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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

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

God and ruler of all the Earth, from Your holy throne You reign over all the nations. Show Your greatness and Your holiness to the peoples. Make Yourself known in the sight of all the nations.

In the confusion of conflict and the ravages of war, make Yourself known in the sight of Ukraine, to her leaders, and to all her people.

In the prosperity of 75 years of trade and commerce and amid the polarization of its politics, make Yourself known in the sight of Israel, to her leaders, and to all her people.

In the hubris of aggression and the arrogance of imperialism, make Yourself known in the sight of belligerent nations, to their leaders, and to all their people.

In the certainty of our convictions, as well as in the discord of our discourse, make Yourself known in the sight of these United States, to our leaders, and to our compatriots.

For Your hand, O Lord, is not too short that it cannot save those who seek You, nor Your ear so dull that it cannot hear the prayers of those who call on You. Do not let the noises of this world so confuse us that we cannot hear You speak.

In Your sovereign name we pray. Lord, hear our prayers.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House the approval thereof.

Pursuant to clause 1 of rule I, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet in joint meeting to hear an address by His Excellency Isaac Herzog, President of the State of Israel, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER. Pursuant to the order of the House of Monday, July 17, 2023, the House stands in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 3 minutes a.m.), the House stood in recess.

□ 1037

JOINT MEETING TO HEAR AN ADDRESS BY HIS EXCELLENCY ISAAC HERZOG, PRESIDENT OF THE STATE OF ISRAEL

During the recess, the House was called to order by the Speaker at 10 o'clock and 37 minutes a.m.

The Assistant to the Sergeant at Arms, Ms. Kathleen Joyce, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint meeting will come to order.

The Chair appoints as members of the committee on the part of the House to escort His Excellency Isaac Herzog, President of the State of Israel, into the Chamber:

The gentleman from Louisiana (Mr. SCALISE);

The gentleman from Minnesota (Mr. EMMER);

The gentlewoman from New York (Ms. STEFANIK);

The gentleman from New Jersey (Mr. SMITH);

The gentleman from South Carolina (Mr. WILSON);

The gentleman from Colorado (Mr. LAMBORN);

The gentleman from Tennessee (Mr. KUSTOFF);

The gentlewoman from New York (Ms. TENNEY);

The gentleman from New York (Mr. GARBARINO);

The gentlewoman from New York (Ms. MALLIOTAKIS);

The gentleman from New York (Mr. D'ESPOSITO);

The gentleman from New York (Mr. LALOTA);

The gentleman from New York (Mr. LAWLER);

The gentleman from Ohio (Mr. MILLER);

The gentleman from New York (Mr. MOLINARO);

The gentleman from New York (Mr. JEFFRIES);

The gentlewoman from Massachusetts (Ms. CLARK);

The gentleman from California (Mr. AGUILAR);

The gentleman from California (Mr. LIEU);

The gentlewoman from Washington (Ms. DELBENE);

The gentleman from Minnesota (Mr. PHILLIPS);

The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ);

The gentleman from New York (Mr. MEEKS);

The gentleman from California (Mr. SHERMAN);

The gentlewoman from Illinois (Ms. SCHAKOWSKY);

The gentlewoman from New York (Ms. MENG);

The gentleman from Illinois (Mr. SCHNEIDER);

The gentleman from New Jersey (Mr. GOTTHEIMER);

The gentlewoman from North Carolina (Ms. MANNING); and

The gentleman from Florida (Mr. MOSKOWITZ).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Isaac Herzog, President of the State of Israel, into the House Chamber:

The Senator from New York (Mr. SCHUMER);

The Senator from Illinois (Mr. DURBIN);

The Senator from Washington (Mrs. MURRAY);

The Senator from Michigan (Ms. STABENOW);

The Senator from Minnesota (Ms. KLOBUCHAR);

The Senator from Wisconsin (Ms. BALDWIN);

The Senator from New Jersey (Mr. MENENDEZ);

The Senator from Nevada (Ms. ROSEN);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from South Dakota (Mr. THUNE);

The Senator from Wyoming (Mr. BARRASSO);

The Senator from West Virginia (Mrs. CAPITO);

The Senator from Iowa (Ms. ERNST);

The Senator from Montana (Mr. DAINES);

The Senator from Iowa (Mr. GRASSLEY); and

The Senator from Idaho (Mr. RISCH).

The Assistant to the Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, Her Excellency Mathilde Mukantabana, the Ambassador of the Republic of Rwanda.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for her.

At 11 o'clock and 4 minutes a.m., the Sergeant at Arms, the Honorable William P. McFarland, announced His Excellency Isaac Herzog.

The President of the State of Israel, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you His Excellency Isaac Herzog, President of the State of Israel.

(Applause, the Members rising.)

President HERZOG. Madam Vice President, Mr. Speaker, on November 10, 1987, I was sitting at home with my wife, Michal, expecting our first child. We were watching the first Israeli President invited to address a joint session of Congress in honor of Israel's 40th independence day. That President was my father.

Standing here today representing the Jewish Democratic State of Israel in its 75th year at the very podium from which my late father, President Chaim Herzog, spoke is the honor of a lifetime, and I thank you wholeheartedly for it.

I was born and raised in Israel, but my father's diplomatic post at the United Nations brought my family to New York in the 1970s.

During high school, I volunteered with the Legal Aid Society for the Elderly in Brooklyn, New York. I volunteered with the impoverished and the underprivileged elderly, including war veterans and Holocaust survivors, who gave their best years to the country they loved.

My mentor at the organization was a subtle, reserved professional. She was strictly business. The moment she broke character has remained with me for almost 50 years. It was the day she told me the love of her life died fighting for Israel. Her fiance, a tall, bright-eyed American Jewish boy, was inspired by the Zionist dream and the Jewish people's desire for independence. He voluntarily boarded a ship to Haifa, fought in the Israeli military, and fell in the battle for Israel's independence, just weeks before their wedding. Although decades had gone by and she rebuilt her life, the cracks in her heart remained.

That moment, in which I learned of the life he gave for the State of Israel, spoke to the very core of the bond forged between the people of the United States and the people of Israel, how the nations we built overcame loss, how deeply our stories complement each other's, and how far we have all come together.

Speaker MCCARTHY, I thank you for hosting this festive joint session of Congress celebrating the first 75 years of Israel's independence. Just a few weeks ago, during your first trip abroad as Speaker, you honored the Israeli people by addressing the Knesset in Jerusalem, the capital of the State of Israel, and the Jewish people. Your sincere expression of friendship on behalf of the United States of America truly resonated with the Israelis. Thank you.

Vice President HARRIS, it is such a great pleasure to see you again. I vividly recall hosting you at the Knesset a few years back. Your stirring remarks at the Israeli Embassy's Independence Day reception a few weeks ago reflect both yours and President Biden's decades-long, ironclad friendship with Israel.

A special thanks goes to former Speaker NANCY PELOSI who first invited me less than a year ago, together with Senator CHUCK SCHUMER.

Special thanks to dear friends, Senate Minority Leader, Senator MITCH MCCONNELL, and House Minority Leader, Congressman HAKEEM JEFFRIES, for this bipartisan, bicameral invitation. My thanks also to the distinguished members of the escort committee for greeting me so beautifully.

Mr. Speaker, dear friends, in Jewish weddings, a glass is placed on the ground and intentionally stomped on. This ritual evokes the destruction of our temple in Jerusalem 2,000 years ago. Only after the glass is broken, the celebration can truly begin.

Amidst the most joyous occasions in the lives of two individuals who have come together to build something whole, we recall what was once broken in our Nation. Thus, the bitter blends with the sweet.

Today, the Hebrew calendar points to the first day of the month of Av. In Jewish tradition, this is a somber period in which we mourn the loss of our sovereignty. Jewish communities all over the world lament the beginning of our national exile where throughout two millennia we continuously expressed a spiritual connection to our ancestral homeland, a longing to return home and regain our independence.

Yet today, at this moment in my people's history, gathering on Capitol Hill to celebrate 75 years of Israeli independence with our greatest partner and friend, the United States of America, my soul is overflowing with pride and joy.

The people of Israel are grateful to no end for the ancient promise fulfilled and for the friendship we have forged.

In 1949, the President of the United States of America, Harry S. Truman, met with the Chief Rabbi of the newly established State of Israel, my grandfather, Rabbi Yitzhak Isaac Halevi Herzog, in the Oval Office.

This was just a few years after each of them pleaded and campaigned for the rescue of Europe's Jews being slaughtered in the Holocaust by the Nazis.

In speaking to President Truman, Rabbi Herzog thanked him for being the first world leader to officially recognize the State of Israel, 11 minutes after its foundation. He spoke, Rabbi Herzog, of the divine providence that

destined President Truman to help bring about the rebirth of Israel after 2,000 years of exile. Witnesses of the encounter recalled tears running down President Truman's cheeks.

We are honored to have President Truman's grandson, Clifton Truman Daniel, with us here today.

When the State of Israel was established in 1948, the land which the Almighty promised to Abraham, to which Moses led the Israelites, the land of the Bible, of milk and honey, evolved into an exquisite land of democracy.

Against all odds, the Jewish people returned home and built a national home, which became a beautiful Israeli democracy, a mosaic of Jews, Muslims, Christians, Druze, and Circassians, secular, traditional, and orthodox, of all denominations and all possible views and lifestyles; a land which welcomed the ingathering of exiles from over 100 nations; a land which became the start-up nation, a bustling hub of innovation and creativity, social action, and intellectual discovery, spiritual awakening, business ventures, scientific ingenuity, and lifesaving medical breakthroughs.

We built a nation-state which has faced relentless war, terror, and delegitimization since its birth, a country fighting to defend itself from enemy and foe yet whose citizens continue to greet each other with the word ''peace,'' ''shalom''; a country which takes pride in its vibrant democracy, its protection of minorities, human rights, and civil liberties as laid down by its parliament, the Knesset, and safeguarded by its strong Supreme Court and independent judiciary; a state founded on complete equality of social and political rights to all its inhabitants, irrespective of religion, race, or gender, as stipulated explicitly in Israel's Declaration of Independence; a country which is ever-evolving, a diverse amalgam of accents, beliefs, backgrounds, and customs. Truly, a modern-day miracle—this is the sweetness in which our country has been blessed.

However, dear friends, the bitter casts a dark shadow on our country, on our region, and on the world.

Mr. Speaker, perhaps the greatest challenge Israel and the United States face at this time together is the Iranian nuclear program.

Let there be no doubt: Iran does not strive to attain nuclear energy for peaceful purposes. Iran is building nuclear capabilities that pose a threat to the stability of the Middle East and beyond. Every country or region controlled or infiltrated by Iran has experienced utter havoc. We have seen this in Yemen, in Gaza, in Syria, in Lebanon, and in Iraq. In fact, we have seen this in Iran itself, where the regime has lost its people and is suppressing them brutally.

Iran has spread hatred, terror, and suffering throughout the Middle East and beyond, adding fuel to the disastrous fire and suffering in Ukraine. Iran is the only nation on the planet publicly calling, plotting, and developing means to annihilate another nation, a member of the family of nations, the State of Israel.

Israel has no border with Iran. Israel has no resources contested by Iran. Israel has no conflict with the Iranian people. Yet, the Iranian regime, together with its proxies throughout the Middle East, is aiming and working toward destroying the State of Israel, killing the Jews, and challenging the entire free world.

Allowing Iran to become a nuclear threshold state, whether by omission or by diplomatic commission, is unacceptable.

The world cannot remain indifferent to the Iranian regime's call to wipe Israel off the map. Tolerating this call, and Iran's measures to realize it, is an inexcusable moral collapse.

Backed by the free world, Israel and the United States must act forcefully together to prevent Iran's fundamental threat to international security.

I am here to reiterate what every Israeli leader has declared for decades: The State of Israel is determined to prevent Iran from acquiring nuclear weapon capabilities.

We are proud to be the United States' closest partner and friend. We are grateful to the United States for the necessary means you have provided us to keep our qualitative military edge and to allow us to defend ourselves by ourselves. This reflects your ongoing commitment to Israel's security.

We are also tremendously proud that ours is a two-way alliance in which Israel has been making critical contributions to the national security and interests of the United States of America in numerous ways.

Thank you, dear Members of Congress, for your support of Israel throughout history and at this critical moment in time.

Mr. Speaker, there is no question that the peace which the United States brokered between Israel and its neighbors has revolutionized the Middle East.

The historic peace treaties with the Arab Republic of Egypt and the Hashemite Kingdom of Jordan have demonstrated the many blessings of opting out of the cycle of war. Both Jordan and Egypt have contributed tremendously to solidifying the precious peace and enhancing our region's stability and well-being.

Three years ago, the Abraham Accords realigned our imaginations, our nation, and our region. Israel eagerly welcomed the United Arab Emirates, the Kingdom of Bahrain, and the Kingdom of Morocco into an exclusive, warm peace between our peoples.

Since signing the accords, over 1 million Israelis have visited the Abraham nations, a clear expression of our will to become integrated in the region. This is a peace anchored in trust, hope, and prosperity, a true game changer.

Each of these historic agreements, which have altered the trajectory of the Middle East, was facilitated by our greatest friend, the United States of America.

Israel's hand is extended and our heart is open to any partner in peace, near or far. Israel thanks the United States for working toward establishing peaceful relations between Israel and the Kingdom of Saudi Arabia, a leading nation in the region and in the Muslim world. We pray for this moment to come. This would be a huge sea change in the course of history in the Middle East and the world at large.

Mr. Speaker, my deep yearning is for Israel to one day make peace with our Palestinian neighbors.

Over the years, Israel has taken bold steps toward peace and made far-reaching proposals to our Palestinian neighbors. However, true peace cannot be anchored in violence. Notwithstanding the deep political differences and the numerous challenges that surround the Israeli-Palestinian conflict and relations—and I do not ignore them—but it should be clear that one cannot talk about peace while condoning or legitimizing terror, implicitly or explicitly. True peace cannot be anchored in violence.

Palestinian terror against Israel or Israelis undermines any possibility for a future of peace between our peoples.

Israelis are targeted while waiting for buses, while taking a stroll on the promenade, while spending time with their family. At the same time, successful terror attacks are celebrated, terrorists are glorified, and their families are financially rewarded for every Israeli they attack. This is inconceivable. It is a moral disgrace.

Terror is not a bump in the road. Terror is hatred and bloodshed. It contradicts humanity's most basic principles of peace. Israel cannot and will not tolerate terror, and we know that in this we are joined by the United States of America.

Two Israeli officers, Oron Shaul and Hadar Goldin, and two civilians, Hisham al-Sayed and Avera Mengistu, are being held hostage by Hamas for years for the sole purpose of torturing the families they left behind.

Lieutenant Hadar Goldin was abducted in violation of a U.N.-sponsored humanitarian cease-fire negotiated by the United States. His family has been fighting for 9 years to bring him home. I asked Hadar Goldin's mother, Leah, to be with us here today. We pray for her son's return, as well as the three other Israelis'.

We pray for the fulfillment of Isaiah's prophecy: ''Nation shall not take up sword against nation; neither shall they know war anymore.''

The younger generation of Israelis and Palestinians deserve better. They are all worthy of a future to look towards, a future of peace and prosperity, and a future of hope. I am wholeheartedly committed to this vision, a vision of hope and peace—true peace—without any terror.

Mr. Speaker, dear friends, the sacred bond we share is unique in scope and

quality because it is based on values that reach across generations, across administrations, and across governments and coalitions, carrying us through times of turmoil and elation.

One hundred sixty years ago, it was President Abraham Lincoln who spoke of the dream to restore the Jews to their national home as one shared by many Americans.

The inscription on Philadelphia's Liberty Bell articulates the Hebrew Bible's code of ethics: ''Proclaim liberty throughout all the land unto all the inhabitants thereof.''

This verse from Leviticus, shining through the crack of the Liberty Bell, underscores the principles that fuel the American Dream. These words have bound our nations through the ages. Coming together today in this Chamber of liberty and freedom, we are all realizing the hopes of our founding fathers and mothers.

We are very proud—so very proud—of the true friendship we have forged. It is a mutually beneficial partnership that has withstood challenges and weathered great disagreements because it is based not on uniformity of approach but on the ultimate currency of trust. It is not dependent upon operating in harmony, but on the history we share, on the truths we cherish, and on the values we embody.

This partnership is based also on similarities and the affinity between our peoples, the courageous immigrants and the trailblazing pioneers.

It is rooted deep in our respective Declarations of Independence. In the American Declaration of Independence, the Founders appealed to the Supreme Judge of the World. In the Israeli Declaration of Independence, influenced by America's, our founders placed their trust in the Rock of Israel, Tsur Yisrael.

The revered American Jewish spiritual leader, Rabbi Abraham Joshua Heschel, embodied the bridge between our peoples and the story of American Jewry. After escaping from the Holocaust, Rabbi Heschel publicly advocated interfaith dialogue. He fought for civil liberties in America and marched alongside Reverend Dr. Martin Luther King, Jr., in the historic march from Selma to Montgomery in March of 1965.

Rabbi Heschel wrote: ''To be is to stand for.''

''To be is to stand for.''

I am so pleased to have his daughter, Professor Susannah Heschel of Dartmouth, join us here today. Thank you, Susannah.

Susannah, your father reminds us that the principles we defend make us what we are.

Ultimately, Israel and the United States stand—and, indeed, have always stood—for the same values. Our two nations are both diverse, life-affirming societies that stand for liberty, equality, and freedom. At our core, both our peoples seek to repair the cracks in our world.

Having said this, I am well aware that our world is changing. A new generation of Israelis and Americans are assuming leadership roles. They are a generation that was not privy to the hardship of Israel's formative years, a generation that is less engaged in the roots that connect our peoples, and a generation that, perhaps, takes for granted the U.S.-Israel relationship.

Yet, at this moment I am optimistic because to me it is clear that the shift in generations does not reflect changing values, nor does it indicate changes in our interests. When the United States is strong, Israel is stronger, and when Israel is strong, the United States is more secure.

Today, my dear friends, we are provided the opportunity to reaffirm and redefine the future of our relationship. Each of us here has a decisive role in the future we are building.

Many of the challenges Israel and the United States face are similar. We are all experiencing a tumultuous shift in balance evident in countless areas: geopolitical unrest, big power competition, catastrophic war in Ukraine, pandemics, climate crisis, the unknown of artificial intelligence, energy shortages, food insecurity, scarcity of water and desertification, global terror, social polarization, and the attempts to destabilize democracy.

Each of these challenges presents an opportunity to seek out solutions together which will benefit the global community. Israel has the ability to contribute in a unique and significant fashion to addressing these challenges. Israel and the United States are world leaders in aiding countries whose peoples have suffered. Our collaborative capabilities, coupled with our mutually beneficial partnership, are the key to the future of our children.

To us, it is clear that America is irreplaceable to Israel, and Israel is irreplaceable to America. It is time to design the next stage of our evolving friendship and our growing partnership together.

So let's do it together, ladies and gentlemen. Let's elevate our partnership to new levels.

Mr. Speaker, I am not oblivious to criticism among friends, including some expressed by respected Members of this House. I respect criticism, especially from friends, although one does not always have to accept it.

However, criticism of Israel must not cross the line into negation of the State of Israel's right to exist. Questioning the Jewish people's right to self-determination is not legitimate democracy. It is anti-Semitism. Vilifying and attacking Jews, whether in Israel, in the United States, or anywhere else in the world, is anti-Semitism.

Anti-Semitism is a disgrace in every form, and I commend President Joe Biden for laying out the United States' first ever National Strategy to Combat Anti-Semitism.

Dear friends, it is no secret that over the past few months the Israeli people have engaged in a heated and painful debate. We have been immersed in voicing our differences and revisiting and renegotiating the balance of our institutional powers in the absence of a written constitution.

In practice, the intense debate going on back home, even as we speak, is the clearest tribute to the fortitude of Israel's democracy.

Israel's democracy has always been based on free and fair elections, on honoring the people's choice, on safeguarding minority rights, on protection of human and civil liberties, and on a strong and independent judiciary.

Our democracy is also 120 members of Knesset comprised of Jews, Muslims, Christians, or Druze representing every opinion under the Israeli Sun working and debating side by side.

Our democracy is also late Friday afternoon, when the sound of the Muezzin calling to prayer blends with the siren announcing the Sabbath in Jerusalem while one of the largest and most impressive LGBTQ Pride parades in the world is going on in Tel Aviv.

Our democracy is also reflected in protesters taking to the streets all across the country to emphatically raise their voices and fervently demonstrate their points of view. Our democracy is the blue and white Israeli flag waved and loved fervently taking part in the debate.

I am well aware of the imperfections of Israeli democracy, and I am conscious of the questions posed by our greatest of friends. The momentous debate in Israel is painful and deeply unnerving because it highlights the cracks within the whole.

As President of Israel, I am here to tell the American people and each of you that I have great confidence in Israeli democracy. Although we are working through sore issues, just like you, I know our democracy is strong and resilient. Israel has democracy in its DNA.

I am deeply mindful of the challenge which this moment presents to Israeli society, and I have made it the priority of my Presidency to play a leading role in this critical and emotional public discussion.

I will say to you, dear friends, in English what I have said to my people, my sisters and brothers, in Hebrew back home.

As a Nation, we must find a way to talk to each other, no matter how long it takes. As Head of State, I will continue doing everything to reach broad public consensus and to preserve, protect, and defend the State of Israel's democracy.

Dear friends, for so many Israelis, this very public debate is also very personal. It is now a little after 6 p.m. in Israel. They will soon sit down to dinner, together, beside family or friends, with whom they may severely disagree, but they are and they will always remain family.

Israel and the United States will inevitably disagree on many matters, but we will always remain family.

Our evolutionary societies have so much to give to the world and so much

to learn from each other. Our bond may be challenged at times, but it is absolutely unbreakable.

The Israeli national anthem, ''Hatikva,'' is a song of hope. The late Rabbi Lord Jonathan Sacks wrote that in Judaism, hope is an active virtue, which requires a great deal of courage.

Hope is the belief that together we can make the world better, that we can overcome any setbacks and heal the fractures in our world.

Israel's first 75 years were rooted in an ancient dream. Let us base our next 75 years on hope, our shared hope, that we can heal our fractured world as the closest of allies and friends.

Thank you, Members of both Houses, for celebrating Israel's independence. ''Am Yisrael Chai.'' ''The people of Israel Live.'' God bless the State of Israel, and God bless the United States of America.

(Applause, the Members rising.)

At 11 o'clock and 53 minutes a.m., His Excellency Isaac Herzog, President of the State of Israel, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly (at 11 o'clock and 54 minutes a.m.), the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1236

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. D'ESPOSITO) at 12 o'clock and 36 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. GRAVES of Missouri. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT

GENERAL LEAVE

Mr. GRAVES of Missouri. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3935.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 597 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3935.

The Chair appoints the gentleman from New York (Mr. GARBARINO) to preside over the Committee of the Whole.

□ 1238

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3935) to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes, with Mr. GARBARINO in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member on the Committee on Transportation and Infrastructure or their respective designees.

The gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES of Missouri. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, is a bipartisan bill to reauthorize the Federal Aviation Administration and the Nation's aviation safety and infrastructure program for the next 5 years.

I thank Transportation and Infrastructure Committee Ranking Member RICK LARSEN, Aviation Subcommittee Chairman GARRET GRAVES, and Aviation Subcommittee Ranking Member STEVE COHEN for working with me to develop and introduce this legislation.

For over a century, the United States has led the world in aviation safety and innovation. Unfortunately, our gold standard status is being threatened by increasing global competition, by rapid developments in technology, a shortage of aviation professionals, and the inefficiencies and lack of leadership in the FAA.

H.R. 3935 is critical to keeping America a global leader in aviation. It is vital to our economy, to millions of American jobs, and to the 850 million passengers that depend on our National Airspace System every single year.

If Congress fails to act on a new long-term aviation measure by September 30, when the current FAA law expires, key aviation programs will cease to function.

H.R. 3935 provides the necessary long-term certainty that is demanded by both the civil aviation system and the aviation community to guarantee its safety and prosperity for decades to come.

This bill not only improves FAA's efficiency through reasonable organizational changes but makes the agency more agile while simultaneously prioritizing safety each step of the way.

The FAA is simply too slow in everything it does, from rulemaking to aircraft registrations and from certifications to just simple paperwork.

This bill ensures robust investment in infrastructure for airports of all sizes, including the thousands of smaller and general aviation airports that make up the bulk of our aviation system.

I am proud to say our bill includes the first ever General Aviation title in the FAA reauthorization bill. GA is the foundation to our civil aviation system. It is where many of our pilots, mechanics, and other aviation professionals begin their careers, gaining valuable experience along their journey in the aviation industry.

This bill recognizes the importance of GA and protects the freedom to fly for every American.

As previously mentioned, growing shortages across the aerospace workforce are a true threat to the future of American aviation.

H.R. 3935 addresses workforce challenges head-on by removing barriers to entry for individuals and veterans interested in pursuing careers in aviation, such as through the CAREER Program.

Bottom line, our bill encourages growth in the aviation workforce through meaningful reforms, the most meaningful in decades.

What is more, H.R. 3935 maintains American leadership when it comes to the development and integration of new and emerging technologies into the airspace, such as drones and Advanced Air Mobility.

Specifically, this bill requires the FAA to stop endless testing and pilot programs that go nowhere to integrate innovation, such as drones and AAM into the National Airspace System.

As air travel recovers from the COVID pandemic, renewed growth in air travel has come with some difficulties, obviously, for the traveling public. Our bipartisan bill includes an entire title dedicated to improving the flying experience for the traveling public, an issue that each of our offices hear about from constituents probably on a daily basis.

Finally, and most importantly, the bill recognizes that while our aviation system is safe, we must continue to raise the bar for safety. As such, this

bill includes a number of safety-focused provisions to ensure that America continues to be the world's gold standard in aviation safety.

One of the most important safety features of this bill is a title for 5-year reauthorization of the National Transportation Safety Board, the NTSB. It is this independent Federal agency that investigates all civil aviation accidents and transportation accidents throughout this sector.

I believe the Securing Growth and Robust Leadership in American Aviation Act is one of the most important pieces of legislation this body is going to consider in the 118th Congress.

This bill is vital to America's airport infrastructure, to our economy, and to the future of American leadership in aviation.

Mr. Chair, I urge my colleagues to support this legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, July 6, 2023.

Hon. SAM GRAVES,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 3935, the ''Securing Growth and Robust Leadership in American Aviation Act,'' which was introduced on June 9, 2023.

H.R. 3935 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is done based on our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology nor is it a waiver of any future jurisdictional claim over subject matter contained in this bill or in similar legislation.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter and your response in the committee report and in the Congressional Record during the floor consideration of this bill. Finally, I ask that you support the appointment of Science Committee conferees during any House-Senate conference convened on this legislation. Thank you in advance for your cooperation.

Sincerely,

FRANK D. LUCAS,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 7, 2023.

Hon. FRANK D. LUCAS,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN LUCAS: I write to you concerning H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, which was introduced on June 9, 2023, and solely referred to the Committee on Transportation and Infrastructure.

I appreciate you agreeing to withdraw your request for a sequential referral of H.R. 3935, so that the bill may be considered expeditiously. I acknowledge that forgoing your referral claim now does not waive the right to jurisdictional claims in the future on subject matter contained in this bill or similar legislation. Further, I will appropriately consult and involve the Committee on Science, Space, and Technology as the bill moves forward on issues that fall within your Rule X jurisdiction. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Science, Space, and Technology represented on the conference committee.

Finally, I will include a copy of our letter exchange in the Committee Report and the Congressional Record when the bill is considered on the House floor.

Thank you again for your cooperation.

Sincerely,

SAM GRAVES,
Chairman, Committee on Transportation and Infrastructure.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 7, 2023.

Hon. FRANK D. LUCAS,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN LUCAS: I write to you concerning H.R. 3559, the FAA Research and Development Act of 2023. The bill was referred primarily to the Committee on Science, Space, and Technology, with an additional referral to the Committee on Transportation and Infrastructure. Specifically, provisions of H.R. 3559 fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Transportation and Infrastructure will forgo action on the bill. However, this is conditional on our mutual understanding that doing so will not prejudice the Committee on Transportation and Infrastructure with respect to the appointment of conferees or to any future jurisdictional claim over the subject matter contained within the bill or similar legislation that falls under the Committee on Transportation and Infrastructure's Rule X jurisdiction. Further, should a conference on the bill be necessary, I appreciate your agreement to support my request to have the Committee represented on the conference committee.

Finally, I would ask that a copy of this letter and your response acknowledging our jurisdictional interest in the bill be included in the Committee Report and Congressional Record during consideration of H.R. 3559 on the House floor.

Sincerely,

SAM GRAVES,
Chairman, Committee on Transportation and Infrastructure.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, July 10, 2023.

Hon. SAM GRAVES,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3559. the ''FAA Research and Development Act of 2023,'' which was referred initially to the Committee on Science, Space, and Technology and sequentially to the Committee on Transportation and Infrastructure.

I appreciate your willingness to work cooperatively on this bill. I recognize that the Committee on Transportation and Infrastructure has a valid jurisdictional interest in certain provisions of H.R. 3559, and that the Committee's jurisdiction should not be adversely affected by your decision to forego formal consideration of H.R. 3559. As you have requested, I will support your request for an appropriate appointment of outside conferees from your committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

FRANK D. LUCAS,
Chairman.

Mr. LARSEN of Washington. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in support of H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, introduced by T&I Committee Chair GRAVES, Aviation Subcommittee Chair GRAVES, Ranking Member COHEN, and myself.

I extend my thanks to the chairman of the full committee, SAM GRAVES of Missouri, and the Subcommittee Chair GARRET GRAVES of Louisiana, for their commitment to a bipartisan effort done in good faith to get this bill done that protects the flying public and secures the future of the U.S. aviation system.

In my home State of Washington, the aviation sector is a powerful economic engine that creates good-paying jobs and supports local communities in the Pacific Northwest.

This bill delivers for my constituents as well as for all Americans across the country. It advances American leadership in aviation safety and innovation, strengthens and diversifies our aviation workforce, expands consumer protections and accessibility, and fosters environmental sustainability in aviation.

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Although the U.S. aviation system is the safest in the world, the last few years have shown there is still work to do. The rise in runway near misses at some U.S. airports expose a vulnerability for the flying public. This reauthorization will help prevent these events by expanding ground surveillance and detection capabilities to all large and medium hub U.S. airports.

Further, unruly passengers continue to pose a threat to flight crews and other frontline workers. This bill better protects workers by creating a task force on preventing assaults against airline personnel and enforcing a requirement that airlines establish employee assault and response plans.

Recent flight cancellations and delays have shaken the confidence of passengers in the U.S. aviation system. To get us back on the right course, this reauthorization requires airlines to create resiliency plans to address mass flight disruptions. It also takes steps to make passengers whole by requiring airlines to develop policies to cover food and hotel expenses due to flight disruptions.

The bill also supports the administration's push for family seating by requiring airlines to establish policies allowing passengers to sit next to their young children if adjacent seats are available.

For too long, passengers with disabilities have experienced inexcusable barriers in air travel from challenges with boarding the aircraft and inaccessible onboard lavatories, to damaged and mishandled wheelchairs and mobility aids.

This bill paves the way for safer and more dignified air travel for this particular community by directing the DOT to create a roadmap for airlines to reduce damage to mobility aids and to improve training for airline personnel and contractors on assisting passengers with disabilities.

Climate change is a growing threat to millions of Americans and the infrastructure we rely on. This bill makes groundbreaking investments in sustainability, increasing Federal funding for the Airport Improvement Program from $3.35 billion to $4 billion and dedicating a minimum of $150 million to airport environmental and noise programs.

It also allows U.S. airports to use these funds for alternative fuel infrastructure and environmental resiliency projects and works to mitigate the impacts of aviation noise on local communities.

It directs the FAA to review and revise Federal aviation noise standards and to seek feedback from neighboring communities as well. Furthermore, the bill requires the FAA to take certain actions to reduce undesirable aircraft noise when implementing or revising a flight procedure. These actions build the foundation for a cleaner future for our aviation ecosystem.

To secure American leadership in aerospace innovation, we must provide a clear and predictable framework for emerging industries to scale safely while ensuring the needs of communities are addressed.

From drones to electric or hydrogen-powered aircraft, advanced aviation technologies have clear economic and societal benefits.

In Washington State, drones will soon be used to deliver critical medical supplies in the Tacoma area, helping to reduce barriers to care for patients. This reauthorization also requires the FAA to issue proposed rules for drones to safely scale in this country, providing regulatory certainty to a growing sector, ensuring their safe integration into our skies, and creating U.S. jobs.

