 lowing:

19 “(d) MISSION.—The mission of the National Coun-
20 terintelligence and Security Center shall include orga-
21 nizing and leading strategic planning for counterintel-
22 ligence activities of the United States Government by inte-
23 grating instruments of national power as needed to
24 counter foreign intelligence.”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) COUNTERINTELLIGENCE ENHANCEMENT
2 ACT OF 2002.—Section 904 of the Counterintel-
3 ligence Enhancement Act of 2002 (50 U.S.C. 3383)
4 is amended—

5 (A) in subsection (e), as redesignated by
6 subsection (a)(1), by striking “Subject to sub-
7 section (e)” both places it appears and inserting
8 “Subject to subsection (f)”; and

9 (B) in subsection (f), as so redesignated—

10 (i) in paragraph (1), by striking “sub-
11 section (d)(1)” and inserting “subsection
12 (e)(1)”; and

13 (ii) in paragraph (2), by striking
14 “subsection (d)(2)” and inserting “sub-
15 section (e)(2)”.

16 (2) COUNTERINTELLIGENCE AND SECURITY EN-
17 HANCEMENTS ACT OF 1994.—Section
18 811(d)(1)(B)(ii) of the Counterintelligence and Se-
19 curity Enhancements Act of 1994 (50 U.S.C.
20 3381(d)(1)(B)(ii)) is amended by striking “section
21 904(d)(2) of that Act (50 U.S.C. 3383(d)(2))” and
22 inserting “section 904(e)(2) of that Act (50 U.S.C.
23 3383(e)(2))”.

1 **SEC. 307. PROHIBITION RELATING TO TRANSPORT OF INDI-**
2 **VIDUALS DETAINED AT UNITED STATES**
3 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

4 (a) DEFINITION OF INDIVIDUAL DETAINED AT
5 GUANTANAMO.—In this section, the term “individual de-
6 tained at Guantanamo” has the meaning given that term
7 in section 1034(f)(2) of the National Defense Authoriza-
8 tion Act for Fiscal Year 2016 (Public Law 114–92; 129
9 Stat. 971; 10 U.S.C. 801 note).

10 (b) PROHIBITION ON CHARTERING PRIVATE OR COM-
11 Mercial AIRCRAFT TO TRANSPORT INDIVIDUALS DE-
12 TAINED AT UNITED STATES NAVAL STATION, GUANTA-
13 NAMO BAY, CUBA.—No head of an element of the intel-
14 ligence community may charter any private or commercial
15 aircraft to transport an individual who is or was an indi-
16 vidual detained at Guantanamo.

17 **SEC. 308. DEPARTMENT OF ENERGY SCIENCE AND TECH-**
18 **NOLOGY RISK ASSESSMENTS.**

19 (a) DEFINITIONS.—In this section:

20 (1) COUNTRY OF RISK.—

21 (A) IN GENERAL.—The term “country of
22 risk” means a foreign country determined by
23 the Secretary, in accordance with subparagraph
24 (B), to present a risk of theft of United States
25 intellectual property or a threat to the national
26 security of the United States if nationals of the

1 country, or entities owned or controlled by the
2 country or nationals of the country, participate
3 in any research, development, demonstration, or
4 deployment activity authorized under this Act
5 or an amendment made by this Act.

6 (B) DETERMINATION.—In making a deter-
7 mination under subparagraph (A), the Sec-
8 retary, in coordination with the Director of the
9 Office of Intelligence and Counterintelligence,
10 shall take into consideration—

11 (i) the most recent World Wide
12 Threat Assessment of the United States
13 Intelligence Community, prepared by the
14 Director of National Intelligence; and

15 (ii) the most recent National Counter-
16 intelligence Strategy of the United States.

17 (2) COVERED SUPPORT.—The term “covered
18 support” means any grant, contract, subcontract,
19 award, loan, program, support, or other activity au-
20 thorized under this Act or an amendment made by
21 this Act.

22 (3) ENTITY OF CONCERN.—The term “entity of
23 concern” means any entity, including a national,
24 that is—

1 (A) identified under section 1237(b) of the
2 Strom Thurmond National Defense Authoriza-
3 tion Act for Fiscal Year 1999 (50 U.S.C. 1701
4 note; Public Law 105–261);

5 (B) identified under section 1260H of the
6 William M. (Mac) Thornberry National Defense
7 Authorization Act for Fiscal Year 2021 (10
8 U.S.C. 113 note; Public Law 116–283);

9 (C) on the Entity List maintained by the
10 Bureau of Industry and Security of the Depart-
11 ment of Commerce and set forth in Supplement
12 No. 4 to part 744 of title 15, Code of Federal
13 Regulations;

14 (D) included in the list required by section
15 9(b)(3) of the Uyghur Human Rights Policy
16 Act of 2020 (Public Law 116–145; 134 Stat.
17 656); or

18 (E) identified by the Secretary, in coordi-
19 nation with the Director of the Office of Intel-
20 ligence and Counterintelligence and the applica-
21 ble office that would provide, or is providing,
22 covered support, as posing an unmanageable
23 threat—

24 (i) to the national security of the
25 United States; or

1 (ii) of theft or loss of United States
2 intellectual property.

3 (4) NATIONAL.—The term “national” has the
4 meaning given the term in section 101 of the Immi-
5 gration and Nationality Act (8 U.S.C. 1101).

6 (5) SECRETARY.—The term “Secretary” means
7 the Secretary of Energy.

8 (b) SCIENCE AND TECHNOLOGY RISK ASSESS-
9 MENT.—

10 (1) IN GENERAL.—The Secretary shall develop
11 and maintain tools and processes to manage and
12 mitigate research security risks, such as a science
13 and technology risk matrix, informed by threats
14 identified by the Director of the Office of Intel-
15 ligence and Counterintelligence, to facilitate deter-
16 minations of the risk of loss of United States intel-
17 lectual property or threat to the national security of
18 the United States posed by activities carried out
19 under any covered support.

20 (2) CONTENT AND IMPLEMENTATION.—In de-
21 veloping and using the tools and processes developed
22 under paragraph (1), the Secretary shall—

23 (A) deploy risk-based approaches to evalu-
24 ating, awarding, and managing certain re-
25 search, development, demonstration, and de-

1 ployment activities, including designations that
2 will indicate the relative risk of activities;

3 (B) assess, to the extent practicable, ongoing high-risk activities;

4 (C) designate an officer or employee of the
5 Department of Energy to be responsible for
6 tracking and notifying recipients of any covered
7 support of unmanageable threats to United
8 States national security or of theft or loss of
9 United States intellectual property posed by an
10 entity of concern;

11 (D) consider requiring recipients of covered
12 support to implement additional research security
13 mitigations for higher-risk activities if appropriate; and

14 (E) support the development of research
15 security training for recipients of covered support on the risks posed by entities of concern.

16 (3) ANNUAL UPDATES.—The tools and processes developed under paragraph (1) shall be evaluated annually and updated as needed, with threat-informed input from the Office of Intelligence and Counterintelligence, to reflect changes in the risk designation under paragraph (2)(A) of research, de-

1 velopment, demonstration, and deployment activities
2 conducted by the Department of Energy.

3 (c) ENTITY OF CONCERN.—

4 (1) PROHIBITION.—Except as provided in para-
5 graph (2), no entity of concern, or individual that
6 owns or controls, is owned or controlled by, or is
7 under common ownership or control with an entity
8 of concern, may receive, or perform work under, any
9 covered support.

10 (2) WAIVER OF PROHIBITION.—

11 (A) IN GENERAL.—The Secretary may
12 waive the prohibition under paragraph (1) if de-
13 termined by the Secretary to be in the national
14 interest.

15 (B) NOTIFICATION TO CONGRESS.—Not
16 less than 2 weeks prior to issuing a waiver
17 under subparagraph (A), the Secretary shall no-
18 tify Congress of the intent to issue the waiver,
19 including a justification for the waiver.

20 (3) PENALTY.—

21 (A) TERMINATION OF SUPPORT.—On find-
22 ing that any entity of concern or individual de-
23 scribed in paragraph (1) has received covered
24 support and has not received a waiver under
25 paragraph (2), the Secretary shall terminate all

1 covered support to that entity of concern or in-
2 dividual, as applicable.

3 (B) PENALTIES.—An entity of concern or
4 individual identified under subparagraph (A)
5 shall be—

6 (i) prohibited from receiving or par-
7 ticipating in covered support for a period
8 of not less than 1 year but not more than
9 10 years, as determined by the Secretary;
10 or

11 (ii) instead of the penalty described in
12 clause (i), subject to any other penalties
13 authorized under applicable law or regula-
14 tions that the Secretary determines to be
15 in the national interest.

16 (C) NOTIFICATION TO CONGRESS.—Prior
17 to imposing a penalty under subparagraph (B),
18 the Secretary shall notify Congress of the intent
19 to impose the penalty, including a description of
20 and justification for the penalty.

21 (4) COORDINATION.—The Secretary shall—

22 (A) share information about the unman-
23 ageable threats described in subsection
24 (a)(3)(E) with other Federal agencies; and

1 (B) develop consistent approaches to iden-
2 tifying entities of concern.

3 (d) INTERNATIONAL AGREEMENTS.—This section
4 shall be applied in a manner consistent with the obliga-
5 tions of the United States under international agreements.

6 (e) REPORT REQUIRED.—Not later than 240 days
7 after the date of enactment of this Act, the Secretary shall
8 submit to Congress a report that—

9 (1) describes—

10 (A) the tools and processes developed
11 under subsection (b)(1) and any updates to
12 those tools and processes; and

13 (B) if applicable, the science and tech-
14 nology risk matrix developed under that sub-
15 section and how that matrix has been applied;

16 (2) includes a mitigation plan for managing
17 risks posed by countries of risk with respect to fu-
18 ture or ongoing research and development activities
19 of the Department of Energy; and

20 (3) defines critical research areas, designated
21 by risk, as determined by the Secretary.

22 **SEC. 309. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE**
23 **COMMUNITY RISK ASSESSMENTS.**

24 (a) RISK ASSESSMENT DOCUMENTS AND MATE-
25 RIALS.—Except as provided in subsection (b), whenever

1 an element of the intelligence community conducts a risk
2 assessment arising from the mishandling or improper dis-
3 closure of classified information, the Director of National
4 Intelligence shall, not later than 30 days after the date
5 of the commencement of such risk assessment—

6 (1) submit to the congressional intelligence
7 committees copies of such documents and materials
8 as are—

9 (A) within the jurisdiction of such commit-
10 tees; and

11 (B) subject to the risk assessment; and

12 (2) provide such committees a briefing on such
13 documents, materials, and risk assessment.

14 (b) EXCEPTION.—If the Director determines, with re-
15 spect to a risk assessment described in subsection (a), that
16 the documents and other materials otherwise subject to
17 paragraph (1) of such subsection (a) are of such a volume
18 that submittal pursuant to such paragraph would be im-
19 practicable, the Director shall—

20 (1) in lieu of submitting copies of such docu-
21 ments and materials, submit a log of such docu-
22 ments and materials; and

23 (2) pursuant to a request by the Select Com-
24 mittee on Intelligence of the Senate or the Perma-
25 nent Select Committee on Intelligence of the House

1 of Representatives for a copy of a document or ma-
2 terial included in such log, submit to such committee
3 such copy.

4 **SEC. 310. INSPECTOR GENERAL REVIEW OF DISSEMINA-**
5 **TION BY FEDERAL BUREAU OF INVESTIGA-**
6 **TION RICHMOND, VIRGINIA, FIELD OFFICE**
7 **OF CERTAIN DOCUMENT.**

8 (a) REVIEW REQUIRED.—Not later than 120 days
9 after the date of the enactment of this Act, the Inspector
10 General of the Department of Justice shall conduct a re-
11 view of the actions and events, including any underlying
12 policy direction, that served as a basis for the January
13 23, 2023, dissemination by the field office of the Federal
14 Bureau of Investigation located in Richmond, Virginia, of
15 a document titled “Interest of Racially or Ethnically Moti-
16 vated Violent Extremists in Radical-Traditionalist Catho-
17 lic Ideology Almost Certainly Presents New Mitigation
18 Opportunities.”.

19 (b) SUBMITTAL TO CONGRESS.—The Inspector Gen-
20 eral of the Department of Justice shall submit the findings
21 of the Inspector General with respect to the review re-
22 quired by subsection (a) to the following:

- 23 (1) The congressional intelligence committees.
24 (2) The Committee on the Judiciary, Com-
25 mittee on Homeland Security and Governmental Af-

1 fairs, and the Committee on Appropriations of the
2 Senate.

3 (3) The Committee on the Judiciary, the Com-
4 mittee on Oversight and Accountability, and the
5 Committee on Appropriations of the House of Rep-
6 resentatives.

7 **SEC. 311. OFFICE OF INTELLIGENCE AND ANALYSIS.**

8 Section 201 of the Homeland Security Act of 2002
9 (6 U.S.C. 121) is amended by adding at the end the fol-
10 lowing:

11 “(h) PROHIBITION.—

12 “(1) DEFINITION.—In this subsection, the term
13 ‘United States person’ means a United States cit-
14 izen, an alien known by the Office of Intelligence
15 and Analysis to be a permanent resident alien, an
16 unincorporated association substantially composed of
17 United States citizens or permanent resident aliens,
18 or a corporation incorporated in the United States,
19 except for a corporation directed and controlled by
20 1 or more foreign governments.

21 “(2) COLLECTION OF INFORMATION FROM
22 UNITED STATES PERSONS.—

23 “(A) IN GENERAL.—Notwithstanding any
24 other provision of law, the Office of Intelligence
25 and Analysis may not engage in the collection

1 of information or intelligence targeting any
2 United States person except as provided in sub-
3 paragraph (B).

4 “(B) EXCEPTION.—Subparagraph (A)
5 shall not apply to any employee, officer, or con-
6 tractor of the Office of Intelligence and Anal-
7 ysis who is responsible for collecting informa-
8 tion from individuals working for a State, local,
9 or Tribal territory government or a private em-
10 ployer.”.

11 **Subtitle B—Central Intelligence** 12 **Agency**

13 **SEC. 321. CHANGE TO PENALTIES AND INCREASED AVAIL-** 14 **ABILITY OF MENTAL HEALTH TREATMENT** 15 **FOR UNLAWFUL CONDUCT ON CENTRAL IN-** 16 **TELLIGENCE AGENCY INSTALLATIONS.**

17 Section 15(b) of the Central Intelligence Agency Act
18 of 1949 (50 U.S.C. 3515(b)) is amended, in the second
19 sentence, by striking “those specified in section 1315(e)(2)
20 of title 40, United States Code” and inserting “the max-
21 imum penalty authorized for a Class B misdemeanor
22 under section 3559 of title 18, United States Code”.

1 **SEC. 322. MODIFICATIONS TO PROCUREMENT AUTHORI-**
2 **TIES OF THE CENTRAL INTELLIGENCE AGEN-**
3 **CY.**

4 Section 3 of the Central Intelligence Agency Act of
5 1949 (50 U.S.C. 3503) is amended—

6 (1) in subsection (a), by striking “sections” and
7 all that follows through “session)” and inserting
8 “sections 3201, 3203, 3204, 3206, 3207, 3302
9 through 3306, 3321 through 3323, 3801 through
10 3808, 3069, 3134, 3841, and 4752 of title 10,
11 United States Code” and

12 (2) in subsection (d), by striking “in para-
13 graphs” and all that follows through “1947” and in-
14 serting “in sections 3201 through 3204 of title 10,
15 United States Code, shall not be delegable. Each de-
16 termination or decision required by sections 3201
17 through 3204, 3321 through 3323, and 3841 of title
18 10, United States Code”.