It will also help State, local, and Tribal governments acquire drones for infrastructure inspection and repair to help workers do their jobs more safely. It also extends a program that I championed to fund State and community efforts to plan for a future with advanced air mobility operations and infrastructure.

Our talented and dedicated U.S. workforce is the backbone of American aviation and makes the Nation's leadership in aviation safety and innovation possible.

This reauthorization is a jobs bill. It helps build the economy from the middle out and bottom up and diversifies the aviation workforce, recognizing how critical that effort is to our Nation's long-term economic success.

It makes robust investments in the FAA's aviation workforce development program to upskill the next generation of pilots, maintenance technicians, manufacturing workers, and other critical professions.

This will help local businesses, like Aviation Technical Services in Everett, Washington, to expand their apprenticeship and training programs and compete in the rapidly evolving global aviation sector.

The bill also creates the Willa Brown Aviation Education Program and establishes a National Center for the Advancement of Aerospace to support and promote aviation workforce development opportunities for everyone.

Crucially, it requires the FAA to hire the maximum number of air traffic controllers, as well as to adopt the most appropriate controller staffing model to meet growing airspace needs.

I will spend my final bit of comments on the Disadvantaged Business Enterprise program. This bill also reaffirms and strengthens the U.S. Department of Transportation's DBE program. As we increase investment under this bill and dedicate Federal dollars to airport projects, it is imperative that we ensure the process of awarding Federal transportation contract dollars allows for full participation on a level playing field by minority-owned and women-owned businesses.

The committee has accumulated evidence attesting to systemic discrimination that women and minorities face in attempts to establish, grow, and operate construction businesses, including those seeking contracts for airport construction projects and airport concessions across the country.

This evidence includes testimony at a hearing titled: ''Driving Equity: The U.S. Department of Transportation's Disadvantaged Business Enterprise Program'' held on September 23, 2020, since the passage of the last bill.

We have received and reviewed disparity studies, testimony, and other evidence, including statistical analyses containing numerous disparity studies conducted since 2018, the Department of Justice ''Report on Lawful Uses of Race or Sex in Federal Contracting Programs,'' and the DOT's own report on DBE goal attainment. These studies and reports continue to demonstrate that race- and gender-neutral efforts alone are insufficient to address the problem.

The evidence demonstrates that discrimination across the U.S. poses an injurious and enduring barrier to full and fair participation in airport-related businesses of women businessowners and minority businessowners and has negatively affected firm formation, development and success in many aspects of airport-related businesses in public and private markets.

The evidence provides a clear picture of the inequality caused by this discrimination that continues to plague our Nation and a strong basis that there is a compelling need for the continuation of the Disadvantaged Business Enterprise Program to address race and gender discrimination in airport-related businesses.

Mr. Chair, I include in the RECORD 65 studies and reports spanning communities in 25 States showing significant disparity between the use of DBE and non-DBE subcontractors. The full text of each report is held on file electronically with the Committee on Transportation and Infrastructure.

[July 19, 2023]

Mr. Speaker, I include in the Record evidence received by the Committee on Transportation and Infrastructure on the compelling need for the continuation of the Disadvantaged Business Enterprise (DBE) program.

This statistical evidence includes 64 disparity studies conducted in 25 states since 2018, showing significant disparities between the use of DBE and non-DBE subcontractors in publicly financed, airport-related construction and concession contracting and in publicly financed, non-airport construction contracting that involves many of the same types of subcontracting opportunities available on airport projects.

The submission also includes reports prepared for and by the U.S. Department of Justice (DOJ) and the U.S. Department of Commerce, including a report analyzing over 200 disparity studies produced by state and local government agencies between 2010 and 2021 and other evidence related to disparities faced by minority business enterprises in public and private contracting markets; and DOJ's 2022 survey of evidence documenting the compelling interest to remedy the effects of discrimination in government contracting.

This evidence demonstrates a strong basis that there is a compelling need for the continuation of the Disadvantaged Business Enterprise and Airport Concession Disadvantaged Business Enterprise programs to address race and gender discrimination in airport-related business.

The full text of each study and report is held on file electronically with the Committee on Transportation and Infrastructure.

ALASKA

Disadvantaged Business Enterprise Study, Alaska Department of Transportation and Public Facilities, Final Report and Final Appendices, Prepared by MGT Consulting Group (2020).

ARIZONA

Arizona Department of Transportation 2020 Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2020).

CALIFORNIA

2022 Caltrans FTA Disparity Study, California Department of Transportation, Prepared by BBC Research & Consulting (2022).

Availability and Disparity Study Report 2021, California Department of Transportation, Prepared by BBC Research & Consulting (2021).

North County Transit District 2022 Disparity Study Final Report, Prepared by Keen Independent Research (2022).

2020 Disparity Study, City of San Diego, Prepared by BBC Research & Consulting (2020).

COLORADO

2020 State of Colorado Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2020).

2018 Disparity Study, City and County of Denver, Final Report, Prepared by BBC Research & Consulting (2018).

DELAWARE

2022 Disparity Study, State of Delaware, Prepared by MGT Consulting (2022).

New Castle County, DE 2022 Public Works Procurement Disparity Study Final Report, Prepared by Keen Independent Research LLC (2022).

FLORIDA

City of St. Petersburg Disparity Study Final Report, Prepared by Mason Tillman Associates, Ltd. (2021).

2019 Disparity Study, City of Tallahassee, Leon County, and Blueprint, Prepared by MGT Consulting Group (2019).

HAWAII

Hawaii Department of Transportation 2019 Availability and Disparity Study, Final Availability and Disparity Study Report, Prepared by Keen Independent Research (2019).

ILLINOIS

City of Chicago Disparity Study for Construction Contracts 2021, Prepared by Colette Holt & Associates (2021).

Chicago Transit Authority Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

INDIANA

2019 Disparity Study, City of Indianapolis and Marion County, Prepared by BBC Research & Consulting (2019).

City of South Bend Disparity Study, Prepared by Colette Holt & Associates (2019).

2020 Disparity Study, State of Indiana Final Report, Prepared by BBC Research & Consulting (2020).

KENTUCKY

2022 Disparity Study, Lexington-Fayette Urban County Government Final Report, Prepared by BBC Research & Consulting (2022).

Louisville & Jefferson County Metropolitan Sewer District Disparity Study, Final Report, Prepared by Mason Tillman Associates, Ltd. (2018).

LOUISIANA

City of Alexandria LA Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2022).

City of Baton Rouge, Parish of East Baton Rouge Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2019).

2018 City of New Orleans Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2018).

Recreation and Park Commission for the Parish of East Baton Rouge Disparity Study, Final Report, Prepared by Keen Independent Research LLC (2019).

MARYLAND

City of Frederick Disparity Study Report, Prepared by Griffin & Strong P.C. (2021).

Disadvantaged Business Enterprise Disparity Study: Volume I and Volume II, Prepared for the Maryland Department of Transportation by NERA Economic Consulting (2018).

Baltimore County Disparity Study, Final Report, Prepared by Mason Tillman Associates, Ltd (2021).

Charles County, MD 2021 Disparity Study, Prepared by Griffin & Strong P.C. (2021).

City of Baltimore 2022 Disparity Study, Final Report and Appendices, Prepared by MGT Consulting Group (2022).

MASSACHUSETTS

2020 Disparity Study, City of Boston, Prepared by BBC Research & Consulting (2020).

MISSOURI

Missouri Department of Transportation 2019 DBE Availability Study Final Report, Prepared by Keen Independent Research LLC (2019).

2019 City of Kansas City Construction Workforce Disparity Study, Prepared by Keen Independent Research LLC (2019).

MONTANA

2022 Montana Department of Transportation Disparity Study, Final Report, BBC Research & Consulting (2022).

NEW YORK

City of New York Disparity Study, Prepared by MGT Consulting Group (2018).

NORTH CAROLINA

2018 Disparity Study, City of Asheville, North Carolina, Prepared by BBC Research & Consulting (2018).

Greensboro, North Carolina Disparity Study Final Report, Prepared by Griffin & Strong P.C. (2018).

State of North Carolina, Department of Administration Disparity Study Report Volume 1 (State Agencies), Prepared by Griffin & Strong P.C. (2020).

State of North Carolina, Department of Administration Disparity Study Report Volume 2 (Community Colleges & Universities), Prepared by Griffin & Strong P.C. (2021).

OHIO

City of Columbus Disparity Study Final Report, Prepared by Mason Tillman Associates, Ltd. (2019).

2022 Disparity Study, Hamilton County Final Report, Prepared by BBC Research & Consulting (2022).

Cuyahoga County, Ohio Disparity Study Report, Prepared by Griffin & Strong P.C. (2020).

OREGON

Department of Aviation, Oregon Statewide DBE Disparity Study, Prepared by Keen Independent Research (2021).

The Port of Portland Small Business Program Disparity Study 2018, Prepared by Colette Holt & Associates (2018).

Oregon Department of Transportation 2019 DBE Disparity Study Update, Final Report, Prepared by Keen Independent Research LLC (2019).

PENNSYLVANIA

Annual Disparity Study Fiscal Year 2019, Prepared by City of Philadelphia Office of Economic Opportunity (2019).

2018 Disparity Study, Pennsylvania Department of Transportation, Prepared by BBC Research & Consulting (2018).

Annual Disparity Study Fiscal Year 2018, Prepared by City of Philadelphia Office of Economic Opportunity (2018).

2018 Disparity Study, Commonwealth of Pennsylvania Department of General Services, Prepared by BBC Research & Consulting (2018).

RHODE ISLAND

Disparity Study, Final Report, State of Rhode Island, Prepared by Mason Tillman Associates, Ltd. (2021).

TENNESSEE

Memphis-Shelby County Airport Authority Disparity Study 2022, Prepared by Colette Holt & Associates (2022).

Metropolitan Nashville Airport Authority Disparity Study Final Report, Prepared by Griffin & Strong P.C. (2020)

City of Chattanooga, Tennessee 2019 Disparity Study, Final Report, Prepared by Griffin & Strong P.C. (2019).

Metro Nashville Tennessee Disparity Study Final Report, Prepared by Griffin & Strong P.C. (2018)

TEXAS

City of Austin Disparity Study Report 2022, Prepared by Colette Holt & Associates (2022).

Dallas Fort Worth International Airport, Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

City of Fort Worth, Texas Disparity Study, Prepared by CH Advisors Inc. (2020).

Texas Department of Transportation Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

Availability and Disparity Study, City of Dallas, Texas, Prepared by MGT Consulting Group (2020).

VIRGINIA

2020 Disparity Study, Commonwealth of Virginia, Prepared by BBC Research & Consulting (2020).

2018 Disparity Study, City of Virginia Beach, Prepared by BBC Research & Consulting (2018).

WASHINGTON

Port of Seattle Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

Washington State Airports Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

City of Tacoma, Disparity Study, Final Report, Prepared by Griffin & Strong P.C. (2018).

State of Washington Disparity Study 2019, Prepared by Colette Holt & Associates (2019).

NATIONWIDE

The Compelling Interest to Remedy the Effects of Discrimination in Federal Contracting: A Survey of Recent Evidence, U.S. Department of Justice (2022). [See also FR Doc. 2022–01478]

Jon Wainwright, Report of Defendant's Expert, submitted in Ultima Services Corp. v. Dept. of Agriculture, Case No. 2:20–CV–00041.

Update to the Assessment of Contracting Outcomes for Small Disadvantaged Businesses, Prepared by the Minority Business Development Agency of the U.S. Department of Commerce (2022).

Mr. LARSEN of Washington. The Securing Growth and Robust Leadership in American Aviation Act is a long-term, comprehensive, and bipartisan reauthorization that cements a safer, cleaner, greener, more innovative and accessible future for the U.S. aviation system.

I will end my opening comments by again thanking Chair SAM GRAVES and Subcommittee Chair GARRET GRAVES for making sure that they are reaching out to the Democratic side of the aisle to ensure that we could have a bipartisan and collaborative bill put together. I thank Subcommittee Ranking Member COHEN for his leadership as ranking member of the Subcommittee on Aviation, and for all of the staff for their hard work, as well.

Particularly, I thank the minority staff of the Subcommittee on Aviation: staff director, Brian Bell; professional staff, Alex Menardy; counsel, Adam Weiss; and our FAA detailee, Liz Forro, for the hard work and the countless hours they have spent crafting this legislation with their majority counterparts.

Mr. Chair, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chair, I yield 5 minutes to the gentleman

from Louisiana (Mr. GRAVES), the chair of the Subcommittee on Aviation.

Mr. GRAVES of Louisiana. Mr. Chairman, this legislation reflects the input of Members of Congress, of the flying public, and stakeholders to the tune of over 2,000 unique submissions that we processed, that we put together. Ultimately, it yields a bill that is in excess of 840 pages.

This legislation is the result of hundreds of meetings and dozens of hearings dating back years. Most importantly, Mr. Chairman, this legislation passed the House Transportation and Infrastructure Committee with unanimous bipartisan support.

This legislation takes important steps in ensuring that we have continuity and consistency within the FAA. It makes fundamental organizational changes, taking a 1970s organization and updating it for today. It establishes a deputy administrator for safety and operations, and an assistant administrator for rulemaking and regulatory improvement. It establishes an Office of Innovation, an FAA ombudsman, and many other important changes in the organizational structure of this antiquated and slow-moving agency.

Mr. Chairman, this legislation is focused on the passenger experience. You can imagine these families traveling and going to satellite parking lots, taking shuttles to airports, trying to check in bags, trying to go through security, dealing with concessionaires at the airport, getting on the airplane, and on the back side, effectively doing it all over again at your destination airport.

We have to have someone who looks at this entire process to ensure that it is consistent, that it is complementary, that it is streamlined. This bill does just that: improving upon that passenger experience; ensuring that we are deploying the best technology, the most updated technology, as quickly as possible; pulling back the veil on air traffic control and other operations that often result in a negative or adverse passenger experience.

Mr. Chairman, this legislation addresses many of the very concerns that we hear from the flying public. We have areas where we have shortages in personnel on the government side or on the private sector side, as the ranking member noted.

We ensure that we incentivize new entrants into this growing workforce, to make sure that we have the pilots, the air traffic controllers, the A&P mechanics, those that are operating new entrants into the market, to ensure that that customer experience is positive.

Mr. Chairman, this legislation also takes significant advances in an area I care a lot about—new entrants into the market. The FAA was really established or set up for a scenario when we had a few airplanes per week that were coming off assembly lines. Now, we are facing a scenario where you are going to have thousands and thousands of unmanned systems that are coming out on a weekly basis. We have to make sure that our regulatory and our statutory environment is one that actually facilitates these new entrants in the market.

Title 7 facilitates these new technologies, everything from allowing for drones to be used for delivery, making decisions on beyond visual line-of-sight, ensuring that we are operating a risk-based framework for safety.

It codifies the part 107 waiver process to ensure that we are standardizing the waiver process and provides transparency. It ensures the designation of critical infrastructure related to drones—something that should have been done, I want to remind my FAA friends, in 2016—and establishes a mandate for that action.

It helps to streamline the environmental process. It clarifies and eliminates burdensome rules regarding the delivery of certain products. It allows for unmanned systems to be used for wildfires, and it includes the DIIG Act for infrastructure inspections.

In the advanced air mobility space, it creates certainty for eVTOL, electric vertical takeoff and landing equipment. It ensures that the process, the notice of the proposed rulemaking that is going through, is completed and provides certainty moving forward.

Mr. Chairman, I am not going to go through everything in this 841-page bill, but I do want to make note that the leader of this bill, the leader of this committee, SAM GRAVES, is the most knowledgeable aviation expert that has ever led this committee. His hand was involved in every page of this legislation. We would not have this great bill without his leadership, without the leadership of our ranking member, RICK LARSEN, who represents a large manufacturing and innovation community, and our ranking member, STEVE COHEN, who represents one of the largest cargo logistics hubs in the world.

I have flown before, so I thank all of the leaders of the committee. I also want to give a shout-out to all the staff. I will go through and name them in a little while.

Mr. Chairman, I urge adoption of this bill.

Mr. LARSEN of Washington. Mr. Chair, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Chair, firstly, I would like to go ahead and extend to all the leadership that produced this bill my thanks: Chairman SAM GRAVES, Ranking Member LARSEN, and Subcommittee Chair GARRET GRAVES, our self-professed passenger.

This is an outstanding, bipartisan bill. It is what the American public wants, what it needs, and we need to pass this.

If the House Committee on Transportation was a microcosm of Congress, we would have the highest ratings Congress has ever seen. We worked together on this bill.

As the ranking member of the Subcommittee on Aviation, I appreciate the opportunity to work with this leadership team and the whole committee and the staff to produce this bipartisan bill, which we hope we can pass by the September deadline.

The legislation is vital in the continuity of the U.S. aviation industry. It helps ensure aviation safety, infrastructure, and workforce development programs remain top priorities at such a critical juncture.

Our Nation is bound together by aviation, business and passenger, as well. This legislation addresses several key priorities of mine: improving airport infrastructure investments; enhancing aviation safety; protecting consumers, especially those with disabilities; addressing environmental resiliency; ensuring the safe operation and integration of unmanned aircraft systems and advanced air mobility aircraft; and improving the development of the U.S. aviation workforce, especially in minority communities.

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I am especially pleased to see several of my amendments included herein. There is language to assist airports that faced financial adversity due to reclassification from small to medium hubs, including the Memphis International Airport.

There are provisions from the Safe Aviation Flight Enhancement Act that was introduced with my friend from Tennessee (Mr. BURCHETT) to address flight data recovery for aircraft used in extended overwater operations and cockpit voice recorders.

There is language developed with Senator BLUMENTHAL directing the FAA to complete its rulemaking on a minimum seat size, as mandated by our SEAT Act from the 2018 FAA reauthorization law.

There is language developed with Senator LUJÁN regarding aircraft cabin temperature standards.

There are provisions from the Emergency Vacating of Aircraft Cabin Act that was introduced with Senator DUCKWORTH to improve Federal evacuation standards.

The Mobility Aids on Board Improve Lives and Empower All Act that I introduced with Representative STAUBER and Senators DUCKWORTH and THUNE would improve air travel for passengers with disabilities, notably passengers who use wheelchairs and other mobility aids.

The Prioritizing Accountability and Accessibility for Aviation Consumers Act that I introduced with Representative FITZPATRICK and Senators DUCKWORTH and FISCHER is on disabilities, as well.

As you can see, I work with folks from both sides of the aisle and both Houses. That is what we needed to do, and that is why this bill is good and why it is going to pass.

Mr. Chair, the bill also addresses consumer concerns relating to reimbursements when there are significant

delays or canceled flights, family seating, and airport infrastructure resiliency as well as airline operational resiliency plans.

All of the above are steps in the right direction to not only protect and accommodate passengers with equity in mind but also to ensure the longevity of the U.S. aviation industry.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma (Mr. LUCAS), the chairman of the Science, Space, and Technology Committee.

Mr. LUCAS. Mr. Chairman, I thank Mr. GRAVES and Ranking Member LARSEN for putting together a solid bipartisan bill to reauthorize the Federal Aviation Administration.

I am here to discuss how this legislation addresses FAA's research, development, and engineering activities that are within the jurisdiction of the Science, Space, and Technology Committee.

Our role in the FAA reauthorization is to inform the process by crafting legislation that supports R&D to advance American aviation. Our goal with the bill was to support smart, strategic work to promote innovation and keep America the global leader in aviation. That leadership is critical to our national security and our international competitiveness.

For our economy to thrive, we need the ability to transport people and goods quickly, safely, and efficiently. Staying competitive means staying at the leading edge of aviation innovation.

With that in mind, last month, the Science, Space, and Technology Committee unanimously passed H.R. 3559, the FAA Research and Development Act of 2023. That bill, which has been incorporated into the legislation before us today, is the product of months of work within regular order.

We gathered extensive feedback and held a legislative hearing to give our members a chance to directly question stakeholders, industry, and FAA representatives on how best to support innovation and modernization in American aviation.

The result is comprehensive legislation that quite literally supports aviation from the ground up, from the durability of our runways to how we monitor traffic over oceans and remote areas. It accelerates the development of advanced materials for aerospace vehicle construction and supports research into how more accurately to predict the weather to reduce delays and increase safety.

Importantly, it ensures that safety continues to be the primary focus of FAA research and development by requiring a report on whether at least 70 percent of FAA R&D funds are going toward improved safety.

In short, we have put together a solid framework to support FAA's research work, one that is appropriately tailored to FAA's jurisdiction and strengths.

With this legislation, we are ensuring that America remains the global leader in aviation for years to come.

Mr. Chair, I thank Ranking Member ZOE LOFGREN for working with me in good faith to develop the R&D portion of this legislation. I thank Chairman GRAVES and Ranking Member LARSEN for incorporating our work into this package.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chairman, as a member of the Aviation Subcommittee and co-chair of the bipartisan Congressional Unmanned Systems Caucus, I support the FAA reauthorization bill that passed unanimously out of the Transportation and Infrastructure Committee just weeks ago. It includes provisions that will benefit all the airports in Nevada's First District, and it will remove regulatory hurdles for drones so they can be used commercially, for search and rescue, and for fire detection and suppression.

Furthermore, my district, which is one of the world's top travel destinations, welcomes visitors from all backgrounds and abilities. I am proud to say that this bill includes provisions from the Air Carrier Access Amendments Act. This was an act previously introduced by my good friend, former Representative Jim Langevin. It will protect the rights of disabled passengers by establishing aircraft accessibility standards and setting a timeline for DOT to investigate and respond to disability-related complaints.

Mr. Chair, I thank Chairman GRAVES, Ranking Member LARSEN, Aviation Subcommittee Ranking Member COHEN, and Chairman GRAVES for their hard work and cooperation on this bill, as well as Chairman VAN DREW, the Paralyzed Veterans of America, and the airlines for their collaboration on the disability provisions.

Mr. Chair, I urge passage of this bill.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. D'ESPOSITO).

Mr. D'ESPOSITO. Mr. Chair, I rise today in strong support of the bipartisan Federal Aviation Administration reauthorization plan that is currently being advanced through this House.

This sweeping package, outlined in H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, will ensure the FAA has the tools necessary to safeguard air travel throughout the United States and support our Nation's extensive air-based logistics networks.

As a New Yorker, I understand the importance of the FAA to our State's vast network of airports and how intertwined our economic success is to the free flow of goods via air travel. That is why, as a member of the House Committee on Transportation and Infrastructure, I have been working tirelessly to ensure my Long Island neighbors saw palpable benefits in the FAA reauthorization package and that the plan protected local jobs on Long Island.

Chief among my priorities that is included in the present plan is preserving scores of air traffic controller jobs at the FAA's N90 TRACON facility located within my congressional district. I am proud that these good-paying, union jobs will be preserved on Long Island and will not be moved to other States, as was previously planned.

Not only are we preserving jobs, but this bipartisan plan includes provisions I have been advocating for that support the aviation workforce. This legislation includes important language from the Aviation Workforce Development Act, of which I am a cosponsor, as well as a provision for air traffic controller mandatory staffing targets. Providing the tools and manpower to our air traffic controllers to help them do their jobs will prevent flight delays and enhance the reliability of air travel within the United States.

This bill also includes noise abatement strategies for communities near airports, a request of mine and the constituents who I represent.

The team that has been working on this crucial legislation has made security of air travel a priority and included several provisions under that front. Two that I have personally been advocating for include ''Zero tolerance for near misses, runway incursions, and surface safety risks,'' as well as provisions that support the implementation of secondary cockpit barriers to protect pilots.

Mr. Chair, the list goes on. I am proud that included in this package is the language from a bill I introduced to promote domestic drone production here in the United States. This is a key legislative priority of mine that will create American manufacturing jobs and decouple the drone industry from our adversaries like China.

In addition to all of these great inclusions in the bill is a sweeping set of proposals intended to support the passenger experience, improve airport infrastructure across the country, and address environmental concerns, including implementing noise abatement strategies for communities near airports.

The FAA reauthorization plan is a win for the United States of America, a win for Americans, a win for New Yorkers, and a win for those who call Long Island home. It is also a win for those who rely on air travel throughout this country.

Mr. Chair, I am proud of this plan, and I urge all of my colleagues to unite behind it.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Mr. Chairman, Chairman GRAVES and Ranking Member LARSEN are a great model of bipartisanship that we can learn a lot from in this institution. I thank them for their

leadership in crafting a strong, bipartisan FAA bill.

Air travel can be stressful, but for those with disabilities, it can be a nightmare. It is the only mode of public transportation that requires one to surrender their mobility devices before boarding and to place their trust in others to get safely to their seats.

This bill takes meaningful steps—many I was proud to help lead on—to improve the flying experience for passengers with disabilities, including our disabled veterans.

It directs the Department of Transportation to gather data on disability-related complaints and make meaningful improvements based on that data.

It improves training for employees that assist passengers with boarding and deplaning, as well as those who handle mobility devices.

It requires airlines to issue refunds to those who are unable to travel when their wheelchair cannot be physically accommodated.

Finally, it includes my amendment to make sure passengers traveling with a personal care attendant are not charged extra for seating accommodations.

Mr. Chair, we still have a long way to go before air travel is fully accessible, but the steps we have taken in this bill are commonsense, necessary fixes that make significant progress.

Mr. Chair, I urge my colleagues to support this bill.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. MOLINARO).

Mr. MOLINARO. Mr. Chairman, I extend my thanks and appreciation to Chairman SAM GRAVES, the Aviation Subcommittee Chairman GARRET GRAVES, and Ranking Member LARSEN for bringing together, through hearings, countless meetings, and 2 days of markup, a tremendous bipartisan piece of legislation meant to improve American aviation and grow American jobs.

I am grateful that there are nine of my legislative priorities found within the bill, and I will identify just a couple.

The Access and Dignity for All People Who Travel Act, which I was proud to lead, ensures those with disabilities who need special accommodations will receive them. Too often, those with disabilities and their special accommodations are ignored. This bill will ensure that right is protected.

Another bill that is included is the Future of Aviation Act, which allows public airports that receive AIP funds to use those moneys on infrastructure for the use of advanced air mobility, including eVTOLs, electric aircraft charging, and further building out airport infrastructure.

The future of aviation is upon us, and aviation, as we know, is quickly evolving. Having overseen one of New York's busiest general airports and now representing several regional airports within my district, advanced air mobility will help reconnect rural communities, reinvigorate tourism, improve ease of movement from rural to urban areas, and enhance quicker transportation of goods and people.

Lastly, I will mention the AIR Act. This bill raises the grant funding for workforce development programs for pilots, aircraft mechanics, and more. This reauthorization bill includes $45 million a year for these grants, a major increase to the current funding level, and will ensure the next generation of workers in the aviation industry are well prepared.

Mr. Chair, for this and many other reasons, I urge my colleagues to support this bill. It is a great example of the bipartisan work that can be achieved here, and I am grateful to Chairman GRAVES for his leadership.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, I thank Ranking Member LARSEN and Chairman GRAVES for their leadership on this bill.

Mr. Chairman, I rise today to discuss the Securing Growth and Robust Leadership in American Aviation Act and the positive impact it will have on air transportation for both consumers and workers in the aviation industry.

Over the past few months, I have worked alongside my colleagues on the Transportation and Infrastructure Committee to develop a strong, bipartisan bill that delivers for all Americans. That is exactly what this legislation does.

Under this bill, airlines will be required to develop policies to reimburse consumers for hotel and meal costs when a flight is canceled or significantly delayed.

Passengers living with disabilities will be treated with the dignity they deserve, thanks to the Department of Transportation's creation of a roadmap to better accommodate wheelchairs onboard planes and to reduce damage to mobility aids.

Future airline pilots, technical workers, and airline manufacturing workers will come from communities that have been historically underrepresented in the aviation industry, with $9 million in funding for recruitment and retainment efforts for these good-paying, highly skilled jobs.

□ 1315

Families will have an easier flying experience with airlines being required to allow parents to sit next to their young children.

I am also pleased that important provisions of my bill, the Airline Employee Assault Prevention Act, were included in this FAA reauthorization, ensuring a continued focus on protecting airline workers from assault and harassment.

This legislation reflects the voices of our residents who have long been burdened with flight delays, with unjust treatment of passengers with disabilities, and with conditions that have made flying more challenging for families.

Mr. Chair, I proudly support this bill, I look forward to voting for it on the floor, and I urge all of my colleagues to join me in doing so.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BERGMAN).

Mr. BERGMAN. Mr. Chairman, I thank Chairman GRAVES for his leadership. This is not an easy bill that is done every day, and it is something that is essential to the safety and security of our country as well as the advancement of all the good economic policies that we have.

Mr. Chairman, as one of the only two commercial pilots in Congress with three-plus decades in the air, I understand very personally the importance of having a strong FAA reauthorization bill.

While this bill makes critical investments that benefit the flying public and aviators alike, I have significant concerns about several amendments made in order by the Rules Committee, especially one aimed squarely at Michigan's First District and other rural areas that eliminate the Essential Air Service, and I implore all Members to oppose McClintock amendment No. 62.

However, what was left out of the bill is far more concerning than what was put into it.

My amendment, which has broad bipartisan support, would simply allow for a debate and vote on a critically important topic regarding unproductive pilot retirement age changes in the underlying bill.

However, the powers that be pulled out all the stops to silence dissent and shield the American public from a debate they know they can't win.

For these reasons, Mr. Chairman, I will be voting ''no'' on H.R. 3935.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. AUCHINCLOSS).

Mr. AUCHINCLOSS. Mr. Chair, I extend my appreciation to Chairman GRAVES, Ranking Member LARSEN, Aviation Subcommittee Chairman GRAVES, and Aviation Subcommittee Ranking Member COHEN for their work in crafting a robust bipartisan bill in committee. I am pleased that my language supporting airports' efforts to better manage their curb spaces was included in the bill.

Curb management practices such as remote enforcement using sensors and cameras can reduce traffic at pickup and drop-off areas and improve travelers' airport experiences.

Currently, though, curb management is in a regulatory gray area leading to uncertainty for airports and vendors that are trying to reduce traffic, unsafe vehicular maneuvers as the flying public arrives at their terminals, and stress for all involved.

My provision would provide clarity and flexibility for airports' landside operations by making clear that there is no Federal regulation preventing airports from managing their curbs. This language would not impact any State or local restrictions, nor would it require airports to do anything at all. It simply creates legal clarity.

In addition to helping large and medium-size airports improve safety, passenger experience, and queuing times in increasingly crowded and multimodal drop-off and pickup areas, cutting-edge curbside management can serve as a demonstration project to adjacent cities and towns that are wrestling with how to unlock better curbside use for delivery, micromobility, rideshare, parking, and outdoor dining and recreation.

Again, I thank the chairman and ranking member for their work including this provision.

Mr. GRAVES of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Chair, I thank the chairman for yielding me some time to speak on this very good piece of legislation.

Mr. Chair, as a member of the Science Committee, the Transportation and Infrastructure Committee, and the Aviation Subcommittee since I got here in January, we have spent countless hours visiting with stakeholders, manufacturers, and visiting airports to get a good feel and learn more about this. I must say that I probably still don't know one-tenth of what the chairman, the ranking member, or Chairman LUCAS knows about this subject.

Mr. Chair, since the Wright brothers took their first flight, America has been the world's pioneer in the skies. That is why I rise in strong support of the FAA reauthorization bill that is before us today because it will build on that legacy.

Today, we will vote to provide much-needed long-term stability to our Nation's aviation system and ensure that our skies remain the safest in the world.

With this legislation, we will improve efficiency at the FAA and invest in our critical infrastructure, including regional and local airports. We will pave the way for new technologies and ensure that the FAA is ready to certify innovations like hypersonic aircraft. We will also strengthen our general aviation community, which is a key part of our Nation's economy and identity, and we will take steps to grow our aviation workforce and ensure our airlines can meet the needs of the traveling public and improve the passenger experience.

Mr. Chair, I thank Chairman SAM GRAVES and Ranking Member RICK LARSEN for their leadership. I also thank their incredible staffs, and I urge my colleagues to support this bill.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. HOYLE.)

Ms. HOYLE of Oregon. Mr. Chair, I rise today in support of the bipartisan FAA reauthorization bill.

This legislation includes the bipartisan AIR PUMP Act, which I introduced earlier this year alongside Oregon Senator JEFF MERKLEY.

Our legislation would require the FAA to issue guidance to air carriers on providing protections for flight crews to pump breast milk during non-critical phases of flights.

All workers deserve the right to pump breast milk in the workplace, including flight attendants and pilots. Currently, they are the only workers who do not have this protection.

Flight crew workers should be able to have reasonable break times to pump. They should also have a designated place that is shielded from view and free from interference. This bill also ensures that the FAA's pumping guidance will not incur significant costs for air carriers. It helps increase the diversity of the workforce and ensures working mothers have needed flexibility.