19 **SEC. 323. ESTABLISHMENT OF CENTRAL INTELLIGENCE**
20 **AGENCY STANDARD WORKPLACE SEXUAL**
21 **MISCONDUCT COMPLAINT INVESTIGATION**
22 **PROCEDURE.**

23 (a) **WORKPLACE SEXUAL MISCONDUCT DEFINED.—**

24 The term “workplace sexual misconduct”—

1 (1) means unwelcome sexual advances, requests
2 for sexual favors, and other verbal or physical con-
3 duct of a sexual nature when—

4 (A) submission to such conduct is made ei-
5 ther explicitly or implicitly a term or condition
6 of an individual's employment;

7 (B) submission to or rejection of such con-
8 duct by an individual is used as the basis for
9 employment decisions affecting such individual;

10 or

11 (C) such conduct has the purpose or effect
12 of unreasonably interfering with an individual's
13 work performance or creating an intimidating,
14 hostile, or offensive working environment; and

15 (2) includes sexual harassment and sexual as-
16 sault.

17 (b) STANDARD COMPLAINT INVESTIGATION PROCE-
18 DURE.—Not later than 90 days after the date of the en-
19 actment of this Act, the Director of the Central Intel-
20 ligence Agency shall—

21 (1) establish a standard workplace sexual mis-
22 conduct complaint investigation procedure;

23 (2) implement the standard workplace sexual
24 misconduct complaint investigation procedure

1 through clear workforce communication and edu-
2 cation on the procedure; and

3 (3) submit the standard workplace sexual mis-
4 conduct complaint investigation procedure to the
5 congressional intelligence committees.

6 (c) MINIMUM REQUIREMENTS.—The procedure es-
7 tablished pursuant to subsection (b)(1) shall, at a min-
8 imum—

9 (1) identify the individuals and offices of the
10 Central Intelligence Agency to which an employee of
11 the Agency may bring a complaint of workplace sex-
12 ual misconduct;

13 (2) detail the steps each individual or office
14 identified pursuant to paragraph (1) shall take upon
15 receipt of a complaint of workplace sexual mis-
16 conduct and the timeframes within which those steps
17 shall be taken, including—

18 (A) documentation of the complaint;

19 (B) referral or notification to another indi-
20 vidual or office;

21 (C) measures to document or preserve wit-
22 ness statements or other evidence; and

23 (D) preliminary investigation of the com-
24 plaint;

1 (3) set forth standard criteria for determining
2 whether a complaint of workplace sexual misconduct
3 will be referred to law enforcement and the time-
4 frame within which such a referral shall occur; and

5 (4) for any complaint not referred to law en-
6 forcement, set forth standard criteria for deter-
7 mining—

8 (A) whether a complaint has been substan-
9 tiated; and

10 (B) for any substantiated complaint, the
11 appropriate disciplinary action.

12 (d) ANNUAL REPORTS.—On or before April 30 of
13 each year, the Director shall submit to the congressional
14 intelligence committees, the Subcommittee on Defense of
15 the Committee on Appropriations of the Senate, and the
16 Subcommittee on Defense of the Committee on Appropria-
17 tions of the House of Representatives an annual report
18 that includes, for the preceding calendar year, the fol-
19 lowing:

20 (1) The number of workplace sexual misconduct
21 complaints brought to each individual or office of the
22 Central Intelligence Agency identified pursuant to
23 subsection (c)(1), disaggregated by—

24 (A) complaints referred to law enforce-
25 ment; and

1 (B) complaints substantiated.

2 (2) For each complaint described in paragraph
3 (1) that is substantiated, a description of the dis-
4 ciplinary action taken by the Director.

5 **TITLE IV—MATTERS CONCERNING FOREIGN COUN-**
6 **TRIES**

8 **Subtitle A—People’s Republic of**
9 **China**

10 **SEC. 401. INTELLIGENCE COMMUNITY COORDINATOR FOR**
11 **ACCOUNTABILITY OF ATROCITIES OF THE**
12 **PEOPLE’S REPUBLIC OF CHINA.**

13 (a) DEFINITIONS.—In this section:

14 (1) ATROCITY.—The term “atrocit y” means a
15 crime against humanity, genocide, or a war crime.

16 (2) FOREIGN PERSON.—The term “foreign per-
17 son” means—

18 (A) any person or entity that is not a
19 United States person; or

20 (B) any entity not organized under the
21 laws of the United States or of any jurisdiction
22 within the United States.

23 (3) UNITED STATES PERSON.—The term
24 “United States person” has the meaning given that

1 term in section 105A(c) of the National Security Act
2 of 1947 (50 U.S.C. 3039).

3 (b) INTELLIGENCE COMMUNITY COORDINATOR FOR
4 ACCOUNTABILITY OF ATROCITIES OF THE PEOPLE'S RE-
5 PUBLIC OF CHINA.—

6 (1) DESIGNATION.—Not later than 90 days
7 after the date of the enactment of this Act, the Di-
8 rector of National Intelligence shall designate a sen-
9 ior official of the Office of the Director of National
10 Intelligence to serve as the intelligence community
11 coordinator for accountability of atrocities of the
12 People's Republic of China (in this section referred
13 to as the "Coordinator").

14 (2) DUTIES.—The Coordinator shall lead the
15 efforts of and coordinate and collaborate with the in-
16 telligence community with respect to the following:

17 (A) Identifying and addressing any gaps in
18 intelligence collection relating to atrocities of
19 the People's Republic of China, including by
20 recommending the modification of the priorities
21 of the intelligence community with respect to
22 intelligence collection and by utilizing informal
23 processes and collaborative mechanisms with
24 key elements of the intelligence community to

1 increase collection on atrocities of the People's
2 Republic of China.

3 (B) Prioritizing and expanding the intel-
4 ligence analysis with respect to ongoing atroc-
5 ities of the People's Republic of China and dis-
6 seminating within the United States Govern-
7 ment intelligence relating to the identification
8 and activities of foreign persons suspected of
9 being involved with or providing support to
10 atrocities of the People's Republic of China, in-
11 cluding genocide and forced labor practices in
12 Xinjiang, in order to support the efforts of
13 other Federal agencies, including the Depart-
14 ment of State, the Department of Justice, the
15 Department of the Treasury, the Office of For-
16 eign Assets Control, the Department of Com-
17 merce, the Bureau of Industry and Security,
18 U.S. Customs and Border Protection, and the
19 National Security Council, to hold the People's
20 Republic of China accountable for such atroc-
21 ities.

22 (C) Increasing efforts to declassify and
23 share with the people of the United States and
24 the international community information re-
25 garding atrocities of the People's Republic of

1 China in order to expose such atrocities and
2 counter the disinformation and misinformation
3 campaign by the People’s Republic of China to
4 deny such atrocities.

5 (D) Documenting and storing intelligence
6 and other unclassified information that may be
7 relevant to preserve as evidence of atrocities of
8 the People’s Republic of China for future ac-
9 countability, and ensuring that other relevant
10 Federal agencies receive appropriate support
11 from the intelligence community with respect to
12 the collection, analysis, preservation, and, as
13 appropriate, dissemination, of intelligence re-
14 lated to atrocities of the People’s Republic of
15 China, which may include the information from
16 the annual report required by section 6504 of
17 the Intelligence Authorization Act for Fiscal
18 Year 2023 (Public Law 117–263).

19 (E) Sharing information with the Forced
20 Labor Enforcement Task Force, established
21 under section 741 of the United States-Mexico-
22 Canada Agreement Implementation Act (19
23 U.S.C. 4681), the Department of Commerce,
24 and the Department of the Treasury for the
25 purposes of entity listings and sanctions.

1 (3) PLAN REQUIRED.—Not later than 120 days
2 after the date of the enactment of this Act, the Di-
3 rector shall submit to the appropriate committees of
4 Congress—

5 (A) the name of the official designated as
6 the Coordinator pursuant to paragraph (1); and

7 (B) the strategy of the intelligence commu-
8 nity for the collection and dissemination of in-
9 telligence relating to ongoing atrocities of the
10 People’s Republic of China, including a detailed
11 description of how the Coordinator shall sup-
12 port, and assist in facilitating the implementa-
13 tion of, such strategy.

14 (4) ANNUAL REPORT TO CONGRESS.—

15 (A) REPORTS REQUIRED.—Not later than
16 May 1, 2024, and annually thereafter until May
17 1, 2034, the Director shall submit to Congress
18 a report detailing, for the year covered by the
19 report—

20 (i) the analytical findings, changes in
21 collection, and other activities of the intel-
22 ligence community with respect to ongoing
23 atrocities of the People’s Republic of
24 China;

1 (ii) the recipients of information
2 shared pursuant to this section for the
3 purpose of—

4 (I) providing support to Federal
5 agencies to hold the People’s Republic
6 of China accountable for such atroc-
7 ities; and

8 (II) sharing information with the
9 people of the United States to counter
10 the disinformation and misinformation
11 campaign by the People’s Republic of
12 China to deny such atrocities; and

13 (iii) with respect to clause (ii), the
14 date of any such sharing.

15 (B) FORM.—Each report submitted under
16 subparagraph (A) may be submitted in classi-
17 fied form, consistent with the protection of in-
18 telligence sources and methods.

19 (c) SUNSET.—This section shall cease to have effect
20 on the date that is 10 years after the date of the enact-
21 ment of this Act.

22 **SEC. 402. INTERAGENCY WORKING GROUP AND REPORT ON**
23 **THE MALIGN EFFORTS OF THE PEOPLE’S RE-**
24 **PUBLIC OF CHINA IN AFRICA.**

25 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—The Director of National In-
2 telligence, in consultation with such heads of ele-
3 ments of the intelligence community as the Director
4 considers appropriate, shall establish an interagency
5 working group within the intelligence community to
6 analyze the tactics and capabilities of the People’s
7 Republic of China in Africa.

8 (2) ESTABLISHMENT FLEXIBILITY.—The work-
9 ing group established under paragraph (1) may be—

10 (A) independently established; or

11 (B) to avoid redundancy, incorporated into
12 existing working groups or cross-intelligence ef-
13 forts within the intelligence community.

14 (b) REPORT.—

15 (1) DEFINITION OF APPROPRIATE COMMITTEES
16 OF CONGRESS.—In this subsection, the term “appro-
17 priate committees of Congress” means—

18 (A) the congressional intelligence commit-
19 tees;

20 (B) the Committee on Foreign Relations
21 and the Subcommittee on Defense of the Com-
22 mittee on Appropriations of the Senate; and

23 (C) the Committee on Foreign Affairs and
24 the Subcommittee on Defense of the Committee

1 on Appropriations of the House of Representa-
2 tives.

3 (2) IN GENERAL.—Not later than 120 days
4 after the date of the enactment of this Act, and
5 twice annually thereafter, the working group estab-
6 lished under subsection (a) shall submit to the ap-
7 propriate committees of Congress a report on the
8 specific tactics and capabilities of the People’s Re-
9 public of China in Africa.

10 (3) ELEMENTS.—Each report required by para-
11 graph (2) shall include the following elements:

12 (A) An assessment of efforts by the Gov-
13 ernment of the People’s Republic of China to
14 exploit mining and reprocessing operations in
15 Africa.

16 (B) An assessment of efforts by the Gov-
17 ernment of the People’s Republic of China to
18 provide or fund technologies in Africa, includ-
19 ing—

20 (i) telecommunications and energy
21 technologies, such as advanced reactors,
22 transportation, and other commercial prod-
23 ucts; and

1 (ii) by requiring that the People’s Re-
2 public of China be the sole provider of such
3 technologies.

4 (C) An assessment of efforts by the Gov-
5 ernment of the People’s Republic of China to
6 expand intelligence capabilities in Africa.

7 (D) A description of actions taken by the
8 intelligence community to counter such efforts.

9 (E) An assessment of additional resources
10 needed by the intelligence community to better
11 counter such efforts.

12 (4) FORM.—Each report required by paragraph
13 (2) shall be submitted in unclassified form, but may
14 include a classified annex if necessary.

15 (c) SUNSET.—The requirements of this section shall
16 terminate on the date that is 5 years after the date of
17 the enactment of this Act.

18 **SEC. 403. AMENDMENT TO REQUIREMENT FOR ANNUAL AS-**
19 **SESSMENT BY INTELLIGENCE COMMUNITY**
20 **WORKING GROUP FOR MONITORING THE**
21 **ECONOMIC AND TECHNOLOGICAL CAPABILI-**
22 **TIES OF THE PEOPLE’S REPUBLIC OF CHINA.**

23 Section 6503(c)(3)(D) of the Intelligence Authoriza-
24 tion Act for Fiscal Year 2023 (division F of Public Law

1 117–263) is amended by striking “the top 200” and in-
2 serting “all the known”.

3 **SEC. 404. ASSESSMENTS OF RECIPROCITY IN THE RELA-**
4 **TIONSHIP BETWEEN THE UNITED STATES**
5 **AND THE PEOPLE’S REPUBLIC OF CHINA.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 date of the enactment of this Act, the Assistant Secretary
8 of State for Intelligence and Research, in consultation
9 with the Director of National Intelligence and such other
10 heads of elements of the intelligence community as the As-
11 sistant Secretary considers relevant, shall submit to Con-
12 gress the following:

13 (1) A comprehensive assessment that identifies
14 critical areas in the security, diplomatic, economic,
15 financial, technological, scientific, commercial, aca-
16 demic, and cultural spheres in which the United
17 States does not enjoy a reciprocal relationship with
18 the People’s Republic of China.

19 (2) A comprehensive assessment that describes
20 how the lack of reciprocity between the People’s Re-
21 public of China and the United States in the areas
22 identified in the assessment required by paragraph
23 (1) provides advantages to the People’s Republic of
24 China.

25 (b) FORM OF ASSESSMENTS.—

1 (1) CRITICAL AREAS.—The assessment required
2 by subsection (a)(1) shall be submitted in unclassi-
3 fied form.

4 (2) ADVANTAGES.—The assessment required by
5 subsection (a)(2) shall be submitted in classified
6 form.

7 **SEC. 405. ANNUAL BRIEFING ON INTELLIGENCE COMMU-**
8 **UNITY EFFORTS TO IDENTIFY AND MITIGATE**
9 **CHINESE COMMUNIST PARTY AND RUSSIAN**
10 **FOREIGN MALIGN INFLUENCE OPERATIONS**
11 **AGAINST THE UNITED STATES.**

12 (a) DEFINITIONS.—In this section:

13 (1) CHINESE ENTITIES ENGAGED IN FOREIGN
14 MALIGN INFLUENCE OPERATIONS.—The term
15 “hinese entities engaged in foreign malign influence
16 operations” means all of the elements of the Govern-
17 ment of the People’s Republic of China and the Chi-
18 nese Communist Party involved in foreign malign in-
19 fluence, such as—

20 (A) the Ministry of State Security;

21 (B) other security services of the People’s
22 Republic of China;

23 (C) the intelligence services of the People’s
24 Republic of China;

1 (D) the United Front Work Department
2 and other united front organs;

3 (E) state-controlled media systems, such as
4 the China Global Television Network (CGTN);
5 and

6 (F) any entity involved in foreign malign
7 influence operations that demonstrably and in-
8 tentively disseminate false information and
9 propaganda of the Government of the People's
10 Republic of China or the Chinese Communist
11 Party.