Mr. Chairman, I thank T&I Chairman SAM GRAVES and Ranking Member RICK LARSEN for their support of the AIR PUMP Act and their bipartisan approach to the FAA reauthorization bill.

Mr. GRAVES of Missouri. Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio (Mrs. SYKES).

Mrs. SYKES. Mr. Chairman, I rise today in support of H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, more commonly known as the FAA authorization.

My home State of Ohio, the Birthplace of Aviation, and H.R. 3935 will ensure Ohio's 13th Congressional District continues to be a pioneer in the aviation and aerospace industry.

H.R. 3935 invests billions into airports large and small, including Akron-Canton Airport in my district and the Kent State University Airport in my district, to keep our skies safe and to make our aviation infrastructure cleaner and greener.

Notably, this bill includes important provisions that I supported for advancement of a remote tower program in Ohio. The remote tower program will improve traffic control for aircraft that utilize smaller airports, generating economic development and safer air spaces.

Not only that, but the Ohio remote tower program will also support the research and development of Advanced Air Mobility applications, cutting-edge technology which has the potential to change how people travel from small communities, how healthcare services can be delivered to critical areas of need, and to offer a more sustainable mode of transportation.

Finally, this legislation supports the hiring of 15 additional rail investigators. That is important to northeast Ohio. As we all know, the train derailment in East Palestine has devastated our community, but train derailments have devastated communities across the country. This amendment allows for more timely and more thoughtful accident reports being reported to Congress so that we can act accordingly.

H.R. 3935 improves the health, safety, and well-being standards of aviation, both on the ground and in the air. The bill also protects consumer rights and improves accessibility so all people in Ohio's 13th District can travel with safety and dignity.

Once again, Mr. Chair, I am proud to support this legislation.

Mr. GRAVES of Missouri. Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. SCHOLTEN).

Ms. SCHOLTEN. Mr. Chairman, it is exciting to play a role in crafting legislation as impactful as reauthorizing the FAA, especially as a freshman legislator. I came to Congress to deliver for the people of west Michigan, and this robust bipartisan bill will do just that.

Two specific provisions in this bill will be especially beneficial for my district. Michigan's Third District includes the Gerald R. Ford International Airport, the second busiest airport in the State and one of the busiest airports in the entire country.

The airport's aging air traffic control tower is preventing needed expansion. It is the oldest tower among any of the top 75 largest airports and does not meet the security requirements or operational necessities found in more modern towers.

This bill includes provisions which direct FAA to specifically consider old towers at airports like GRR when selecting projects for replacement and increasing transparency around the process the FAA uses when deciding which towers need to be upgraded. These policies will help GRR forge a path forward to ensure the airport can meet the needs of the region.

Mr. Chair, I thank the chairman and the ranking member for working with me to include these critical priorities for my district and other similarly situated airports around the country, and I urge the passage of this bill.

Mr. GRAVES of Missouri. I reserve the balance of my time, Mr. Chair.

Mr. LARSEN of Washington. Mr. Chair, I yield 2 minutes to the gentleman from Illinois (Mr. SORENSEN).

Mr. SORENSEN. Mr. Chair, our regional airports are vital for connecting Americans and strengthening local economies. I represent a district with four such airports, including the fastest growing air cargo airport in the Nation. I am thrilled that this year's FAA reauthorization provides resources for small and large airports alike.

Unfortunately, this bill is not perfect. It includes a shortsighted provision to raise the pilot retirement age. It also doesn't go far enough to support our aerospace workers.

This year, the Space and Aeronautics Subcommittee heard from Collins Aerospace located in my hometown of Rockford, Illinois. They emphasized the importance of R&D funding right at home, but because of R&D disinvestment, many companies are looking to European countries for R&D opportunities.

When American companies go overseas to do their research, it means jobs and talent go away. Our best and brightest in Illinois are ready to bring humans to new heights. We in Congress must provide them with the flexibility and resources to succeed.

□ 1330

Mr. GRAVES of Missouri. Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DESAULNIER).

Mr. DESAULNIER. Mr. Chair, I thank the gentleman for yielding.

I will also thank and say how grateful I am for the leadership of Chairman GRAVES and Ranking Member LARSEN on this comprehensive and thoughtful bipartisan reauthorization.

Many of the priorities that I have authored made it into the bill, including several provisions from my Safe Landings Act, like identifying the need for airport surface surveillance and safety systems and requiring data analysis of safety incidents.

I am also very appreciative that the amendment I spent a lot of time on will be considered. I worked with pilots and other safety experts, including a constituent and good friend, Captain ''Sully'' Sullenberger, the skilled pilot who safely navigated the landing on the Hudson River and a long-time advocate and expert for aviation safety who helped me with this amendment and strongly supports the proposal. This amendment creates a Task Force on Human Factors in Aviation Safety.

We know as technology changes—and the near miss that got me involved in more of the aviation issues at SFO some years ago where we came within 59 feet of having the largest aviation disaster in American history—we are making sure that we are training the pilots in a way that keeps them consistent with technology, and the great research on neuroscience and human factors that is getting better all the time, that we are using that to make sure that humans are integrated with the latest technology.

The NTSB identified that human factors, specifically pilot fatigue, have played roles in that 2017 incident and many near misses, so it is important that this work gets done.

The aviation safety system will continue to be safe and amongst the safest in the world if we continue to make sure that it is updated and doesn't rest on its well-deserved laurels in the past.

The Acting CHAIR (Mr. LALOTA). The time of the gentleman has expired.

Mr. LARSEN of Washington. Mr. Chairman, I yield an additional 30 seconds to the gentleman from California.

Mr. DESAULNIER. Mr. Chair, these decisions in this reauthorization will help provide that, and I thank the leadership for the extended time.

Mr. GRAVES of Missouri. Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman very much for yielding time. Let me first say that the administration enthusiastically supports the work of Chairman GRAVES and Ranking Member LARSEN for the great work that they have done.

This is good for America. This is good for Houston, Texas, and it is good for Texas. I have two airports in the region, including Hobby International Airport and Bush Intercontinental Airport, and Ellington Field that see some commercial flights.

It is good that we will get between $3.35 billion and $4 billion to help in the airport funding program of which I saw about 40 to 80 million come to our Bush Intercontinental Airport in the last couple of weeks.

It is important to have the flexibility to deal with environmental issues, and, of course, it is extremely important to have a $45 million training program for a pipeline for pilots, aviation maintenance, and aviation manufacturing. Why? Because schools like Texas Southern University that uniquely has one of the only HBCUs training of pilots program will be able to do more and fill that pipeline with pilots.

In addition, we respond to the assaults that have been occurring against employees and crew, and respond by an employee assault prevention response plan, which is extremely important.

We did this during 9/11, but now we are looking at more secondary cockpit barriers that will be more important. As well, we want to make sure that we have a task force of air carriers.

This bill is for airlines and airports, but it is for the traveling public, as well. It deals with air law enforcement, aviation labor unions, and others to be able to work together.

I am excited about the Bessie Coleman Women in Aviation Advisory Committee to encourage more young women to become pilots, as we need more pilots every single day.

The matter that I worked on as a member of the Committee on Homeland Security, finally we set standards for foreign aircraft repair stations, so that when our American airlines are overseas, they are subject to the same standards of American repair stations. We were very concerned about that after 9/11.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. LARSEN of Washington. Mr. Chair, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, let me dwell on an amendment that I offered to get through the backlog of pilots that are now well after they have been off for some medical reason and the backlog of getting them back into the stream of flying is taking long. We need to look at that because these are perfectly able pilots, but they are still on medical leave.

I also want to ensure that we have mental health relief for our pilots, like 29-year-old Chris Daniel, who was doing well, but after the pandemic began experiencing depression. Chris' doctor suggested treatment for his depression, but as a pilot, he was too afraid to go.

Mr. Chair, I rise today to speak in support of H.R. 3935, the Securing Growth and Robust Leadership in America Aviation Act of 2023.

The Securing Growth and Robust Leadership in American Aviation Act helps maintain America's gold standard in safety, fosters innovation, strengthens and diversifies the U.S. aviation workforce, and invests in resilient and sustainable infrastructure.

This is an important bill that I offered an amendment to help improve through the Rules Committee, the Jackson Lee Amendment.

While the Rules Committee did not make my amendment in order, it is important to highlight what it would have done and what is still needed to assist and strengthen aviation in our country.

In particular, the Jackson Lee Amendment would do the following:

Implement the creation of the Aviation Medical Innovation and Modernization Working Group and a report on recommendations from the Working Group on the evaluation of the conditions an Aviation Medical Examiner can issue. Improve and reform to the Special Issuance process, including whether, after initial medical certification by the FAA, renewals can be based on a medical evaluation and treatment plan by a pilot's treating medical specialist with concurrence from the pilot's Aviation Medical Examiner, in addition to other measures that will help ease the process and remove the backlog for when pilots return from medical leave.

It would pilot a mental health task group to develop and provide recommendations related to supporting the mental health of aircraft pilots.

Finally, my amendment requests a report that would provide recommendations for best practices in detecting, assessing, and reporting mental health conditions and treatment options as part of pilot aeromedical assessments.

The Jackson Lee Amendment would have strengthened this legislation by keeping the health and safety of airline pilots at the forefront.

Ms. JACKSON LEE. Mr. Chair, let's help our pilots be strong medically and mentally, and let's make this the best aviation system in the world.

Mr. Chair, I include in the RECORD an article from Scientific American.

[From Scientific American, Nov. 22, 2022]

WE NEED TO CHANGE THE SYSTEM THAT KEEPS PILOTS FROM SEEKING MENTAL HEALTH CARE

(By William R. Hoffman)

By 29 years old, Chris Daniel felt he had it all: a wife, two beautiful children and fulfillment of his lifelong dream of becoming a U.S. airline captain. But in the spring of 2022, after years of flying, Chris knew something was not right. Shadows from his past

were reemerging, strained by post-COVID travel demand and long, taxing weeks on the road. Years earlier, Chris's physician had suggested that his low mood and trouble sleeping might be symptoms of mild depression. But like many pilots, he balked at the idea. If a doctor diagnosed depression or if he sought help, Chris assumed he would never be able to fly again. Seeking help seemed unthinkable because losing flying was akin to losing everything; being a pilot was who he was.

Chris's story is not unusual. While mental health symptoms are common in airline pilots, getting help can affect their ability to work in a big way. Airline pilots are required to meet certain medical standards in order to maintain an active flying status, and disclosing a new symptom or condition to the Federal Aviation Administration (FAA) puts them at risk of losing, usually temporarily, their ability to work and fly. This is particularly true for mental health symptoms. The FAA bars pilots from the cockpit if they report seeking regular talk therapy for even mild anxiety or depression; this may last for months and sometimes even years based on the assumption they pose an unacceptable risk to safety. In fact, pilots find themselves among only a handful of professions that require disclosure of any encounter with the health care system, including mental health visits.

While it makes sense to ground a pilot in distress, the current system often fails to recognize the dynamic and often situational nature of mental health symptoms and often drives pilots from seeking care. Time off the job can have negative repercussions such as loss of pay and need for recurrent training, and the expenses of additional medical evaluations required by the FAA often fall onto the pilot. All of these together result in a population of pilots working the fleet who are suffering in silence and fearful to get the help they need. We must rethink the system that drives pilots from attending to their mental health and change what seeking mental health care services means in aviation.

Data my group and others have gathered are beginning to reveal the scope of this problem. Our findings demand attention. In our recent study of more than 3,500 U.S. pilots, 56 percent reported behavior that we classify as avoiding health care (for example, getting health care outside the traditional system to avoid its documentation) specifically because they feared the loss of their clearance to fly. Interestingly, 26 percent of pilots reported that they had withheld information during their FAA health checkups for the same reason: the fear of losing their medical clearance. This is sometimes called ''losing their wings.''

In a sister study, more than half of pilots in our sample had something they felt needed to get checked out—maybe it was mental health related, perhaps a knee injury, or even just a rash—but waited or decided against it because they worried about their career. While our studies focused on overall health care, we suspect this finding also applies to mental health.

Many pilots have reasonably good access to health care. This includes health insurance, paid time off and sometimes other union protections. Instead, these data suggest a barrier exists because pilots are asked to weigh the benefits of seeking help against the professional costs that they alone bear. How bad does mild anxiety need to become to warrant a prolonged absence from work? For most pilots, very bad.

The growing demand for pilots in our travel-hungry, COVID-endemic world is likely to make this problem more complicated. The Bureau of Labor and Statistics projects 18,100 new pilot jobs each year for the next decade, precipitated by the continued growth of air travel. As compensation has soared in 2022, more is being asked of pilots, including longer and more frequent trips to keep pace with passenger demand, This is in the context of other airline professions—such as maintenance and administrative staff—facing major personnel shortages, placing further strain on a system already operating at its limits. Higher demand on pilots can lead to additional time away from family and friends, leading to an even greater need for mental health care services. Simply put, pilots' need for mental health care is likely to only grow in the coming years.

While on the surface it might seem that increasing the pool of pilots would ease the situation, more pilots won't fix the existing challenges in the system. Flight training programs are expanding, and some airlines are taking the unprecedented step of establishing their own training programs. But, while class sizes are growing, they are being filled by a younger and more diverse generation of student pilots who may not be as willing as their predecessors to quietly suffer. In fact, emerging data suggest the willingness of current pilots (who are still largely in the 40–to–60 age range) to avoid health care for job security may not be as true for the next generation.

''Younger pilots are different from past generations and are more willing to identify as needing help when it comes to their mental health,'' John Dulski, 21, an aviation student at the University of North Dakota and advocate for aviation mental health reform, told me during a recent phone call. ''Many are more willing to choose to get care at the risk of stepping away from flying.'' The answers to why such a phenomenon is occurring remains an open question that our research group is trying to understand. Could it be related to social media lowering the stigma of mental health or the influences of growing up through the pandemic? We hope future research will reveal the answer.

A new generation of Gen Z airline pilots more open to stepping away from flying to seek mental health care services may only further strain the shortage of pilots. But more importantly, it should call for industry to rethink what it means for an airline pilot to be mentally fit and what services they should be able to receive while still working the fleet. We can all agree that safety in aviation should be the foundation for meaningful change. Certainly, a pilot with a severe mental health condition shouldn't be flying. But the opportunity lies for pilots with mild symptoms. These are high performing professionals who are perhaps facing one of life's usual stressors—a divorce, a family death or even just the chronic stress of the job. How might we rethink a system that enables this group to seek mental health care services in hopes of sidestepping a diagnosis that could go on to fully pull them from flying?

One answer is clear. The FAA should change policy to permit pilots with mild symptoms to seek professional regular, and if needed prolonged, talk therapy without loss of their medical certification. Such a change would have major benefits for people on both sides of the flight deck door, including treatment to prevent symptom worsening, and regular pilot assessment by a professional mental health provider. Recognizing that mental health is on a dynamic spectrum and that many pilots could benefit from talking to a professional mental health provider at some point in their career has the potential to keep pilots flying healthy while also increasing safety in the system. Pilot unions and airlines should fuel this movement by raising awareness about the problem their pilots face and by lobbying for an alliance of stakeholder to determine how best to safely enact this change. While credit is due to the FAA for recently making several positive policy changes related to mental health, there is still work to do and time is of the essence.

Chris Daniel never did get help for his mental health symptoms, and despite an excellent flying record, he died of suicide in June 2022. While we believe suicide is relatively rare among pilots, this extreme outcome is in part why we must create positive change. With the use of appropriate supervision and reevaluation, aviation's safety culture should shift to thinking of mental health care services as a marker for wellness and prevention instead of risk and disease. This change would not only benefit pilots, but also the 2 million U.S. passengers who trust the aviation system every day.

IF YOU NEED HELP

If you or someone you know is struggling or having thoughts of suicide, help is available. Call or text the 988 Suicide & Crisis Lifeline at 988 or use the online Lifeline Chat.

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This is an opinion and analysis article, and the views expressed by the author or authors are not necessarily those of Scientific American.

Mr. GRAVES of Missouri. Mr. Chairman, I am prepared to close, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield myself the balance of my time for the purpose of closing.

Mr. Chair, I will conclude by saying that we encourage Members to support this. This is a bipartisan bill negotiated in good faith. It is a very substantial bill, and I think it is a product that we can certainly be proud of to move forward on.

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

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it has been made clear through debate that H.R. 3935 is a must-pass bill that provides a path for America's future success, growth, and leadership in civil aviation.

This strong bipartisan, forward-looking legislation is going to improve efficiency and operations at the FAA. It is going to strengthen America's foundational general aviation sector, and it is going to grow the aviation workforce.

It is going to invest in airport infrastructure across the country. It is going to encourage domestic innovation in aviation, enhance the passenger experience, and uphold America's gold standard in aviation safety.

Before I yield back, Mr. Chair, I would like to recognize the work of staff on both sides of the aisle in the development of this legislation. I appreciate the many long days, weeks, and weekends, for that matter, that staff, including the folks in the legislative counsel's office, have put into this effort. I think it shows in the quality of the legislation that we have before us.

On the Republican Subcommittee on Aviation, I thank staff director Hunter Presti, Laney Copeland, Julie Devine, Andrew Giacini, Christopher Senn, and Will Moore.

On the Republican full committee staff, I thank staff director Jack Ruddy, Michael Falencki, Corey Cooke, Meghan Holland, Abby Wenk, Leslie Parker, Chris Divine, Tyler Micheletti, Wills MacKay, Payton Palazzolo, Justin Harclerode, Jake Murphy, and Kerry Goldberg.

I also thank Maggie Aryea of subcommittee chairman GARRET GRAVES' staff.

On the Democratic staff, I thank committee staff director Kathy Dedrick, Helena Zyblikewycz—I am sorry; I apologize—Stanton Johnson, aviation staff director Brian Bell, Alexandra Menardy, Adam Weiss, and again, all the staff who worked on this complex and critical legislation.

Mr. Chair, I urge support of the Securing Growth and Robust Leadership in the American Aviation Act, and I yield back the balance of my time.

Mr. CARSON. Mr. Chair, I commend Chairman GRAVES and Ranking Member LARSON for their hard work to bring this bipartisan FAA Reauthorization bill to the House floor.

I am very pleased that this bill includes some of my top priorities:

1. Implementation of my 2018 provisions requiring Secondary Cockpit Barriers in Section 522 of the bill. This language will be made even stronger with the passage of the Fitzpatrick/Carson amendment to speed up the process and finally get these safety devices on all passenger aircraft.

2. Including my bipartisan bill, the National Center for the Advancement of Aviation in Sections 303, 264 and 308.

3. Improving minority and disadvantage business participation in all FAA programs, in Sections 426 and 302.

I'm also appreciative of Chairman GRAVES' willingness to work with me to improve Section 813 of the bill which changes the current rules addressing Temporary Flight Restrictions. We had a lengthy colloquy during our markup about unintended consequences of Section 813. I remain concerned about the provisions in Section 813, which appear to change current law and weaken Temporary Flight Restrictions (TFRs). This is especially important to my district in Indianapolis, which has benefited from the safety of Temporary Flight Restrictions to protect NFL and NCAA Division 1 games, plus major Motor Speedway events like the Indy 500 over the last 20 years.

Since the 9/11 terrorists attacks, FAA imposed TFRs over stadiums and other locations. Subsequently, FAA began to issue some waivers, but Congress imposed a statutory restrictions to maintain the safety of major events, especially sporting events with high-capacity stadiums. In this year's bill, we must make sure the language in Section 813 does not have unintended consequences of undermining the safety at large public gatherings, like major sporting events. This includes strong collaboration with law enforcement and public safety officials to resolve any conflicts with competing events that may require Temporary Flight Restrictions.

I believe we can further improve the language and utilize a simpler collaboration model that will be effective and timely.

I would like to include in the RECORD the following letter from a coalition of sports organizations and the Statement of Administration Policy which details concerns with the underlying language. I look forward to continuing to work with Chairman GRAVES and Ranking Member LARSON to improve this language.

STATEMENT OF ADMINISTRATION POLICY

H.R. 3935—SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT

The Administration supports enactment of a Federal Aviation Administration

(FAA) reauthorization bill and applauds the bipartisan work of the House Transportation and Infrastructure Committee. The Administration is focused on ensuring that the aviation sector works well for the American people, and reauthorizing the FAA in a timely manner will help achieve that goal. H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, would enhance aviation safety; invest in, and improve on-the-job safety for, our aviation workforce; integrate into the national airspace system new entrants such as Advanced Air Mobility and Commercial Space operators; strengthen passenger rights; and improve our aviation infrastructure.

The Administration looks forward to working with the Congress to address the Administration's concerns with this legislation, a number of which are outlined below.

Protection of Aviation Consumer Rights and Promotion of Competition. The Administration is strongly committed to protecting the rights of aviation consumers and promoting competition in the aviation industry. The Administration opposes provisions in the bill that would reverse important gains made by this Administration to combat junk fees in the airline industry and would eliminate longstanding consumer protections. The Administration believes that the disclosure requirements currently in place for passenger tickets are necessary to help consumers comparison shop for a ticket. The Administration encourages the Congress to include the Administration's proposals to expand consumer protections by banning family seating junk fees, requiring up-front disclosure of add-on fees, and requiring automatic refunds and additional compensation for controllable flight cancellations and delays. The Administration further supports opening up airport gate access and preventing anticompetitive practices that block new entrants.

International Commitments. While the Administration appreciates the language aimed at ensuring continued U.S. implementation of Open Skies agreements while promoting labor standards for U.S.-based aviation sector workers, the Administration also urges the Congress to add provisions to implement U.S. international commitments and ensure our aviation partners follow suit. The bill should be amended to include provisions for U.S. implementation of global marketbased measures of the International Civil Aviation Organization, and to establish U.S. leadership relating to the understanding and mitigation of the non-Greenhouse Gas climate impacts of aviation.

Agency Restructuring. While the Administration supports the goal of improving the efficiency of the organizational structure of the FAA, it does not support the proposed changes in FAA rulemaking review and the weakening of the Administrator's ability and authority to determine the appropriate size and allocation of the air traffic controller workforce. The Administration also has concerns with provisions that would make fundamental changes to the agency's structure, eroding the discretion of the Administrator to manage the agency in the most efficient manner.

Implementation Timelines and Program Changes. The legislation includes multiple rulemakings, reviews, reports, and other requirements with aggressive timelines, along with the creation of numerous programs that are not conditioned on the availability of appropriations. The Administration is also concerned that proposed major structural changes to airport infrastructure programs are untested, and may be difficult to implement depending on the level of resources made available. The bill would also reduce the amount of competitive airport grant funding, which would reduce the F AA's ability to address important safety and capacity issues.

Standards for Airport Service Workers. The Administration urges the Congress to include provisions that will improve job quality for, and therefore aid in the recruitment and retention of, those who clean planes, handle baggage, assist passengers who use wheelchairs, and provide other services critical to safe, stable, and timely operations for aviation customers.

Age Standards for Pilots. The bill includes a provision that would raise the retirement age for pilots in commercial operations. Making this change without doing research and establishing any necessary policies would be outside the international standard.

Maintaining Safe and Secure Airspace During Major Sports Events. While the Administration supports the goal of providing accessibility to and public use of the national airspace, it is concerned that provisions proposed in the bill could introduce unnecessary risks to those attending major spotting events if the effectiveness of safety and security buffers currently provided by temporary flight restrictions were to be decreased. To the extent that the proposed provisions are intended to accommodate airshows, the Administration urges the Congress to consider alternative methods to deconflict airshows and major sports events rather than potentially put aviation operations in close proximity to events attended by millions of Americans each year.

JULY 18, 2023.

DEAR MEMBERS OF CONGRESS: We write to urge you to oppose the weakening of a law that protects the millions of sports fans and spectators who attend professional and collegiate sporting events each year. The current statutory ban on aircraft including unmanned aircraft systems (''UAS'') or drones—flying over large stadium sporting events throughout the country provides necessary safety and security protections against real and potential threats.

We are deeply concerned about section 813 of the House version of the Federal Aviation Administration (''FAA'') Reauthorization Act. If adopted, the language would establish a broad and complex waiver program that would permit countless aircraft to fly near and over stadiums during games, putting millions of fans at risk, and unnecessarily so. Congress wisely eliminated a similar waiver program back in 2003, after discovering troubling and persistent failures, gaps, and vulnerabilities in the process for conducting background checks and issuing waivers.

The FAA first established flight restrictions over large stadium sporting events immediately following the terrorist attacks of September 11, 2001, in response to concerns about terrorists using aircraft as weapons. Congress subsequently twice codified and strengthened these restrictions, providing specific criteria for aircraft operations permitted within the flight restricted area. Section 813 would effectively eliminate the specific criteria and replace it with an open-ended waiver program.

The long-standing, congressionally mandated flight restriction enhances the safety and security of large stadium events, while minimizing the disrnption to the National Airspace System (''NAS''). Specifically, airspace over large stadiums—with a seating capacity of 30,000 people or more and where a NFL, MLB, and NCAA Division 1 football games or major motor speedway events, such as NASCAR and INDYCAR races, are taking place—is closed to all aircraft from one hour before until one hour after a major sporting event. The flight restrictions extend to three nautical miles from the center of the stadium and from the surface to 3,000 feet above the stadium. The flight restrictions do not apply to authorized aircraft, such as Department of Defense, law enforcement or air ambulance flight operations, or those in contact with air traffic control for take offs and landings at nearby airports, among others.

Having devoted substantial resources to secure our stadiums on the ground, we regard the stadium flight restriction as essential to safeguarding the airspace overhead. Moreover, given the proliferation of UAS in our NAS, as well as the continuing need to remain vigilant to other current and emerging risks, the stadium flight restriction is as vital now as ever to our national security and public safety. We believe section 813 complicates the airspace over stadiums, compromises public safety and security, and courts potential disaster.

We, therefore, urge you to uphold current law and maintain existing flight restrictions that protect the safety and security of millions of fans who attend large stadium sporting events every year.

Sincerely,

CATHY LANIER,
Chief Security Officer, National Football League.
DAVID THOMAS,
Vice President, Security and Ballpark Operations Major League Baseball.
BILL RHODES,
Managing Director, Security, National Association for Stock Car Auto Racing.
DAN GAVITT,
Senior Vice President, National Collegiate Athletic Association.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118–11, shall be considered as adopted. The bill, as amended, shall be considered as an original bill for purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill is as follows:

H.R. 3935

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Securing Growth and Robust Leadership in American Aviation Act''.

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

TITLE I—AUTHORIZATIONS AND FAA ORGANIZATIONAL REFORM

Subtitle A—Authorizations

SEC. 101. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

(a) AUTHORIZATION.—Section 48103(a) of title 49, United States Code, is amended—

(1) in paragraph (5) by striking ''and'' at the end;

(2) in paragraph (6) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(7) $4,000,000,000 for fiscal year 2024;

''(8) $4,000,000,000 for fiscal year 2025;

''(9) $4,000,000,000 for fiscal year 2026;

''(10) $4,000,000,000 for fiscal year 2027; and

''(11) $4,000,000,000 for fiscal year 2028.''.

(b) OBLIGATION AUTHORITY.—Section 47104(c) of title 49, United States Code, is amended in the matter preceding paragraph (1) by striking ''2023'' and inserting ''2028''.

SEC. 102. FACILITIES AND EQUIPMENT.

Section 48101(a) of title 49, United States Code, is amended—

(1) by striking paragraphs (1) through (5);

(2) by redesignating paragraph (6) as paragraph (1); and

(3) by adding at the end the following:

''(2) $3,375,000,000 for fiscal year 2024.

''(3) $3,425,000,000 for fiscal year 2025.

''(4) $3,475,000,000 for fiscal year 2026.

''(5) $3,475,000,000 for fiscal year 2027.

''(6) $3,475,000,000 for fiscal year 2028.''.

SEC. 103. OPERATIONS.

(a) IN GENERAL.—Section 106(k)(1) of title 49, United States Code, is amended—

(1) by striking subparagraphs (A) through (E);

(2) in subparagraph (F) by striking the period at the end and inserting a semicolon;

(3) by redesignating subparagraph (F) as subparagraph (A); and

(4) by adding at the end the following:

''(B) $12,730,000,000 for fiscal year 2024;

''(C) $13,035,000,000 for fiscal year 2025;

''(D) $13,334,000,000 for fiscal year 2026;

''(E) $13,640,000,000 for fiscal year 2027; and

''(F) $13,954,000,000 for fiscal year 2028.''.

(b) AUTHORIZED EXPENDITURES.—Section 106(k)(2)(D) of title 49, United States Code, is amended—

(1) by striking clauses (i) through (v);

(2) by redesignating clause (vi) as clause (i); and

(3) by adding at the end the following:

''(ii) $46,815,000 for fiscal year 2024.

''(iii) $52,985,000 for fiscal year 2025.

''(iv) $59,044,000 for fiscal year 2026.

''(v) $65,225,000 for fiscal year 2027.

''(vi) $71,529,000 for fiscal year 2028.''.

(c) AUTHORITY TO TRANSFER FUNDS.—Section 106(k)(3) of title 49, United States Code, is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding'';

(2) by striking ''in each of fiscal years 2018 through 2023,''; and

(3) by adding at the end the following:

''(B) PRIORITIZATION.—In reducing non-safety-related activities of the Administration under subparagraph (A), the Secretary shall prioritize such reductions from amounts other than amounts authorized under this subsection, section 48101, or section 48103.

''(C) SUNSET.—This paragraph shall cease to be effective after September 30, 2028.''.

SEC. 104. EXTENSION OF MISCELLANEOUS EXPIRING AUTHORITIES.

(a) MARSHALL ISLANDS, MICRONESIA, AND PALAU.—Section 47115(i) of title 49, United States Code, is amended by striking ''fiscal years 2018 through 2023'' and inserting ''fiscal years 2023 through 2028''.

(b) WEATHER REPORTING PROGRAMS.—Section 48105 of title 49, United States Code, is amended by adding at the end the following:

''(5) $45,000,000 for each of fiscal years 2024 through 2026.

''(6) $50,000,000 for each of fiscal years 2027 and 2028.''.

(c) MIDWAY ISLAND AIRPORT.—Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176) is amended by striking ''for fiscal years 2018 through 2023'' and inserting ''for fiscal years 2023 through 2028''.

(d) EXTENSION OF THE SAFETY OVERSIGHT AND CERTIFICATION ADVISORY COMMITTEE.—Section 202(h) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended by striking ''shall terminate'' and all that follows through the period at the end and inserting ''shall terminate on October 1, 2028.''.

Subtitle B—FAA Organizational Reform

SEC. 121. FAA LEADERSHIP.

Section 106 of title 49, United States Code, is amended—

(1) in subsection (a) by striking ''The Federal'' and inserting ''IN GENERAL.—The Federal''; and

(2) by striking subsection (b) and inserting the following:

''(b) ADMINISTRATION LEADERSHIP.—

''(1) ADMINISTRATOR.—

''(A) IN GENERAL.—The head of the Administration is the Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(B) QUALIFICATIONS.—The Administrator shall—

''(i) be a citizen of the United States;

''(ii) not be an active duty or retired member of an Armed Force; and

''(iii) have experience in organizational management and a field directly related to aviation.

''(C) FITNESS.—In appointing an individual as Administrator, the President shall consider the fitness of such individual to carry out efficiently the duties and powers of the office.

''(D) TERM OF OFFICE.—The Term of office for any individual appointed as Administrator shall be 5 years.

''(E) REPORTING CHAIN.—Except as provided in subsection (f) or in other provisions of law, the Administrator reports directly to the Secretary of Transportation.

''(2) DEPUTY ADMINISTRATOR FOR PROGRAMS AND MANAGEMENT.—

''(A) IN GENERAL.—The Administration has a Deputy Administrator for Programs and Management, who shall be a political appointee of the President.

''(B) QUALIFICATIONS.—The Deputy Administrator for Programs and Management shall—

''(i) be a citizen of the United States; and

''(ii) have experience in management and a field directly related to aviation.

''(C) FITNESS.—In appointing an individual as Deputy Administrator for Programs and Management, the President shall consider the fitness of the individual to carry out efficiently the duties and powers of the office, including the duty to act for the Administrator under the circumstances described in subparagraph (F).

''(D) REPORTING CHAIN.—The Deputy Administrator for Programs and Management reports directly to the Administrator.

''(E) DUTIES.—The Deputy Administrator for Programs and Management shall—

''(i) manage the Assistant Administrators and Chief Counsel established under subsection (d), except the Assistant Administrator for Rulemaking and Regulatory Improvement; and

''(ii) carry out duties and powers prescribed by the Administrator.

''(F) SUCCESSION PLAN.—The Deputy Administrator for Programs and Management acts for the Administrator when the Administrator is absent or unable to serve, or when the office of the Administrator is vacant.

''(G) COMPENSATION.—

''(i) ANNUAL RATE OF BASIC PAY.—The annual rate of basic pay of the Deputy Administrator for Programs and Management shall be set by the Secretary but shall not exceed the annual rate of basic pay payable to the Administrator.

''(ii) EXCEPTION.—A retired regular officer of an Armed Force serving as the Deputy Administrator for Programs and Management is entitled to hold a rank and grade not lower than that held when appointed as the Deputy Administrator for Programs and Management and may elect to receive—

''(I) the pay provided for the Deputy Administrator for Programs and Management under clause (i); or

''(II) the pay and allowances or the retired pay of the military grade held.

''(iii) REIMBURSEMENT OF EXPENSES.—If the Deputy Administrator for Programs and Management elects to receive compensation described in clause (ii)(II), the Administration shall reimburse the appropriate military department from funds available for the expenses of the Administration.

''(3) DEPUTY ADMINISTRATOR FOR SAFETY AND OPERATIONS.—

''(A) IN GENERAL.—The Administration has a Deputy Administrator for Safety and Operations, who—

''(i) shall be appointed by the Administrator; and

''(ii) shall not be a political appointee.

''(B) QUALIFICATIONS.—The Deputy Administrator for Safety and Operations shall—

''(i) be a citizen of the United States; and

''(ii) have experience in organizational management and a field directly related to aviation.

''(C) FITNESS.—In appointing an individual as Deputy Administrator for Safety and Operations, the Administrator shall consider the fitness of the individual to carry out efficiently the duties and powers of the office, including the duty to act for the Administrator under the circumstances described in subparagraph (F).

''(D) REPORTING CHAIN.—The Deputy Administrator for Safety and Operations reports to the Administrator.

''(E) DUTIES.—The Deputy Administrator for Safety and Operations shall—

''(i) manage the Associate Administrators and Chief Operating Officer established under subsection (c) and the Assistant Administrator for Rulemaking and Regulatory Improvement established under subsection (d);

''(ii) develop and maintain a long-term strategic plan of the Administration; and

''(iii) carry out other duties and powers prescribed by the Administrator.

''(F) SUCCESSION PLAN.—The Deputy Administrator for Safety and Operations acts

for the Administrator when the Administrator and the Deputy Administrator for Programs and Management are absent or unable to serve, or when the office of the Administrator and the Office of the Deputy Administrator for Programs and Management are vacant.

''(G) COMPENSATION.—The annual rate of basic pay of the Deputy Administrator for Safety and Operations shall be set by the Administrator but shall not exceed the annual rate of basic pay payable to the Administrator.

''(4) LEADERSHIP OF THE ADMINISTRATION DEFINED.—In this section, the term 'leadership of the Administration' means—

''(A) the Administrator under paragraph (1);

''(B) the Deputy Administrator for Programs and Management under paragraph (2); and

''(C) the Deputy Administrator for Safety and Operations under paragraph (3).''.

SEC. 122. FAA MANAGEMENT BOARD.

(a) FAA MANAGEMENT BOARD.—Section 106 of title 49, United States Code, is amended by striking subsections (c) and (d) and inserting the following:

''(c) ASSOCIATE ADMINISTRATORS.—

''(1) IN GENERAL.—The Administration has Associate Administrators, as determined necessary by the Administrator, including—

''(A) appointed by the Administrator, an Associate Administrator for Aviation Safety, an Associate Administrator for Security and Hazardous Materials Safety, a Chief Operating Officer of the Air Traffic Control System;

''(B) appointed by the President, an Associate Administrator for Airports; and

''(C) when authority under chapter 509 of title 51 is explicitly delegated by the Secretary of Transportation to the Administrator, an Associate Administrator for Commercial Space Transportation who shall be appointed by the Administrator.

''(2) QUALIFICATIONS.—Associate Administrators shall be citizens of the United States.

''(3) DUTIES.—The Associate Administrators shall carry out duties and powers of their office described in this section and those prescribed by the Administrator.

''(d) CHIEF COUNSEL; ASSISTANT ADMINISTRATORS.—

''(1) IN GENERAL.—The Administration has Assistant Administrators and a Chief Counsel.

''(A) CHIEF COUNSEL.—The Chief Counsel shall be appointed by the President and shall—

''(i) advise the Administrator on legal matters relating to the responsibilities, functions, and management of the Administration;

''(ii) at the request of the Administrator, provide guidance, counsel, and advice regarding, but shall not have final decision-making authority with regards to, the activities of the Administrator, including—

''(I) rulemaking activities;

''(II) policy and guidance document production;

''(III) exemption and waiver decisions; and

''(IV) certification and approval determinations;

''(iii) represent the Administration before the National Transportation Safety Board, Department of Transportation law judges, the Equal Employment Opportunity Commission, Federal courts of the United States, and other bodies and courts, as appropriate;

''(iv) pursue enforcement actions on behalf of the Administrator; and

''(v) perform other functions as determined by the Administrator.

''(B) ASSISTANT ADMINISTRATOR FOR RULEMAKING AND REGULATORY IMPROVEMENT.—The Assistant Administrator for Rulemaking and Regulatory Improvement shall be appointed by the Administrator and shall—

''(i) be responsible for developing and managing the execution of a regulatory agenda for the Administration that meets statutory and Administration deadlines, including by—

''(I) prioritizing rulemaking projects that are necessary to improve safety;

''(II) establishing the regulatory agenda of the Administration; and

''(III) coordinating with offices of the Administration, the Department, and other Federal entities as appropriate to improve timely feedback generation and approvals when required by law;

''(ii) not delegate overall responsibility for meeting internal timelines and final completion of the regulatory activities of the Administration outside the Office of the Assistant Administrator for Rulemaking and Regulatory Improvement;

''(iii) on an ongoing basis—

''(I) review the Administration's regulations in effect to improve safety;

''(II) reduce undue regulatory burden;

''(III) replace prescriptive regulations with performance-based regulations, as appropriate;

''(IV) prevent duplicative regulations; and

''(V) increase regulatory clarity and transparency whenever possible;

''(iv) make recommendations for the Administrator's review under subsection (f)(3)(C)(ii);

''(v) receive, coordinate, and respond to petitions for rulemaking and for exemption as provided for in subpart A of part 11 of title 14, Code of Federal Regulations, and provide an initial response to a petitioner not later than 30 days after the receipt of such a petition—

''(I) acknowledging receipt of such petition;

''(II) confirming completeness of such petition;

''(III) providing an initial indication of the complexity of the request and how such complexity may impact the timeline for adjudication; and

''(IV) requesting any additional information, as appropriate, that would assist in the consideration of the petition;

''(vi) track the issuance of exemptions and waivers by the Administration to sections of title 14, Code of Federal Regulations, and establish a methodology by which to determine if it would be more efficient and in the public's interest to amend a rule to reduce the future need of waivers and exemptions; and

''(vii) promulgate regulatory updates as determined more efficient or in the public's best interest under clause (vi).

''(C) APPOINTMENT.—Additional Assistant Administrators, as determined necessary by the Administrator, may be appointed by the Administrator.

''(2) QUALIFICATIONS.—The Assistant Administrators shall be a citizen of the United States.

''(3) DUTIES.—The Assistant Administrators shall carry out duties and powers of their office described in this section and those prescribed by the Administrator.

''(4) MANAGEMENT BOARD OF THE ADMINISTRATION.—In this section, the term 'Management Board of the Administration' means—

''(A) the Associate Administrators and Chief Operating Officer established under subsection (c); and

''(B) the Assistant Administrators and Chief Counsel established under subsection (d).''.

(b) SYSTEMICALLY ADDRESSING NEED FOR EXEMPTIONS AND WAIVERS.—Not later than 30 months after the date of enactment of this Act, the Assistant Administrator for Rulemaking and Regulatory Improvement shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the methodology developed pursuant to section 106(d)(B)(vi) of title 49, United States Code (as added by this section).

SEC. 123. PROHIBITION ON CONFLICTING PECUNIARY INTERESTS.

Section 106(e) of title 49, United States Code, is amended to read as follows:

''(e) PROHIBITION ON CONFLICTING PECUNIARY INTERESTS.—

''(1) IN GENERAL.—The leadership of the Administration and the Management Board of the Administration may not have a pecuniary interest in, or hold a financial interest in, an aeronautical enterprise, or engage in another business, vocation, or employment.

''(2) TEACHING.—Notwithstanding paragraph (1), the Deputy Administrators and the Management Board of the Administration may not receive compensation for teaching without prior approval of the Administrator.

''(3) FINANCIAL INTEREST DEFINED.—In this subsection, the term 'financial interest'—

''(A) means—

''(i) any current or contingent ownership, equity, or security interest;

''(ii) any indebtedness or compensated employment relationship; or

''(iii) any right to purchase or acquire any such interest, including a stock option; and

''(B) does not include securities held in an index fund.''.

SEC. 124. AUTHORITY OF SECRETARY AND ADMINISTRATOR.

(a) IN GENERAL.—Section 106(f) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)'';

(B) by striking ''Neither'' and inserting ''In exercising duties, powers, and authorities that are assigned to the Secretary or the Administrator under this title, neither''; and

(C) by striking ''a committee, board, or organization established by executive order.'' and inserting the following: ''a committee, board, council, or organization that is—

''(A) established by executive order; or

''(B) not explicitly directed by legislation to review the exercise of such duties, powers, and authorities by the Secretary or the Administrator.'';

(2) in paragraph (2)—

(A) in subparagraph (A)(ii) by striking ''the acquisition'' and all that follows through the semicolon and inserting ''the acquisition, establishment, improvement, operation, maintenance, security (including cybersecurity), and disposal of property, facilities, services, and equipment of the Administration, including all elements of the air traffic control system owned by the Administration;'';

(B) in subparagraph (A)(iii) by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(C) in subparagraph (B) by inserting ''civil aviation, any matter for which the Administrator is the final authority under subparagraph (A), any duty carried out by the Administrator pursuant to paragraph (3), or the provisions of this title, or'' after ''with respect to''; and

(D) in subparagraph (D)—

(i) by inserting ''(formally or informally)'' after ''required''; and

(ii) by inserting ''or any other Federal agency'' after ''Department of Transportation'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking ''In the performance'' and inserting ''(i) ISSUANCE OF REGULATIONS.—In the performance'';

(ii) by striking ''The Administrator shall act'' and inserting ''(ii) PETITIONS FOR RULEMAKING.—The Administrator shall act'';

(iii) by striking ''The Administrator shall issue'' and inserting ''(iii) RULEMAKING TIMELINE.—The Administrator shall issue''; and

(iv) by striking ''On February 1'' and inserting ''(iv) REPORTING REQUIREMENT.—On February 1''; and

(B) by striking subparagraphs (B) and (C) and inserting the following:

''(B) APPROVAL OF SECRETARY OF TRANSPORTATION.—

''(i) IN GENERAL.—The Administrator may not issue, unless the Secretary of Transportation approves the issuance of the regulation in advance, a proposed regulation or final regulation that—

''(I) is likely to result in the expenditure by State, local, and Tribal governments in the aggregate, or by the private sector, of $250,000,000 or more (adjusted annually for inflation beginning with the year following the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act) in any year; or

''(II) is significant.

''(ii) SIGNIFICANT DEFINED.—For purposes of this paragraph, a regulation is significant if the Administrator, in consultation with the Secretary (as appropriate), determines that the regulation—

''(I) will have an annual effect on the economy of $250,000,000 or more (adjusted annually for inflation beginning with the year following the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act);

''(II) raises novel or serious legal or policy issues that will substantially and materially affect other transportation modes; or

''(III) adversely affect, in a substantial and material way, the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or a State, local, or Tribal government or communities.

''(iii) EMERGENCY REGULATION.—In an emergency, the Administrator may issue a final regulation described in clause (i) without prior approval of the Secretary. If the Secretary objects to such regulation in writing within 5 days (excluding Saturday, Sundays, and legal public holidays) of the issuance, the Administrator shall immediately rescind such regulation.

''(iv) OTHER REGULATIONS.—The Secretary may not require that the Administrator submit a proposed or final regulation to the Secretary for approval, nor may the Administrator submit a proposed or final regulation to the Secretary for approval, if the regulation—

''(I) does not require the Secretary's approval under clause (i) (excluding a regulation issued pursuant to clause (iii)); or

''(II) is a routine or frequent action or a procedural action.

''(v) TIMELINE.—The Administrator shall submit a copy of any proposed or final regulation requiring approval by the Secretary under clause (i) to the Secretary, who shall either approve the regulation or return the regulation to the Administrator with comments within 30 days after receiving the regulation. If the Secretary fails to approve or return the regulation with comments to the Administrator within 30 days, the regulation shall be deemed to have been approved by the Secretary.

''(C) PERIODIC REVIEW.—

''(i) IN GENERAL.—In addition to the review requirements established under section 5.13(d) of title 49, Code of Federal Regulations, the Administrator shall review any significant regulation issued 3 years after the effective date of the regulation.

''(ii) DISCRETIONAL REVIEW.—The Administrator may review any regulation that has been in effect for more than 3 years.

''(iii) SUBSTANCE OF REVIEW.—In performing a review under clause (i) or (ii), the Administrator shall determine if—

''(I) the cost assumptions were accurate;

''(II) the intended benefit of the regulation is being realized;

''(III) the need remains to continue such regulation as in effect; and

''(IV) the Administrator recommends updates to such regulation based on the review criteria specified in section 5.13(d) of title 49, Code of Federal Regulations.

''(iv) REVIEW MANAGEMENT.—Any periodic review of a regulation under this subparagraph shall be managed by the Assistant Administrator for Rulemaking and Regulatory Improvement, who may task an advisory committee or the Management Advisory Council established under subsection (p) to assist in performing the review.'';

(4) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(5) by inserting after paragraph (2) the following:

''(3) DUTIES AND POWERS OF THE ADMINISTRATOR.—

''(A) IN GENERAL.—The Administrator shall carry out—

''(i) the duties and powers of the Secretary under this subsection related to aviation safety (except those related to transportation, packaging, marking, or description of hazardous material) and stated in—

''(I) subsections (c) and (d) of section 1132;

''(II) sections 40101(c), 40103(b), 40106(a), 40108, 40109(b), 40113(a), 40113(c), 40113(d), 40113(e), 40114(a), and 40117;

''(III) chapter 443;

''(IV) chapter 445, except sections 44502(a)(3), 44503, and 44509;

''(V) chapter 447, except sections 44721(b), and 44723;

''(VI) chapter 448;

''(VII) chapter 451;

''(VIII) chapter 453;

''(IX) section 46104;

''(X) subsections (d) and (h)(2) of section 46301, section 46303(c), sections 46304 through 46308, section 46310, section 46311, and sections 46313 through 46320;

''(XI) chapter 465;

''(XII) chapter 471;

''(XIII) chapter 475; and

''(XIV) chapter 509 of title 51; and

''(ii) such additional duties and powers as may be prescribed by the Secretary.

''(B) APPLICABILITY.—Section 40101(d) applies to the duties and powers specified in subparagraph (A).

''(C) TRANSFER.—Any of the duties and powers specified in subparagraph (A) may only be transferred to another part of the Department if specifically provided by law or in a reorganization plan submitted under chapter 9 of title 5.

''(D) ADMINISTRATIVE FINALITY.—A decision of the Administrator in carrying out the duties or powers specified in subparagraph (A) is administratively final.''.

(b) CONFORMING AMENDMENT.—Subsection (h) of section 106 of title 49, United States Code, is repealed.

(c) PRESERVATION OF EXISTING AUTHORITY.—Nothing in this section or the amendments made by this section shall be construed to restrict any authority vested in the Administrator of the Federal Aviation Administration by statute or by delegation that was in effect on the day before the date of the enactment of this Act.

SEC. 125. REVIEW OF FAA RULEMAKING PROCESSES.

(a) IN GENERAL.—Not later than 30 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into appropriate arrangements with the National Academy of Public Administration to evaluate and make recommendations to improve the Administration's rulemaking processes.

(b) CONTENT OF REVIEW.—In completing the evaluation under subsection (a), the National Academy of Public Administration shall—

(1) review Administration and Department of Transportation policies and procedures for drafting, coordinating, reviewing, editing, and approving rulemaking documents;

(2) review part 11 of title 14, Code of Federal Regulations, and section 106 of title 49, United States Code—

(A) as such section was in effect the day before the date of enactment of this Act; and

(B) as amended by this Act; and

(3) include in the review—

(A) advanced notices of proposed rulemakings;

(B) notices of proposed rulemakings;

(C) supplemental proposed rulemakings;

(D) interim final rules; and

(E) final rules, including direct final rules.

(c) METHOD OF REVIEW.—As part of the evaluation under this section, the National Academy of Public Administration shall analyze the scoping, drafting, analysis, and approval processes, including examining incidents in which a rule was referred back to a program office for revision, and the timeline associated with each review and step for—

(1) at least 7 rules completed by the Administration since 2012, including—

(A) at least 2 rules that leveraged the work of an aviation rulemaking committee;

(B) at least 2 rules considered significant as defined in section 106(f)(3)(B)(ii) (as amended by this Act); and

(C) at least 1 rule promulgated through rules considered routine and frequent in the Department's Regulatory Agenda; and

(2) at least 2 rulemaking processes where a notice of proposed rulemaking has not been followed by a final rule for more than 3 years.

(d) REPORT.—The National Academy of Public Administration shall provide to the Administrator, Secretary of Transportation, the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the evaluation required under subsection (a). The contents of the report shall—

(1) identify procedural or resource constraints;

(2) identify inefficiencies in the process, including any causes of delays;

(3) provide recommendations for expediting rulemakings, including—

(A) ways to improve the efficiency of the scoping process for rulemaking;

(B) the use of new routine and frequent rulemakings to allow for the expediting of activities that may be routinely needed or updated;

(C) the use of rules of applicability to provide for the expediting of activities that may be routinely needed or updated;

(D) the use of frameworks or shell rules to improve the efficiency of drafting;

(E) the use of aviation rulemaking committees; and

(F) internal process improvements; and

(4) not review the policy merits of the reviewed rulemakings, except to the extent that there are conclusions that can be drawn from the processes used to develop such rules.

(e) ACCESS TO DOCUMENTS.—The Administration and Department shall provide the National Academy of Public Administration access, as appropriate, to—

(1) the electronic management software the Administration uses to track internal processing of draft documents;

(2) appropriately redacted communications between offices and personnel that were used to coordinate work outside of the electronic software; and

(3) such other documents and records, including predecisional documents and records, that will assist the National Academy of Public Administration in completing the evaluation required under subsection (a).

SEC. 126. OFFICE OF INNOVATION.

Section 106 of title 49, United States Code, is further amended by striking subsection (g) and inserting the following:

''(g) OFFICE OF INNOVATION.—

''(1) IN GENERAL.—There is established within the Federal Aviation Administration an Office of Innovation (in this subsection referred to as the 'Office') comprised of employees of the Administration who shall—

''(A) have a diverse set of expertise;

''(B) assist the leadership of the Administration and the Management Board of the Administration with—

''(i) scoping complex regulatory issues and drafting documents on topics that span multiple offices or lines of business of the Administration;

''(ii) evaluating internal processes; and

''(iii) positioning the Administration to support aerospace innovation; and

''(C) receive taskings from the leadership of the Administration and the Management Board of the Administration, as determined necessary by such individuals, and work collaboratively with relevant program offices of the Administration, as necessary, to respond to such taskings.

''(2) APPOINTMENT OF MEMBERS.—

''(A) APPOINTMENTS.—The Administrator shall appoint a maximum of 15 employees to serve a 2-year term as a member of the Office of Innovation with at least 1 employee appointed from each of the following:

''(i) Office of Aviation Safety.

''(ii) The Air Traffic Organization.

''(iii) Office of Airports.

''(iv) Office of Security and Hazardous Materials Safety.

''(v) When authority under chapter 509 of title 51 is explicitly delegated by the Secretary of Transportation to the Administrator, the Office of Commercial Space Transportation.

''(vi) Office of the Chief Counsel.

''(vii) Office of Policy, International Affairs, and Environment.

''(B) CONSULTATION.—The Office may consult, as necessary, with other personnel of the Administration.

''(3) SELECTION OF MEMBERS.—An employee appointed under paragraph (2)—

''(A) may be appointed from nominations made by Associate Administrators, Assistant Administrators, and the Chief Counsel of the Administration;

''(B) shall not be a senior executive of the Administration;

''(C) shall have been an employee of the Administration for at least 2 years; and

''(D) shall have expertise in the authorities and duties of the respective office of the employee.

''(4) INNOVATION OFFICE LEAD.—The Administrator shall appoint a lead of the Office who shall report to the leadership of the Administration and who—

''(A) may have a set term, as determined by the Administrator;

''(B) shall manage the personnel and activities of such Office; and

''(C) may be a detailed employee of any office of the Administration, notwithstanding the numerical limits placed on appointments in paragraph (2)(A).

''(5) STATUS.—An appointment of an employee to the Office established under this subsection shall not impact the status or position of such employee in the respective office of such employee and such employee shall be considered a detailed employee to the Office of Innovation.

''(6) RESOURCES.—The Administrator shall provide resources and staff, as necessary, to the Office to support the activities of the Office described in paragraph (1), not to exceed more than 6 full-time equivalent positions, including any necessary project managers.''.

SEC. 127. FRANK A. LOBIONDO NATIONAL AEROSPACE SAFETY AND SECURITY CAMPUS.

(a) IN GENERAL.—The campus and grounds of the Federal Aviation Administration Technical Center located at the Atlantic City International Airport in Egg Harbor Township, New Jersey, shall be known and designated as the ''Frank A. LoBiondo National Aerospace Safety and Security Campus''.

(b) REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the campus and grounds at the Federal Aviation Administration Technical Center referred to in subsection (a) shall be deemed to be a reference to the ''Frank A. LoBiondo National Aerospace Safety and Security Campus''.

SEC. 128. TECHNICAL CENTER FOR ADVANCED AEROSPACE.

(a) IN GENERAL.—Section 106 of title 49, United States Code, is further amended by inserting after subsection (g) (as added by section 126) the following:

''(h) TECHNICAL CENTER FOR ADVANCED AEROSPACE.—

''(1) IN GENERAL.—There is established within the Administration a technology center located at the Frank A. LoBiondo National Aerospace Safety and Security Campus to support the advancement of aerospace safety and innovation which shall be known as the 'William J. Hughes Technical Center for Advanced Aerospace' (in this subsection referred to as the 'Technical Center') that shall be used by the Administrator and, as permitted by the Administrator, other governmental entities, academia, and the aerospace industry.

''(2) MANAGEMENT.—The activities of the Technical Center shall be managed by a Director.

''(3) ACTIVITIES.—The activities of the Technical Center shall include—

''(A) developing and stimulating technology partnerships with and between industry, academia, and other government agencies and supporting such partnerships by—

''(i) liaising between external persons and offices of the Administration interested in such work;

''(ii) providing technical expertise and input, as appropriate; and

''(iii) providing access to the properties, facilities, and systems of the Technical Center through appropriate agreements;

''(B) managing technology demonstration grants awarded by the Administrator;

''(C) identifying software, systems, services, and technologies that could improve aviation safety and the operations and management of the air traffic control system and working with relevant offices of the Administration to consider the use and integration of such software, systems, services, and technologies, as appropriate;

''(D) supporting the work of any collocated facilities and tenants of such facilities, and to the extent feasible, enter into agreements as necessary to utilize the facilities, systems, and technologies of such collocated facilities and tenants;

''(E) managing the facilities of the Technical Center and the Frank A. LoBiondo National Aerospace Safety and Security Campus; and

''(F) carrying out any other duties as determined appropriate by the Administrator.''.

(b) CONFORMING AMENDMENT.—Section 44507 of title 49, United States Code, is amended—

(1) by striking ''(a) CIVIL AEROMEDICAL INSTITUTE'' and all that follows through ''The Civil Aeromedical Institute established'' and inserting ''The Civil Aeromedical Institute established''; and

(2) by striking subsection (b).

SEC. 129. OFFICE OF NEXTGEN SUNSET.

(a) IN GENERAL.—Not later than 30 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall terminate the Office of NextGen.

(b) CLOSURE PROCESS.—In carrying out subsection (a), the Administrator shall transfer duties, authorities, activities, personnel, and assets managed by the Office of NextGen to other officials of the Administration, as appropriate, including—

(1) transferring such duties, authorities, activities, personnel, and assets to—

(A) the Director of the William J. Hughes Technical Center for Advanced Aerospace established under subsection 106(h) of title 49, United States Code;

(B) the Assistant Administrator for Finance and Management;

(C) the Chief Operating Officer of the Air Traffic Control System; and

(D) other officials of the Administration, as determined by the Administrator; and

(2) transferring management of the NextGen Advisory Committee to the Chief Operating Officer of the Air Traffic Control System.

SEC. 130. FAA OMBUDSMAN.

Section 106 of title 49, United States Code, is further amended by striking subsection (i) and inserting the following:

''(i) FAA OMBUDSMAN.—

''(1) ESTABLISHMENT.—There is established within the Federal Aviation Administration an Ombudsman who shall coordinate or facilitate the adjudication of covered submissions.

''(2) OMBUDSMAN.—

''(A) IN GENERAL.—The Ombudsman shall be appointed by the Administrator and report to the Assistant Administrator for Government and Industry Affairs.

''(B) TERM.—The Ombudsman shall be appointed for a term of 5 years.

''(3) DUTIES.—The duties of the Ombudsman shall be as follows:

''(A) Work with the relevant offices within the Administration to—

''(i) with respect to a covered submission, resolve, provide a status update, or provide clarity on the status of such submissions;

''(ii) bring to the attention of the relevant office of the Administration concerns, as necessary, regarding Administration processes or considerations discovered while coordinating an activity related to a covered submission under this subsection; and

''(iii) address any gaps and communication lapses in Administration coordination processes.

''(B) Determine if, based on a coordinated activity carried out under this subsection, reconsideration with respect to covered submissions or administrative actions are necessary and report to the Administrator or the relevant office within the Administration with recommendations relating to such reconsideration.

''(C) Determine if trends materialize that could warrant process, procedural, or resource changes and report recommendations regarding such changes to the Administrator

and relevant offices within the Administration.

''(D) Ensure that reporting, processing, or dispute resolution mechanisms within the Administration are transparent and accessible to the public, and facilitate the use of such reporting, processing, or dispute resolution mechanisms, when appropriate.

''(E) Perform other duties as prescribed by the Assistant Administrator.

''(4) DISCRETION ON COORDINATION AND REVIEW.—

''(A) IN GENERAL.—The Ombudsman shall determine whether to coordinate a review of a covered submission in order to provide a response, coordinate the reconsideration of an administrative action, or take no additional action. In making a determination under this subparagraph, the Ombudsman shall consider—

''(i) whether there are reporting, processing, or dispute resolution mechanisms that have not been exhausted or that may be more appropriate for dealing with, investigating, and responding to such covered submission;

''(ii) whether the subject or outcome of a covered submission is alleged to be—

''(I) contrary to law or regulation;

''(II) arbitrary and capricious; or

''(III) performed in an unreasonably inefficient or untimely manner; and

''(iii) such other factors as the Ombudsman considers appropriate.

''(B) EXCEPTION.—With regard to a covered submission concerning an activity relating to an alleged violation of an order, a regulation, or any other provision of Federal law by the Administration or whistleblower retaliation, the Ombudsman shall refer such covered submission to the appropriate Federal entity to adjudicate or investigate the subject of such submission.

''(C) COOPERATION.—The Administrator shall ensure that the officers and employees of the Administration fully cooperate with the activities of the Ombudsman and provide such information, documents, or materials as may be requested by the Ombudsman.

''(5) RESPONSE REQUIREMENT.—The Ombudsman shall ensure that the Administration provides an initial response to or status update on covered submissions within 10 business days of the Ombudsman receiving such submission.

''(6) DEFINITIONS.—In this subsection:

''(A) ADMINISTRATIVE ACTION.—The term 'administrative action' means—

''(i) an action taken by the Administrator of the Federal Aviation Administration to issue, deny, modify, or revoke a certificate, registration, approval, waiver, license, exemption, determination, interpretation, or any other authorizing action; or

''(ii) the lack of any action (or activity related to an action) described in clause (i) necessary to be taken by the Administrator.

''(B) COVERED SUBMISSION.—The term 'covered submission' means an inquiry or objection relating to—

''(i) an aircraft, aircraft engine, propeller, or appliance certification;

''(ii) an airman or pilot certificate, including scheduling an associated appointment with Administration personnel or designees;

''(iii) a medical certificate;

''(iv) an operator certificate;

''(v) when authority under chapter 509 of title 51 is explicitly delegated by the Secretary of Transportation to the Administrator, a license or permit issued under chapter 509 of title 51;

''(vi) an aircraft registration;

''(vii) an operational approval, waiver, or exemption;

''(viii) a legal interpretation;

''(ix) an outstanding determination;

''(x) an application of agency guidance; and

''(xi) any certificate not otherwise described in this subparagraph that is issued pursuant to chapter 447.''.

SEC. 131. PROJECT DASHBOARDS AND FEEDBACK PORTAL.

(a) IN GENERAL.—The Ombudsman of the Federal Aviation Administration shall, in reviewing Administration processes, receiving, reviewing, and responding to covered submissions, and through general due diligence, determine whether a publicly facing dashboard that provides applicants with the status of an application before the agency would be—

(1) beneficial to applicants;

(2) an efficient use of resources to build, maintain, and update; or

(3) duplicative with other efforts within the Administration to streamline and digitize paperwork and certification processes to provide an applicant with a greater awareness of the status of an application before the Administration.

(b) RECOMMENDATION.—Not later than 30 months after the date of enactment of this Act, the Ombudsman shall provide a recommendation to the Administrator of the Federal Aviation Administration regarding the need or benefits of a dashboard or other means by which to track an application status.

(c) BRIEFING.—Not later than 45 days after receiving recommendations under subsection (b), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

(1) any recommendation received from the Ombudsman; and

(2) any activities the Administrator is taking in response to such recommendation.

(d) FAA FEEDBACK PORTAL.—

(1) IN GENERAL.—The Ombudsman shall, through interacting with the public and general due diligence, determine whether a publicly facing portal on the website through which the public may provide feedback to the Administrator about experiences they have working with personnel of the Administration would be beneficial.

(2) REQUIREMENTS.—The Ombudsman shall ensure any portal established under this subsection asks questions that seek to gauge any shortcomings the Administration has in fulfilling its mission or areas where the Administration is succeeding in meetings its mission.

(e) COVERED SUBMISSION.—In this section, the term ''covered submission'' has the meaning given the term in subsection 106(i) of title 49, United States Code.

SEC. 132. SENSE OF CONGRESS ON FAA ENGAGEMENT DURING RULEMAKING ACTIVITIES.

It is the sense of Congress that—

(1) the Administrator of the Federal Aviation Administration should engage with aviation stakeholder groups and the public during predrafting stages of rulemaking activities and use, to the greatest extent practicable, properly docketed ex-parte discussions during rulemaking activities in order to—

(A) inform the work of the Administrator;

(B) assist the Administrator in developing the scope of a rule; and

(C) reduce the timeline for issuance of proposed and final rules; and

(2) when it would reduce the time required for the Administrator to adjudicate public comments, the Administrator should publicly provide information describing the rationale behind a regulatory decision included in proposed regulations in order to better allow for the public to provide clear and informed comments on such regulations.

SEC. 133. CIVIL AEROMEDICAL INSTITUTE.

Section 106(j) of title 49, United States Code, is amended by striking ''There is'' and inserting ''CIVIL AEROMEDICAL INSTITUTE.—There is''.

SEC. 134. MANAGEMENT ADVISORY COUNCIL.

Section 106 of title 49, United States Code, is further amended—

(1) by transferring paragraph (8) of subsection (p) as paragraph (7) of subsection (r); and

(2) by striking subsection (p) and inserting the following:

''(p) MANAGEMENT ADVISORY COUNCIL.—

''(1) ESTABLISHMENT.—The Administrator shall establish an advisory council which shall be known as the Federal Aerospace Management Advisory Council (in this subsection referred to as the 'Council').

''(2) MEMBERSHIP.—The Council shall consist of 13 members, who shall consist of—

''(A) a designee of the Secretary of Transportation;

''(B) a designee of the Secretary of Defense;

''(C) 5 members representing aerospace and technology interests, appointed by the Administrator;

''(D) 5 members representing aerospace and technology interests, appointed by the Secretary of Transportation; and

''(E) 1 member, appointed by the Secretary of Transportation, who is the head of a union representing air traffic control system employees.