12 (2) RUSSIAN MALIGN INFLUENCE ACTORS.—
13 The term “Russian malign influence actors” refers
14 to entities or individuals engaged in foreign malign
15 influence operations against the United States who
16 are affiliated with—

17 (A) the intelligence and security services of
18 the Russian Federation

19 (B) the Presidential Administration;

20 (C) any other entity of the Government of
21 the Russian Federation; or

22 (D) Russian mercenary or proxy groups
23 such as the Wagner Group.

24 (3) FOREIGN MALIGN INFLUENCE OPER-
25 ATION.—The term “foreign malign influence oper-

1 ation” means a coordinated and often concealed ac-
2 tivity that is covered by the definition of the term
3 “foreign malign influence” in section 119C of the
4 National Security Act of 1947 (50 U.S.C. 3059) and
5 uses disinformation, press manipulation, economic
6 coercion, targeted investments, corruption, or aca-
7 demic censorship, which are often intended—

8 (A) to coerce and corrupt United States in-
9 terests, values, institutions, or individuals; and

10 (B) to foster attitudes, behavior, decisions,
11 or outcomes in the United States that support
12 the interests of the Government of the People’s
13 Republic of China or the Chinese Communist
14 Party.

15 (b) BRIEFING REQUIRED.—Not later than 120 days
16 after the date of the enactment of this Act and annually
17 thereafter until the date that is 5 years after the date of
18 the enactment of this Act, the Director of the Foreign Ma-
19 lign Influence Center shall, in collaboration with the heads
20 of the elements of the intelligence community, provide
21 Congress a classified briefing on the ways in which the
22 relevant elements of the intelligence community are work-
23 ing internally and coordinating across the intelligence
24 community to identify and mitigate the actions of Chinese
25 and Russian entities engaged in foreign malign influence

1 operations against the United States, including against
2 United States persons.

3 (c) ELEMENTS.—The classified briefing required by
4 subsection (b) shall cover the following:

5 (1) The Government of the Russian Federation,
6 the Government of the People’s Republic of China,
7 and the Chinese Communist Party tactics, tools, and
8 entities that spread disinformation, misinformation,
9 and malign information and conduct influence oper-
10 ations, information campaigns, or other propaganda
11 efforts.

12 (2) A description of ongoing foreign malign in-
13 fluence operations and campaigns of the Russian
14 Federation against the United States and an assess-
15 ment of their objectives and effectiveness in meeting
16 those objectives.

17 (3) A description of ongoing foreign malign in-
18 fluence operations and campaigns of the People’s
19 Republic of China against the United States and an
20 assessment of their objectives and effectiveness in
21 meeting those objectives.

22 (4) A description of any cooperation, informa-
23 tion-sharing, amplification, or other coordination be-
24 tween the Russian Federation and the People’s Re-
25 public of China in developing or carrying out foreign

1 malign influence operations against the United
2 States.

3 (5) A description of front organizations, prox-
4 ies, cut-outs, aligned third-party countries, or orga-
5 nizations used by the Russian Federation or the
6 People’s Republic of China to carry out foreign ma-
7 lign influence operations against the United States.

8 (6) An assessment of the loopholes or
9 vulnerabilities in United States law that Russia and
10 the People’s Republic of China exploit to carry out
11 foreign malign influence operations.

12 (7) The actions of the Foreign Malign Influence
13 Center, in coordination with the Global Engagement
14 Center, relating to early-warning, information shar-
15 ing, and proactive risk mitigation systems, based on
16 the list of entities identified in subsection (a)(1), to
17 detect, expose, deter, and counter foreign malign in-
18 fluence operations of the Government of the People’s
19 Republic of China or the Chinese Communist Party
20 against the United States.

21 (8) The actions of the Foreign Malign Influence
22 Center to conduct outreach, to identify and counter
23 tactics, tools, and entities described in paragraph (1)
24 by sharing information with allies and partners of
25 the United States, in coordination with the Global

1 Engagement Center, as well as State and local gov-
2 ernments, the business community, and civil society
3 in order to expose the political influence operations
4 and information operations of the Government of the
5 Russian Federation and the Government of the Peo-
6 ple’s Republic of China or the Chinese Communist
7 Party carried out against individuals and entities in
8 the United States.

9 **SEC. 406. ASSESSMENT OF THREAT POSED TO UNITED**
10 **STATES PORTS BY CRANES MANUFACTURED**
11 **BY COUNTRIES OF CONCERN.**

12 (a) DEFINITIONS.—In this section:

13 (1) APPROPRIATE COMMITTEES OF CON-
14 GRESS.—The term “appropriate committees of Con-
15 gress” means—

16 (A) the congressional intelligence commit-
17 tees;

18 (B) the Committee on Armed Services, the
19 Committee on Homeland Security and Govern-
20 mental Affairs, the Committee on Banking,
21 Housing, and Urban Affairs, and the Sub-
22 committee on Defense of the Committee on Ap-
23 propriations of the Senate; and

24 (C) the Committee on Armed Services, the
25 Committee on Oversight and Accountability, the

1 Committee on Financial Services, and the Sub-
2 committee on Defense of the Committee on Ap-
3 propriations of the House of Representatives.

4 (2) COUNTRY OF CONCERN.—The term “coun-
5 try of concern” has the meaning given that term in
6 section 1(m)(1) of the State Department Basic Au-
7 thorities Act of 1956 (22 U.S.C. 2651a(m)(1)).

8 (b) ASSESSMENT.—The Director of National Intel-
9 ligence, in coordination with such other heads of the ele-
10 ments of the intelligence community as the Director con-
11 siders appropriate and the Secretary of Defense, shall con-
12 duct an assessment of the threat posed to United States
13 ports by cranes manufactured by countries of concern and
14 commercial entities of those countries, including the
15 Shanghai Zhenhua Heavy Industries Co. (ZPMC).

16 (c) REPORT AND BRIEFING.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Di-
19 rector of National Intelligence shall submit a report
20 and provide a briefing to the appropriate committees
21 of Congress on the findings of the assessment re-
22 quired by subsection (b).

23 (2) ELEMENTS.—The report and briefing re-
24 quired by paragraph (1) shall outline the potential
25 for the cranes described in subsection (b) to collect

1 intelligence, disrupt operations at United States
2 ports, and impact the national security of the United
3 States.

4 (3) FORM OF REPORT.—The report required by
5 paragraph (1) shall be submitted in unclassified
6 form, but may include a classified annex.

7 **Subtitle B—Other Foreign** 8 **Countries**

9 **SEC. 411. REPORT ON EFFORTS TO CAPTURE AND DETAIN** 10 **UNITED STATES CITIZENS AS HOSTAGES.**

11 (a) DEFINITION OF APPROPRIATE COMMITTEES OF
12 CONGRESS.—In this section, the term “appropriate com-
13 mittees of Congress” means—

14 (1) the congressional intelligence committees;

15 (2) the Committee on Foreign Relations, the
16 Committee on the Judiciary, and the Subcommittee
17 on Defense of the Committee on Appropriations of
18 the Senate; and

19 (3) the Committee on Foreign Affairs, the
20 Committee on the Judiciary, and the Subcommittee
21 on Defense of the Committee on Appropriations of
22 the House of Representatives.

23 (b) IN GENERAL.—Not later than 120 days after the
24 date of the enactment of this Act, the Director of National
25 Intelligence shall submit to the appropriate committees of

1 Congress a report on efforts by the Maduro regime in Ven-
2 ezuela to detain United States citizens and lawful perma-
3 nent residents.

4 (c) ELEMENTS.—The report required by subsection
5 (b) shall include, regarding the arrest, capture, detain-
6 ment, or imprisonment of United States citizens and law-
7 ful permanent residents, the following:

8 (1) The names, positions, and institutional af-
9 filiation of Venezuelan individuals, or those acting
10 on their behalf, who have engaged in such activities.

11 (2) A description of any role played by
12 transnational criminal organizations, and an identi-
13 fication of such organizations.

14 (3) Where relevant, an assessment of whether
15 and how United States citizens and lawful perma-
16 nent residents have been lured to Venezuela.

17 (4) An analysis of the motive for the arrest,
18 capture, detainment, or imprisonment of United
19 States citizens and lawful permanent residents.

20 (5) The total number of United States citizens
21 and lawful permanent residents detained or impris-
22 oned in Venezuela as of the date on which the report
23 is submitted.

1 (d) FORM.—The report required by subsection (b)
2 shall be submitted in unclassified form, but may include
3 a classified annex.

4 **SEC. 412. SENSE OF CONGRESS ON PRIORITY OF FENTANYL**
5 **IN NATIONAL INTELLIGENCE PRIORITIES**
6 **FRAMEWORK.**

7 It is the sense of Congress that the trafficking of il-
8 licit fentanyl, including precursor chemicals and manufac-
9 turing equipment associated with illicit fentanyl produc-
10 tion and organizations that traffic or finance the traf-
11 ficking of illicit fentanyl, originating from the People's Re-
12 public of China and Mexico should be among the highest
13 priorities in the National Intelligence Priorities Frame-
14 work of the Office of the Director of National Intelligence.

1 **TITLE V—MATTERS PERTAINING**
2 **TO UNITED STATES ECO-**
3 **NOMIC AND EMERGING TECH-**
4 **NOLOGY COMPETITION WITH**
5 **UNITED STATES ADVER-**
6 **SARIES**

7 **Subtitle A—General Matters**

8 **SEC. 501. ASSIGNMENT OF DETAILEES FROM INTEL-**
9 **LIGENCE COMMUNITY TO DEPARTMENT OF**
10 **COMMERCE.**

11 (a) **AUTHORITY.**—In order to better facilitate the
12 sharing of actionable intelligence on foreign adversary in-
13 tent, capabilities, threats, and operations that pose a
14 threat to the interests or security of the United States,
15 particularly as they relate to the procurement, develop-
16 ment, and use of dual-use and emerging technologies, the
17 Director of National Intelligence may assign or facilitate
18 the assignment of members from across the intelligence
19 community to serve as detailees to the Bureau of Industry
20 and Security of the Department of Commerce.

21 (b) **ASSIGNMENT.**—Detailees assigned pursuant to
22 subsection (a) shall be drawn from such elements of the
23 intelligence community as the Director considers appro-
24 priate, in consultation with the Secretary of Commerce.

1 (c) EXPERTISE.—The Director shall ensure that
2 detailees assigned pursuant to subsection (a) have subject
3 matter expertise on countries of concern, including China,
4 Iran, North Korea, and Russia, as well as functional areas
5 such as illicit procurement, counterproliferation, emerging
6 and foundational technology, economic and financial intel-
7 ligence, information and communications technology sys-
8 tems, supply chain vulnerability, and counterintelligence.

9 (d) DUTY CREDIT.—The detail of an employee of the
10 intelligence community to the Department of Commerce
11 under subsection (a) shall be without interruption or loss
12 of civil service status or privilege.

13 **Subtitle B—Next-generation En-**
14 **ergy, Biotechnology, and Artifi-**
15 **cial Intelligence**

16 **SEC. 511. EXPANDED ANNUAL ASSESSMENT OF ECONOMIC**
17 **AND TECHNOLOGICAL CAPABILITIES OF THE**
18 **PEOPLE’S REPUBLIC OF CHINA.**

19 Section 6503(c)(3) of the Intelligence Authorization
20 Act for Fiscal Year 2023 (Public Law 117–263) is amend-
21 ed by adding at the end the following:

22 “(I) A detailed assessment, prepared in
23 consultation with all elements of the working
24 group—

1 “(i) of the investments made by the
2 People’s Republic of China in—
3 “(I) artificial intelligence;
4 “(II) next-generation energy
5 technologies, especially small modular
6 reactors and advanced batteries; and
7 “(III) biotechnology; and
8 “(ii) that identifies—
9 “(I) competitive practices of the
10 People’s Republic of China relating to
11 the technologies described in clause
12 (i);
13 “(II) opportunities to counter the
14 practices described in subclause (I);
15 “(III) countries the People’s Re-
16 public of China is targeting for ex-
17 ports of civil nuclear technology;
18 “(IV) countries best positioned to
19 utilize civil nuclear technologies from
20 the United States in order to facilitate
21 the commercial export of those tech-
22 nologies;
23 “(V) United States vulnerabilities
24 in the supply chain of these tech-
25 nologies; and

1 “(VI) opportunities to counter
2 the export by the People’s Republic of
3 China of civil nuclear technologies
4 globally.

5 “(J) An identification and assessment of
6 any unmet resource or authority needs of the
7 working group that affect the ability of the
8 working group to carry out this section.”.

9 **SEC. 512. ASSESSMENT OF USING CIVIL NUCLEAR ENERGY**
10 **FOR INTELLIGENCE COMMUNITY CAPABILI-**
11 **TIES.**

12 (a) **ASSESSMENT REQUIRED.**—The Director of Na-
13 tional Intelligence shall, in consultation with the heads of
14 such other elements of the intelligence community as the
15 Director considers appropriate, conduct an assessment of
16 capabilities identified by the Intelligence Community Con-
17 tinuity Program established pursuant to section E(3) of
18 Intelligence Community Directive 118, or any successor
19 directive, or such other intelligence community facilities
20 or intelligence community capabilities as may be deter-
21 mined by the Director to be critical to United States na-
22 tional security, that have unique energy needs—

23 (1) to ascertain the feasibility and advisability
24 of using civil nuclear reactors to meet such needs;
25 and

1 (2) to identify such additional resources, tech-
2 nologies, infrastructure, or authorities needed, or
3 other potential obstacles, to commence use of a nu-
4 clear reactor to meet such needs.

5 (b) REPORT.—Not later than 180 days after the date
6 of the enactment of this Act, the Director shall submit
7 to the congressional intelligence committees, the Com-
8 mittee on Homeland Security and Governmental Affairs
9 and the Committee on Appropriations of the Senate, and
10 the Committee on Oversight and Accountability and the
11 Committee on Appropriations of the House of Representa-
12 tives a report, which may be in classified form, on the find-
13 ings of the Director with respect to the assessment con-
14 ducted pursuant to subsection (a).

15 **SEC. 513. POLICIES ESTABLISHED BY DIRECTOR OF NA-**
16 **TIONAL INTELLIGENCE FOR ARTIFICIAL IN-**
17 **TELLIGENCE CAPABILITIES.**

18 (a) IN GENERAL.—Section 6702 of the Intelligence
19 Authorization Act for Fiscal Year 2023 (50 U.S.C.
20 3334m) is amended—

21 (1) in subsection (a), in the matter preceding
22 paragraph (1), by striking “subsection (b)” and in-
23 serting “subsection (c)”;

24 (2) by redesignating subsection (b) as sub-
25 section (c); and

1 (3) by inserting after subsection (a) the fol-
2 lowing:

3 “(b) POLICIES.—

4 “(1) IN GENERAL.—In carrying out subsection
5 (a)(1), not later than 1 year after the date of the
6 enactment of the Intelligence Authorization Act for
7 Fiscal Year 2024, the Director of National Intel-
8 ligence, in consultation with the heads of the ele-
9 ments of the intelligence community, the Director of
10 the Office of Management and Budget, and such
11 other officials as the Director of National Intel-
12 ligence determines appropriate, shall establish the
13 policies described in paragraph (2).