''(3) QUALIFICATIONS.—No officer or employee of the United States Government may be appointed to the Council under subparagraph (C) or (D) of paragraph (2).

''(4) FUNCTIONS.—

''(A) IN GENERAL.—

''(i) ADVISE; COUNSEL.—The Council shall provide advice and counsel to the Administrator on issues which affect or are affected by the activities of the Administrator.

''(ii) RESOURCE.—The Council shall function as an oversight resource for management, policy, spending, and regulatory matters under the jurisdiction of the Administrator.

''(iii) SUBMISSIONS TO ADMINISTRATION.—With respect to Administration management, policy, spending, funding, data management and analysis, safety initiatives, international agreements, activities of the International Civil Aviation Organization, and regulatory matters affecting the aerospace industry and the national airspace system, the Council may—

''(I) regardless of whether solicited by the Administrator, submit comments, recommended modifications, proposals, and supporting or dissenting views to the Administrator; and

''(II) request the Administrator include in any submission to Congress, the Secretary, or the general public, and in any submission for publication in the Federal Register, a description of the comments, recommended modifications, and dissenting or supporting views received from the Council under subclause (I).

''(iv) REASONING.—Together with a Council submission that is published or described under clause (iii)(II), the Administrator shall provide the reasons for any differences between the views of the Council and the views or actions of the Administrator.

''(v) COST-BENEFIT ANALYSIS.—The Council shall review the rulemaking cost-benefit analysis process and develop recommendations to improve the analysis and ensure that the public interest is fully protected.

''(vi) PROCESS REVIEW.—The Council shall review the process through which the Administration determines to use advisory circulars, service bulletins, and other externally facing guidance and regulatory material.

''(B) MEETINGS.—The Council shall meet on a regular and periodic basis or at the call of the chair or of the Administrator.

''(C) ACCESS TO DOCUMENTS AND STAFF.—The Administration may give the Council appropriate access to relevant documents and personnel of the Administration, and the Administrator shall make available, consistent with the authority to withhold commercial and other proprietary information under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), cost data associated with the acquisition and operation of air traffic service systems.

''(D) DISCLOSURE OF COMMERCIAL OR PROPRIETARY DATA.—Any member of the Council who receives commercial or other proprietary data as provided for in this paragraph from the Administrator shall be subject to the provisions of section 1905 of title 18, pertaining to unauthorized disclosure of such information.

''(5) APPLICATION OF CHAPTER 10 OF TITLE 5.—Chapter 10 of title 5 does not apply to—

''(A) the Council;

''(B) such aviation rulemaking committees as the Administrator shall designate; or

''(C) such aerospace rulemaking committees as the Secretary shall designate.

''(6) ADMINISTRATIVE MATTERS.—

''(A) TERMS.—Members of the Council appointed under paragraph (2)(C) shall be appointed for a term of 3 years.

''(B) TERM FOR AIR TRAFFIC CONTROL REPRESENTATIVE.—The member appointed under paragraph (2)(D) shall be appointed for a term of 3 years, except that the term of such individual shall end whenever the individual no longer meets the requirements of paragraph (2)(D).

''(C) VACANCY.—Any vacancy on the Council shall be filled in the same manner as the original appointment, except that any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of that term.

''(D) CONTINUATION IN OFFICE.—A member of the Council whose term expires shall continue to serve until the date on which the member's successor takes office.

''(E) REMOVAL.—Any member of the Council appointed under paragraph (2) may be removed for cause by whomever makes the appointment.

''(F) CHAIR; VICE CHAIR.—The Council shall elect a chair and a vice chair from among the members appointed under subparagraphs (C) and (D) of paragraph (2), each of whom shall serve for a term of 1 year. The vice chair shall perform the duties of the chair in the absence of the chair.

''(G) TRAVEL AND PER DIEM.—Each member of the Council shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from the usual place of residence of the member, in accordance with section 5703 of title 5.

''(H) DETAIL OF PERSONNEL FROM THE ADMINISTRATION.—The Administrator shall make available to the Council such staff, information, and administrative services and assistance as may reasonably be required to enable the Council to carry out its responsibilities under this subsection.''.

SEC. 135. AVIATION NOISE OFFICER.

(a) IN GENERAL.—Section 106 of title 49, United States Code, is further amended by striking subsection (q) and inserting the following:

''(q) AVIATION NOISE OFFICER.—

''(1) IN GENERAL.—The Administration has an Aviation Noise Officer, who shall be appointed by the Administrator.

''(2) REGIONAL OFFICERS.—The Aviation Noise Officer shall designate, within each region of the Administration, a Regional Aviation Noise Officer.

''(3) DUTIES.—The Aviation Noise Officer, in coordination with the Regional Aviation Noise Officers, shall—

''(A) serve as a liaison with the public, including community groups, on issues regarding aircraft noise;

''(B) make recommendations to the Administrator to address concerns raised by the public in decision making processes; and

''(C) be consulted when the Administration proposes changes in aircraft routes so as to minimize any increases in aircraft noise over populated areas.

''(4) NUMBER OF FULL-TIME EQUIVALENT EMPLOYEES.—The appointment of an Aviation Noise Officer under this subsection shall not result in an increase in the number of full-time equivalent employees in the Administration.''.

(b) CONFORMING AMENDMENTS.—Section 180 of the FAA Reauthorization Act of 2018 (49 U.S.C. 106 note) and the items relating to such section in the table of contents contained in section 1(b) of that Act, are repealed.

SEC. 136. CHIEF OPERATING OFFICER.

Section 106(r) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

''(A) APPOINTMENT.—There shall be a Chief Operating Officer for the air traffic control system that is appointed by the Administrator and subject to the authority of the Administrator.''; and

(B) in subparagraph (E) by striking ''shall be appointed for the remainder of that term'' and inserting ''may be appointed for either the remainder of the term or for a full term'';

(2) in paragraph (2) by striking '', with the approval of the Air Traffic Services Committee'';

(3) in paragraph (3)—

(A) by striking '', in consultation with the Air Traffic Services Committee,''; and

(B) by striking ''annual basis.'' and inserting— ''annual basis and shall include responsibility for—

''(A) the state of good repair of the air traffic control system;

''(B) the continuous improvement of the safety and efficiency of the air traffic control system; and

''(C) identifying services and solutions to increase the safety and efficiency of airspace use and to support the safe integration of all airspace users.'';

(4) in paragraph (4) by striking ''such information as may be prescribed by the Secretary'' and inserting ''the annual performance agreement required under paragraph (3), an assessment of the performance of the Chief Operating Officer in relation to the performance goals in the previous year's performance agreement, and such other information as may be prescribed by the Administrator''; and

(5) in paragraph (5)—

(A) by striking ''Chief Operating Officer, or any other authority within the Administration responsibilities, including'' and inserting ''Chief Operating Officer any authority of the Administrator and shall delegate, at a minimum'';

(B) in subparagraph (A)—

(i) in clause (iii) by striking ''and'' at the end;

(ii) in clause (iv) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(v) plans to integrate new entrant operations into the national airspace system and associated action items.''; and

(C) in subparagraph (C)(ii) by striking ''and the Committee''.

SEC. 137. REPORT ON UNFUNDED CAPITAL INVESTMENT NEEDS OF AIR TRAFFIC CONTROL SYSTEM.

Section 106(r) of title 49, United States Code, is further amended by adding at the end the following:

''(6) UNFUNDED CAPITAL INVESTMENT NEEDS REPORT.—

''(A) IN GENERAL.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1150 of title 31, the Chief Operating Officer shall submit directly to the Administrator, the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on any unfunded capital investment needs of the air traffic control system.

''(B) CONTENTS OF REPORT.—The report required under subparagraph (A) shall include, for each unfunded capital investment need, the following:

''(i) A summary description of such unfunded capital investment need.

''(ii) Objective to be achieved if such unfunded capital investment need is funded in whole or in part.

''(iii) The additional amount of funds recommended in connection with such objective.

''(iv) The Budget Line Item Program and Budget Line Item number associated with such unfunded capital investment need, as applicable.

''(v) Any statutory requirement associated with such unfunded capital investment need, as applicable.

''(C) PRIORITIZATION OF REQUIREMENTS.—The report required under subparagraph (A) shall present unfunded capital investment needs in overall urgency of priority.

''(D) DEFINITION OF UNFUNDED CAPITAL INVESTMENT NEED.—In this paragraph the term 'unfunded capital investment need' means a program that—

''(i) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31;

''(ii) is for infrastructure or a system related to necessary modernization or sustainment of the air traffic control system;

''(iii) is listed for any year in the most recent National Airspace System Capital Investment Plan of the Administration; and

''(iv) would have been recommended for funding through the budget referred to in subparagraph (A) by the Chief Operating Officer if—

''(I) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

''(II) the program, activity, or mission requirement has emerged since the budget was formulated.''.

SEC. 138. CHIEF TECHNOLOGY OFFICER.

Section 106(s) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking ''There shall be'' and all that follows through the period at the end and inserting ''The Chief Technology Officer shall be appointed by the Chief Operating Officer of the air traffic control system with the consent of the Administrator.'';

(B) in subparagraph (B) by striking ''management'' and inserting ''management, systems management,'';

(C) by striking subparagraph (D);

(D) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D), respectively; and

(E) by inserting before subparagraph (B), as so redesignated, the following:

''(A) ESTABLISHMENT.—There shall be a Chief Technology Officer for the air traffic control system that shall report directly to the Chief Operating Officer of the air traffic control system.'';

(2) in paragraph (2)—

(A) in subparagraph (A) by striking ''program''; and

(B) in subparagraph (F) by striking ''aircraft operators'' and inserting ''the Administration, aircraft operators, or other private providers of information and services related to air traffic management''; and

(3) in paragraph (3)—

(A) in subparagraph (A) by striking ''The Chief Technology Officer shall be subject to the postemployment provisions of section 207 of title 18 as if the position of Chief Technology Officer were described in section 207(c)(2)(A)(i) of that title.'';

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

''(B) POST-EMPLOYMENT.—The Chief Technology Officer shall be subject to the postemployment provisions of section 207 of title 18 as if the position of Chief Technology Officer were described in section 207(c)(2)(A)(i) of such title.''.

SEC. 139. DEFINITION OF AIR TRAFFIC CONTROL SYSTEM.

Section 40102(a)(47) of title 49, United States Code, is amended—

(1) in subparagraph (C) by striking ''and'' at the end;

(2) in subparagraph (D) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) systems, software, and hardware operated, owned, and maintained by third parties that support or directly provide air navigation information and air traffic management services with Administration approval.''.

SEC. 140. PEER REVIEW OF OFFICE OF WHISTLEBLOWER PROTECTION AND AVIATION SAFETY INVESTIGATIONS.

Section 106(t) of title 49, United States Code, is amended—

(1) by striking paragraph (7);

(2) by inserting after paragraph (6) the following:

''(7) DEPARTMENT OF TRANSPORTATION OFFICE OF THE INSPECTOR GENERAL PEER REVIEW.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act, and every 5 years thereafter, the inspector general of the Department of Transportation shall perform a peer review of the Office of Whistleblower Protection and Aviation Safety Investigations.

''(B) PEER REVIEW SCOPE.—In completing the peer reviews required under this paragraph, the inspector general shall use the most recent peer review guides published by the Council of the Inspectors General on Integrity and Efficiency Audit Committee and Investigations Committee.

''(C) REPORTS TO CONGRESS.—Not later than 90 days after the completion of a peer review required under this paragraph, the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a description of any actions taken or to be taken to address the results of the peer review.''; and

(3) in paragraph (8)(B) by striking the comma.

SEC. 141. CYBERSECURITY LEAD.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall designate an executive of the Administration to serve as the lead for the cybersecurity of Administration systems and hardware (hereinafter referred to as the ''Cybersecurity Lead'').

(b) DUTIES.—The Cybersecurity Lead shall carry out duties and powers prescribed by the Administrator, including the management of activities required under subtitle B of title VI of the Securing Growth and Robust Leadership in American Aviation Act.

(c) BRIEFING.—Not later than 1 and 3 years after the date of enactment of this Act, the Cybersecurity Lead shall provide a briefing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the implementation of subtitle B of title VI of the Securing Growth and Robust Leadership in American Aviation Act.

SEC. 142. REDUCING FAA WASTE, INEFFICIENCY, AND UNNECESSARY RESPONSIBILITIES.

(a) ANNUAL REPORT ON AVIATION ACTIVITIES.—Section 308 of title 49, United States Code, is amended—

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (b); and

(3) by redesignating subsection (e) as subsection (c).

(b) ANNUAL REPORT ON THE PURCHASE OF FOREIGN MANUFACTURED ARTICLES.—Section 40110(d) of title 49, United States Code, is amended by striking paragraph (5).

(c) ANNUAL REPORT ON ASSISTANCE TO FOREIGN AVIATION AUTHORITIES.—Section 40113(e) of title 49, United States Code, is amended—

(1) by striking paragraph (4); and

(2) by redesignating paragraph (5) as paragraph (4).

(d) AIP ANNUAL REPORT.—Section 47131 of title 49, United States Code, and the item relating to such section in the analysis for chapter 471 of such title, are repealed.

(e) TRANSFER OF AIRPORT LAND USE COMPLIANCE REPORT TO NPIAS.—Section 47103 of title 49, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) NON-COMPLIANT AIRPORTS.—

''(1) IN GENERAL.—The Secretary shall include in the plan a detailed statement listing airports the Secretary has reason to believe are not in compliance with grant assurances or other requirements with respect to airport lands and shall include—

''(A) the circumstances of noncompliance;

''(B) the timeline for corrective action with respect to such noncompliance; and

''(C) any corrective action the Secretary intends to require to bring the airport sponsor into compliance.

''(2) LISTING.—The Secretary is not required to conduct an audit or make a final determination before including an airport on the list referred to in paragraph (1).''.

(f) NOTICE TO AIRPORT SPONSORS REGARDING PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS.—Section 306 of the Federal Aviation Administration Authorization Act of 1994 (49 U.S.C. 50101 note) is amended—

(1) in subsection (a) by striking ''(a)'' and all that follows through ''It is the sense'' and inserting ''It is the sense''; and

(2) by striking subsection (b).

(g) OBSOLETE AVIATION SECURITY REQUIREMENTS.—Sections 302, 307, 309, and 310 of the Federal Aviation Reauthorization Act of 1996 (Public Law 104–264), and the items relating to such sections in the table of contents in section 1(b) of such Act, are repealed.

(h) REGULATION OF ALASKA GUIDE PILOTS.—Section 732 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (49 U.S.C. 44701 note) is amended—

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (b); and

(3) in subsection (b), as so redesignated—

(A) in the heading by striking ''DEFINITIONS'' and inserting ''DEFINITION OF ALASKA GUIDE PILOT''; and

(B) by striking '', the following definitions apply'' and all that follows through ''The term 'Alaska guide pilot'.'' and inserting ''the term 'Alaska guide pilot'.''.

(i) NEXT GENERATION AIR TRANSPORTATION SENIOR POLICY COMMITTEE.—Section 710 of the Vision 100–Century of Aviation Reauthorization Act (49 U.S.C. 40101 note), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(j) IMPROVED PILOT LICENSES AND PILOT LICENSE RULEMAKING.—

(1) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT.—Section 4022 of the Intelligence Reform and Terrorism Prevention Act of 2004 (49 U.S.C. 44703 note), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(2) FAA MODERNIZATION AND REFORM ACT OF 2012.—Section 321 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44703 note), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(k) TECHNICAL TRAINING AND STAFFING STUDY.—Section 605 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95) is amended—

(1) by striking subsection (a);

(2) in subsection (b)—

(A) by striking ''(b) Workload of Systems Specialists.—''; and

(B) by redesignating paragraphs (1) through (3) as subsections (a) through (c) (and adjust the margins appropriately); and

(3) in subsection (c) (as so redesignated) by striking ''paragraph (1)'' and inserting ''subsection (a)''.

(l) FERRY FLIGHT DUTY PERIOD AND FLIGHT TIME RULEMAKINGS.—Section 345 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(m) LASER POINTER INCIDENT REPORTS.—Section 2104 of FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 46301 note) is amended—

(1) in subsection (a) by striking ''quarterly'' and inserting ''annually''; and

(2) by adding at the end the following:

''(c) REPORT SUNSET.—Subsection (a) shall cease to be effective after September 30, 2028.''.

(n) COLD WEATHER PROJECTS BRIEFING.—Section 156 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47112 note) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

TITLE II—GENERAL AVIATION

Subtitle A—Expanding Pilot Privileges and Protections

SEC. 201. REEXAMINATION OF PILOTS OR CERTIFICATE HOLDERS.

The Pilot's Bill of Rights (49 U.S.C. 44703 note) is amended by adding at the end the following:

''SEC. 5. REEXAMINATION OF AN AIRMAN CERTIFICATE.

''(a) IN GENERAL.—The Administrator shall provide timely, written notification to an individual subject to a reexamination of an airman certificate issued under chapter 447 of title 49, United States Code.

''(b) INFORMATION REQUIRED.—In providing notification under subsection (a), the Administrator shall inform the individual—

''(1) of the nature of the reexamination and the specific activity on which the reexamination is necessitated;

''(2) that the reexamination shall occur within 1 year from the date of the notice provided by the Administrator, after which, if the reexamination is not conducted, the airman certificate may be suspended or revoked; and

''(3) when, as determined by the Administrator, an oral or written response to the notification from the Administrator is not required.

''(c) EXCEPTION.—Nothing in this section prohibits the Administrator from reexamining a certificate holder if the Administrator has reasonable grounds—

''(1) to establish that an airman may not be qualified to exercise the privileges of a certificate or rating based upon an act or omission committed by the airman while exercising such privileges or performing ancillary duties associated with the exercise of such privileges; or

''(2) to demonstrate that the airman obtained such a certificate or rating through fraudulent means or through an examination that was substantially and inadequate to establish the qualifications of an airman.

''(d) STANDARD OF REVIEW.—An order issued by the Administrator to amend, modify, suspend, or revoke an airman certificate after reexamination of the airman is subject to the standard of review provided for under section 2 of this Act.''.

SEC. 202. GAO REVIEW OF PILOT'S BILL OF RIGHTS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a study of the implementation of the Pilot's Bill of Rights (49 U.S.C. 44703 note).

(b) CONTENTS.—In conducting the study under subsection (a), the Comptroller General shall review—

(1) the implementation and application of the Pilot's Bill of Rights (49 U.S.C. 44703 note);

(2) the application of the Federal Rules of Civil Procedure and the Federal Rules of Evidence to covered proceedings by the National Transportation Safety Board, as required by section 2 of the Pilot's Bill of Rights (49 U.S.C. 44703 note);

(3) the appeal process and the typical length of time associated with a final determination in a covered proceeding; and

(4) any impacts of the implementation of the Pilot's Bill of Rights (49 U.S.C. 44703 note).

(c) COVERED PROCEEDINGS.—In this section, the term ''covered proceeding'' means a proceeding conducted under subpart C, D, or F of part 821 of title 49, Code of Federal Regulations, relating to denial, amendment, modification, suspension, or revocation of an airman certificate.

SEC. 203. EXPANSION OF BASICMED.

(a) IN GENERAL.—Section 2307 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44703 note) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following:

''(2) the individual holds a medical certificate issued by the Federal Aviation Administration or has held such a certificate at any time after July 14, 2006;'';

(B) in paragraph (7) by inserting ''calendar'' before ''months''; and

(C) in paragraph (8)(A) by striking ''5'' and inserting ''6'';

(2) in subsection (b)(2)(A)(i) by inserting ''(or any successor form)'' after ''(3–99)'';

(3) by striking subsection (h) and inserting the following:

''(h) REPORT REQUIRED.—Not later than 4 years after the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act, the Administrator, in coordination with the National Transportation Safety Board, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes the effect of the regulations issued or revised under subsection (a) and includes statistics with respect to changes in small aircraft activity and safety incidents.''; and

(4) in subsection (j)—

(A) in paragraph (1) by striking ''6'' and inserting ''7''; and

(B) in paragraph (2) by striking ''6,000'' and inserting ''12,500''.

(b) RULEMAKING.—The Administrator of the Federal Aviation Administration shall update regulations in parts 61 and 68 of title 14, Code of Federal Regulations, as necessary, to implement the amendments made by this section.

(c) APPLICABILITY.—Beginning on the date that is 120 days after the date of enactment of this Act, the Administrator shall apply part 68, Code of Federal Regulations, in a manner reflecting the amendments made by this section.

SEC. 204. DATA PRIVACY.

(a) IN GENERAL.—Chapter 441 of title 49, United States Code, is amended by adding at the end the following:

''§ 44114. Privacy

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall establish and continuously improve a process by which, upon request of a private aircraft owner or operator, the Administrator blocks the registration number and other similar identifiable data or information, except for physical markings required by law, of the aircraft of the owner or operator from any public dissemination or display (except in furnished data or information made available to or from a Government agency pursuant to a government contract, subcontract, or agreement) for the noncommercial flights of the owner or operator.

''(b) WITHHOLDING PERSONALLY IDENTIFIABLE INFORMATION ON AIRCRAFT REGISTRY.—Not later than 1 year after the date of enactment of this section and notwithstanding any other provision of law, the Administrator shall establish a procedure by which, upon request of a private aircraft owner or operator, the Administrator shall withhold from public disclosure (except in furnished data or information made available to or from a Government agency pursuant to a government contract, subcontract, or agreement) the personally identifiable information of such individual on the Civil Aviation Registry website.

''(c) ICAO AIRCRAFT IDENTIFICATION CODE.—

''(1) IN GENERAL.—The Administrator shall establish a program for aircraft owners and operators to apply for a new ICAO aircraft identification code.

''(2) LIMITATIONS.—In carrying out the program described in paragraph (1), the Administrator shall require—

''(A) each applicant to substantiate the safety or security need in applying for a new ICAO aircraft identification code; and

''(B) each approved applicant who obtains a new ICAO aircraft identification code to comply with all applicable aspects of, or related to, part 45 of title 14, Code of Federal Regulations, including updating an aircraft's registration number and N–Number to reflect such aircraft's new ICAO aircraft identification code.

''(d) DECOUPLING MODE S CODES.—The Administrator shall develop a plan for which the Administrator could allow for a process to disassociate an assigned Mode S code with the number assigned to an aircraft that is registered pursuant to section 44103.

''(e) DEFINITIONS.—In this section:

''(1) ADS–B.—The term 'ADS–B' means automatic dependent surveillance-broadcast.

''(2) ICAO.—The term 'ICAO' means the International Civil Aviation Organization.

''(3) PERSONALLY IDENTIFIABLE INFORMATION.—The term 'personally identifiable information' means—

''(A) the mailing address or registration address of an individual;

''(B) an electronic address (including an e-mail address) of an individual; or

''(C) the telephone number of an individual.''.

(b) STUDY ON ENCRYPTING ADS–B.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into an agreement with a qualified organization to conduct a study assessing the technical challenges, impact to international aviation operations, benefits, and costs of encrypting ADS–B signals to provide for a safer and more secure environment for national airspace system users.

(2) CONSULTATION.—In carrying out the study under paragraph (1), a qualified organization shall consult with representatives of—

(A) air carriers;

(B) collective bargaining representatives of the Federal Aviation Administration aeronautical information specialists;

(C) original equipment manufacturers of ADS–B equipment;

(D) general aviation;

(E) business aviation; and

(F) aviation safety experts with specific knowledge of aircraft cybersecurity.

(3) CONSIDERATIONS.—In carrying out the study under paragraph (1), a qualified organization shall consider—

(A) the technical requirements for encrypting ADS–B signals for both the 978 Mhz and 1090 Mhz frequencies;

(B) the advantages of encrypting ADS–B signals for both the 978 Mhz and 1090 Mhz frequencies, including those related to cybersecurity protections, safety, and privacy of national airspace system users;

(C) the disadvantages of encrypting ADS–B signals for both the 978 Mhz and 1090 Mhz frequencies, including those related to cybersecurity protections, safety, and privacy of national airspace system users;

(D) the challenges of encrypting ADS–B signals for both the 978 Mhz and 1090 Mhz frequencies, including coordination considerations with the International Civil Aviation Organization and foreign civil aviation authorities;

(E) potential new aircraft equipage requirements and estimated costs;

(F) the impact to nongovernmental third-party users of ADS–B data;

(G) the estimated costs to—

(i) the Federal Aviation Administration;

(ii) aircraft owners required to equip with ADS–B equipment for aviation operations; and

(iii) other relevant persons the Administrator determines necessary; and

(H) the impact to national airspace system operations during implementation and post-implementation.

(4) REPORT.—In any agreement entered into under paragraph (1), the Administrator shall ensure that, not later than 1 year after the completion of the study required under paragraph (1), the qualified organization that has entered into such agreement shall submit to the Administrator, the Committee on

Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study described in paragraph (1), including the findings and recommendations related to each item specified under paragraph (3).

(5) DEFINITION OF QUALIFIED ORGANIZATION.—In this subsection, the term ''qualified organization'' means an independent nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(c) CLERICAL AMENDMENT.—The analysis for chapter 441 of title 49, United States Code, is amended by adding at the end the following:

''44114. Privacy.''.

(d) CONFORMING AMENDMENT.—Section 566 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44103 note) and the item relating to such section in the table of contents under section 1(b) of that Act are repealed.

SEC. 205. PROHIBITION ON USING ADS–B DATA TO INITIATE AN INVESTIGATION.

Section 46101 of title 49, United States Code, is amended by adding at the end the following:

''(c) PROHIBITION ON USING ADS–B DATA TO INITIATE AN INVESTIGATION.—

''(1) IN GENERAL.—Notwithstanding any provision of this section, the Administrator of the Federal Aviation Administration may not initiate an investigation (excluding a criminal investigation) of a person based exclusively on automatic dependent surveillance-broadcast data.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall prohibit the use of automatic dependent surveillance-broadcast data in an investigation that was initiated for any reason other than the review of automatic dependent surveillance-broadcast data, including if such investigation was initiated as a result of a report or complaint submitted to the Administrator.''.

SEC. 206. PROHIBITION ON N–NUMBER PROFITEERING.

Section 44103 of title 49, United States Code, is amended by adding at the end the following:

''(e) PROHIBITION ON N–NUMBER PROFITEERING.—

''(1) IN GENERAL.—No person may reserve an aircraft registration number without certifying that such person intends to use such registration number—

''(A) immediately on a specific aircraft; or

''(B) for future use on an aircraft owned or controlled, or intended to be owned or controlled, by such person.

''(2) TRANSFERS.—A person may transfer a reserved aircraft registration number to another person if—

''(A) the transferor certifies that the aircraft registration number is relinquished willingly and at a cost to the transferee that does not otherwise exceed the amount paid by the transferor to reserve such number; and

''(B) the transferee—

''(i) certifies that the transferor did not impose a dollar cost on the transfer that exceeds the amount provided for in subparagraph (A); and

''(ii) complies with the certification requirement under paragraph (1).''.

SEC. 207. ACCOUNTABILITY FOR AIRCRAFT REGISTRATION NUMBERS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a review of the process for reserving aircraft registration numbers to ensure that such process offers an equal opportunity for members of the general public to obtain specific aircraft registration numbers.

(b) ASSESSMENT.—In conducting the review under subsection (a), the Administrator shall assess the following:

(1) Whether the use of readily available software to prevent computer or web-based auto-fill systems from reserving aircraft registration numbers in bulk would improve participation in the reservation process by the general public.

(2) Whether a limit should be imposed on the number of consecutive years a person may reserve an aircraft registration number.

(3) The impact of the prohibition imposed by section 44103(e) of title 49, United States Code.

(c) BRIEFING.—Not later than 18 months after the date of enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the review conducted under subsection (a), including any recommendations of the Administrator to improve equal participation in the process for reserving aircraft registration numbers by the general public.

SEC. 208. TIMELY RESOLUTION OF INVESTIGATIONS.

(a) IN GENERAL.—Not later than 2 years after the date of issuance of a letter of investigation to any person, the Administrator of the Federal Aviation Administration shall—

(1) make a determination regarding such investigation and pursue subsequent action; or

(2) close such investigation.

(b) EXTENSION.—

(1) IN GENERAL.—If, upon review of the facts and status of an investigation described in subsection (a), the Administrator determines that the time provided to make a final determination or close such investigation is insufficient, the Administrator may approve an extension of such investigation for 2 years.

(2) ADDITIONAL EXTENSIONS.—The Administrator may approve consecutive extensions under paragraph (1).

(c) DELEGATION.—The Administrator may not delegate the authority to approve an extension described in subsection (b) to anyone other than the leadership of the Administration as described in section 106(b) of title 49, United States Code.

SEC. 209. EXPANSION OF VOLUNTEER PILOT ORGANIZATION DEFINITION.

Section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is amended—

(1) in subsection (a)—

(A) by striking ''for the fuel costs associated with'' and inserting ''for the fuel costs and airport fees attributed to''; and

(B) by striking ''for an individual or organ for medical purposes (and for other associated individuals)'' and inserting ''for the purposes described in subsection (c)(2)''; and

(2) in subsection (c)(2) by striking ''charitable medical transportation.'' and inserting the following: ''charitable transportation for the following purposes:

''(A) Assisting individuals in accessing medical care or treatment (and for other associated individuals).

''(B) Delivering human blood, tissues, or organs.

''(C) Aiding disaster relief efforts pursuant to a—

''(i) presidential declaration of a major disaster or an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

''(ii) declaration of a major disaster or an emergency by a Governor of a State.''.

SEC. 210. CHARITABLE FLIGHT FUEL REIMBURSEMENT EXEMPTIONS.

(a) IN GENERAL.—

(1) VALIDITY OF EXEMPTION.—Except as otherwise provided in this subsection, an exemption from section 61.113(c) of title 14, Code of Federal Regulations, that is granted by the Administrator of the Federal Aviation Administration for the purpose of allowing a volunteer pilot to accept reimbursement from a volunteer pilot organization for the fuel costs and airport fees attributed to a flight operation to provide charitable transportation pursuant to section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) shall be valid for 5 years.

(2) FAILING TO ADHERE.—If the Administrator finds an exemption holder under paragraph (1) or a volunteer pilot fails to adhere to the conditions and limitations of the exemption described under such paragraph, the Administrator may rescind or suspend the exemption.

(3) NO LONGER QUALIFYING.—If the Administrator finds that such exemption holder no longer qualifies as a volunteer pilot organization, the Administrator shall rescind such exemption.

(4) FORGOING EXEMPTION.—If such exemption holder informs the Administrator that such holder no longer plans to exercise the authority granted by such exemption, the Administrator may rescind such exemption.

(b) ADDITIONAL REQUIREMENTS.—

(1) IN GENERAL.—A volunteer pilot organization may impose additional safety requirements on a volunteer pilot without—

(A) being considered—

(i) an air carrier (as such term is defined in section 40102 of title 49, United States Code); or

(ii) a commercial operator (as such term is defined in section 1.1 of title 14, Code of Federal Regulations); or

(B) constituting common carriage.

(2) SAVINGS CLAUSE.—Nothing in this subsection may be construed to limit or otherwise affect the authority of the Administrator to regulate, as appropriate, a flight operation associated with a volunteer pilot organization that constitutes a commercial operation or common carriage.

(c) REISSUANCE OF EXISTING EXEMPTIONS.—In reissuing an expiring exemption described in subsection (a) that was originally issued prior to the date of enactment of this Act, the Administrator shall ensure that the reissued exemption—

(1) accounts for the provisions of this section and section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as amended by this Act; and

(2) is otherwise substantially similar to the previously issued exemption.

(d) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to—

(1) affect the authority of the Administrator to exempt a pilot (exercising the private pilot privileges) from any restriction on receiving reimbursement for the fuel costs and airport fees attributed to a flight operation to provide charitable transportation; or

(2) impose or authorize the imposition of any additional requirements by the Administrator on a flight that is arranged by a volunteer pilot organization in which the volunteer pilot—

(A) is not reimbursed the fuel costs and airport fees attributed to a flight operation to provide charitable flights; or

(B) pays a pro rata share of expenses as described in section 61.113(c) of title 14, Code of Federal Regulations.

(e) DEFINITIONS.—In this section:

(1) VOLUNTEER PILOT.—The term ''volunteer pilot'' means a person who—

(A) acts as a pilot in command of a flight operation to provide charitable transportation pursuant to section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note); and

(B) holds a private pilot certificate, commercial pilot certificate, or an airline transportation pilot certificate issued under part 61 of title 14, Code of Federal Regulations.

(2) VOLUNTEER PILOT ORGANIZATION.—The term ''volunteer pilot organization'' has the meaning given such term in section 821(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

SEC. 211. GAO REPORT ON CHARITABLE FLIGHTS.