14 “(2) POLICIES DESCRIBED.—The policies de-
15 scribed in this paragraph are policies for the acquisi-
16 tion, adoption, development, use, coordination, and
17 maintenance of artificial intelligence capabilities
18 that—

19 “(A) establish a lexicon relating to the use
20 of machine learning and artificial intelligence
21 developed or acquired by elements of the intel-
22 ligence community;

23 “(B) establish guidelines for evaluating the
24 performance of models developed or acquired by

1 elements of the intelligence community, such as
2 by—

3 “(i) specifying conditions for the con-
4 tinuous monitoring of artificial intelligence
5 capabilities for performance, including the
6 conditions for retraining or retiring models
7 based on performance;

8 “(ii) documenting performance objec-
9 tives, including specifying how performance
10 objectives shall be developed and contrac-
11 tually enforced for capabilities procured
12 from third parties;

13 “(iii) specifying the manner in which
14 models should be audited, as necessary, in-
15 cluding the types of documentation that
16 should be provided to any auditor; and

17 “(iv) specifying conditions under
18 which models used by elements of the intel-
19 ligence community should be subject to
20 testing and evaluation for vulnerabilities to
21 techniques meant to undermine the avail-
22 ability, integrity, or privacy of an artificial
23 intelligence capability;

24 “(C) establish guidelines for tracking de-
25 pendencies in adjacent systems, capabilities, or

1 processes impacted by the retraining or
2 sunseting of any model described in subpara-
3 graph (B);

4 “(D) establish documentation requirements
5 for capabilities procured from third parties,
6 aligning such requirements, as necessary, with
7 existing documentation requirements applicable
8 to capabilities developed by elements of the in-
9 telligence community;

10 “(E) establish standards for the docu-
11 mentation of imputed, augmented, or synthetic
12 data used to train any model developed, pro-
13 cured, or used by an element of the intelligence
14 community; and

15 “(F) provide guidance on the acquisition
16 and usage of models that have previously been
17 trained by a third party for subsequent modi-
18 fication and usage by such an element.

19 “(3) POLICY REVIEW AND REVISION.—The Di-
20 rector of National Intelligence shall periodically re-
21 view and revise each policy established under para-
22 graph (1).”.

23 (b) CONFORMING AMENDMENT.—Section 6712(b)(1)
24 of such Act (50 U.S.C. 3024 note) is amended by striking
25 “section 6702(b)” and inserting “section 6702(c)”.

1 **TITLE VI—WHISTLEBLOWER**
2 **MATTERS**

3 **SEC. 601. SUBMITTAL TO CONGRESS OF COMPLAINTS AND**
4 **INFORMATION BY WHISTLEBLOWERS IN THE**
5 **INTELLIGENCE COMMUNITY.**

6 (a) AMENDMENTS TO CHAPTER 4 OF TITLE 5.—

7 (1) APPOINTMENT OF SECURITY OFFICERS.—

8 Section 416 of title 5, United States Code, is
9 amended by adding at the end the following:

10 “(i) APPOINTMENT OF SECURITY OFFICERS.—Each
11 Inspector General under this section, including the des-
12 ignees of the Inspector General of the Department of De-
13 fense pursuant to subsection (b)(3), shall appoint within
14 their offices security officers to provide, on a permanent
15 basis, confidential, security-related guidance and direction
16 to employees and contractors described in subsection
17 (b)(1) who intend to report to Congress complaints or in-
18 formation, so that such employees and contractors can ob-
19 tain direction on how to report to Congress in accordance
20 with appropriate security practices.”.

21 (2) PROCEDURES.—Subsection (e) of such sec-
22 tion is amended—

23 (A) in paragraph (1), by inserting “or any
24 other committee of jurisdiction of the Senate or

1 the House of Representatives” after “either or
2 both of the intelligence committees”;

3 (B) by amending paragraph (2) to read as
4 follows:

5 “(2) LIMITATION.—

6 “(A) IN GENERAL.—Except as provided in
7 subparagraph (B), the employee may contact an
8 intelligence committee or another committee of
9 jurisdiction directly as described in paragraph
10 (1) of this subsection or in subsection (b)(4)
11 only if the employee—

12 “(i) before making such a contact,
13 furnishes to the head of the establishment,
14 through the Inspector General (or des-
15 ignee), a statement of the employee’s com-
16 plaint or information and notice of the em-
17 ployee’s intent to contact an intelligence
18 committee or another committee of juris-
19 diction of the Senate or the House of Rep-
20 resentatives directly; and

21 “(ii)(I) obtains and follows, from the
22 head of the establishment, through the In-
23 spector General (or designee), procedural
24 direction on how to contact an intelligence
25 committee or another committee of juris-

1 diction of the Senate or the House of Rep-
2 resentatives in accordance with appropriate
3 security practices; or

4 “(II) obtains and follows such proce-
5 dural direction from the applicable security
6 officer appointed under subsection (i).

7 “(B) LACK OF PROCEDURAL DIRECTION.—

8 If an employee seeks procedural direction under
9 subparagraph (A)(ii) and does not receive such
10 procedural direction within 30 days, or receives
11 insufficient direction to report to Congress a
12 complaint or information, the employee may
13 contact an intelligence committee or any other
14 committee of jurisdiction of the Senate or the
15 House of Representatives directly without ob-
16 taining or following the procedural direction
17 otherwise required under such subparagraph.”;
18 and

19 (C) by redesignating paragraph (3) as
20 paragraph (4); and

21 (D) by inserting after paragraph (2) the
22 following:

23 “(3) COMMITTEE MEMBERS AND STAFF.—An
24 employee of an element of the intelligence commu-
25 nity who intends to report to Congress a complaint

1 or information may report such complaint or infor-
2 mation to the Chairman and Vice Chairman or
3 Ranking Member, as the case may be, of an intel-
4 ligence committee or another committee of jurisdic-
5 tion of the Senate or the House of Representatives,
6 a nonpartisan member of the committee staff des-
7 ignated for purposes of receiving complaints or in-
8 formation under this section, or a member of the
9 majority staff and a member of the minority staff of
10 the committee.”.

11 (3) CLARIFICATION OF RIGHT TO REPORT DI-
12 RECTLY TO CONGRESS.—Subsection (b) of such sec-
13 tion is amended by adding at the end the following:

14 “(4) CLARIFICATION OF RIGHT TO REPORT DI-
15 RECTLY TO CONGRESS.—Subject to paragraphs (2)
16 and (3) of subsection (e), an employee of an element
17 of the intelligence community who intends to report
18 to Congress a complaint or information may report
19 such complaint or information directly to Con-
20 gress.”.

21 (b) AMENDMENTS TO NATIONAL SECURITY ACT OF
22 1947.—

23 (1) APPOINTMENT OF SECURITY OFFICERS.—
24 Section 103H(j) of the National Security Act of

1 1947 (50 U.S.C. 3033(j)) is amended by adding at
2 the end the following:

3 “(5) The Inspector General shall appoint within
4 the Office of the Inspector General security officers
5 as required by section 416(i) of title 5, United
6 States Code.”.

7 (2) PROCEDURES.—Subparagraph (D) of sec-
8 tion 103H(k)(5) of such Act (50 U.S.C. 3033(k)(5))
9 is amended—

10 (A) in clause (i), by inserting “or any
11 other committee of jurisdiction of the Senate or
12 the House of Representatives” after “either or
13 both of the congressional intelligence commit-
14 tees”;

15 (B) by amending clause (ii) to read as fol-
16 lows:

17 “(ii)(I) Except as provided in subclause (II), an
18 employee may contact a congressional intelligence
19 committee or another committee of jurisdiction di-
20 rectly as described in clause (i) only if the em-
21 ployee—

22 “(aa) before making such a contact, fur-
23 nishes to the Director, through the Inspector
24 General, a statement of the employee’s com-
25 plaint or information and notice of the employ-

1 ee’s intent to contact a congressional intel-
2 ligence committee or another committee of ju-
3 risdiction of the Senate or the House of Rep-
4 resentatives directly; and

5 “(bb)(AA) obtains and follows, from the
6 Director, through the Inspector General, proce-
7 dural direction on how to contact a congress-
8 sional intelligence committee or another com-
9 mittee of jurisdiction of the Senate or the
10 House of Representatives in accordance with
11 appropriate security practices; or

12 “(BB) obtains and follows such procedural
13 direction from the applicable security officer ap-
14 pointed under section 416(i) of title 5, United
15 States Code.

16 “(II) If an employee seeks procedural di-
17 rection under subclause (I)(bb) and does not re-
18 ceive such procedural direction within 30 days,
19 or receives insufficient direction to report to
20 Congress a complaint or information, the em-
21 ployee may contact a congressional intelligence
22 committee or any other committee of jurisdic-
23 tion of the Senate or the House of Representa-
24 tives directly without obtaining or following the

1 procedural direction otherwise required under
2 such subclause.”;

3 (C) by redesignating clause (iii) as clause
4 (iv); and

5 (D) by inserting after clause (ii) the fol-
6 lowing:

7 “(iii) An employee of an element of the intel-
8 ligence community who intends to report to Con-
9 gress a complaint or information may report such
10 complaint or information to the Chairman and Vice
11 Chairman or Ranking Member, as the case may be,
12 of a congressional intelligence committee or another
13 committee of jurisdiction of the Senate or the House
14 of Representatives, a nonpartisan member of the
15 committee staff designated for purposes of receiving
16 complaints or information under this section, or a
17 member of the majority staff and a member of the
18 minority staff of the committee.”.

19 (3) CLARIFICATION OF RIGHT TO REPORT DI-
20 RECTLY TO CONGRESS.—Subparagraph (A) of such
21 section is amended—

22 (A) by inserting “(i)” before “An employee
23 of”; and

24 (B) by adding at the end the following:

1 “(ii) Subject to clauses (ii) and (iii) of subpara-
2 graph (D), an employee of an element of the intel-
3 ligence community who intends to report to Con-
4 gress a complaint or information may report such
5 complaint or information directly to Congress, re-
6 gardless of whether the complaint or information is
7 with respect to an urgent concern—

8 “(I) in lieu of reporting such complaint or
9 information under clause (i); or

10 “(II) in addition to reporting such com-
11 plaint or information under clause (i).”.

12 (c) AMENDMENTS TO THE CENTRAL INTELLIGENCE
13 AGENCY ACT OF 1949.—

14 (1) APPOINTMENT OF SECURITY OFFICERS.—

15 Section 17(d)(5) of the Central Intelligence Agency
16 Act of 1949 (50 U.S.C. 3517(d)(5)) is amended by
17 adding at the end the following:

18 “(I) The Inspector General shall appoint within the
19 Office of the Inspector General security officers as re-
20 quired by section 416(i) of title 5, United States Code.”.

21 (2) PROCEDURES.—Subparagraph (D) of such
22 section is amended—

23 (A) in clause (i), by inserting “or any
24 other committee of jurisdiction of the Senate or

1 the House of Representatives” after “either or
2 both of the intelligence committees”;

3 (B) by amending clause (ii) to read as fol-
4 lows:

5 “(ii)(I) Except as provided in subclause (II), an em-
6 ployee may contact an intelligence committee or another
7 committee of jurisdiction directly as described in clause
8 (i) only if the employee—

9 “(aa) before making such a contact, furnishes
10 to the Director, through the Inspector General, a
11 statement of the employee’s complaint or informa-
12 tion and notice of the employee’s intent to contact
13 an intelligence committee or another committee of
14 jurisdiction of the Senate or the House of Rep-
15 resentatives directly; and

16 “(bb)(AA) obtains and follows, from the Direc-
17 tor, through the Inspector General, procedural direc-
18 tion on how to contact an intelligence committee or
19 another committee of jurisdiction of the Senate or
20 the House of Representatives in accordance with ap-
21 propriate security practices; or

22 “(BB) obtains and follows such procedural di-
23 rection from the applicable security officer appointed
24 under section 416(i) of title 5, United States Code.

1 “(II) If an employee seeks procedural direction
2 under subclause (I)(bb) and does not receive such
3 procedural direction within 30 days, or receives in-
4 sufficient direction to report to Congress a complaint
5 or information, the employee may contact an intel-
6 ligence committee or another committee of jurisdic-
7 tion of the Senate or the House of Representatives
8 directly without obtaining or following the proce-
9 dural direction otherwise required under such sub-
10 clause.”;

11 (C) by redesignating clause (iii) as clause
12 (iv); and

13 (D) by inserting after clause (ii) the fol-
14 lowing:

15 “(iii) An employee of the Agency who intends to re-
16 port to Congress a complaint or information may report
17 such complaint or information to the Chairman and Vice
18 Chairman or Ranking Member, as the case may be, of an
19 intelligence committee or another committee of jurisdic-
20 tion of the Senate or the House of Representatives, a non-
21 partisan member of the committee staff designated for
22 purposes of receiving complaints or information under this
23 section, or a member of the majority staff and a member
24 of the minority staff of the committee.”.

1 (3) CLARIFICATION OF RIGHT TO REPORT DI-
2 RECTLY TO CONGRESS.—Subparagraph (A) of such
3 section is amended—

4 (A) by inserting “(i)” before “An employee
5 of”; and

6 (B) by adding at the end the following:

7 “(ii) Subject to clauses (ii) and (iii) of subparagraph
8 (D), an employee of the Agency who intends to report to
9 Congress a complaint or information may report such
10 complaint or information directly to Congress, regardless
11 of whether the complaint or information is with respect
12 to an urgent concern—

13 “(I) in lieu of reporting such complaint or in-
14 formation under clause (i); or

15 “(II) in addition to reporting such complaint or
16 information under clause (i).”.

17 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion or an amendment made by this section shall be con-
19 strued to revoke or diminish any right of an individual
20 provided by section 2303 of title 5, United States Code.

1 **SEC. 602. PROHIBITION AGAINST DISCLOSURE OF WHIS-**
2 **TLEBLOWER IDENTITY AS REPRISAL**
3 **AGAINST WHISTLEBLOWER DISCLOSURE BY**
4 **EMPLOYEES AND CONTRACTORS IN INTEL-**
5 **LIGENCE COMMUNITY.**

6 (a) IN GENERAL.—Section 1104 of the National Se-
7 curity Act of 1947 (50 U.S.C. 3234) is amended—

8 (1) in subsection (a)(3) of such section—

9 (A) in subparagraph (I), by striking “; or”
10 and inserting a semicolon;

11 (B) by redesignating subparagraph (J) as
12 subparagraph (K); and

13 (C) by inserting after subparagraph (I) the
14 following:

15 “(J) a knowing and willful disclosure re-
16 vealing the identity or other personally identifi-
17 able information of an employee or contractor
18 employee so as to identify the employee or con-
19 tractor employee as an employee or contractor
20 employee who has made a lawful disclosure de-
21 scribed in subsection (b) or (c); or”;

22 (2) by redesignating subsections (f) and (g) as
23 subsections (g) and (h), respectively; and

24 (3) by inserting after subsection (e) the fol-
25 lowing:

1 “(f) PERSONNEL ACTIONS INVOLVING DISCLOSURE
2 OF WHISTLEBLOWER IDENTITY.—A personnel action de-
3 scribed in subsection (a)(3)(J) shall not be considered to
4 be in violation of subsection (b) or (c) under the following
5 circumstances:

6 “(1) The personnel action was taken with the
7 express consent of the employee or contractor em-
8 ployee.

9 “(2) An Inspector General with oversight re-
10 sponsibility for a covered intelligence community ele-
11 ment determines that—

12 “(A) the personnel action was unavoidable
13 under section 103H(g)(3)(A) of this Act (50
14 U.S.C. 3033(g)(3)(A)), section 17(e)(3)(A) of
15 the Central Intelligence Agency Act of 1949 (50
16 U.S.C. 3517(e)(3)(A)), section 407(b) of title 5,
17 United States Code, or section 420(b)(2)(B) of
18 such title;

19 “(B) the personnel action was made to an
20 official of the Department of Justice responsible
21 for determining whether a prosecution should
22 be undertaken; or

23 “(C) the personnel action was required by
24 statute or an order from a court of competent
25 jurisdiction.”.