(a) REPORT.—Not later than 4 years after the date of enactment of this Act, the Comptroller

General of the United States shall initiate a review of the following:

(1) Applicable laws, regulations, policies, legal opinions, and guidance pertaining to charitable flights and the operations of such flights, including reimbursement of fuel costs.

(2) Petitions for exemption from the requirements of section 61.113(c) of title 14, Code of Federal Regulations, for the purpose of allowing a pilot to accept reimbursement for the fuel costs associated with a flight operation to provide charitable transportation pursuant to section 821 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as amended by this Act, including assessment of—

(A) the conditions and limitations a petitioner must comply with if the exemption is granted and whether such conditions and limitations are—

(i) applied to petitioners in a consistent manner; and

(ii) commensurate with the types of flight operations exemption holders propose to conduct under any such exemptions;

(B) denied petitions for such an exemption and the reasons for the denial of such petitions; and

(C) the processing time of a petition for such an exemption.

(3) Charitable flights conducted without an exemption from section 61.113(c) of title 14, Code of Federal Regulations, including an analysis of the certificates, qualifications, and aeronautical experience of the operators of such flights.

(b) CONSULTATION.—In carrying out the review initiated under subsection (a), the Comptroller General shall consult with charitable organizations, including volunteer pilot organizations, aircraft owners, and pilots who volunteer to provide transportation for or on behalf of a charitable organization, flight safety experts, and employees of the Federal Aviation Administration.

(c) RECOMMENDATIONS.—As part of the review initiated under subsection (a), the Comptroller General shall make recommendations, as determined appropriate, to the Administrator of the Federal Aviation Administration to improve the rules, policies, and guidance pertaining to charitable flight operations.

(d) REPORT.—Upon completion of the review initiated under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the findings of such review and recommendations developed under subsection (c).

SEC. 212. ALL MAKES AND MODELS AUTHORIZATION.

(a) IN GENERAL.—

(1) UNLIMITED LETTER OF AUTHORIZATION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall take such action as may be necessary to allow for the issuance of letters of authorizations to airmen with the authorization for—

(A) all types and makes of experimental high–performance single engine piston powered aircraft; and

(B) all types and makes of experimental high–performance multiengine piston powered aircraft.

(2) REQUIREMENTS.—An individual who holds a letter of authorization and applies for an authorization described in paragraph (1)(A) or (1)(B)—

(A) shall be given an all-makes and models authorization of—

(i) experimental single–engine piston powered authorized aircraft; or

(ii) experimental multiengine piston powered authorized aircraft;

(B) shall hold the appropriate category and class rating for the authorized aircraft;

(C) shall hold 3 experimental aircraft authorizations in aircraft of the same category and class rating for the authorization sought; and

(D) may become qualified in additional experimental aircraft by completing aircraft specific training.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to disallow an individual from being given both an authorization described in paragraph (1)(A) and an authorization described in paragraph (1)(B).

(c) FAILURE TO COMPLY.—

(1) IN GENERAL.—If the Administrator fails to implement subsection (a) within the time period prescribed in such subsection, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the implementation of such subsection on a monthly basis until the implementation is complete.

(2) NO DELEGATION.—The Administrator may not delegate the briefing described in paragraph (1).

SEC. 213. RESPONSE TO LETTER OF INVESTIGATION.

Section 2(b) of the Pilot's Bill of Rights (49 U.S.C. 44703 note) is amended by adding at the end the following:

''(6) RESPONSE TO LETTER OF INVESTIGATION.—If an individual decides to respond to a Letter of Investigation described in paragraph (2)(B) such individual may respond not later than 30 days after receipt of such Letter, including providing written comments on the incident to the investigating office.''.

Subtitle B—General Aviation Safety

SEC. 221. ADS–B SAFETY ENHANCEMENT INCENTIVE PROGRAM.

(a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a program to provide rebates to owners of covered general aviation aircraft for the purchase of covered ADS–B equipment.

(b) APPLICATION.—To be eligible to receive a rebate under this section, an owner of a covered general aviation aircraft shall submit to the Administrator an application in such form, at such time, and containing such information as the Administrator may require, including proof of successful installation of covered ADS–B equipment.

(c) AUTHORIZED REBATE.—

(1) AMOUNT.—A rebate approved by the Administrator to be issued to an owner of a covered general aviation aircraft shall be equal to the lesser of—

(A) the cost of purchasing the covered ADS–B equipment; or

(B) $2,000.

(2) TIME.—A rebate issued under the program under this section shall be redeemed or presented for payment not later than 180 days after issuance, after which time the rebate shall be deemed void.

(d) SUNSET.—The program established under subsection (a) shall terminate on October 1, 2027.

(e) RESTRICTION.—The Administrator may not offer rebates for—

(1) a software upgrade for covered ADS–B equipment;

(2) covered ADS–B equipment installed prior to the date of enactment of this Act;

(3) covered general aviation aircraft manufactured after January 1, 2020; or

(4) covered general aviation aircraft for which the Administrator has previously issued a rebate related to the purchase and installation of covered ADS–B equipment.

(f) DEFINITIONS.—In this section:

(1) ADS–B.—The term ''ADS–B'' means automatic dependent surveillance–broadcast.

(2) COVERED ADS–B EQUIPMENT.—The term ''covered ADS–B equipment'' means ADS–B equipment that—

(A) meets the performance requirements described in section 91.227 of title 14, Code of Federal Regulations (or any successor regulation); and

(B) is capable of receiving and displaying ADS–B information from other aircraft.

(3) COVERED GENERAL AVIATION AIRCRAFT.—The term ''covered general aviation aircraft'' means a single-engine piston aircraft registered in the United States that is not equipped with covered ADS–B equipment.

(g) AUTHORIZATION OF APPROPRIATIONS.—Out of amounts made available under section 106(k) of title 49, United States Code, there is authorized to be expended to carry out this section and pay administrative costs $25,000,000 for fiscal year 2024 to remain available until expended.

SEC. 222. GAO REPORT ON ADS–B TECHNOLOGY.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on automatic dependent surveillance-broadcast equipage and usage rates across the active general aviation fleet in the United States.

(b) CONTENTS.—In conducting the study described in subsection (a), the Comptroller General shall, at a minimum—

(1) analyze the reasons why aircraft owners choose not to equip or use an aircraft with automatic dependent surveillance-broadcast technology;

(2) examine and substantiate any benefits and drawbacks of using automatic dependent surveillance-broadcast technology, including safety and operational benefits and drawbacks;

(3) survey ways to further incentivize aircraft owners to equip and use aircraft with automatic dependent surveillance-broadcast technology; and

(4) examine the benefits, costs, and feasibility of requiring equipage of automatic dependent surveillance-broadcast technology on all newly manufactured aircraft other than aircraft issued a special airworthiness certificate.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on automatic dependent surveillance-broadcast described in subsection (b) and make recommendations to incentivize equipage and usage rates across the active general aviation fleet in the United States.

SEC. 223. PROTECTING GENERAL AVIATION AIRPORTS FROM FAA CLOSURE.

(a) NON-SURPLUS PROPERTY.—Section 47125 of title 49, United States Code, is amended by adding at the end the following:

''(c) WAIVING RESTRICTIONS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may grant to an airport, city, or county a waiver of any of the terms, conditions, reservations, or restrictions contained in a deed under which the United States conveyed to the airport, city, or county an interest in real property for airport purposes pursuant to section 16 of the Federal Airport Act (60 Stat. 179), section 23 of the Airport and Airway Development Act of 1970 (84 Stat. 232), or this section.

''(2) CONDITIONS.—Any waiver granted by the Secretary pursuant to paragraph (1) shall be subject to the following conditions:

''(A) The applicable airport, city, county, or other political subdivision shall agree that in conveying any interest in the real property which the United States conveyed to the airport, city, or county, the airport, city, or county will receive consideration for such interest that is equal to its current fair market value.

''(B) Any consideration received by the airport, city, or county under subparagraph (A) shall be used exclusively for the development, improvement, operation, or maintenance of a public airport by the airport, city, or county.

''(C) Such waiver—

''(i) will not significantly impair the aeronautical purpose of an airport;

''(ii) will not result in the permanent closure of an airport (unless the Secretary determines

that the waiver will directly facilitate the construction of a replacement airport); or

''(iii) is necessary to protect or advance the civil aviation interests of the United States.

''(D) Any other conditions required by the Secretary.

''(3) ANNUAL REPORTING.—The Secretary shall include a list and description of each waiver granted pursuant to paragraph (1) in the report required under section 47131.''.

(b) SURPLUS PROPERTY.—

(1) IN GENERAL.—Section 47151 of title 49, United States Code, is amended—

(A) by striking subsection (d) and inserting the following:

''(d) WAIVER OF CONDITION.—The Secretary may not waive any condition imposed on an interest in surplus property conveyed under subsection (a) that such interest be used for an aeronautical purpose unless the Secretary provides public notice not less than 30 days before the issuance of such waiver and determines that such waiver—

''(1) will not significantly impair the aeronautical purpose of an airport;

''(2) will not result in the permanent closure of an airport (unless the Secretary determines that the waiver will directly facilitate the construction of a replacement airport); or

''(3) is necessary to protect or advance the civil aviation interests of the United States.''; and

(B) by adding at the end the following:

''(f) REVERSIONS OF PROPERTY.—The Secretary shall take all necessary action to revert surplus property conveyed under this subchapter back to the United States if—

''(1) the Secretary determines that an instrument conveying an interest in surplus property under this subchapter incorporates a provision providing for the reversion of such property in the event the property is not used for aeronautical purposes;

''(2) other efforts by the Secretary to ensure that the property is used by the relevant airport sponsor is used for aeronautical purposes are unsuccessful; and

''(3) the Secretary determines that a reversion—

''(A) will result in the property being used for aeronautical purposes; or

''(B) will not transfer liabilities, including environmental liabilities, greater than the fair market value of the property to the Government.''; and

(2) WAIVING AND ADDING TERMS.—Section 47153(c) of title 49, United States Code, is amended to read as follows:

''(c) RESTRICTIONS ON WAIVER.—Notwithstanding subsections (a) and (b), the Secretary may not waive any term under this section that an interest in land be used for an aeronautical purpose unless—

''(1) the Secretary provides public notice not less than 30 days before the issuance of a waiver; and

''(2) the Secretary determines that such waiver—

''(A) will not significantly impair the aeronautical purpose of an airport;

''(B) will not result in the permanent closure of an airport (unless the Secretary determines that the waiver will directly facilitate the construction of a replacement airport); or

''(C) is necessary to protect or advance the civil aviation interests of the United States.''.

(c) REPEALS.—

(1) AIRPORTS NEAR CLOSED OR REALIGNED BASES.—Section 1203 of the Federal Aviation Reauthorization Act of 1996 (49 U.S.C. 47101 note), and the item relating to such section in the table of contents under section 1(b) of such Act, are repealed.

(2) RELEASE FROM RESTRICTIONS.—Section 817 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47125 note), and the item relating to such section in the table of contents under section 1(b) of such Act, are repealed.

SEC. 224. ENSURING SAFE LANDINGS DURING OFF-AIRPORT OPERATIONS.

The Administrator of the Federal Aviation Administration shall not apply section 91.119 of title 14, Code of Federal Regulations, in any manner that requires a pilot to continue a landing that is unsafe.

SEC. 225. AIRPORT DIAGRAM TERMINOLOGY.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall update Airport Diagram Order JO 7910.4 and any related advisory circulars, policy, and guidance to ensure the clear and consistent use of terms to delineate the types of parking available to general aviation pilots.

(b) COLLABORATION.—In carrying out subsection (a), the Administrator shall collaborate with industry stakeholders, commercial service airports, and general aviation airports in—

(1) facilitating basic standardization of general aviation parking terms;

(2) accounting for the majority of uses of general aviation parking terms; and

(3) providing clarity for chart users.

(c) IAC SPECIFICATIONS.—The Administrator shall encourage the Interagency Air Committee to incorporate the terms developed under subsection (a) in publications produced by the Committee.

SEC. 226. ALTERNATIVE ADS–B TECHNOLOGIES FOR USE IN CERTAIN SMALL AIRCRAFT.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish an approved list of effective alternatives to automatic dependent surveillance–broadcast equipment (in this section referred to as ''alternative ADS–B equipment'') for covered aircraft operating outside of Mode C veil airspace so that such aircraft may voluntarily broadcast positioning to other aircraft.

(b) REVIEW; APPROVAL.—

(1) REVIEW.—In carrying out subsection (a), the Administrator shall, to the maximum extent practicable, review available commercial–off–the–shelf alternative ADS–B equipment that are used outside of the United States for purposes of allowing a pilot to voluntarily utilize such equipment while operating outside of Mode C veil airspace and within the national airspace system.

(2) APPROVAL.—The Administrator shall work with manufacturers of such equipment to expedite technical standard order authorization, or other approvals, required by the Administrator for such equipment for use in covered aircraft.

(c) DEFINITIONS.—In this section:

(1) ALTERNATIVE ADS–B EQUIPMENT.—The term ''alternative ADS–B equipment'' means a positioning technology that—

(A) does not otherwise meet the performance requirements prescribed in section 91.227 of title 14, Code of Federal Regulations;

(B) may be affixed to, or portable within, a covered aircraft; and

(C) can broadcast positioning of a covered aircraft to other aircraft operating outside of Mode C veil airspace.

(2) COVERED AIRCRAFT.—The term ''covered aircraft'' means—

(A) a single-engine piston aircraft;

(B) an ultralight aircraft; or

(C) an aircraft not equipped with an electrical system.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed by the Administrator to require covered aircraft to install—

(1) alternative ADS–B equipment; or

(2) automatic dependent surveillance-broadcast equipment.

SEC. 227. AIRSHOW SAFETY TEAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall coordinate with the General Aviation Joint Safety Committee to establish an Airshow Safety Team focused on airshow and aerial event safety.

(b) OBJECTIVE.—The objective of the Airshow Safety Team described in subsection (a) shall be to—

(1) serve as a mechanism for Federal Government and industry cooperation, communication, and coordination on airshow and aerial event safety; and

(2) reduce airshow and aerial event accidents and incidents through non-regulatory, proactive safety strategies.

(c) ACTIVITIES.—In carrying out the objectives pursuant to subsection (b), the Airshow Safety Team shall, at a minimum—

(1) perform an analysis of airshow and aerial event accidents and incidents in conjunction with the Safety Analysis Team;

(2) publish and update every 2 years after initial publication an Airshow Safety Plan that incorporates consensus based and data driven mitigation measures and non-regulatory safety strategies to improve and promote safety of the public, performers, and airport personnel; and

(3) engage the airshow and aerial event community to—

(A) communicate non-regulatory, proactive safety strategies identified by the Airshow Safety Plan to mitigate incidents; and

(B) discuss best practices to uphold and maintain safety at events.

(d) MEMBERSHIP.—The Administrator may request the Airshow Safety Team be comprised of at least 10 individuals, each of whom shall have knowledge or a background in the planning, execution, operation, or management of an airshow or aerial event.

(e) MEETINGS.—The Airshow Safety Team shall meet at least twice a year at the direction of the co-chairs of the General Aviation Joint Safety Committee.

(f) CONSTRUCTION.—The Administrator shall not initiate a regulatory action based on any—

(1) discussion or sharing of information and data that occurs as part of an official meeting of the Airshow Safety Team; or

(2) safety strategies or best practices identified by the Airshow Safety Plan that are not intended to be used by the Administrator for regulatory purposes.

SEC. 228. TOWER MARKING NOTICE OF PROPOSED RULEMAKING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a notice of proposed rulemaking to implement section 2110 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44718 note).

(b) REPORT.—If the Administrator fails to issue the notice of proposed rulemaking pursuant to subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual report on the status of such rulemaking, including—

(1) the reasons that the Administrator has failed to issue the rulemaking; and

(2) a list of fatal aircraft accidents associated with unmarked towers that have occurred over the 5 years previous to the date of submission of the report.

Subtitle C—Improving FAA Services

SEC. 241. AIRCRAFT REGISTRATION VALIDITY DURING RENEWAL.

(a) IN GENERAL.—Section 44103 of title 49, United States Code, is further amended by adding at the end the following:

''(f) VALIDITY OF AIRCRAFT REGISTRATION DURING RENEWAL.—

''(1) IN GENERAL.—An aircraft may be operated on or after the expiration date found on the certificate of registration issued for such aircraft under this section as if it were not expired if the operator of such aircraft has aboard the aircraft—

''(A) documentation validating that—

''(i) an aircraft registration renewal application form (AC Form 8050–1B, or a succeeding form) has been submitted to the Administrator for such aircraft but not yet approved or denied; and

''(ii) such aircraft is compliant with maintenance, inspections, and any other requirements for the aircraft's airworthiness certificate issued under section 44704(d); and

''(B) the most recent aircraft registration.

''(2) PROOF OF PENDING RENEWAL APPLICATION.—The Administrator shall provide an applicant for renewal of registration under this section with documentation described in paragraph (1)(A). Such documentation shall—

''(A) be made electronically available to the applicant immediately upon submitting an aircraft registration renewal application to the Civil Aviation Registry for an aircraft;

''(B) notify the applicant of the operational allowance described in paragraph (1);

''(C) deem an aircraft's airworthiness certificate issued under section 44704(d) as valid provided that the applicant confirms acknowledgment of the requirements of paragraph (1)(A)(ii);

''(D) confirm the applicant acknowledged the limitations described in paragraph (3)(A) and (3)(B); and

''(E) include identifying information pertaining to such aircraft and to the registered owner.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to permit any person to operate an aircraft—

''(A) with an expired registration, except as specifically provided for under this subsection; or

''(B) if the Administrator has denied an application to renew the registration of such aircraft.''.

(b) RULEMAKING; GUIDANCE.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule, if necessary, and update all applicable guidance and policies to implement the amendment made by this section.

SEC. 242. TEMPORARY AIRMAN CERTIFICATES.

Section 44703 of title 49, United States Code, is amended by adding at the end the following:

''(l) TEMPORARY AIRMAN CERTIFICATE.—An individual may obtain a temporary airman certificate from the Administrator after requesting a permanent replacement airman certificate issued under this section. A temporary airman certificate shall be—

''(1) made available—

''(A) electronically to the individual immediately upon submitting an online application for a replacement certificate to the Administrator; or

''(B) physically to the individual at a flight standards district office—

''(i) if the individual submits an online application for a replacement certificate; or

''(ii) if the individual applies for a permanent replacement certificate other than by online application and such application has been received by the Federal Aviation Administration; and

''(2) destroyed upon receipt of the permanent replacement airman certificate from the Administrator.''.

SEC. 243. FLIGHT INSTRUCTION OR TESTING.

(a) IN GENERAL.—An authorized flight instructor providing student instruction, flight instruction, or flight training shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(b) AUTHORIZED ADDITIONAL PILOTS.—An individual acting as an authorized additional pilot during Phase I flight testing of aircraft holding an experimental airworthiness certificate, in accordance with section 21.191 of title 14, Code of Federal Regulations, and meeting the requirements set forth in Federal Aviation Administration regulations and policy in effect as of the date of enactment of this section, shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(c) USE OF AIRCRAFT.—An individual who uses, causes to use, or authorizes to use aircraft for flights conducted under subsection (a) or (b) shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(d) REVISION OF RULES.—

(1) IN GENERAL.—The requirements of this section shall become effective upon the date of enactment of this Act.

(2) REVISION.—The Administrator of the Federal Aviation Administration shall issue, revise, or repeal the rules, regulations, guidance, or procedures of the Federal Aviation Administration to conform to the requirements of this section.

SEC. 244. LETTER OF DEVIATION AUTHORITY.

(a) IN GENERAL.—A flight instructor, registered owner, lessor, or lessee of a covered aircraft shall not be required to obtain a letter of deviation authority from the Administrator of the Federal Aviation Administration to allow, conduct, or receive flight training, checking, and testing in such aircraft if—

(1) the flight instructor is not providing both the training and the aircraft;

(2) no person advertises or broadly offers the aircraft as available for flight training, checking, or testing; and

(3) no person receives compensation for use of the aircraft for a specific flight during which flight training, checking, or testing was received, other than expenses for owning, operating, and maintaining the aircraft.

(b) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means—

(1) an experimental category aircraft;

(2) a limited category aircraft; and

(3) a primary category aircraft.

SEC. 245. NATIONAL COORDINATION AND OVERSIGHT OF DESIGNATED PILOT EXAMINERS.

(a) IN GENERAL.—Not later than 16 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a program or office to provide national coordination and oversight of designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations.

(b) RESPONSIBILITIES.—The program or office established under subsection (a) shall be responsible for the following:

(1) Oversight of designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations, including the selection, training, duties, and deployment of such examiners.

(2) Supporting the standardization of policy, guidance, and regulations across the Administration pertaining to the selection, training, duties, and deployment of designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations, including evaluating the consistency by which such examiners apply Administration policies, orders, and guidance.

(3) Coordinating placement and deployment of such examiners across regions based on demand for examinations from the pilot community.

(4) Developing a code of conduct for such examiners.

(5) Deploying a survey system to track the performance and merit of such examiners.

(6) Facilitating an industry partnership to create a formal mentorship program for such examiners.

(c) COORDINATION.—In carrying out the responsibilities listed in subsection (b), the Administrator shall ensure the program—

(1) coordinates on an ongoing basis with flight standards district offices, designated pilot examiner managing specialists, and aviation industry stakeholders, including representatives of the general aviation community; and

(2) considers (or reconsiders) implementing the final recommendations report issued by the Designated Pilot Examiner Reforms Working Group and accepted by the Aviation Rulemaking Advisory Committee on June 17, 2021.

(d) BRIEFING.—The Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate in each fiscal year beginning after the date of enactment of this Act through fiscal year 2028 detailing—

(1) the methodology by which designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations, are deployed and any subsequent changes to the methodology to fulfill the demand for examinations;

(2) a review of the previous fiscal year detailing the average time an individual in each region must wait to schedule an appointment with such an examiner; and

(3) the turnover rates and resource costs associated with such examiners.

SEC. 246. BASICMED FOR EXAMINERS ADMINISTERING TESTS OR PROFICIENCY CHECKS.

(a) EQUIVALENT PILOT-IN-COMMAND MEDICAL REQUIREMENTS.—Notwithstanding section 61.23(a)(3)(iv) of title 14, Code of Federal Regulations, an examiner may administer a practical test or proficiency check if such examiner meets the medical qualification requirements under part 68 of title 14, Code of Federal Regulations, if the operation being conducted is in a covered aircraft, as such term is defined in section 2307(j) of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44703 note).

(b) RULEMAKING.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule to update part 61 of title 14, Code of Federal Regulations, to implement the requirements under subsection (a), in addition to any related requirements the Administrator finds are in the interest of aviation safety.

SEC. 247. DESIGNEE LOCATOR TOOL IMPROVEMENTS.

Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall ensure that the designee locator search function of the public website of the Designee Management System of the Administration has the functionality to—

(1) filter a search for an Aviation Medical Examiner (as described in section 183.21 of title 14, Code of Federal Regulations) by sex, if such information is available;

(2) display credentials and aircraft qualifications of a designated pilot examiner (as described in section 183.23 of such title); and

(3) display the scheduling availability of a designated pilot examiner (as described in section 183.23 of such title) to administer a test or proficiency check to an airman.

SEC. 248. DEADLINE TO ELIMINATE AIRCRAFT REGISTRATION BACKLOG.

Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall take such actions as may be necessary to reduce and maintain the aircraft registration and recordation backlog at the Civil Aviation Registry so that, on average, applications are processed not later than 10 business days after receipt.

SEC. 249. PART 135 AIR CARRIER CERTIFICATE BACKLOG.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall take such actions as may be necessary to achieve the goal of reducing the backlog of air carrier certificate applications under part 135 of title 14, Code of Federal Regulations, to—

(1) not later than 1 year after the date of enactment of this Act, maintain an average certificate decision time of less than 60 days; and

(2) not later than 2 years after the date of enactment of this Act, maintain an average certificate decision time of less than 30 days.

(b) MEASURES.—In meeting the goal under subsection (a), the Administrator may—

(1) assign, as appropriate, additional personnel or support staff, including on a temporary basis, to review, adjudicate, and approve applications;

(2) improve and expand promotion of existing applicant resources which could improve the quality of applications submitted to decrease the need for Administration applicant coordination and communications; and

(3) take into consideration any third-party entity that assisted in the preparation of an application for an air carrier certificate under part 135 of title 14, Code of Federal Regulations.

(c) WORKING GROUP.—The Administrator shall convene a working group comprised of industry stakeholders and aviation experts to—

(1) not later than 1 year after the date of enactment of this Act, study methods and make recommendations to clarify requirements and standardize the process for conducting and completing aircraft conformity processes for existing air carriers and operators under part 135 of title 14, Code of Federal Regulations, in a timely manner, which shall include—

(A) developing a plan to honor or expedite the consideration of previously accepted aircraft configuration evaluations when an aircraft moves from one certificate under part 135 of title 14, Code of Federal Regulations, to another such certificate;

(B) streamlining protocols for operators under such part 135 to add an aircraft that was listed on another certificate under such part 135 immediately prior to moving to the new carrier; and

(C) evaluating non-safety related Federal Aviation Administration policies, guidance, and documentation and identify needed changes to such policies, guidance, and documentation to accomplish subparagraph (B); and

(2) not later than 2 years after of the date of enactment of this Act—

(A) study and review methods to modernize and improve the air carrier certification process under part 135 of title 14, Code of Federal Regulations; and

(B) recommend long-term solutions for effective management of Administration resources dedicated to approving air carrier certificate applications under such part 135.

(d) CONGRESSIONAL BRIEFING.—Beginning 6 months after the date of enactment of this Act, and not less than every 6 months thereafter until the Administrator complies with the requirements under subsection (a)(2), the Administrator shall provide a briefing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the backlog of air carrier certificate applications under part 135 of title 14, Code of Federal Regulations, any measures the Administrator has put in place under subsection (b), and any recommendations received from the review under subsection (c).

SEC. 250. LOGGING FLIGHT TIME ACCRUED IN CERTAIN PUBLIC AIRCRAFT.

(a) COMPLETION OF RULEMAKING.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule modifying section 61.51(j)(4) of title 14, Code of Federal Regulations, to include aircraft under the direct operational control of forestry and fire protection agencies, as required by section 517 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44703 note).

(b) FAILURE TO COMPLETE RULEMAKING.—If the Administrator fails to issue a final rule pursuant to subsection (a) by the deadline described in such subsection, beginning on the date that is 18 months after the date of enactment of this Act—

(1) notwithstanding section 61.51(j)(4) of title 14, Code of Federal Regulations, a pilot, while engaged on an official flight for a Federal, State, county, or municipal forestry or fire protection agency, may log flight time so long as the time acquired is in an aircraft that—

(A) is identified as an aircraft under section 61.5(b) of such title; and

(B) is a public aircraft under the direct operational control of a forestry or fire protection agency; and

(2) the Administrator may not take an enforcement action against the pilot for logging such flight time as described in paragraph (1).

(c) SUNSET.—Subsection (b) shall cease to be effective on the date on which the final rule required under subsection (a) is effective.

SEC. 251. FLIGHT INSTRUCTOR CERTIFICATES.

(a) COMPLETION OF RULEMAKING.—Not later than 36 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule for the rulemaking activity titled ''Removal of the Expiration Date on a Flight Instructor Certificate'', published in Fall 2022 in the Unified Agenda of Federal Regulatory and Deregulatory Actions (RIN 2120–AL25) to, at a minimum, update part 61 of title 14, Code of Federal Regulations, to—

(1) remove the expiration date on a flight instructor certificate; and

(2) replace the requirement that a flight instructor renews their flight instructor certificate with appropriate recent experience requirements for the holder of a flight instructor certificate to exercise the privileges of such certificate.

(b) FAILURE TO COMPLETE RULEMAKING.—If the Administrator fails to issue a final rule pursuant to subsection (a) before the deadline prescribed in that subsection, beginning on the date that is 36 months after the date of enactment of this Act—

(1) notwithstanding sections 61.19(d) and 61.197 of title 14, Code of Federal Regulations, an individual holding a flight instructor certificate that is not expired as of the date that is 36 months after the date of enactment of this Act may exercise the privileges of the certificate regardless of whether the certificate subsequently expires, provided that the individual meets eligibility requirements in accordance with section 61.183 of title 14, Code of Federal Regulations; and

(2) the Administrator—

(A) shall consider a flight instructor certificate described in paragraph (1) as having no expiration date; and

(B) may not enforce any regulation attributed to the renewal of a flight instructor certificate of an individual.

(c) SUNSET.—Subsection (b) shall cease to be effective on the effective date of a final rule issued pursuant to subsection (a).

SEC. 252. CONSISTENCY OF POLICY APPLICATION IN FLIGHT STANDARDS AND AIRCRAFT CERTIFICATION.

(a) IN GENERAL.—The inspector general of the Department of Transportation shall initiate audits, as described in subsection (d), of the Flight Standards and Aircraft Certification Services of the Federal Aviation Administration, and the personnel of such offices, on the consistency of—

(1) the interpretation of policies, orders, guidance, and regulations; and

(2) the application of policies, orders, guidance, and regulations.

(b) COMPONENTS.—In completing the audits required under this section, the inspector general shall interview stakeholders, including at a minimum, individuals or entities that—

(1) hold a certificate or authorization related to the issue being audited under subsection (d);

(2) are from different regions of the country with matters before different flight standards district offices or aircraft certification offices of the Administration;

(3) work with multiple flight standards district offices or aircraft certification offices of the Administration; or

(4) hold a single or multiple relevant certificates or authorizations.

(c) REPORTS.—The inspector general of the Department of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Secretary of Transportation, and the Administrator of the Federal Aviation Administration a report for each audit required in this section, containing the results of the audit, including findings and recommendations to the Administrator to improve the consistency of decision-making by Flight Standards and Aircraft Certification Services offices of the Administration.

(d) AUDITS.—The inspector general shall complete an audit and issue the associated report required under subsection (c) not later than—

(1) 18 months after the date of enactment of this Act, with regard to supplemental type certificates;

(2) 34 months after the date of enactment of this Act, with regard to repair stations certificated under part 145 of title 14, Code of Federal Regulations; and

(3) 50 months after the date of enactment of this Act, with regard to technical standards orders.

(e) IMPLEMENTATION.—In addressing any recommendations from the inspector general contained in the reports required under subsection (c), the Administrator shall—

(1) maintain an implementation plan; and

(2) broadly adopt any best practices to improve the consistency of interpretation and application of policies, orders, guidance, and regulations by other offices of the Administration and with regard to other activities of the Administration.

(f) BRIEFING.—Not later than 6 months after receiving a report required under subsection (c), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the implementation plan required under subsection (d), the status of any recommendation received pursuant to this section, and any best practices that are being implemented more broadly.

SEC. 253. APPLICATION OF POLICIES, ORDERS, AND GUIDANCE.

Section 44701 of title 49, United States Code, is amended by adding at the end the following:

''(g) POLICIES, ORDERS, AND GUIDANCE.—

''(1) CONSISTENCY OF APPLICATION.—The Administrator shall ensure consistency in the application of policies, orders, and guidance of the Administration by—

''(A) regular audits of the application and interpretation of such material by Administration personnel from person to person and office to office;

''(B) updating policies, orders, and guidance to resolve inconsistencies and clarify demonstrated ambiguities, such as through repeated inconsistent interpretation; and

''(C) ensuring officials are properly documenting findings and decisions throughout a project to decrease the occurrence of duplicative work and inconsistent findings by subsequent officials assigned to the same project.

''(2) ALTERATIONS.—The Administrator shall consult as appropriate with regulated entities who will be impacted by proposed changes to the content or application of policies, orders, and guidance before making such changes.

''(3) AUTHORITIES AND REGULATIONS.—The Administrator shall issue policies, orders, and guidance documents that are related to a law or regulation or clarify the intent of or compliance with specific laws and regulations.''.

SEC. 254. EXPANSION OF THE REGULATORY CONSISTENCY COMMUNICATIONS BOARD.

Section 224 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44701 note) is amended—

(1) in subsection (c)—

(A) in paragraph (2) by striking ''; and'' and inserting a semicolon;

(B) in paragraph (3) by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(4) the Office of Airports;

''(5) the Office of Security and Hazardous Materials Safety;

''(6) the Office of Rulemaking and Regulatory Improvement; and

''(7) such other offices as the Administrator determines appropriate.''; and

(2) in subsection (d)(1)—

(A) in subparagraph (A) by striking ''anonymous regulatory interpretation questions'' and inserting ''regulatory interpretation questions, including anonymously,'';

(B) in subparagraph (C) by striking ''anonymous regulatory interpretation questions'' and inserting ''regulatory interpretation questions, including anonymously''; and

(C) by adding at the end the following:

''(6) Submit recommendations, as needed, to the Assistant Administrator for Rulemaking and Regulatory Improvement for consideration.''.