1 (b) APPLICABILITY TO DETAILEES.—Subsection (a)
2 of section 1104 of such Act (50 U.S.C. 3234) is amended
3 by adding at the end the following:

4 “(5) EMPLOYEE.—The term ‘employee’, with
5 respect to an agency or a covered intelligence com-
6 munity element, includes an individual who has been
7 detailed to such agency or covered intelligence com-
8 munity element.”.

9 (c) HARMONIZATION OF ENFORCEMENT.—Sub-
10 section (g) of such section, as redesignated by subsection
11 (a)(2) of this section, is amended to read as follows:

12 “(g) ENFORCEMENT.—

13 “(1) IN GENERAL.—Except as otherwise pro-
14 vided in this subsection, the President shall provide
15 for the enforcement of this section.

16 “(2) HARMONIZATION WITH OTHER ENFORCE-
17 MENT.—To the fullest extent possible, the President
18 shall provide for enforcement of this section in a
19 manner that is consistent with the enforcement of
20 section 2302(b)(8) of title 5, United States Code, es-
21 pecially with respect to policies and procedures used
22 to adjudicate alleged violations of such section.”.

1 **SEC. 603. ESTABLISHING PROCESS PARITY FOR ADVERSE**
2 **SECURITY CLEARANCE AND ACCESS DETER-**
3 **MINATIONS.**

4 Subparagraph (C) of section 3001(j)(4) of the Intel-
5 ligence Reform and Terrorism Prevention Act of 2004 (50
6 U.S.C. 3341(j)(4)) is amended to read as follows:

7 “(C) CONTRIBUTING FACTOR.—

8 “(i) IN GENERAL.—Subject to clause
9 (iii), in determining whether the adverse
10 security clearance or access determination
11 violated paragraph (1), the agency shall
12 find that paragraph (1) was violated if the
13 individual has demonstrated that a disclo-
14 sure described in paragraph (1) was a con-
15 tributing factor in the adverse security
16 clearance or access determination taken
17 against the individual.

18 “(ii) CIRCUMSTANTIAL EVIDENCE.—

19 An individual under clause (i) may dem-
20 onstrate that the disclosure was a contrib-
21 uting factor in the adverse security clear-
22 ance or access determination taken against
23 the individual through circumstantial evi-
24 dence, such as evidence that—

1 “(I) the official making the de-
2 termination knew of the disclosure;
3 and

4 “(II) the determination occurred
5 within a period such that a reasonable
6 person could conclude that the disclo-
7 sure was a contributing factor in the
8 determination.

9 “(iii) DEFENSE.—In determining
10 whether the adverse security clearance or
11 access determination violated paragraph
12 (1), the agency shall not find that para-
13 graph (1) was violated if, after a finding
14 that a disclosure was a contributing factor,
15 the agency demonstrates by clear and con-
16 vincing evidence that it would have made
17 the same security clearance or access de-
18 termination in the absence of such disclo-
19 sure.”.

20 **SEC. 604. ELIMINATION OF CAP ON COMPENSATORY DAM-**
21 **AGES FOR RETALIATORY REVOCATION OF SE-**
22 **CURITY CLEARANCES AND ACCESS DETER-**
23 **MINATIONS.**

24 Section 3001(j)(4)(B) of the Intelligence Reform and
25 Terrorism Prevention Act of 2004 (50 U.S.C.

1 3341(j)(4)(B)) is amended, in the second sentence, by
2 striking “not to exceed \$300,000”.

3 **SEC. 605. MODIFICATION AND REPEAL OF REPORTING RE-**
4 **QUIREMENTS.**

5 (a) MODIFICATION OF FREQUENCY OF WHISTLE-
6 BLOWER NOTIFICATIONS TO INSPECTOR GENERAL OF
7 THE INTELLIGENCE COMMUNITY.—Section 5334(a) of the
8 Damon Paul Nelson and Matthew Young Pollard Intel-
9 ligence Authorization Act for Fiscal Years 2018, 2019,
10 and 2020 (Public Law 116–92; 50 U.S.C. 3033 note) is
11 amended by striking “in real time” and inserting “month-
12 ly”.

13 (b) REPEAL OF REQUIREMENT FOR INSPECTORS
14 GENERAL REVIEWS OF ENHANCED PERSONNEL SECU-
15 RITY PROGRAMS.—

16 (1) IN GENERAL.—Section 11001 of title 5,
17 United States Code, is amended—

18 (A) by striking subsection (d); and

19 (B) by redesignating subsection (e) as sub-
20 section (d).

21 (2) TECHNICAL CORRECTIONS.—Subsection (d)
22 of section 11001 of such title, as redesignated by
23 paragraph (1)(B), is amended—

24 (A) in paragraph (3), by adding “and”
25 after the semicolon at the end; and

1 (B) in paragraph (4), by striking “; and”
2 and inserting a period.

3 **TITLE VII—CLASSIFICATION**
4 **REFORM**
5 **Subtitle A—Classification Reform**
6 **Act of 2023**

7 **SEC. 701. SHORT TITLE.**

8 This subtitle may be cited as the “Classification Re-
9 form Act of 2023”.

10 **SEC. 702. DEFINITIONS.**

11 In this subtitle:

12 (1) AGENCY.—The term “agency” means any
13 Executive agency as defined in section 105 of title
14 5, United States Code, any military department as
15 defined in section 102 of such title, and any other
16 entity in the executive branch of the Federal Gov-
17 ernment that comes into the possession of classified
18 information.

19 (2) CLASSIFY, CLASSIFIED, CLASSIFICATION.—
20 The terms “classify”, “classified”, and “classifica-
21 tion” refer to the process by which information is
22 determined to require protection from unauthorized
23 disclosure pursuant to Executive Order 13526 (50
24 U.S.C. 3161 note; relating to classified national se-
25 curity information), or previous and successor execu-

1 tive orders or similar directives, or section 703 in
2 order to protect the national security of the United
3 States.

4 (3) CLASSIFIED INFORMATION.—The term
5 “classified information” means information that has
6 been classified under Executive Order 13526 (50
7 U.S.C. 3161 note; relating to classified national se-
8 curity information), or previous and successor execu-
9 tive orders or similar directives, or section 703.

10 (4) DECLASSIFY, DECLASSIFIED, DECLAS-
11 SIFICATION.—The terms “declassify”, “declassified”,
12 and “declassification” refer to the process by which
13 information that has been classified is determined to
14 no longer require protection from unauthorized dis-
15 closure pursuant to Executive Order 13526 (50
16 U.S.C. 3161 note; relating to classified national se-
17 curity information), or previous and successor execu-
18 tive orders or similar directives, or section 703.

19 (5) INFORMATION.—The term “information”
20 means any knowledge that can be communicated, or
21 documentary material, regardless of its physical
22 form or characteristics, that is owned by, is pro-
23 duced by or for, or is under the control of the
24 United States Government.

1 **SEC. 703. CLASSIFICATION AND DECLASSIFICATION OF IN-**
2 **FORMATION.**

3 (a) IN GENERAL.—The President may, in accordance
4 with this section, protect from unauthorized disclosure any
5 information owned by, produced by or for, or under the
6 control of the executive branch of the Federal Government
7 when there is a demonstrable need to do so in order to
8 protect the national security of the United States.

9 (b) ESTABLISHMENT OF STANDARDS AND PROCE-
10 DURES FOR CLASSIFICATION AND DECLASSIFICATION.—

11 (1) GOVERNMENTWIDE PROCEDURES.—

12 (A) CLASSIFICATION.—The President
13 shall, to the extent necessary, establish cat-
14 egories of information that may be classified
15 and procedures for classifying information
16 under subsection (a).

17 (B) DECLASSIFICATION.—At the same
18 time the President establishes categories and
19 procedures under subparagraph (A), the Presi-
20 dent shall establish procedures for declassifying
21 information that was previously classified.

22 (C) MINIMUM REQUIREMENTS.—The pro-
23 cedures established pursuant to subparagraphs
24 (A) and (B) shall—

25 (i) provide that information may be
26 classified under this section, and may re-

1 main classified under this section, only if
2 the harm to national security that might
3 reasonably be expected from disclosure of
4 such information outweighs the public in-
5 terest in disclosure of such information;

6 (ii) establish standards and criteria
7 for the classification of information;

8 (iii) establish standards, criteria, and
9 timelines for the declassification of infor-
10 mation classified under this section;

11 (iv) provide for the automatic declas-
12 sification of classified records with perma-
13 nent historical value;

14 (v) provide for the timely review of
15 materials submitted for pre-publication;

16 (vi) narrow the criteria for classifica-
17 tion set forth under section 1.4 of Execu-
18 tive Order 13526 (50 U.S.C. 3161 note;
19 relating to classified national security in-
20 formation), as in effect on the day before
21 the date of the enactment of this Act;

22 (vii) narrow the exemptions from
23 automatic declassification set forth under
24 section 3.3(b) of Executive Order 13526
25 (50 U.S.C. 3161 note; relating to classified

1 national security information), as in effect
2 on the day before the date of the enact-
3 ment of this Act;

4 (viii) provide a clear and specific defi-
5 nition of “harm to national security” as it
6 pertains to clause (i); and

7 (ix) provide a clear and specific defini-
8 tion of “intelligence sources and methods”
9 as it pertains to the categories and proce-
10 dures under subparagraph (A).

11 (2) AGENCY STANDARDS AND PROCEDURES.—

12 (A) IN GENERAL.—The head of each agen-
13 cy shall establish a single set of consolidated
14 standards and procedures to permit such agen-
15 cy to classify and declassify information created
16 by such agency in accordance with the cat-
17 egories and procedures established by the Presi-
18 dent under this section and otherwise to carry
19 out this section.

20 (B) SUBMITTAL TO CONGRESS.—Each
21 agency head shall submit to Congress the
22 standards and procedures established by such
23 agency head under subparagraph (A).

1 (c) CONFORMING AMENDMENT TO FOIA.—Section
2 552(b)(1) of title 5, United States Code, is amended to
3 read as follows:

4 “(1)(A) specifically authorized to be classified
5 under section 703 of the Intelligence Authorization
6 Act for Fiscal Year 2024, or specifically authorized
7 under criteria established by an Executive order to
8 be kept secret in the interest of national security;
9 and

10 “(B) are in fact properly classified pursuant to
11 that section or Executive order;”.

12 (d) EFFECTIVE DATE.—

13 (1) IN GENERAL.—Subsections (a) and (b) shall
14 take effect on the date that is 180 days after the
15 date of the enactment of this Act.

16 (2) RELATION TO PRESIDENTIAL DIREC-
17 TIVES.—Presidential directives regarding classifying,
18 safeguarding, and declassifying national security in-
19 formation, including Executive Order 13526 (50
20 U.S.C. 3161 note; relating to classified national se-
21 curity information), or successor order, in effect on
22 the day before the date of the enactment of this Act,
23 as well as procedures issued pursuant to such Presi-
24 dential directives, shall remain in effect until super-

1 seded by procedures issues pursuant to subsection
2 (b).

3 **SEC. 704. TRANSPARENCY OFFICERS.**

4 (a) DESIGNATION.—The Attorney General, the Sec-
5 retary of Defense, the Secretary of State, the Secretary
6 of the Treasury, the Secretary of Health and Human
7 Services, the Secretary of Homeland Security, the Direc-
8 tor of National Intelligence, the Director of the Central
9 Intelligence Agency, the Director of the National Security
10 Agency, the Director of the Federal Bureau of Investiga-
11 tion, and the head of any other department, agency, or
12 element of the executive branch of the Federal Govern-
13 ment determined by the Privacy and Civil Liberties Over-
14 sight Board established by section 1061 of the Intelligence
15 Reform and Terrorism Prevention Act of 2004 (42 U.S.C.
16 2000ee) to be appropriate for coverage under this section,
17 shall each designate at least 1 senior officer to serve as
18 the principal advisor to assist such head of a department,
19 agency, or element and other officials of the department,
20 agency, or element of the head in identifying records of
21 significant public interest and prioritizing appropriate re-
22 view of such records in order to facilitate the public disclo-
23 sure of such records in redacted or unredacted form.

24 (b) DETERMINING PUBLIC INTEREST IN DISCLO-
25 SURE.—In assisting the head of a department, agency, or

1 element and other officials of such department, agency,
2 or element in identifying records of significant public in-
3 terest under subsection (a), the senior officer designated
4 by the head under such subsection shall consider wheth-
5 er—

6 (1) or not disclosure of the information would
7 better enable United States citizens to hold Federal
8 Government officials accountable for their actions
9 and policies;

10 (2) or not disclosure of the information would
11 assist the United States criminal justice system in
12 holding persons responsible for criminal acts or acts
13 contrary to the Constitution;

14 (3) or not disclosure of the information would
15 assist Congress or any committee or subcommittee
16 thereof, in carrying out its oversight responsibilities
17 with regard to the executive branch of the Federal
18 Government or in adequately informing itself of ex-
19 ecutive branch policies and activities in order to
20 carry out its legislative responsibilities;

21 (4) the disclosure of the information would as-
22 sist Congress or the public in understanding the in-
23 terpretation of the Federal Government of a provi-
24 sion of law, including Federal regulations, Presi-

1 dential directives, statutes, case law, and the Con-
2 stitution of the United States; or

3 (5) or not disclosure of the information would
4 bring about any other significant benefit, including
5 an increase in public awareness or understanding of
6 Government activities or an enhancement of Federal
7 Government efficiency.

8 (c) PERIODIC REPORTS.—

9 (1) IN GENERAL.—Each senior officer des-
10 ignated under subsection (a) shall periodically, but
11 not less frequently than annually, submit a report on
12 the activities of the officer, including the documents
13 determined to be in the public interest for disclosure
14 under subsection (b), to—

15 (A) the Committee on Homeland Security
16 and Governmental Affairs and the Select Com-
17 mittee on Intelligence of the Senate;

18 (B) the Committee on Oversight and Gov-
19 ernment Reform and the Permanent Select
20 Committee on Intelligence of the House of Rep-
21 resentatives; and

22 (C) the head of the department, agency, or
23 element of the senior officer.

24 (2) FORM.—Each report submitted pursuant to
25 paragraph (1) shall be submitted, to the greatest ex-

1 tent possible, in unclassified form, with a classified
2 annex as may be necessary.

3 **Subtitle B—Sensible Classification**
4 **Act of 2023**

5 **SEC. 711. SHORT TITLE.**

6 This subtitle may be cited as the “Sensible Classifica-
7 tion Act of 2023”.

8 **SEC. 712. DEFINITIONS.**

9 In this subtitle:

10 (1) AGENCY.—The term “agency” has the
11 meaning given the term “Executive agency” in sec-
12 tion 105 of title 5, United States Code.

13 (2) CLASSIFICATION.—The term “classifica-
14 tion” means the act or process by which information
15 is determined to be classified information.

16 (3) CLASSIFIED INFORMATION.—The term
17 “classified information” means information that has
18 been determined pursuant to Executive Order 12958
19 (50 U.S.C. 3161 note; relating to classified national
20 security information), or successor order, to require
21 protection against unauthorized disclosure and is
22 marked to indicate its classified status when in doc-
23 umentary form.

24 (4) DECLASSIFICATION.—The term “declas-
25 sification” means the authorized change in the sta-

1 tus of information from classified information to un-
2 classified information.

3 (5) DOCUMENT.—The term “document” means
4 any recorded information, regardless of the nature of
5 the medium or the method or circumstances of re-
6 cording.

7 (6) DOWNGRADE.—The term “downgrade”
8 means a determination by a declassification author-
9 ity that information classified and safeguarded at a
10 specified level shall be classified and safeguarded at
11 a lower level.

12 (7) INFORMATION.—The term “information”
13 means any knowledge that can be communicated or
14 documentary material, regardless of its physical
15 form or characteristics, that is owned by, is pro-
16 duced by or for, or is under the control of the
17 United States Government.

18 (8) ORIGINATE, ORIGINATING, AND ORIGI-
19 NATED.—The term “originate”, “originating”, and
20 “originated”, with respect to classified information
21 and an authority, means the authority that classified
22 the information in the first instance.

23 (9) RECORDS.—The term “records” means the
24 records of an agency and Presidential papers or
25 Presidential records, as those terms are defined in

1 title 44, United States Code, including those created
2 or maintained by a government contractor, licensee,
3 certificate holder, or grantee that are subject to the
4 sponsoring agency’s control under the terms of the
5 contract, license, certificate, or grant.

6 (10) SECURITY CLEARANCE.—The term “secu-
7 rity clearance” means an authorization to access
8 classified information.

9 (11) UNAUTHORIZED DISCLOSURE.—The term
10 “unauthorized disclosure” means a communication
11 or physical transfer of classified information to an
12 unauthorized recipient.

13 (12) UNCLASSIFIED INFORMATION.—The term
14 “unclassified information” means information that is
15 not classified information.

16 **SEC. 713. FINDINGS AND SENSE OF THE SENATE.**

17 (a) FINDINGS.—The Senate makes the following
18 findings:

19 (1) According to a report released by the Office
20 of the Director of Intelligence in 2020 titled “Fiscal
21 Year 2019 Annual Report on Security Clearance De-
22 terminations”, more than 4,000,000 individuals have
23 been granted eligibility for a security clearance.

1 (2) At least 1,300,000 of such individuals have
2 been granted access to information classified at the
3 Top Secret level.

4 (b) SENSE OF THE SENATE.—It is the sense of the
5 Senate that—

6 (1) the classification system of the Federal Gov-
7 ernment is in urgent need of reform;

8 (2) the number of people with access to classi-
9 fied information is exceedingly high and must be jus-
10 tified or reduced;

11 (3) reforms are necessary to reestablish trust
12 between the Federal Government and the people of
13 the United States; and

14 (4) classification should be limited to the min-
15 imum necessary to protect national security while
16 balancing the public's interest in disclosure.

17 **SEC. 714. CLASSIFICATION AUTHORITY.**

18 (a) IN GENERAL.—The authority to classify informa-
19 tion originally may be exercised only by—

20 (1) the President and, in the performance of ex-
21 ecutive duties, the Vice President;

22 (2) the head of an agency or an official of any
23 agency authorized by the President pursuant to a
24 designation of such authority in the Federal Reg-
25 ister; and

1 (3) an official of the Federal Government to
2 whom authority to classify information originally has
3 been delegated pursuant to subsection (c).

4 (b) SCOPE OF AUTHORITY.—An individual author-
5 ized by this section to classify information originally at
6 a specified level may also classify the information origi-
7 nally at a lower level.

8 (c) DELEGATION OF ORIGINAL CLASSIFICATION AU-
9 THORITY.—An official of the Federal Government may be
10 delegated original classification authority subject to the
11 following:

12 (1) Delegation of original classification author-
13 ity shall be limited to the minimum required to ad-
14 minister this section. Agency heads shall be respon-
15 sible for ensuring that designated subordinate offi-
16 cials have a demonstrable and continuing need to ex-
17 ercise this authority.

18 (2) Authority to originally classify information
19 at the level designated as “Top Secret” may be dele-
20 gated only by the President, in the performance of
21 executive duties, the Vice President, or an agency
22 head or official designated pursuant to subsection
23 (a)(2).

24 (3) Authority to originally classify information
25 at the level designated as “Secret” or “Confidential”

1 may be delegated only by the President, in the per-
2 formance of executive duties, the Vice President, or
3 an agency head or official designated pursuant to
4 subsection (a)(2), or the senior agency official de-
5 scribed in section 5.4(d) of Executive Order 13526
6 (50 U.S.C. 3161 note; relating to classified national
7 security information), or successor order, provided
8 that official has been delegated “Top Secret” origi-
9 nal classification authority by the agency head.

10 (4) Each delegation of original classification au-
11 thority shall be in writing and the authority shall
12 not be redelegated except as provided by paragraphs
13 (1), (2), and (3). Each delegation shall identify the
14 official by name or position title.

15 (d) TRAINING REQUIRED.—

16 (1) IN GENERAL.—An individual may not be
17 delegated original classification authority under this
18 section unless the individual has first received train-
19 ing described in paragraph (2).

20 (2) TRAINING DESCRIBED.—Training described
21 in this paragraph is training on original classifica-
22 tion that includes instruction on the proper safe-
23 guarding of classified information and of the crimi-
24 nal, civil, and administrative sanctions that may be

1 brought against an individual who fails to protect
2 classified information from unauthorized disclosure.

3 (e) EXCEPTIONAL CASES.—

4 (1) IN GENERAL.—When an employee, con-
5 tractor, licensee, certificate holder, or grantee of an
6 agency who does not have original classification au-
7 thority originates information believed by that em-
8 ployee, contractor, licensee, certificate holder, or
9 grantee to require classification, the information
10 shall be protected in a manner consistent with Exec-
11 utive Order 13526 (50 U.S.C. 3161 note; relating to
12 classified national security information), or successor
13 order.

14 (2) TRANSMITTAL.—An employee, contractor,
15 licensee, certificate holder, or grantee described in
16 paragraph (1), who originates information described
17 in such paragraph, shall promptly transmit such in-
18 formation to—

19 (A) the agency that has appropriate sub-
20 ject matter interest and classification authority
21 with respect to this information; or

22 (B) if it is not clear which agency has ap-
23 propriate subject matter interest and classifica-
24 tion authority with respect to the information,

1 the Director of the Information Security Over-
2 sight Office.

3 (3) AGENCY DECISIONS.—An agency that re-
4 ceives information pursuant to paragraph (2)(A) or
5 (4) shall decide within 30 days whether to classify
6 this information.

7 (4) INFORMATION SECURITY OVERSIGHT OF-
8 FICE ACTION.—If the Director of the Information
9 Security Oversight Office receives information under
10 paragraph (2)(B), the Director shall determine the
11 agency having appropriate subject matter interest
12 and classification authority and forward the infor-
13 mation, with appropriate recommendations, to that
14 agency for a classification determination.

15 **SEC. 715. PROMOTING EFFICIENT DECLASSIFICATION RE-**
16 **VIEW.**

17 (a) IN GENERAL.—Whenever an agency is processing
18 a request pursuant to section 552 of title 5, United States
19 Code (commonly known as the “Freedom of Information
20 Act”) or the mandatory declassification review provisions
21 of Executive Order 13526 (50 U.S.C. 3161 note; relating
22 to classified national security information), or successor
23 order, and identifies responsive classified records that are
24 more than 25 years of age as of December 31 of the year
25 in which the request is received, the head of the agency

1 shall review the record and process the record for declassi-
2 fication and release by the National Declassification
3 Center of the National Archives and Records Administra-
4 tion.

5 (b) APPLICATION.—Subsection (a) shall apply—

6 (1) regardless of whether or not the record de-
7 scribed in such subsection is in the legal custody of
8 the National Archives and Records Administration;
9 and

10 (2) without regard for any other provisions of
11 law or existing agreements or practices between
12 agencies.

13 **SEC. 716. TRAINING TO PROMOTE SENSIBLE CLASSIFICA-**
14 **TION.**

15 (a) DEFINITIONS.—In this section:

16 (1) OVER-CLASSIFICATION.—The term “over-
17 classification” means classification at a level that ex-
18 ceeds the minimum level of classification that is suf-
19 ficient to protect the national security of the United
20 States.

21 (2) SENSIBLE CLASSIFICATION.—The term
22 “sensible classification” means classification at a
23 level that is the minimum level of classification that
24 is sufficient to protect the national security of the
25 United States.

1 (b) TRAINING REQUIRED.—Each head of an agency
2 with classification authority shall conduct training for em-
3 ployees of the agency with classification authority to dis-
4 courage over-classification and to promote sensible classi-
5 fication.

6 **SEC. 717. IMPROVEMENTS TO PUBLIC INTEREST DECLASSI-**
7 **SIFICATION BOARD.**

8 Section 703 of the Public Interest Declassification
9 Act of 2000 (50 U.S.C. 3355a) is amended—

10 (1) in subsection (c), by adding at the end the
11 following:

12 “(5) A member of the Board whose term has expired
13 may continue to serve until a successor is appointed and
14 sworn in.”; and

15 (2) in subsection (f)—

16 (A) by inserting “(1)” before “Any em-
17 ployee”; and

18 (B) by adding at the end the following:

19 “(2)(A) In addition to any employees detailed to the
20 Board under paragraph (1), the Board may hire not more
21 than 12 staff members.

22 “(B) There are authorized to be appropriated to
23 carry out subparagraph (A) such sums as are necessary
24 for fiscal year 2024 and each fiscal year thereafter.”.

1 **SEC. 718. IMPLEMENTATION OF TECHNOLOGY FOR CLASSI-**
2 **FICATION AND DECLASSIFICATION.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of the enactment of this Act, the Administrator of
5 the Office of Electronic Government (in this section re-
6 ferred to as the “Administrator”) shall, in consultation
7 with the Secretary of Defense, the Director of the Central
8 Intelligence Agency, the Director of National Intelligence,
9 the Public Interest Declassification Board, the Director of
10 the Information Security Oversight Office, and the head
11 of the National Declassification Center of the National Ar-
12 chives and Records Administration—

13 (1) research a technology-based solution—

14 (A) utilizing machine learning and artifi-
15 cial intelligence to support efficient and effec-
16 tive systems for classification and declassifica-
17 tion; and

18 (B) to be implemented on an interoperable
19 and federated basis across the Federal Govern-
20 ment; and

21 (2) submit to the President a recommendation
22 regarding a technology-based solution described in
23 paragraph (1) that should be adopted by the Federal
24 Government.

25 (b) STAFF.—The Administrator may hire sufficient
26 staff to carry out subsection (a).

1 (c) REPORT.—Not later than 540 days after the date
2 of the enactment of this Act, the President shall submit
3 to Congress a classified report on the technology-based so-
4 lution recommended by the Administrator under sub-
5 section (a)(2) and the President’s decision regarding its
6 adoption.

7 **SEC. 719. STUDIES AND RECOMMENDATIONS ON NECES-**
8 **SITY OF SECURITY CLEARANCES.**

9 (a) AGENCY STUDIES ON NECESSITY OF SECURITY
10 CLEARANCES.—

11 (1) STUDIES REQUIRED.—The head of each
12 agency that grants security clearances to personnel
13 of such agency shall conduct a study on the neces-
14 sity of such clearances.

15 (2) REPORTS REQUIRED.—

16 (A) IN GENERAL.—Not later than 1 year
17 after the date of the enactment of this Act,
18 each head of an agency that conducts a study
19 under paragraph (1) shall submit to Congress
20 a report on the findings of the agency head
21 with respect to such study, which the agency
22 head may classify as appropriate.

23 (B) REQUIRED ELEMENTS.—Each report
24 submitted by the head of an agency under sub-

1 paragraph (A) shall include, for such agency,
2 the following:

3 (i) The number of personnel eligible
4 for access to information up to the “Top
5 Secret” level.

6 (ii) The number of personnel eligible
7 for access to information up to the “Se-
8 cret” level.

9 (iii) Information on any reduction in
10 the number of personnel eligible for access
11 to classified information based on the
12 study conducted under paragraph (1).

13 (iv) A description of how the agency
14 head will ensure that the number of secu-
15 rity clearances granted by such agency will
16 be kept to the minimum required for the
17 conduct of agency functions, commensurate
18 with the size, needs, and mission of the
19 agency.

20 (3) INDUSTRY.—This subsection shall apply to
21 the Secretary of Defense in the Secretary’s capacity
22 as the Executive Agent for the National Industrial
23 Security Program, and the Secretary shall treat con-
24 tractors, licensees, and grantees as personnel of the

1 Department of Defense for purposes of the studies
2 and reports required by this subsection.

3 (b) DIRECTOR OF NATIONAL INTELLIGENCE REVIEW
4 OF SENSITIVE COMPARTMENTED INFORMATION.—The
5 Director of National Intelligence shall—

6 (1) review the number of personnel eligible for
7 access to sensitive compartmented information; and

8 (2) submit to Congress a report on how the Di-
9 rector will ensure that the number of such personnel
10 is limited to the minimum required.

11 (c) AGENCY REVIEW OF SPECIAL ACCESS PRO-
12 GRAMS.—Each head of an agency who is authorized to es-
13 tablish a special access program by Executive Order
14 13526 (50 U.S.C. 3161 note; relating to classified na-
15 tional security information), or successor order, shall—

16 (1) review the number of personnel of the agen-
17 cy eligible for access to such special access pro-
18 grams; and

19 (2) submit to Congress a report on how the
20 agency head will ensure that the number of such
21 personnel is limited to the minimum required.

22 (d) SECRETARY OF ENERGY REVIEW OF Q AND L
23 CLEARANCES.—The Secretary of Energy shall—

24 (1) review the number of personnel of the De-
25 partment of Energy granted Q and L access; and

1 (3) the Committee on Armed Services and the
2 Subcommittee on Defense of the Committee on Ap-
3 propriations of the House of Representatives.

4 (b) IN GENERAL.—Not later than 1 year after the
5 date of the enactment of this Act, the Director of National
6 Intelligence shall submit to the appropriate committees of
7 Congress a review of the extent to which the intelligence
8 community can use information technology services shared
9 among the intelligence community for purposes of per-
10 sonnel vetting, including with respect to human resources,
11 suitability, and security.

12 **SEC. 802. TIMELINESS STANDARD FOR RENDERING DETER-**
13 **MINATIONS OF TRUST FOR PERSONNEL VET-**
14 **TING.**

15 (a) TIMELINESS STANDARD.—

16 (1) IN GENERAL.—The President shall, acting
17 through the Security Executive Agent and the Suit-
18 ability and Credentialing Executive Agent, establish
19 and publish in such public venue as the President
20 considers appropriate, new timeliness performance
21 standards for processing personnel vetting trust de-
22 terminations in accordance with the Federal per-
23 sonnel vetting performance management standards.

24 (2) QUINQUENNIAL REVIEWS.—Not less fre-
25 quently than once every 5 years, the President shall,

1 acting through the Security Executive Agent and the
2 Suitability and Credentialing Executive Agent—

3 (A) review the standards established pur-
4 suant to paragraph (1); and

5 (B) pursuant to such review—

6 (i) update such standards as the
7 President considers appropriate; and

8 (ii) publish in the Federal Register
9 such updates as may be made pursuant to
10 clause (i).

11 (3) CONFORMING AMENDMENT.—Section 3001
12 of the Intelligence Reform and Terrorism Prevention
13 Act of 2004 (50 U.S.C. 3341) is amended by strik-
14 ing subsection (g).