SEC. 255. EXEMPTION OF FEES FOR AIR TRAFFIC SERVICES.

(a) IN GENERAL.—Chapter 453 of title 49, United States Code, is amended by adding at the end the following:

''§ 45307. Exemption of fees for air traffic services

''(a) REQUIREMENT TO PROVIDE SERVICES AND RELATED SUPPORT.—The Administrator shall provide or ensure the provisioning of air traffic services and aviation safety support for large, multiday aviation events, including airshows and fly-ins, where the average daily number of manned operations were 1,000 or greater in at least 1 of the preceding 3 years, without the imposition or collection of any fee, tax, or other charge for that purpose. Amounts for the provision of such services and support shall be derived from amounts appropriated or otherwise available for the Administration.

''(b) DETERMINATION OF SERVICES AND SUPPORT TO BE PROVIDED.—In determining the services and support to be provided for an aviation event for purposes of subsection (a), the Administrator shall take into account the following:

''(1) The services and support required to meet levels of activity at prior events, if any, similar to the event.

''(2) The anticipated need for services and support at the event.''.

(b) CLERICAL AMENDMENT.—The analysis of chapter 453 of title 49, United States Code, is amended by adding at the end the following:

''Sec. 45307. Exemption of fees for air traffic services.''.

(c) CONFORMING REPEAL.—Section 530 of the FAA Reauthorization of 2018 (49 U.S.C. 40103 note), and the item relating to that section in the table of contents in section 1(b) of such Act, are repealed.

SEC. 256. MODERNIZATION OF SPECIAL AIRWORTHINESS CERTIFICATION RULEMAKING DEADLINE.

Not later than 24 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule for the rulemaking activity titled ''Modernization of Special Airworthiness Certification'', published in Fall 2022 in the long-term actions of the Unified Agenda of Federal Regulatory and Deregulatory Actions (RIN 2120–AL50).

SEC. 257. TERMINATION OF DESIGNEES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall update the Administration's Designee Management Policy (FAA Order 8000.95B), or any successor order, to ensure due process and increase transparency in Federal Aviation Administration-initiated terminations of designees.

(b) UPDATES TO THE DESIGNEE MANAGEMENT POLICY.—In updating the Administration's Designee Management Policy under subsection (a), the Administrator shall, at a minimum, provide for the following:

(1) A process by which a designee—

(A) is notified of the root causes and reasons for a termination initiated by the Administrator;

(B) is notified of the change in a delegated authority to ''suspended'' or ''terminated'' during a Federal Aviation Administration-initiated termination;

(C) is provided a point of contact, who is independent of any investigation or termination action involving the designee, within the Administration, to correspond with for purposes of discussing the termination process and the designee's status, including the handling of correspondence during the investigation process described in paragraph (2), if applicable, and the review panel described in paragraph (3);

(D) is notified of the results of the investigation described in paragraph (2) in a reasonable and timely manner, which shall include notice of additional action by the Administrator, if required; and

(E) may respond within 30 calendar days to the Administrator if the Administrator determines that a termination for cause is the appropriate course of action and initiates such action.

(2) An investigation process to determine the appropriate outcome in situations in which termination is being considered by the Administrator, which shall include the following elements:

(A) The root causes and reasons for the investigation, including any complaints or allegations.

(B) Collection of evidence related to the investigation.

(C) A review of the facts and circumstances surrounding the case.

(D) A review of the designee's record in the designee management system and any relevant background information in the appropriate Federal Aviation Administration databases to determine if there is a pattern of inappropriate behavior or misconduct.

(E) A review of the designee's response to the investigation, if provided, to include any documentation provided by the designee.

(F) A decision on the appropriate course of action based on the results of the investigation.

(G) Recording the results of the investigation in the Federal Aviation Administration's designee management system.

(H) A notification to the designee that an investigation has been initiated, but only after it is determined through an established process that such notification would not adversely impact the investigation or safety.

(3) A review panel to determine whether a termination is appropriate when termination for cause is a possible outcome upon the completion of the investigation described in paragraph (2), of which such review panel shall—

(A) consider the elements of the investigation process provided for under paragraph (2), including the designee's response to the investigation and any associated documents, if provided; and

(B) complete the review process within 45 calendar days of the Administrator initiating a for cause termination decision of a designee.

(c) SUBSEQUENT REVIEW FOR DESIGNATED PILOT EXAMINERS.—

(1) IN GENERAL.—The Administrator shall set up a process through which a Designated Pilot Examiner terminated for cause may request a subsequent review by the Executive Director of the Flight Standards Service.

(2) REQUEST.—A Designated Pilot Examiner terminated for cause may request a subsequent review described in paragraph (1) not later than 15 calendar days after termination,

(3) REVIEW.—The Executive Director shall review all relevant information and facts by which the decision was made to terminate the designee, including the information considered by the review panel, and issue a final determination.

(4) TIMING.—Such final determination shall be issued by the Director not later than 45 calendar days upon receiving the request.

(d) LIMITATION ON INVESTIGATION AND REVIEW PANEL PARTICIPANTS.—An Administration employee involved in the selection, appointment, or management of a designee the Administrator is investigating or terminating for cause may not be party—

(1) to an investigation described in subsection (b)(2) of such designee; or

(2) participating on a review panel described in subsection (b)(3) pertaining to such designee.

SEC. 258. PART 135 CHECK AIRMEN REFORMS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall assign to the Aviation Rulemaking Advisory Committee (in this section referred to as the ''Committee'') the task of reviewing all regulations and policies related to check airmen for air carrier operations conducted under part 135 of title 14, Code of Federal Regulations.

(b) DUTIES.—The Committee shall—

(1) review the processes and requirements by which authorized check airmen are selected, trained, and approved by the Administrator, and provide recommendations with respect to the regulatory and policy changes necessary to ensure efficient training and utilization of such check airmen;

(2) review differences in qualification standards between an inspector of the Federal Aviation Administration and an authorized check airmen in evaluating and certifying the knowledge and skills of pilots; and

(3) make recommendations with respect to the regulatory and policy changes necessary to allow authorized check airmen to perform duties beyond the duties permitted on the date of enactment of this Act.

(c) ACTION BASED ON RECOMMENDATIONS.—Not later than 1 year after receiving recommendations under subsection (a), the Administrator shall take such action as the Administrator considers appropriate with respect to such recommendations.

(d) DEFINITION OF AUTHORIZED CHECK AIRMAN.—In this section, the term ''authorized check airman'' means an individual employed by an air carrier that meets the qualifications and training requirements of sections 135.337 and 135.339 of title 14, Code of Federal Regulations, and is approved to evaluate and certify the knowledge and skills of pilots employed by such air carrier.

Subtitle D—Other Provisions

SEC. 261. REQUIRED CONSULTATION WITH NATIONAL PARKS OVERFLIGHTS ADVISORY GROUP.

Section 40128(b)(4) of title 49, United States Code, is amended—

(1) in subparagraph (C) by striking ''and'' at the end;

(2) in subparagraph (D) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) consult with the advisory group established under section 805 of the National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note) and consider all advice, information, and recommendations provided by the advisory group to the Administrator and the Director.''.

SEC. 262. SUPPLEMENTAL OXYGEN REGULATORY REFORM.

(a) IN GENERAL.—Beginning on the date that is 30 days after the date of enactment of this Act, the following regulations shall cease to apply to any aircraft operating below 41,000 feet above mean sea level:

(1) Paragraphs (3) and (4) of section 135.89(b) of title 14, Code of Federal Regulations (or any successor regulations).

(2) Paragraphs (1)(ii) and (2) of section 91.211(b) of title 14, Code of Federal Regulations (or any successor regulations).

(b) CONFORMING AMENDMENT.—Not later than 1 year after the date of enactment of this Act,

the Administrator of the Federal Aviation Administration shall issue a final regulation revising the provisions of title 14, Code of Federal Regulations, described in paragraphs (1) and (2) of subsection (a) to conform to the limitation in applicability pursuant to subsection (a).

SEC. 263. EXCLUSION OF GYROPLANES FROM FUEL SYSTEM REQUIREMENTS.

Section 44737 of title 49, United States Code, is amended—

(1) by striking ''rotorcraft'' and inserting ''helicopter'' each place it appears; and

(2) by adding at the end the following:

''(d) EXEMPTION.—A helicopter issued an experimental certificate under section 21.191 of title 14, Code of Federal Regulations (or any successor regulations), or operating under a Special Flight Permit issued under section 21.197 of title 14, Code of Federal Regulations (or any successor regulations), is exempt from the requirements of this section.''.

SEC. 264. AIRSHOW VENUE INFORMATION, AWARENESS, TRAINING, AND EDUCATION PROGRAM.

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a program, in cooperation with the National Center for the Advancement of Aerospace, to be known as the ''Airshow Venue Information, Awareness, Training, and Education Program'' (in this section referred to as the ''AVIATE Program'').

(b) OBJECTIVE.—The objectives of the AVIATE Program shall be—

(1) to make information available to general aviation airport managers, local government officials, and other relevant stakeholders about how to host an airshow;

(2) to provide guidance and resources to help organizers plan and execute airshows and aerial events, including—

(A) compliance with all applicable regulations;

(B) providing technical assistance in establishing—

(i) emergency response plans; and

(ii) communication plans between relevant event stakeholders, including local enforcement and emergency first responders; and

(C) ensuring protection of the public, performers, and airport personnel;

(3) to promote public awareness and engagement with airshows and aerial events, including opportunities for community education, outreach, and involvement; and

(4) to provide access to tools and resources that enable general aviation airport managers, local government officials, and other relevant stakeholders to understand the impact of airshows and aerial events on local economies and communities.

(c) ADMINISTRATION.—In carrying out the AVIATE Program, the Administrator shall consult and coordinate, as appropriate, with relevant stakeholders, including—

(1) airshow safety experts;

(2) general aviation aircraft owners and operators, including experimental aircraft owners and operators;

(3) general aviation airports, including airport officials;

(4) air traffic control specialists with knowledge of coordinating airshows and aerial events, including experts from the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code; and

(5) experts from the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code.

SEC. 265. LOW ALTITUDE ROTORCRAFT AND POWERED-LIFT OPERATIONS.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, as appropriate, establish or update low altitude routes and flight procedures to ensure safe rotorcraft and powered-lift aircraft operations within Class B airspace of the national airspace system.

(b) FLIGHT PROCEDURES.—In carrying out subsection (a), the Administrator shall, as appropriate, establish or update approach and departure procedures at public-use airports and heliports within Class B airspace for rotorcraft and powered-lift aircraft operations.

(c) FLIGHT ROUTES.—

(1) IN GENERAL.—In carrying out this section, the Administrator shall revise part 71 of title 14, Code of Federal Regulations, as necessary, to establish or update low altitude routes related to Class B airspace operations for rotorcraft and powered-lift aircraft.

(2) CONSIDERATIONS.—In carrying out this section, the Administrator shall consider the impact of such low altitude flight routes described in paragraph (1) on other airspace users and impacted communities to ensure that such routes are designed to minimize—

(A) the potential for conflict with existing national airspace system operations;

(B) the workload of air traffic controllers; and

(C) negative effects to impacted communities.

(d) CONSULTATION.—In carrying out this section, the Administrator shall develop the procedures and routes required under subsection (b) and (c) in consultation with—

(1) rotorcraft operators, including air ambulance operators;

(2) powered-lift operators;

(3) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code; and

(4) any other relevant stakeholders as determined by the Administrator.

SEC. 266. BASICMED IN NORTH AMERICA.

The Administrator of the Federal Aviation Administration shall seek to facilitate the recognition of medical qualifications under part 68 of title 14, Code of Federal Regulations, with civil aviation authorities in Canada and such other foreign countries that the Administrator determines are appropriate.

SEC. 267. ELIMINATE AVIATION GASOLINE LEAD EMISSIONS.

(a) EAGLE INITIATIVE.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall continue to partner with industry and other Federal Government stakeholders in carrying out the Eliminate Aviation Gasoline Lead Emissions Initiative (in this section referred to as the ''EAGLE Initiative'').

(2) FAA RESPONSIBILITIES.—In collaborating with industry and other Government stakeholders to carry out the EAGLE Initiative, the Administrator shall take such actions as may be necessary under the Administrator's authority to facilitate—

(A) the safe elimination of the use of leaded aviation gasoline by piston-engine aircraft by the end of 2030 without adversely affecting the piston-engine aircraft fleet;

(B) the approval of unleaded alternatives to leaded aviation gasoline for use in all piston-engine aircraft types and piston-engine types;

(C) the implementation of the requirements of section 431 as they relate to the continued availability of aviation gasoline;

(D) efforts to make approved unleaded aviation gasoline widely available at airports; and

(E) the development and implementation of a transition plan to safely expedite the transition of the piston-engine general aviation aircraft fleet to unleaded fuels by 2030.

(3) ACTIVITIES.—In carrying out the Administration's responsibilities pursuant to paragraph (2), the Administrator, at a minimum, shall—

(A) develop and publish, as soon as practicable, a fleet authorization process for the efficient approval or authorization of unleaded aviation gasolines;

(B) review, update, and prioritize, as soon as practicable, certification processes and projects for aircraft engines and modifications to such engines to operate with unleaded aviation gasoline;

(C) evaluate and support programs that accelerate the creation, evaluation, qualification, deployment, and use of unleaded aviation gasolines;

(D) carry out, in partnership with the general aviation community, an ongoing campaign for training and educating aircraft owners and operators on how to safely transition to unleaded aviation gasoline;

(E) evaluate aircraft and aircraft engines to ensure that such aircraft and aircraft engines can operate with unleaded aviation gasoline candidates during cold weather conditions; and

(F) facilitate Government policy, regulatory proposals, and voluntary consensus standards with the objective of achieving the following:

(i) Establishing a commercially viable supply chain for unleaded aviation gasolines.

(ii) Facilitating market-based production and distribution of unleaded aviation gasolines.

(iii) Encouraging procurement of equipment required for the deployment, storage, and dispensing of unleaded aviation gasolines.

(4) CONSULTATION AND COORDINATION WITH RELEVANT STAKEHOLDERS.—In carrying out the EAGLE Initiative, the Administrator shall continue to consult and coordinate, as appropriate, with relevant stakeholders, including—

(A) general aviation aircraft engine, aircraft propulsion, and aircraft airframe manufacturers;

(B) general aviation aircraft users, aircraft owners, aircraft pilots, and aircraft operators;

(C) airports, heliports, and fixed-base operators;

(D) State, local, and Tribal airport officials or public agencies, with representation from both urban and rural areas;

(E) representatives of the petroleum industry, including developers, refiners, producers, and distributors of unleaded aviation gasolines; and

(F) air carriers and commercial operators operating under part 135 of title 14, Code of Federal Regulations.

(5) REPORTS TO CONGRESS.—

(A) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

(i) contains an updated strategic plan for developing a fleet authorization process for efficient approval and use of unleaded aviation gasolines;

(ii) describes the structure and involvement of all Federal Aviation Administration offices that have responsibilities described in paragraph (2); and

(iii) identifies cost-effective policy initiatives, regulatory initiatives, or legislative initiatives needed to improve and enhance the timely transition to unleaded aviation gasoline for the piston-engine aircraft fleet.

(B) ANNUAL REPORTING.—Not later than 1 year after the date on which the Administrator submits the initial report under subparagraph (A), and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual report on activities and progress of the EAGLE Initiative.

(C) SUNSET.—Subparagraph (B) shall cease to be effective after December 31, 2030.

(b) TRANSITION PLAN TO UNLEADED FUELS.—

(1) IN GENERAL.—In developing the transition plan under subsection (a)(2)(E), the Administrator shall, at a minimum, assess the following:

(A) Efforts undertaken by the EAGLE Initiative, including progress towards—

(i) safely eliminating the use of leaded aviation gasoline by piston-engine aircraft by the

end of 2030 without adversely affecting the piston-engine aircraft fleet;

(ii) approving unleaded alternatives to leaded aviation gasoline for use in all piston-engine aircraft types and piston-engine types; and

(iii) facilitating efforts to make approved unleaded aviation gasoline widely available at airports.

(B) The evaluation and development of necessary airport infrastructure, including fuel storage and dispensing facilities, to support the distribution and storage of unleaded aviation gasoline.

(C) The establishment of best practices for piston-engine aircraft owners and operators, airport managers and personnel, aircraft maintenance technicians, and other appropriate personnel for protecting against exposure to lead containment when—

(i) conducting fueling operations;

(ii) disposing of inspected gasoline samples;

(iii) performing aircraft maintenance; and

(iii) conducting engine run-ups.

(D) Efforts to address supply chain and other logistical barriers inhibiting the timely distribution of unleaded aviation gasoline to airports.

(E) Outreach efforts to educate and update piston-engine aircraft owners and operators, airport operators, and other members of the general aviation community on the potential benefits, availability, and safety of unleaded aviation gasoline.

(2) CONSULTATION.—In developing such transition plan, the Administrator shall consult, at a minimum, with representatives of entities described in subsection (a)(4).

(3) PUBLICATION; GUIDANCE.—Upon completion of developing such transition plan, the Administrator shall—

(A) make the plan available to the public on an appropriate webpage of the Administration; and

(B) provide guidance supporting the implementation of the transition plan.

(4) COORDINATION WITH EAGLE INITIATIVE.—In developing such transition plan and associated guidance pertaining to the implementation of such transition plan, the Administrator shall consult and coordinate with individuals carrying out the EAGLE Initiative.

(5) MAPPING UNLEADED AVIATION GASOLINE.—The Administrator shall develop and continuously update websites, brochures, and other communication materials associated with such transition plan to clearly convey the availability of unleaded aviation gasoline at airports.

(6) BRIEFING TO CONGRESS.—Not later than 60 days after the publication of such transition plan, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Technology of the Senate on such transition plan and any efforts or actions pertaining to the implementation of such transition plan.

TITLE III—AEROSPACE WORKFORCE

Subtitle A—Growing the Talent Pool

SEC. 301. EXTENSION OF AVIATION WORKFORCE DEVELOPMENT PROGRAMS.

Section 625(b)(1) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended by striking ''section 48105'' and all that follows through the period at the end and inserting the following: ''section 48105 of title 49, United States Code, not more than—

''(A) $15,000,000 for each of fiscal years 2024 through 2026 is authorized to be expended to provide grants under the program established under subsection (a)(1); and

''(B) $15,000,000 for each of fiscal years 2024 through 2026 is authorized to provide grants under the program established under subsection (a)(2).

''(C) $15,000,000 for each of fiscal years 2024 through 2026 is authorized to be expended to provide grants under the program established under subsection (a)(3).''.

SEC. 302. IMPROVING AVIATION WORKFORCE DEVELOPMENT PROGRAMS.

(a) MANUFACTURING PROGRAM.—Section 625(a) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended—

(1) in paragraph (1) by striking ''and'' at the end;

(2) in paragraph (2) by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(3) a program to provide grants for eligible projects to support the education and recruitment of aviation manufacturing workers and the development of the aviation manufacturing workforce.''.

(b) PROJECT GRANTS.—Section 625(b) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended—

(1) in paragraph (2) by striking ''$500,000'' and inserting ''$750,000''; and

(2) by adding at the end the following:

''(3) EDUCATION PROJECTS.—The Secretary shall ensure that not less than 20 percent of the amounts authorized to be expended under this subsection shall be used to carry out a grant program which shall be referred to as the 'Willa Brown Aviation Education Program' (in this paragraph referred to as the 'Program') under which the Secretary shall provide grants for eligible projects described in subsection (d) that are carried out in communities in counties containing at least 1 qualified opportunity zone (as such term is defined in section 1400Z–1(a) of the Internal Revenue Code of 1986).''.

(c) ELIGIBLE APPLICATIONS.—Section 625(c) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) APPLICATION FOR AIRCRAFT PILOT PROGRAM.—An application for a grant under the program established under subsection (a)(1) may be submitted, in such form as the Secretary may specify, by—

''(A) an air carrier, as defined in section 40102 of title 49, United States Code;

''(B) an entity that holds management specifications under subpart K of title 91 of title 14, Code of Federal Regulations;

''(C) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(D) a flight school that provides flight training, as defined in part 61 of title 14, Code of Federal Regulations, or that holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations;

''(E) a labor organization representing professional pilots;

''(F) an aviation-related nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or

''(G) a State, local, territorial, or Tribal governmental entity.

''(2) APPLICATION FOR AVIATION MAINTENANCE PROGRAM.—An application for a grant under the program established under subsection (a)(2) may be submitted, in such form as the Secretary may specify, by—

''(A) a holder of a certificate issued under part 21, 121, 135, 145, or 147 of title 14, Code of Federal Regulations;

''(B) a labor organization representing aviation maintenance workers;

''(C) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(D) an aviation-related nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or

''(E) a State, local, territorial, or Tribal governmental entity.

''(3) APPLICATION FOR AVIATION MANUFACTURING PROGRAM.—An application for a grant under the program established under subsection (a)(3) may be submitted, in such form as the Secretary may specify, by—

''(A) an entity that—

''(i) actively designs or manufactures any aircraft, aircraft engine, propeller, or appliance, or a component, part, or system thereof, covered under a type or production certificate issued under section 44704; and

''(ii) has significant operations in the United States and a majority of the employees of such entity that are engaged in aviation manufacturing or development activities and services are based in the United States;

''(B) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(C) an aviation-related nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or

''(D) a State, local, territorial, or Tribal governmental entity.''.

(d) ELIGIBLE PROJECTS.—Section 625(d) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) AIRCRAFT PILOT PROGRAM.—For purposes of the program established under subsection (a)(1), an eligible project is a project—

''(A) to create and deliver curriculum that provides high school or secondary school students with meaningful aviation education to become aircraft pilots, aerospace engineers, or unmanned aircraft systems operators, including purchasing and operating a computer-based simulator associated with such curriculum;

''(B) to support the professional development of teachers using the curriculum described in subparagraph (A);

''(C) to create and deliver curriculum that provides certified flight instructors with the necessary instructional, leadership, and communication skills to better educate student pilots;

''(D) to support transition to professional pilot careers, including for members of the Armed Forces; or

''(E) to support robust outreach about careers in the commercial aviation as a professional pilot, including outreach to primary, secondary, and post-secondary school students.

''(2) AVIATION MAINTENANCE PROGRAM.—For purposes of the program established under subsection (a)(2), an eligible project is a project—

''(A) to create and deliver curriculum that provides high school and secondary school students with meaningful aviation maintenance education to become an aviation mechanic or aviation maintenance technician, including purchasing and operating equipment associated with such curriculum;

''(B) to support the professional development of teachers using the curriculum described in subparagraph (A);

''(C) to establish or improve apprenticeship, internship, or scholarship programs for individuals pursuing employment in the aviation maintenance industry;

''(D) to support transition to aviation maintenance careers, including for members of the Armed Forces; or

''(E) to support robust outreach about careers in the aviation maintenance industry, including outreach to primary, secondary, and post-secondary school students.

''(3) AVIATION MANUFACTURING PROGRAM.—For purposes of the program established under subsection (a)(3), and eligible project is a project—

''(A) to create and deliver curriculum that provides high school and secondary school students with meaningful aviation manufacturing education, including teaching the technical skills used in the production of components, parts, or systems thereof for inclusion in an aircraft, aircraft engine, propeller, or appliance;

''(B) to support the professional development of teachers using the curriculum described in subparagraph (A);

''(C) to establish apprenticeship, internship, or scholarship programs for individuals pursuing employment in the aviation manufacturing industry;

''(D) to support transition to aviation manufacturing careers, including for members of the Armed Forces; or

''(E) to support robust outreach about careers in the aviation manufacturing industry, including outreach to primary, secondary, and postsecondary school students.''.

(e) REPORTING AND MONITORING REQUIREMENTS.—Section 625 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) is amended by adding at the end the following:

''(f) REPORTING AND MONITORING REQUIREMENTS.—The Secretary shall establish reasonable reporting and monitoring requirements for grant recipients under this section to measure relevant outcomes for the grant programs established under paragraphs (1), (2), and (3) of subsection (a).

''(g) NOTICE OF GRANTS.—

''(1) TIMELY PUBLIC NOTICE.—The Secretary shall provide public notice of any grant awarded under this section in a timely fashion after the Secretary awards such grant.

''(2) NOTICE TO CONGRESS.—The Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate advance notice of a grant to be made under this section.

''(h) TERMINATION.—The authority of the Secretary to issue grants under this section shall terminate on September 30, 2026.''.

SEC. 303. NATIONAL CENTER FOR THE ADVANCEMENT OF AEROSPACE.

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, is amended by adding at the end the following:

''§ 120. National Center for the Advancement of Aerospace

''(a) FEDERAL CHARTER AND STATUS.—

''(1) IN GENERAL.—The National Center for the Advancement of Aerospace (in this section referred to as the 'Center') is a federally chartered entity which shall be incorporated in the District of Columbia. The Center is a private independent entity, not a department, agency, or instrumentality of the United States Government or a component thereof. Except as provided in subsection (f)(1), an officer or employee of the Center is not an officer or employee of the Federal Government.

''(2) PERPETUAL EXISTENCE.—Except as otherwise provided, the Center shall have perpetual existence.

''(b) GOVERNING BODY.—

''(1) IN GENERAL.—The Board of Directors (in this section referred to as the 'Board') is the governing body of the Center.

''(2) AUTHORITY.—

''(A) IN GENERAL.—The Board shall adopt bylaws, policies, and procedures to carry out the purpose of the Center and may take any other action that it considers necessary (in accordance with the duties and powers of the Center) for the management and operation of the Center. The Board is responsible for the general policies and management of the Center and for the control of all funds of the Center.

''(B) POWERS OF BOARD.—The Board shall have the power to do the following:

''(i) Adopt and alter a corporate seal.

''(ii) Establish and maintain offices to conduct its activities.

''(iii) Enter into contracts or agreements as a private entity not subject to the requirements of title 41.

''(iv) Acquire, own, lease, encumber, transfer, and dispose of property as necessary and appropriate to carry out the purposes of the Center.

''(v) Publish documents and other publications in a publicly accessible manner.

''(vi) Incur and pay obligations as a private entity not subject to the requirements of title 31.

''(vii) Perform any other act necessary and proper to carry out the purposes of the Center as described in its bylaws or duties outlined in this section.

''(3) MEMBERSHIP OF THE BOARD.—

''(A) IN GENERAL.—The Board shall have 10 Directors as follows:

''(i) EX-OFFICIO MEMBERSHIP.—The following individuals, or their designees, shall be considered ex-officio members of the Board:

''(I) The Administrator of the Federal Aviation Administration.

''(II) The Executive Director, pursuant to paragraph (5)(D).

''(ii) APPOINTMENTS.—

''(I) IN GENERAL.—From among those members of the public who are highly respected and have exert knowledge and experience in the fields of aviation, finance, or academia—

''(aa) the Secretary of Transportation shall appoint 5 members to the Board;

''(bb) the Secretary of Defense shall appoint 1 member to the Board;

''(cc) the Secretary of Veterans Affairs shall appoint 1 member to the Board; and

''(dd) the Secretary of Education shall appoint 1 member to the Board.

''(II) TERMS.—

''(aa) IN GENERAL.—The members appointed under subclause (I) shall serve for a term of 3 years and may be reappointed.

''(bb) STAGGERING TERMS.—The Board shall stagger the duration of the terms of the initial members appointed to promote the stability of the Board.

''(B) VACANCIES.—A vacancy on the Board shall be filled in the same manner as the initial appointment.

''(C) STATUS.—All Members of the Board shall have equal voting powers, regardless if they are ex-officio members or appointed.

''(4) CHAIR OF THE BOARD.—The Board shall choose a Chair of the Board from among the members of the Board that are not ex-officio members under paragraph (3)(A)(i).

''(5) ADMINISTRATIVE MATTERS.—

''(A) MEETINGS.—

''(i) IN GENERAL.—The Board shall meet at the call of the Chair but not less than 2 times each year and may, as appropriate, conduct business by telephone or other electronic means.

''(ii) OPEN.—

''(I) IN GENERAL.—Except as provided in subclause (II), a meeting of the Board shall be open to the public.

''(II) EXCEPTION.—A meeting, or any portion of a meeting, may be closed if the Board, in public session, votes to close the meeting because the matters to be discussed—

''(aa) relate solely to the internal personnel rules, practices, and matters of the Center;

''(bb) may result in disclosure of commercial or financial information obtained from a person that is privileged or confidential;

''(cc) may disclose information of a personal nature where disclosure would constitute an unwarranted invasion of personal privacy; or

''(dd) are matters that are specifically exempted from disclosure by Federal or District of Columbia law.

''(iii) PUBLIC ANNOUNCEMENT.—At least 1 week before a meeting of the Board, and as soon as practicable thereafter if there are any changes to the information described in subclauses (I) through (III), the Board shall make a public announcement of the meeting that describes—

''(I) the time, place, and subject matter of the meeting;

''(II) whether the meeting is to be open or closed to the public; and

''(III) the name and appropriate contact information of a person who can respond to requests for information about the meeting.

''(iv) RECORD.—The Board shall keep minutes from each Board meeting. Such minutes shall be made available to the public in an accessible format, except for portions of the meeting that are closed pursuant to subparagraph (A)(ii)(II).

''(B) QUORUM.—A majority of members of the Board shall constitute a quorum.

''(C) CODE OF ETHICS.—The Board shall adopt a code of ethics for Directors, officers, agents, and employees of the Center to—

''(i) prevent inappropriate conflicts of interest and promote good employee conduct; and

''(ii) at a minimum, prohibit any member of the Board from participating in any proceeding, application, ruling, or other determination, contract claim, award, controversy, or other matter in which the member, the member's employer or prospective employer, or the member's immediate family member has a direct financial interest.

''(D) EXECUTIVE DIRECTOR.—The Board shall appoint and fix the pay of an Executive Director of the Center (in this section referred to as the 'Executive Director') who shall—

''(i) serve as an ex officio Member of the Board;

''(ii) serve at the pleasure of the Board, under such terms and conditions as the Board shall establish;

''(iii) is subject to removal by the Board at the discretion of the Board; and

''(iv) be responsible for the daily management and operation of the Center and for carrying out the purposes and duties of the Center.

''(E) APPOINTMENT OF PERSONNEL.—The Board shall delegate to the Executive Director the authority to appoint additional personnel as the Board considers appropriate and necessary to carry out the purposes and duties of the Center.

''(6) RECORDS.—The Board shall keep correct and complete records of accounts.

''(7) PUBLIC INFORMATION.—With the exception of the matters described in subsection (b)(5)(A)(ii)(II), nothing in this section may be construed to withhold disclosure of information or records that are subject to disclosure under section 552 of title 5.

''(c) PURPOSE.—The purpose of the Center is to—

''(1) develop a skilled and robust aerospace workforce in the United States;

''(2) provide a forum to support collaboration and cooperation between governmental, nongovernmental, and private aerospace sector stakeholders regarding the advancement of the aerospace workforce, including general, business, and commercial aviation, education, labor, manufacturing, international organizations, and commercial space transportation organizations;

''(3) serve as a repository for research conducted by institutions of higher education, research institutions, or other stakeholders regarding the aerospace workforce and related technical and skill development.

''(4) serve as a centralized resource that provides comprehensive and relevant information sources on the following:

''(A) Aviation pathway programs and professional development opportunities.

''(B) Aviation apprenticeship, scholarship, and internship programs.

''(C) Aviation-related curricula and resources about aviation occupations and career pathways developed for students, teachers, and guidance counselors at all levels of education.

''(D) Aviation industry organizations.

''(d) DUTIES.—In order to accomplish the purpose described in subsection (c), the Center shall perform the following duties:

''(1) Improve access to aerospace education and related skills training to help grow the U.S. aerospace workforce, including by—

''(A) assessing the state of the aerospace workforce, including challenges and identifying actions to address such challenges;

''(B) developing a comprehensive workforce strategy to help coordinate workforce development initiatives;

''(C) establishing or supporting apprenticeship, scholarship, internship, and mentorship programs that assist individuals who wish to pursue a career in an aerospace-related field;

''(D) supporting the development of aerospace education curricula, including syllabi, training materials, and lesson plans, for use by an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

''(E) building awareness of youth-oriented aerospace programs and other robust outreach programs, including for primary, secondary, and post-secondary school students.