15 (b) QUARTERLY REPORTS ON IMPLEMENTATION.—

16 (1) IN GENERAL.—Not less frequently than
17 quarterly, the Security Executive Agent and the
18 Suitability and Credentialing Executive Agent shall
19 jointly make available to the public a quarterly re-
20 port on the compliance of Executive agencies (as de-
21 fined in section 105 of title 5, United States Code)
22 with the standards established pursuant to sub-
23 section (a).

24 (2) DISAGGREGATION.—Each report made
25 available pursuant to paragraph (1) shall

1 disaggregate, to the greatest extent practicable, data
2 by appropriate category of personnel risk and be-
3 tween Government and contractor personnel.

4 (c) COMPLEMENTARY STANDARDS FOR INTEL-
5 LIGENCE COMMUNITY.—The Director of National Intel-
6 ligence may, in consultation with the Security, Suitability,
7 and Credentialing Performance Accountability Council es-
8 tablished pursuant to Executive Order 13467 (50 U.S.C.
9 3161 note; relating to reforming processes related to suit-
10 ability for Government employment, fitness for contractor
11 employees, and eligibility for access to classified national
12 security information) establish for the intelligence commu-
13 nity standards complementary to those established pursu-
14 ant to subsection (a).

15 **SEC. 803. ANNUAL REPORT ON PERSONNEL VETTING**
16 **TRUST DETERMINATIONS.**

17 (a) DEFINITION OF PERSONNEL VETTING TRUST
18 DETERMINATION.—In this section, the term “personnel
19 vetting trust determination” means any determination
20 made by an executive branch agency as to whether an indi-
21 vidual can be trusted to perform job functions or to be
22 granted access necessary for a position.

23 (b) ANNUAL REPORT.—Not later than March 30,
24 2024, and annually thereafter for 5 years, the Director
25 of National Intelligence, acting as the Security Executive

1 Agent, and the Director of the Office of Personnel Man-
2 agement, acting as the Suitability and Credentialing Exec-
3 utive Agent, in coordination with the Security, Suitability,
4 and Credentialing Performance Accountability Council,
5 shall jointly make available to the public a report on spe-
6 cific types of personnel vetting trust determinations made
7 during the fiscal year preceding the fiscal year in which
8 the report is made available, disaggregated, to the greatest
9 extent possible, by the following:

10 (1) Determinations of eligibility for national se-
11 curity-sensitive positions, separately noting—

12 (A) the number of individuals granted ac-
13 cess to national security information; and

14 (B) the number of individuals determined
15 to be eligible for but not granted access to na-
16 tional security information.

17 (2) Determinations of suitability or fitness for
18 a public trust position.

19 (3) Status as a Government employee, a con-
20 tractor employee, or other category.

21 (c) ELIMINATION OF REPORT REQUIREMENT.—Sec-
22 tion 3001 of the Intelligence Reform and Terrorism Pre-
23 vention Act of 2004 (50 U.S.C. 3341) is amended by strik-
24 ing subsection (h).

1 **SEC. 804. SURVEY TO ASSESS STRENGTHS AND WEAK-**
2 **NESSES OF TRUSTED WORKFORCE 2.0.**

3 Not later than 1 year after the date of the enactment
4 of this Act, and once every 2 years thereafter until 2029,
5 the Comptroller General of the United States shall admin-
6 ister a survey to such sample of Federal agencies, Federal
7 contractors, and other persons that require security clear-
8 ances to access classified information as the Comptroller
9 General considers appropriate to assess—

10 (1) the strengths and weaknesses of the imple-
11 mentation of the Trusted Workforce 2.0 initiative;
12 and

13 (2) the effectiveness of vetting Federal per-
14 sonnel while managing risk during the onboarding of
15 such personnel.

16 **SEC. 805. PROHIBITION ON DENIAL OF ELIGIBILITY FOR**
17 **ACCESS TO CLASSIFIED INFORMATION SOLE-**
18 **LY BECAUSE OF PAST USE OF CANNABIS.**

19 (a) DEFINITIONS.—In this section:

20 (1) CANNABIS.—The term “cannabis” has the
21 meaning given the term “marihuana” in section 102
22 of the Controlled Substances Act (21 U.S.C. 802).

23 (2) ELIGIBILITY FOR ACCESS TO CLASSIFIED
24 INFORMATION.—The term “eligibility for access to
25 classified information” has the meaning given the
26 term in the procedures established pursuant to sec-

1 tion 801(a) of the National Security Act of 1947 (50
2 U.S.C. 3161(a)).

3 (b) PROHIBITION.—Notwithstanding any other provi-
4 sion of law, the head of an element of the intelligence com-
5 munity may not make a determination to deny eligibility
6 for access to classified information to an individual based
7 solely on the use of cannabis by the individual prior to
8 the submission of the application for a security clearance
9 by the individual.

10 **TITLE IX—ANOMALOUS HEALTH**
11 **INCIDENTS**

12 **SEC. 901. IMPROVED FUNDING FLEXIBILITY FOR PAY-**
13 **MENTS MADE BY THE CENTRAL INTEL-**
14 **LIGENCE AGENCY FOR QUALIFYING INJU-**
15 **RIES TO THE BRAIN.**

16 Section 19A(d) of the Central Intelligence Agency
17 Act of 1949 (50 U.S.C. 3519b(d)) is amended by striking
18 paragraph (3) and inserting the following new paragraph:

19 “(3) FUNDING.—

20 “(A) IN GENERAL.—Payment under para-
21 graph (2) in a fiscal year may be made using
22 any funds—

23 “(i) appropriated in advance specifi-
24 cally for payments under such paragraph;
25 or

1 “(ii) reprogrammed in accordance
2 with section 504 of the National Security
3 Act of 1947 (50 U.S.C. 3094).

4 “(B) BUDGET.—For each fiscal year, the
5 Director shall include with the budget justifica-
6 tion materials submitted to Congress in support
7 of the budget of the President for that fiscal
8 year pursuant to section 1105(a) of title 31,
9 United States Code, an estimate of the funds
10 required in that fiscal year to make payments
11 under paragraph (2).”.

12 **SEC. 902. CLARIFICATION OF REQUIREMENTS TO SEEK**
13 **CERTAIN BENEFITS RELATING TO INJURIES**
14 **TO THE BRAIN.**

15 (a) IN GENERAL.—Section 19A(d)(5) of the Central
16 Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(5))
17 is amended—

18 (1) by striking “Payments made” and inserting
19 the following:

20 “(A) IN GENERAL.—Payments made”; and

21 (2) by adding at the end the following:

22 “(B) RELATION TO CERTAIN FEDERAL
23 WORKERS COMPENSATION LAWS.—Without re-
24 gard to the requirements in sections (b) and
25 (c), covered employees need not first seek bene-

1 fits provided under chapter 81 of title 5, United
2 States Code, to be eligible solely for payment
3 authorized under paragraph (2) of this sub-
4 section.”.

5 (b) REGULATIONS.—Not later than 90 days after the
6 date of the enactment of this Act, the Director of the Cen-
7 tral Intelligence Agency shall—

8 (1) revise applicable regulations to conform
9 with the amendment made by subsection (a); and

10 (2) submit to the congressional intelligence
11 committees, the Subcommittee on Defense of the
12 Committee on Appropriations of the Senate, and the
13 Subcommittee on Defense of the Committee on Ap-
14 propriations of the House of Representatives copies
15 of such regulations, as revised pursuant to para-
16 graph (1).

17 **SEC. 903. INTELLIGENCE COMMUNITY IMPLEMENTATION**
18 **OF HAVANA ACT OF 2021 AUTHORITIES.**

19 (a) REGULATIONS.—Except as provided in subsection
20 (c), not later than 180 days after the date of the enact-
21 ment of this Act, each head of an element of the intel-
22 ligence community that has not already done so shall—

23 (1) issue regulations and procedures to imple-
24 ment the authorities provided by section 19A(d) of
25 the Central Intelligence Agency Act of 1949 (50

1 U.S.C. 3519b(d)) and section 901(i) of title IX of
2 division J of the Further Consolidated Appropria-
3 tions Act, 2020 (22 U.S.C. 2680b(i)) to provide pay-
4 ments under such sections, to the degree that such
5 authorities are applicable to the head of the element;
6 and

7 (2) submit to the congressional intelligence, the
8 Subcommittee on Defense of the Committee on Ap-
9 propriations of the Senate, and the Subcommittee on
10 Defense of the Committee on Appropriations of the
11 House of Representatives committees copies of such
12 regulations.

13 (b) REPORTING.—Not later than 210 days after the
14 date of the enactment of this Act, each head of an element
15 of the intelligence community shall submit to the congress-
16 sional intelligence committees, the Subcommittee on De-
17 fense of the Committee on Appropriations of the Senate,
18 and the Subcommittee on Defense of the Committee on
19 Appropriations of the House of Representatives a report
20 on—

21 (1) the estimated number of individuals associ-
22 ated with their element that may be eligible for pay-
23 ment under the authorities described in subsection
24 (a)(1);

1 (2) an estimate of the obligation that the head
2 of the intelligence community element expects to
3 incur in fiscal year 2025 as a result of establishing
4 the regulations pursuant to subsection (a)(1); and

5 (3) any perceived barriers or concerns in imple-
6 menting such authorities.

7 (c) **ALTERNATIVE REPORTING.**—Not later than 180
8 days after the date of the enactment of this Act, each head
9 of an element of the intelligence community (other than
10 the Director of the Central Intelligence Agency) who be-
11 lieves that the authorities described in subsection (a)(1)
12 are not currently relevant for individuals associated with
13 their element, or who are not otherwise in position to issue
14 the regulations and procedures required by subsection
15 (a)(1) shall provide written and detailed justification to
16 the congressional intelligence committees, the Sub-
17 committee on Defense of the Committee on Appropriations
18 of the Senate, and the Subcommittee on Defense of the
19 Committee on Appropriations of the House of Representa-
20 tives to explain this position.

21 **SEC. 904. REPORT AND BRIEFING ON CENTRAL INTEL-**
22 **LIGENCE AGENCY HANDLING OF ANOMA-**
23 **LOUS HEALTH INCIDENTS.**

24 (a) **DEFINITIONS.**—In this section:

1 (1) AGENCY.—The term “Agency” means the
2 Central Intelligence Agency.

3 (2) QUALIFYING INJURY.—The term “quali-
4 fying injury” has the meaning given such term in
5 section 19A(d)(1) of the Central Intelligence Agency
6 Act of 1949 (50 U.S.C. 3519b(d)(1)).

7 (b) IN GENERAL.—Not later than 60 days after the
8 date of the enactment of this Act, the Director of the Cen-
9 tral Intelligence Agency shall submit to the congressional
10 intelligence committees a report on the handling of anoma-
11 lous health incidents by the Agency.

12 (c) CONTENTS.—The report required by subsection
13 (b) shall include the following:

14 (1) HAVANA ACT IMPLEMENTATION.—

15 (A) An explanation of how the Agency de-
16 termines whether a reported anomalous health
17 incident resulted in a qualifying injury or a
18 qualifying injury to the brain.

19 (B) The number of participants of the Ex-
20 panded Care Program of the Central Intel-
21 ligence Agency who—

22 (i) have a certified qualifying injury or
23 a certified qualifying injury to the brain;
24 and

1 (ii) as of September 30, 2023, applied
2 to the Expanded Care Program due to a
3 reported anomalous health incident.

4 (C) A comparison of the number of anoma-
5 lous health incidents reported by applicants to
6 the Expanded Care Program that occurred in
7 the United States and that occurred in a for-
8 eign country.

9 (D) The specific reason each applicant was
10 approved or denied for payment under the Ex-
11 panded Care Program.

12 (E) The number of applicants who were
13 initially denied payment but were later ap-
14 proved on appeal.

15 (F) The average length of time, from the
16 time of application, for an applicant to receive
17 a determination from the Expanded Care Pro-
18 gram, aggregated by qualifying injuries and
19 qualifying injuries to the brain.

20 (2) PRIORITY CASES.—

21 (A) A detailed list of priority cases of
22 anomalous health incidents, including, for each
23 incident, locations, dates, times, and cir-
24 cumstances.

1 (B) For each priority case listed in accord-
2 ance with subparagraph (A), a detailed expla-
3 nation of each credible alternative explanation
4 that the Agency assigned to the incident, in-
5 cluding—

6 (i) how the incident was discovered;

7 (ii) how the incident was assigned
8 within the Agency; and

9 (iii) whether an individual affected by
10 the incident is provided an opportunity to
11 appeal the credible alternative explanation.

12 (C) For each priority case of an anomalous
13 health incident determined to be largely con-
14 sistent with the definition of “anomalous health
15 incident” established by the National Academy
16 of Sciences and for which the Agency does not
17 have a credible alternative explanation, a de-
18 tailed description of such case.

19 (3) ANOMALOUS HEALTH INCIDENT SEN-
20 SORS.—

21 (A) A list of all types of sensors that the
22 Agency has developed or deployed with respect
23 to reports of anomalous health incidents, in-
24 cluding, for each type of sensor, the deployment
25 location, the date and the duration of the em-

1 ployment of such type of sensor, and, if applica-
2 ble, the reason for removal.

3 (B) A list of entities to which the Agency
4 has provided unrestricted access to data associ-
5 ated with anomalous health incidents.

6 (C) A list of requests for support the
7 Agency has received from elements of the Fed-
8 eral Government regarding sensor development,
9 testing, or deployment, and a description of the
10 support provided in each case.

11 (D) A description of all emitter signatures
12 obtained by sensors associated with anomalous
13 health incidents in Agency holdings since 2016,
14 including—

15 (i) the identification of any of such
16 emitters that the Agency prioritizes as a
17 threat; and

18 (ii) an explanation of such
19 prioritization.

20 (d) **ADDITIONAL SUBMISSIONS.**—Concurrent with
21 the submission of the report required by subsection (b),
22 the Director of the Central Intelligence Agency shall sub-
23 mit to the congressional intelligence committees, the Sub-
24 committee on Defense of the Committee on Appropriations
25 of the Senate, and the Subcommittee on Defense of the

1 Committee on Appropriations of the House of Representa-
2 tives—

3 (1) a template of each form required to apply
4 for the Expanded Care Program, including with re-
5 spect to payments for a qualifying injury or a quali-
6 fying injury to the brain;

7 (2) copies of internal guidance used by the
8 Agency to adjudicate claims for the Expanded Care
9 Program, including with respect to payments for a
10 qualifying injury to the brain;

11 (3) the case file of each applicant to the Ex-
12 panded Care Program who applied due to a reported
13 anomalous health incident, including supporting
14 medical documentation, with name and other identi-
15 fying information redacted;

16 (4) copies of all informational and instructional
17 materials provided to employees of and other individ-
18 uals affiliated with the Agency with respect to apply-
19 ing for the Expanded Care Program; and

20 (5) copies of Agency guidance provided to em-
21 ployees of and other individuals affiliated with the
22 Agency with respect to reporting and responding to
23 a suspected anomalous health incident, and the roles
24 and responsibilities of each element of the Agency

1 tasked with responding to a report of an anomalous
2 health incident.

3 (e) BRIEFING.—Not later than 90 days after the date
4 of the enactment of this Act, the Director of the Central
5 Intelligence Agency shall brief the congressional intel-
6 ligence committees, the Subcommittee on Defense of the
7 Committee on Appropriations of the Senate, and the Sub-
8 committee on Defense of the Committee on Appropriations
9 of the House of Representatives on the report.

10 **TITLE X—ELECTION SECURITY**

11 **SEC. 1001. STRENGTHENING ELECTION CYBERSECURITY** 12 **TO UPHOLD RESPECT FOR ELECTIONS** 13 **THROUGH INDEPENDENT TESTING ACT OF** 14 **2023.**

15 (a) REQUIRING PENETRATION TESTING AS PART OF
16 THE TESTING AND CERTIFICATION OF VOTING SYS-
17 TEMS.—Section 231 of the Help America Vote Act of
18 2002 (52 U.S.C. 20971) is amended by adding at the end
19 the following new subsection:

20 “(e) REQUIRED PENETRATION TESTING.—

21 “(1) IN GENERAL.—Not later than 180 days
22 after the date of the enactment of this subsection,
23 the Commission shall provide for the conduct of pen-
24 etration testing as part of the testing, certification,
25 decertification, and recertification of voting system

1 hardware and software by accredited laboratories
2 under this section.

3 “(2) ACCREDITATION.—The Director of the
4 National Institute of Standards and Technology
5 shall recommend to the Commission entities the Di-
6 rector proposes be accredited to carry out penetra-
7 tion testing under this subsection and certify compli-
8 ance with the penetration testing-related guidelines
9 required by this subsection. The Commission shall
10 vote on the accreditation of any entity recommended.
11 The requirements for such accreditation shall be a
12 subset of the requirements for accreditation of lab-
13 oratories under subsection (b) and shall only be
14 based on consideration of an entity’s competence to
15 conduct penetration testing under this subsection.”.

16 (b) INDEPENDENT SECURITY TESTING AND COORDI-
17 NATED CYBERSECURITY VULNERABILITY DISCLOSURE
18 PROGRAM FOR ELECTION SYSTEMS.—

19 (1) IN GENERAL.—Subtitle D of title II of the
20 Help America Vote Act of 2002 (42 U.S.C. 15401
21 et seq.) is amended by adding at the end the fol-
22 lowing new part:

1 **“PART 7—INDEPENDENT SECURITY TESTING AND**
2 **COORDINATED CYBERSECURITY VULNER-**
3 **ABILITY DISCLOSURE PILOT PROGRAM FOR**
4 **ELECTION SYSTEMS**

5 **“SEC. 297. INDEPENDENT SECURITY TESTING AND COORDI-**
6 **NATED CYBERSECURITY VULNERABILITY**
7 **DISCLOSURE PILOT PROGRAM FOR ELEC-**
8 **TION SYSTEMS.**

9 “(a) IN GENERAL.—

10 “(1) ESTABLISHMENT.—The Commission, in
11 consultation with the Secretary, shall establish an
12 Independent Security Testing and Coordinated Vul-
13 nerability Disclosure Pilot Program for Election Sys-
14 tems (VDP–E) (in this section referred to as the
15 ‘program’) in order to test for and disclose cyberse-
16 curity vulnerabilities in election systems.

17 “(2) DURATION.—The program shall be con-
18 ducted for a period of 5 years.

19 “(3) REQUIREMENTS.—In carrying out the pro-
20 gram, the Commission, in consultation with the Sec-
21 retary, shall—

22 “(A) establish a mechanism by which an
23 election systems vendor may make their election
24 system (including voting machines and source
25 code) available to cybersecurity researchers par-
26 ticipating in the program;

1 “(B) provide for the vetting of cybersecu-
2 rity researchers prior to their participation in
3 the program, including the conduct of back-
4 ground checks;

5 “(C) establish terms of participation
6 that—

7 “(i) describe the scope of testing per-
8 mitted under the program;

9 “(ii) require researchers to—

10 “(I) notify the vendor, the Com-
11 mission, and the Secretary of any cy-
12 bersecurity vulnerability they identify
13 with respect to an election system;
14 and

15 “(II) otherwise keep such vulner-
16 ability confidential for 180 days after
17 such notification;

18 “(iii) require the good faith participa-
19 tion of all participants in the program;

20 “(iv) require an election system ven-
21 dor, within 180 days after validating noti-
22 fication of a critical or high vulnerability
23 (as defined by the National Institute of
24 Standards and Technology) in an election
25 system of the vendor, to—

1 “(I) send a patch or propound
2 some other fix or mitigation for such
3 vulnerability to the appropriate State
4 and local election officials, in con-
5 sultation with the researcher who dis-
6 covered it; and

7 “(II) notify the Commission and
8 the Secretary that such patch has
9 been sent to such officials;

10 “(D) in the case where a patch or fix to
11 address a vulnerability disclosed under subpara-
12 graph (C)(ii)(I) is intended to be applied to a
13 system certified by the Commission, provide—

14 “(i) for the expedited review of such
15 patch or fix within 90 days after receipt by
16 the Commission; and

17 “(ii) if such review is not completed
18 by the last day of such 90 day period, that
19 such patch or fix shall be deemed to be
20 certified by the Commission, subject to any
21 subsequent review of such determination
22 by the Commission; and

23 “(E) 180 days after the disclosure of a
24 vulnerability under subparagraph (C)(ii)(I), no-
25 tify the Director of the Cybersecurity and In-

1 frastructure Security Agency of the vulner-
2 ability for inclusion in the database of Common
3 Vulnerabilities and Exposures.

4 “(4) VOLUNTARY PARTICIPATION; SAFE HAR-
5 BOR.—

6 “(A) VOLUNTARY PARTICIPATION.—Par-
7 ticipation in the program shall be voluntary for
8 election systems vendors and researchers.

9 “(B) SAFE HARBOR.—When conducting
10 research under this program, such research and
11 subsequent publication shall be considered to
12 be:

13 “(i) Authorized in accordance with
14 section 1030 of title 18, United States
15 Code (commonly known as the ‘Computer
16 Fraud and Abuse Act’), (and similar state
17 laws), and the election system vendor will
18 not initiate or support legal action against
19 the researcher for accidental, good faith
20 violations of the program.

21 “(ii) Exempt from the anti-circumven-
22 tion rule of section 1201 of title 17, United
23 States Code (commonly known as the ‘Dig-
24 ital Millennium Copyright Act’), and the
25 election system vendor will not bring a

1 claim against a researcher for circumven-
2 tion of technology controls.

3 “(C) RULE OF CONSTRUCTION.—Nothing
4 in this paragraph may be construed to limit or
5 otherwise affect any exception to the general
6 prohibition against the circumvention of techno-
7 logical measures under subparagraph (A) of
8 section 1201(a)(1) of title 17, United States
9 Code, including with respect to any use that is
10 excepted from that general prohibition by the
11 Librarian of Congress under subparagraphs (B)
12 through (D) of such section 1201(a)(1).

13 “(5) EXEMPT FROM DISCLOSURE.—Cybersecu-
14 rity vulnerabilities discovered under the program
15 shall be exempt from section 552 of title 5, United
16 States Code (commonly referred to as the Freedom
17 of Information Act).

18 “(6) DEFINITIONS.—In this subsection:

19 “(A) CYBERSECURITY VULNERABILITY.—
20 The term ‘cybersecurity vulnerability’ means,
21 with respect to an election system, any security
22 vulnerability that affects the election system.

23 “(B) ELECTION INFRASTRUCTURE.—The
24 term ‘election infrastructure’ means—

1 “(i) storage facilities, polling places,
2 and centralized vote tabulation locations
3 used to support the administration of elec-
4 tions for public office; and

5 “(ii) related information and commu-
6 nications technology, including—

7 “(I) voter registration databases;

8 “(II) election management sys-
9 tems;

10 “(III) voting machines;

11 “(IV) electronic mail and other
12 communications systems (including
13 electronic mail and other systems of
14 vendors who have entered into con-
15 tracts with election agencies to sup-
16 port the administration of elections,
17 manage the election process, and re-
18 port and display election results); and

19 “(V) other systems used to man-
20 age the election process and to report
21 and display election results on behalf
22 of an election agency.

23 “(C) ELECTION SYSTEM.—The term ‘elec-
24 tion system’ means any information system that
25 is part of an election infrastructure, including

1 any related information and communications
2 technology described in subparagraph (B)(ii).

3 “(D) ELECTION SYSTEM VENDOR.—The
4 term ‘election system vendor’ means any person
5 providing, supporting, or maintaining an elec-
6 tion system on behalf of a State or local elec-
7 tion official.

8 “(E) INFORMATION SYSTEM.—The term
9 ‘information system’ has the meaning given the
10 term in section 3502 of title 44, United States
11 Code.

12 “(F) SECRETARY.—The term ‘Secretary’
13 means the Secretary of Homeland Security.

14 “(G) SECURITY VULNERABILITY.—The
15 term ‘security vulnerability’ has the meaning
16 given the term in section 102 of the Cybersecu-
17 rity Information Sharing Act of 2015 (6 U.S.C.
18 1501).”.

19 (2) CLERICAL AMENDMENT.—The table of con-
20 tents of such Act is amended by adding at the end
21 of the items relating to subtitle D of title II the fol-
22 lowing:

“PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSE-
CURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS

“Sec. 297. Independent security testing and coordinated cybersecurity vulner-
ability disclosure program for election systems.”.

TITLE XI—OTHER MATTERS**SEC. 1101. MODIFICATION OF REPORTING REQUIREMENT
FOR ALL-DOMAIN ANOMALY RESOLUTION OFFICE.**

Section 1683(k)(1) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(k)(1)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended—

(1) in the heading, by striking “DIRECTOR OF NATIONAL INTELLIGENCE AND SECRETARY OF DEFENSE” and inserting “ALL-DOMAIN ANOMALY RESOLUTION OFFICE”; and

(2) in subparagraph (A), by striking “Director of National Intelligence and the Secretary of Defense shall jointly” and inserting “Director of the Office shall”.

SEC. 1102. FUNDING LIMITATIONS RELATING TO UNIDENTIFIED ANOMALOUS PHENOMENA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the

1 Committee on Appropriations of the Senate;
2 and

3 (B) the Permanent Select Committee on
4 Intelligence, the Committee on Armed Services,
5 and the Committee on Appropriations of the
6 House of Representatives.

7 (2) CONGRESSIONAL LEADERSHIP.—The term
8 “congressional leadership” means—

9 (A) the majority leader of the Senate;

10 (B) the minority leader of the Senate;

11 (C) the Speaker of the House of Rep-
12 resentatives; and

13 (D) the minority leader of the House of
14 Representatives.

15 (3) DIRECTOR.—The term “Director” means
16 the Director of the All-domain Anomaly Resolution
17 Office.

18 (4) UNIDENTIFIED ANOMALOUS PHENOMENA.—
19 The term “unidentified anomalous phenomena” has
20 the meaning given such term in section 1683(n) of
21 the National Defense Authorization Act for Fiscal
22 Year 2022 (50 U.S.C. 3373(n)), as amended by sec-
23 tion 6802(a) of the Intelligence Authorization Act
24 for Fiscal Year 2023 (Public Law 117–263).

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that, due to the increasing potential for technology
3 surprise from foreign adversaries and to ensure sufficient
4 integration across the United States industrial base and
5 avoid technology and security stovepipes—

6 (1) the United States industrial base must re-
7 tain its global lead in critical advanced technologies;
8 and

9 (2) the Federal Government must expand
10 awareness about any historical exotic technology
11 antecedents previously provided by the Federal Gov-
12 ernment for research and development purposes.

13 (c) LIMITATIONS.—No amount authorized to be ap-
14 propriated by this Act may be obligated or expended, di-
15 rectly or indirectly, in part or in whole, for, on, in relation
16 to, or in support of activities involving unidentified anoma-
17 lous phenomena protected under any form of special ac-
18 cess or restricted access limitations that have not been for-
19 mally, officially, explicitly, and specifically described, ex-
20 plained, and justified to the appropriate committees of
21 Congress, congressional leadership, and the Director, in-
22 cluding for any activities relating to the following:

23 (1) Recruiting, employing, training, equipping,
24 and operations of, and providing security for, gov-
25 ernment or contractor personnel with a primary, sec-

1 ondary, or contingency mission of capturing, recov-
2 ering, and securing unidentified anomalous phe-
3 nomena craft or pieces and components of such
4 craft.

5 (2) Analyzing such craft or pieces or compo-
6 nents thereof, including for the purpose of deter-
7 mining properties, material composition, method of
8 manufacture, origin, characteristics, usage and ap-
9 plication, performance, operational modalities, or re-
10 verse engineering of such craft or component tech-
11 nology.

12 (3) Managing and providing security for pro-
13 tecting activities and information relating to uniden-
14 tified anomalous phenomena from disclosure or com-
15 promise.

16 (4) Actions relating to reverse engineering or
17 replicating unidentified anomalous phenomena tech-
18 nology or performance based on analysis of materials
19 or sensor and observational information associated
20 with unidentified anomalous phenomena.

21 (5) The development of propulsion technology,
22 or aerospace craft that uses propulsion technology,
23 systems, or subsystems, that is based on or derived
24 from or inspired by inspection, analysis, or reverse

1 engineering of recovered unidentified anomalous phe-
2 nomena craft or materials.

3 (6) Any aerospace craft that uses propulsion
4 technology other than chemical propellants, solar
5 power, or electric ion thrust.

6 (d) NOTIFICATION AND REPORTING.—Any person
7 currently or formerly under contract with the Federal
8 Government that has in their possession material or infor-
9 mation provided by or derived from the Federal Govern-
10 ment relating to unidentified anomalous phenomena that
11 formerly or currently is protected by any form of special
12 access or restricted access shall—

13 (1) not later than 60 days after the date of the
14 enactment of this Act, notify the Director of such
15 possession; and

16 (2) not later than 180 days after the date of
17 the enactment of this Act, make available to the Di-
18 rector for assessment, analysis, and inspection—

19 (A) all such material and information; and

20 (B) a comprehensive list of all non-earth
21 origin or exotic unidentified anomalous phe-
22 nomena material.

23 (e) LIABILITY.—No criminal or civil action may lie
24 or be maintained in any Federal or State court against
25 any person for receiving material or information described

1 in subsection (d) if that person complies with the notifica-
2 tion and reporting provisions described in such subsection.

3 (f) LIMITATION REGARDING INDEPENDENT RE-
4 SEARCH AND DEVELOPMENT.—

5 (1) IN GENERAL.—Consistent with Department
6 of Defense Instruction Number 3204.01 (dated Au-
7 gust 20, 2014, incorporating change 2, dated July
8 9, 2020; relating to Department policy for oversight
9 of independent research and development), inde-
10 pendent research and development funding relating
11 to material or information described in subsection
12 (c) shall not be allowable as indirect expenses for
13 purposes of contracts covered by such instruction,
14 unless such material and information is made avail-
15 able to the Director in accordance with subsection
16 (d).

17 (2) EFFECTIVE DATE AND APPLICABILITY.—
18 Paragraph (1) shall take effect on the date that is
19 60 days after the date of the enactment of this Act
20 and shall apply with respect to funding from
21 amounts appropriated before, on, or after such date.

22 (g) NOTICE TO CONGRESS.—Not later than 30 days
23 after the date on which the Director has received a notifi-
24 cation under paragraph (1) of subsection (d) or informa-
25 tion or material under paragraph (2) of such subsection,

1 the Director shall provide written notification of such re-
2 ceipt to the appropriate committees of Congress, the Com-
3 mittee on Homeland Security and Governmental Affairs
4 of the Senate, the Committee on Oversight and Account-
5 ability of the House of Representatives, and congressional
6 leadership.

Passed the Senate July 27, 2023.

Attest:

Secretary.

118TH CONGRESS
1ST SESSION
S. 2226

AN ACT

To authorize appropriations for fiscal year 2024 for military activities of the Department of Defense for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

JULY 27, 2023

Ordered to be printed as passed