''(F) supporting the professional development of teachers using the curricula, syllabi, training materials, and lesson plans described in subparagraph (D); and

''(G) developing an array of educational and informative aviation-related educational activities and materials for students of varying ages and levels of education to use in the classroom and at home.

''(2) Support personnel or veterans of the Armed Forces seeking to transition to a career in aerospace through outreach, training, scholarships, apprenticeships, or other means.

''(3) Amplify and support the work carried out at the Centers of Excellence and Technical Centers of the Federal Aviation Administration regarding the aerospace workforce, or related technical and skills advancement, including organizing and hosting symposiums, conferences, and other forums as appropriate.

''(4) Administer on behalf of the Secretary of the Department of Transportation the Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program established by subsection (a) of 40131.

''(e) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—The Center shall be operated in a manner and for purposes that qualify the Center for exemption from taxation under the Internal Revenue Code as an organization described in section 501(c)(3) of such Code.

''(f) ADMINISTRATIVE MATTERS OF CENTER.—

''(1) DETAILEES.—

''(A) IN GENERAL.—At the request of the Center, the head of any Federal agency or department may, at the discretion of such agency or department, detail to the Center, on a reimbursable basis, an employee of the agency or department.

''(B) CIVIL SERVANT STATUS.—The detail of an employee under subparagraph (A) shall be without interruption or loss of civil service status or privilege.

''(2) NAMES AND SYMBOLS.—The Center may accept, retain, and use proceeds derived from the Center's use of the exclusive right to use its name and seal, emblems, and badges incorporating such name as lawfully adopted by the Board in furtherance of the purpose and duties of the Center.

''(3) GIFTS, GRANTS, BEQUESTS, AND DEVISES.—The Center may accept, retain, use, and dispose of gifts, grants, bequests, or devises of money, services, or property from any public or private source for the purpose of covering the costs incurred by the Center in furtherance of the purpose and duties of the Center.

''(4) VOLUNTARY SERVICES.—The Center may accept voluntary services from any person that are provided in furtherance of the purpose and duties of the Center.

''(g) RESTRICTIONS.—

''(1) PROFIT.—The Center may not engage in business activity for profit.

''(2) STOCKS AND DIVIDENDS.—The Center may not issue any shares of stock or declare or pay any dividends.

''(3) POLITICAL ACTIVITIES.—The Center shall be nonpolitical and may not provide financial aid or assistance to, or otherwise contribute to or promote the candidacy of, any individual seeking elective public office or political party. The Center may not engage in activities that are, directly, or indirectly, intended to be or likely to be perceived as advocating or influencing the legislative process.

''(4) DISTRIBUTION OF INCOME OR ASSETS.—The assets of the Center may not inure to the benefit of any member of the Board, or any officer or employee of the Center or be distributed to any person. This paragraph does not prevent the payment of reasonable compensation to any officer, employee, or other person or reimbursement for actual and necessary expenses in amounts approved by the Board.

''(5) LOANS.—The Center may not make a loan to any member of the Board or any officer or employee of the Center.

''(6) NO CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—Except as otherwise provided by section 40131, the Center may not claim approval of Congress or of the authority of the United States for any of its activities.

''(h) ADVISORY COMMITTEE.—

''(1) IN GENERAL.—The Executive Director shall appoint members to an advisory committee subject to approval by the Board. Members of the Board may not sit on the advisory committee.

''(2) MEMBERSHIP.—The advisory committee shall consist of not more than 15 members who represent various aviation industry and labor stakeholders, stakeholder associations, and others as determined appropriate by the Board. The advisory committee shall select a Chair and Vice Chair from among its members by majority vote.

''(3) DUTIES.—The advisory committee shall—

''(A) provide recommendations to the Board on an annual basis regarding the priorities for the activities of the Center;

''(B) consult with the Board on an ongoing basis regarding the appropriate powers of the Board to accomplish the purposes and duties of the Center; and

''(C) provide relevant data and information to the Center in order to carry out the duties set forth in subsection (d).

''(4) MEETINGS.—The provisions for meetings of the Board under subsection (b)(5) shall apply as similarly as is practicable to meetings of the advisory committee.

''(i) WORKING GROUPS.—

''(1) IN GENERAL.—The Board may establish working groups as determined necessary and appropriate to achieve the purpose of the Center under subsection (c).

''(2) MEMBERSHIP.—Any working group established by the Board shall be composed of private sector representatives, stakeholder associations, members of the public, labor representatives, and other relevant parties, as determined appropriate by the Board. Once established, the membership of such working group shall choose a Chair from among the members of the working group by majority vote.

''(j) CAREER COUNCIL.—

''(1) ESTABLISHMENT.—Not later than September 30, 2026, the Executive Director, in coordination with the Secretary, shall establish a council (in this section referred to as the 'CAREER Council') for the CAREER Program established under section 40131.

''(2) DUTIES.—The CAREER Council shall aid the Secretary and the Center in carrying out the CAREER Program by reviewing grant applications and recommending grant recipients.

''(3) APPOINTMENT.—The CAREER Council shall be appointed from candidates nominated by national associations representing various sectors of the aviation industry, including—

''(A) general aviation;

''(B) commercial aviation;

''(C) aviation labor, including collective bargaining representatives of Federal Aviation Administration aviation safety inspectors, aviation safety engineers, and air traffic controllers;

''(D) aviation maintenance, repair, and overhaul; and

''(E) unmanned aviation.

''(4) TERM.—Each council member appointed under paragraph (3) shall serve a term of 4 years.

''(k) ANNUAL REPORT.—The Board shall submit an annual report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that, at minimum, includes a review and examination of—

''(1) the activities performed as set forth in subsection (d) during the prior fiscal year;

''(2) the advisory committee described in subsection (h);

''(3) the working groups described in subsection (i); and

''(4) the Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program and related activities established under section 40131, including activities of the CAREER Council established under subsection (j).

''(l) AUDIT BY DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL.—

''(1) IN GENERAL.—Not later than 2 years after the date on which the Center is established under subsection (a), the inspector general of the Department of Transportation shall conduct a review of the Center.

''(2) CONTENTS.—The review shall—

''(A) include, at a minimum, an evaluation of the efforts taken at the Center to achieve the purpose set forth in subsection (c); and

''(B) provide any other information that the inspector general determines is appropriate.

''(3) REPORT ON AUDIT.—

''(A) REPORT TO SECRETARY.—Not later than 30 days after the date of completion of the audit, the inspector general shall submit to the Secretary a report on the results of the audit.

''(B) REPORT TO CONGRESS.—Not later than 60 days after the date of receipt of the report under subparagraph (A), the Secretary shall submit to the appropriate committees of Congress a copy of the report, together with, if appropriate, a description of any actions taken or to be taken to address the results of the audit.

''(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the National Center for the Advancement of Aerospace out of the Airport and Airway Trust Fund to carry out this section—

''(1) $10,000,000 for fiscal year 2024;

''(2) $10,000,000 for fiscal year 2025;

''(3) $10,000,000 for fiscal year 2026;

''(4) $11,000,000 for fiscal year 2027; and

''(5) $11,000,000 for fiscal year 2028.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 49, United States Code, is amended by inserting after the item relating to section 119 the following:

''120. National Center for the Advancement of Aerospace.''.

SEC. 304. COOPERATIVE AVIATION RECRUITMENT, ENRICHMENT, AND EMPLOYMENT READINESS PROGRAM.

(a) IN GENERAL.—Chapter 401 of title 49, United States Code, is amended by adding at the end the following:

''§ 40131. Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program

''(a) ESTABLISHMENT.—Not later than September 30, 2026, the Secretary of Transportation, through the National Center for the Advancement of Aerospace (in this section referred to as the 'Center'), shall establish an aviation workforce cooperative development program to be

known as the Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program (in this section referred to as the 'CAREER Program') to support the education, recruitment, training, and retention of future aviation professionals and the development of a robust United States aviation workforce by—

''(1) using relevant workforce forecasts to predict and identify aviation-related workforce challenges; and

''(2) funding projects that address such challenges and help to sustain the long-term growth of civil aviation.

''(b) IMPLEMENTATION.—

''(1) PARTNERSHIP WITH NCAA.—In implementing the CAREER Program established under subsection (a), the Secretary shall partner with the CAREER Council established in subsection (j) of section 120.

''(2) NONDELEGATION.—Except as provided in paragraph (3), the Secretary may not delegate any of the authorities or responsibilities under this section to the Administrator of the Federal Aviation Administration.

''(3) SUPPORT.—To support the administration of the CAREER Program, the Secretary may assign employees of the Department of Transportation, including employees of the Federal Aviation Administration, on detail to the Center.

''(c) SOLICITATION, REVIEW, AND EVALUATION PROCESS.—In carrying out the CAREER Program, the Secretary shall establish a solicitation, review, and evaluation process that ensures funds made available to carry out this section are awarded to eligible entities with proposals that have adequate merit and relevancy to the mission of the program.

''(d) ELIGIBLE ENTITIES.—An eligible entity under this section is—

''(1) an air carrier;

''(2) an entity that holds management specifications under subpart K of title 91 of title 14, Code of Federal Regulations;

''(3) a holder of a certificate issued under parts 139, 145, or 147 of title 14, Code of Federal Regulations;

''(4) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(5) a flight school that provides flight training, as defined in part 61 of title 14, Code of Federal Regulations, or that holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations;

''(6) an aviation labor organization;

''(7) a State, local, territorial, or Tribal government, including a political subdivision thereof;

''(8) an aviation-related nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or

''(9) an entity that—

''(A) actively designs or manufactures any aircraft, aircraft engine, propeller, or appliance, or a component, part, or system thereof, covered under a type or production certificate issued under section 44704; and

''(B) has significant operations in the United States and a majority of the employees of such entity that are engaged in aviation manufacturing or development activities and services are based in the United States.

''(e) REPORTING AND MONITORING REQUIREMENTS.—The Secretary shall establish reasonable reporting and monitoring requirements for grant recipients under this section to measure relevant outcomes of the program maintained pursuant to subsection (a).

''(f) REPORT.—Not later than September 30, 2027, and annually through fiscal year 2028, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the program that includes—

''(1) a summary of projects awarded grants under this section and the progress of each recipient towards fulfilling program expectations;

''(2) an evaluation of how such projects cumulatively impact the future supply of individuals in the U.S. aviation workforce, including best practices or programs to incentivize, recruit, and retain individuals in aviation professions; and

''(3) recommendations for better coordinating actions by governmental entities, educational institutions, and businesses, aviation labor organizations, or other stakeholders to support aviation workforce growth.

''(g) NOTICE OF GRANTS.—

''(1) TIMELY PUBLIC NOTICE.—The Secretary shall provide public notice of any grant awarded under the CAREER Program in a timely fashion after the Secretary awards such grant.

''(2) NOTICE TO CONGRESS.—The Secretary shall provide advance notice of a grant to be made under the CAREER Program to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(h) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts made available under section 48105, $50,000,000 for each of fiscal years 2027 and 2028 is authorized to be expended to provide grants under the program established under subsection (a).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 401 of title 49, United States Code, is amended by adding at the end the following:

''40131. Cooperative Aviation Recruitment, Enrichment, and Employment Readiness Program.''.

SEC. 305. REPEAL OF DUPLICATIVE OR OBSOLETE WORKFORCE PROGRAMS.

(a) REPEAL.—Sections 44510 and 44515 of title 49, United States Code, are repealed.

(b) CLERICAL AMENDMENTS.—The analysis for chapter 445 of title 49, United States Code, is amended by striking the items relating to sections 44510 and 44515.

SEC. 306. CIVIL AIRMEN STATISTICS.

(a) PUBLICATION FREQUENCY.—The Administrator of the Federal Aviation Administration shall publish the study commonly referred to as the ''U.S. Civil Airmen Statistics'' on a monthly basis.

(b) PRESENTATION OF DATA.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a web-based dashboard for purposes of presenting the findings of the study described in subsection (a).

(2) DOWNLOADABLE FORMAT.—The Administrator shall make the data publicly available on the website of the Administration in a downloadable format.

(c) EXPANDED DATA CRITERIA.—Not later than 1 year after the date of enactment of this Act, the Administrator shall ensure that data sets and tables published as part of the study described in subsection (a) display information relating to the sex of certificate holders in more instances.

(d) HISTORICAL DATA.—Not later than 1 year after the date of enactment of this Act, the Administrator shall make all previously published annual data from the study described in subsection (a) available on the website of the Administration.

SEC. 307. BESSIE COLEMAN WOMEN IN AVIATION ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish a Bessie Coleman Women in Aviation Advisory Committee (hereinafter referred to as the ''Committee'').

(b) PURPOSE.—The Committee shall advise the Secretary and the Administrator of the Federal Aviation Administration on matters and policies related to the recruitment, retention, employment, education, training, well-being, and treatment of women in the aviation industry and aviation-focused Federal civil service positions.

(c) FORM OF DIRECTIVES.—All activities carried out by the Committee, including special committees, shall be in response to written terms of reference or taskings from the Secretary and may not duplicate the objectives of the Air Carrier Training Aviation Rulemaking Committee.

(d) FUNCTIONS.—In carrying out the directives described in subsection (c), the functions of the Committee are as follows:

(1) Foster industry collaboration in an open and transparent manner by engaging, as prescribed by this section, representatives of the private sector associated with an entity described in subsection (e)(1)(B).

(2) Make recommendations for strategic objectives, priorities, and policies that would improve the recruitment, retention, and training of women in aviation professions.

(3) Evaluate opportunities for the Administration to improve the recruitment and retention of women in the Administration.

(e) MEMBERSHIP.—

(1) VOTING MEMBERS.—The Advisory Committee shall be composed of the following members:

(A) The Administrator, or the designee of the Administrator.

(B) At least 25 individuals, appointed by the Secretary, representing the following:

(i) Transport aircraft and engine manufacturers.

(ii) General aviation aircraft and engine manufacturers.

(iii) Avionics and equipment manufacturers.

(iv) Public and private aviation labor organizations, including collective bargaining representatives of—

(I) aviation safety inspectors and safety engineers of the Federal Aviation Administration;

(II) air traffic controllers;

(III) certified aircraft maintenance technicians; and

(IV) commercial airline pilots.

(v) General aviation operators.

(vi) Air carriers.

(vii) Business aviation operators.

(viii) Unmanned aircraft systems manufacturers and operators.

(ix) Aviation safety management experts.

(x) Aviation maintenance, repair, and overhaul entities.

(xi) Airport owners and operators.

(xii) Advanced air mobility manufacturers and operators.

(xiii) Institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002)), or a high school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

(xiv) A flight school that provides flight training, as defined in part 61 of title 14, Code of Federal Regulations, or that holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations.

(xv) Aviation maintenance technician schools governed under part 147 of title 14, Code of Federal Regulations.

(2) NONVOTING MEMBERS.—

(A) IN GENERAL.—In addition to the members appointed under paragraph (1), the Committee shall be composed of not more than 5 nonvoting members appointed by the Secretary from among officers or employees of the FAA.

(B) DUTIES.—The nonvoting members may—

(i) take part in deliberations of the Committee; and

(ii) provide subject matter expertise with respect to reports and recommendations of the Committee.

(C) LIMITATION.—The nonvoting members may not represent any stakeholder interest other than that of the FAA.

(3) TERMS.—Each voting member and nonvoting member of the Committee appointed by the Secretary shall be appointed for a term of 4 years.

(4) COMMITTEE CHARACTERISTICS.—The Committee shall have the following characteristics:

(A) The ability to obtain necessary information from additional experts in the aviation and aerospace communities.

(B) A membership size that enables the Committee to have substantive discussions and reach consensus on issues in a timely manner.

(C) Appropriate expertise, including expertise in human resources, human capital management, policy, labor relations, employment training, workforce development, and youth outreach.

(f) CHAIRPERSON.—

(1) IN GENERAL.—The Chairperson of the Committee shall be appointed by the Secretary from among the voting members of the Committee under subsection (e)(1)(B).

(2) TERM.—The Chairperson shall serve a 2-year term.

(g) MEETINGS.—

(1) FREQUENCY.—The Committee shall meet at least twice each year at the call of the Chairperson or the Secretary.

(2) PUBLIC ATTENDANCE.—The meetings of the Committee shall be open and accessible to the public.

(h) SPECIAL COMMITTEES.—

(1) ESTABLISHMENT.—The Committee may establish special committees composed of private sector representatives, members of the public, labor representatives, and other relevant parties in complying with the consultation and participation requirements under subsection (d).

(2) AUTHORITIES.—A special committee established by the Committee may provide rulemaking advice, recommendations, and additional opportunities to obtain firsthand information to the Committee with respect to issues regarding the advancement of women in aviation.

(3) APPLICABLE LAW.—Public Law 92–463 shall not apply to a special committee established by the Committee.

(i) PERSONNEL MATTERS.—

(1) NO COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Committee who is not an officer or employee of the Federal Government shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(j) REPORTS.—The Committee shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report upon completion of each tasking summarizing the Committee's—

(1) findings and associated recommendations to improve the advancement of women in aviation; and

(2) planned activities of the Committee, as tasked by the Secretary, and proposed terms of work to fulfill each activity.

(k) SUNSET.—The Committee shall terminate on the last day of the 8-year period beginning on the date of the initial appointment of the members of the Committee.

(l) FAA DEFINED.—In this section, the term ''FAA'' means the Federal Aviation Administration.

SEC. 308. ESTABLISHING A COMPREHENSIVE WEB-BASED AVIATION RESOURCE CENTER.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall partner with the National Center for the Advancement of Aerospace (in this section referred to as the ''Center'') to establish a high-quality, web-based resource center that provides stream-lined public access to information sources on the following:

(1) Aviation pathway programs and professional development opportunities.

(2) Aviation apprenticeship, scholarship, and internship programs.

(3) Aviation-related curricula and resources about aviation occupations and career pathways developed for students, teachers, and guidance counselors at all levels of education.

(4) Aviation industry organizations.

(b) LEVERAGING FAA EDUCATION, RESEARCH, AND PARTNERSHIP PROGRAMS.—In carrying out subsection (a)(3), the Administrator and the Executive Director of the Center, in partnership with museums, nonprofit organizations, and commercial entities, shall, to the maximum extent practicable, leverage field and regional offices of the Federal Aviation Administration, the Mike Monroney Aeronautical Center, the William J. Hughes Technical Center for Advanced Aerospace, Air Transportation Centers of Excellence, and the Aviation and Space Education program of the Federal Aviation Administration to develop an array of educational and informative aviation-related educational activities and materials for students of varying ages and levels of education to use in the classroom, for after-school programs and at home.

(c) BRIEFING.—Not later than 2 year after the date of the enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Technology of the Senate on—

(1) the web-based aviation resource center established under subsection (a); and

(2) the manner in which the education development and engagement activities of the Federal Aviation Administration are organized and funded.

SEC. 309. DIRECT HIRE AUTHORITY FROM UAS COLLEGIATE TRAINING INITIATIVE.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration may hire individuals from eligible institutions of higher education under the Unmanned Aircraft System Collegiate Training Initiative (in this section referred to as ''UAS CTI''), as established in section 632 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note), without regard to—

(1) sections 3309 through 3318 of title 5, United States Code;

(2) part 211 of title 5, Code of Federal Regulations; or

(3) subpart A of part 337 of title 5, Code of Federal Regulations.

(b) ELIGIBILITY.—Individuals eligible for employment by the Administrator under subsection (a) shall—

(1) be in good standing or have graduated in good standing from an institution of higher education with a signed memorandum of understanding under the UAS CTI;

(2) hold or have completed the majority of a related Bachelors or Associates degree, as described by the eligibility requirements of the UAS CTI;

(3) have completed all requirements for a related minor, concentration, or certificate, as described by the eligibility requirements of the UAS CTI; or

(4) meet any other criteria as considered appropriate by the Administrator.

(c) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) GOOD STANDING.—The term ''good standing'' means in good standing, as determined by the applicable institution of higher education.

(d) SUNSET.—The authority of the Administrator under this section shall terminate on September 30, 2028.

Subtitle B—Improving Training and Rebuilding Talent Pipelines

SEC. 311. JOINT AVIATION EMPLOYMENT TRAINING WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish an interagency working group (in this section referred to as the ''working group'') to advise the Secretary of Transportation and the Secretary of Defense on matters and policies related to the training and certification of a covered aviation professional to improve career transition between the military and civilian workforces.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The working group shall consist of—

(A) 2 co-chairs described in paragraph (2);

(B) not less than 6 representatives of the Federal Aviation Administration, to be appointed by the co-chair described in paragraph (2)(A); and

(C) not less than 1 representative of each component of the armed forces (as such term is defined in section 101 of title 10, United States Code), to be appointed by the co-chair described in paragraph (2)(B).

(2) CO-CHAIRS.—The working group shall be co-chaired by—

(A) a representative of the Department of Transportation, to be appointed by the Secretary of Transportation; and

(B) a representative of the Department of Defense, to be appointed by the Secretary of Defense.

(c) ACTIVITIES.—The working group shall—

(1) evaluate and compare all regulatory requirements, guidance, and orders affecting covered aviation professionals and identify challenges that inhibit recruitment, training, and retention within the respective workforces of such professionals; and

(2) assess appropriate areas for increased interagency information sharing and harmonization across workforces on matters related to certification pathways and certification requirements, including knowledge testing, affecting covered aviation professionals.

(d) INITIAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date on which the Secretary of Transportation establishes the working group, the working group shall submit to the appropriate committees of Congress an initial report on the activities of the working group.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) a detailed description of the findings of the working group pursuant to the activities required under subsection (c); and

(B) recommendations for regulatory, policy, or legislative action to improve the training and certification of covered aviation professionals across the civilian and military workforces.

(e) ANNUAL REPORTING.—Not later than 1 year after the date on which the working group submits the initial report under subsection (d), and annually thereafter, the working group shall submit to the appropriate committees of Congress a report—

(1) describing the continued activities of the working group;

(2) describing any progress made by the Secretary of Transportation or Secretary of Defense in implementing the recommendations described in subsection (d)(2)(B); and

(3) containing any other recommendations the working group may have with respect to efforts to improve the employment and training of covered aviation professionals in the civilian and military workforces.

(f) SUNSET.—The working group shall terminate on the date that is 4 years after the date

on which the working group submits the initial report to Congress pursuant to subsection (d).

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services of the House of Representatives;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Transportation and Infrastructure of the House of Representatives; and

(D) the Committee on Commerce, Science, and Transportation of the Senate.

(2) COVERED AVIATION PROFESSION.—The term ''covered aviation professional'' means—

(A) an airman;

(B) an aircraft maintenance and repair technician;

(C) an air traffic controller; and

(D) any other aviation-related professional that has comparable tasks and duties across the civilian and military workforces, as determined jointly by the co-chairs of the working group.

SEC. 312. AIRMAN KNOWLEDGE TESTING WORKING GROUP.

(a) WORKING GROUP.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall task the Aviation Rulemaking Advisory Committee to establish a working group to review knowledge testing processes and procedures to improve the facilitation, administration, and accessibility of knowledge tests.

(b) ACTIVITIES.—The working group established pursuant to subsection (a) shall—

(1) assess methods to increase knowledge testing capacity, including through—

(A) the adoption of alternative proctoring methods; and

(B) increased utilization of pilot schools that hold a pilot school certificate under part 141 of title 14, Code of Federal Regulations, and aviation maintenance technician schools governed under part 147 of title 14, Code of Federal Regulations; and

(2) evaluate the following:

(A) The management and provision of knowledge tests by testing centers.

(B) The testing registration process for students.

(C) Student access to knowledge tests.

(D) Fees associated with knowledge tests.

(E) The accuracy of public sample knowledge tests available to students.

(F) Development and maintenance of knowledge tests and forms.

(c) MECHANIC GENERAL KNOWLEDGE TEST.—In addition to the activities under subsection (b), the Aviation Rulemaking Advisory Committee shall task the working group established pursuant to subsection (a) with assessing opportunities to allow a high school student upon successful completion of an aviation maintenance curriculum to take the general written knowledge portion of the mechanic exam described in section 65.75 of title 14, Code of Federal Regulations, at an Administration-approved testing center.

(d) REPORT.—Not later than 18 months after the Aviation Rulemaking Advisory Committee tasks the working group under subsection (a), the working group shall submit to the Administrator a final report making recommendations to improve the facilitation, administration, and accessibility of knowledge tests.

(e) DEFINITIONS.—In this section:

(1) HIGH SCHOOL.—The term ''high school'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) KNOWLEDGE TEST.—The term ''knowledge test'' means a test prescribed under parts 61 and 65 of title 14, Code of Federal Regulations.

(3) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 313. AIRMAN CERTIFICATION SYSTEM WORKING GROUP AND TIMELY PUBLICATION OF STANDARDS.

(a) WORKING GROUP.—The Administrator of the Federal Aviation Administration shall task the Airman Certification System Working Group established under the Aviation Rulemaking Advisory Committee of the Administration to review Airman Certification Standards to ensure that airman proficiency and knowledge correlates and corresponds to regulations, procedures, equipment, aviation infrastructure, and safety trends at the time of such review.

(b) ACS PUBLICATION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish on the website of the Administration—

(1) the process by which the Airman Certification Standards are to be established, updated, and maintained;

(2) the process by which relevant guidance documents, handbooks, and test materials associated with such standards are to be established, updated, and maintained; and

(3) any anticipated or required updates to such standards, including providing a date by which such modifications can be expected to be completed and made available to the public.

SEC. 314. AIR TRAFFIC CONTROL WORKFORCE STAFFING.

(a) RESPONSIBILITY FOR CONTROLLER WORKFORCE PLAN.—

(1) AIR TRAFFIC CONTROLLER STAFFING INITIATIVES AND ANALYSIS.—Section 221 of the Vision 100–Century of Aviation Reauthorization Act (49 U.S.C. 44506 note) is amended by striking ''Administrator of the Federal Aviation Administration'' and inserting ''Chief Operating Officer of the Air Traffic Organization of the Federal Aviation Administration''.

(2) STAFFING REPORT.—Section 44506(e) of title 49, United States Code, is amended in the matter before paragraph (1) by striking ''Administrator of the Federal Aviation Administration'' and inserting ''Chief Operating Officer of the Air Traffic Organization of the Federal Aviation Administration''.

(b) MAXIMUM HIRING.—Subject to the availability of appropriations, for each of fiscal years 2024 through 2027, the Administrator of the Federal Aviation Administration shall set as the hiring target for new air traffic controllers (excluding individuals described in section 44506(f)(1)(A) of title 49, United States Code) the maximum number of individuals able to be trained at the Federal Aviation Administration Academy.

(c) HIRING AND STAFFING.—The Chief Operating Officer of the Federal Aviation Administration shall revise the air traffic control hiring plans and staffing standards of the Administration to—

(1) provide that the controller and management workforce is adequately staffed to safely and efficiently manage and oversee the air traffic control system to the satisfaction of the Chief Operating Officer;

(2) account for the target number of certified professional controllers able to control traffic at each independent facility; and

(3) avoid any required or requested reduction of national airspace system capacity or aircraft operations as a result of inadequate air traffic control system staffing.

(d) INTERIM ADOPTION OF COLLABORATIVE RESOURCE WORKGROUP MODELS.—

(1) IN GENERAL.—In carrying out subsection (c) and in submitting a Controller Workforce Plan of the Administration published after the date of enactment of this Act, the Chief Operating Officer shall adopt and utilize the staffing models and methodologies developed by the Collaborative Resource Workgroup that were recommended in a report submitted to the Administrator and referenced in the Controller Workforce Plan submitted to Congress on May 5, 2023.

(2) SUNSET.—The requirement under paragraph (1) shall cease to be effective upon the adoption of a staffing model required under subsection (f).

(e) ASSESSMENT.—

(1) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Administrator shall enter into an agreement with the Transportation Research Board to—

(A) compare the Administration's staffing models and methodologies in determining staffing standards targets with those developed by the Collaborative Resource Workgroup, including—

(ii) the availability factor multiplier and other formula components; and

(iii) the independent facility staffing targets of certified professional controllers able to control traffic; and

(B) assess future needs of the air traffic control system and potential impacts on staffing standards.

(2) REPORT.—

(A) FINDINGS.—In carrying out this subsection, the Transportation Research Board shall—

(i) report to the Administrator and Congress on the findings of the review under this subsection; and

(ii) determine which staffing models and methodologies best accounts for the operational staffing needs of the air traffic control system and provide a justification for such determination.

(B) MODIFICATIONS TO IDENTIFIED MODEL.—The Transportation Research Board may make recommendations to improve the staffing model described in (2)(A)(ii).

(3) CONSULTATION.—In conducting the assessment under this subsection, the Transportation Research Board shall consult with—

(A) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code;

(B) Administration officials and executives;

(C) front line managers of the air traffic control system;

(D) managers and employees responsible for training air traffic controllers;

(E) the MITRE Corporation;

(F) the Chief Operating Officer of the Air Traffic Organization of the Federal Aviation Administration; and

(G) users of the air traffic control system.

(f) REQUIRED IMPLEMENTATION OF IDENTIFIED STAFFING MODEL.—The Administrator shall take such action that may be necessary to adopt and utilize the staffing model identified by the Transportation Research Board pursuant to subsection (e)(2)(A)(ii), including any recommendations for improving such model.

(g) CONTROLLER TRAINING.—In any Controller Workforce Plan of the Administration published after the date of enactment of this Act, the Chief Operating Officer shall—

(1) identify all limiting factors on the Administration's ability to hire and train controllers in line with the staffing standards target set out in such Plan; and

(2) describe what actions the Administration will take to rectify any impediments to meeting staffing standards targets and identify contributing factors that are outside the control of the Administration.

SEC. 315. AVIATION SAFETY WORKFORCE ASSESSMENT.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall assess, on a recurring basis, staffing levels, critical competencies, and skills gaps of safety critical positions in the Flight Standards Service and Aircraft Certification Service and within other offices of the Administration that support such services.

(b) CONSIDERATIONS.—In completing the assessment described in subsection (a), the Administrator shall—

(1) evaluate the workload at the time of the assessment, historic workload, and estimated future workload of such personnel;

(2) conduct a critical competency and skills gap analysis to determine the knowledge and skill sets needed for work at the time of the assessment and anticipated work, with an emphasis on work pertaining to—

(A) new and novel aircraft propulsion and power methods;

(B) simplified vehicle operations and human factors; and

(C) autonomy, machine learning, and artificial intelligence;

(3) compare the outcome of such analysis described in paragraph (2) to the competency and skills of the workforce at the time of the assessment; and

(4) review opportunities for employees of the Administration to gain or enhance expertise, knowledge, skills, and abilities through cooperative training with appropriate companies and organizations; and

(5) develop hiring and recruitment plans to—

(A) address hard to fill positions; and

(B) address competency and skill gaps at various levels of experience and management within Flight Standards Service and Aircraft Certification Service.

(c) REPORT.—Upon completion of an assessment described in subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the following:

(1) The methodology and findings of the assessment described in subsection (a), including an analysis of hiring authorities of the Administration at the time of the assessment, including direct hiring authorities, by occupation series for inspector, engineer, and other safety critical positions within Flight Standards Service and Aircraft Certification Service.

(2) Action based recommendations the Administration can take to improve—

(A) the Aviation Safety Workforce Plan;

(B) the skill sets and competencies of inspectors, engineers, and other safety critical positions at the time of the assessment;

(C) competition with industry and other nonaviation sectors for candidates with identified competencies and technical skill sets; and

(D) overall hiring and retention of inspectors, engineers, and other critical positions.

(3) Actions Congress can take to improve the recruitment, hiring, upskilling, and retention of inspectors, engineers, and other safety critical positions in Flight Standards Service and Aircraft Certification Service and within other offices of the Administration that support such services.

(d) SAFETY CRITICAL POSITION DEFINED.—In this section, the term ''safety critical position'' means—

(1) an aviation safety inspector, an aviation safety specialist (denoted by the Administration as 1801 series), an aviation safety technician, and an operations support position in the Flight Standards Service; and

(2) a manufacturing safety inspector, a pilots, an engineer, a Chief Scientist Technical Advisor, an aviation safety specialist (denoted by the Administration as 1801 series), a safety technical specialist, and an operational support position in the Aircraft Certification Service.

SEC. 316. MILITARY AVIATION MAINTENANCE.

(a) STREAMLINED CERTIFICATION FOR ELIGIBLE MILITARY MAINTENANCE TECHNICIANS.—Not later than 1 year after the interagency working group in section 311 of this Act is convened, the Administrator of the Federal Aviation Administration shall task such working group with evaluating the appropriateness of revising part 65 of title 14, Code of Federal Regulations, to—

(1) create a mechanic written competency test for eligible military maintenance technicians;

(2) develop, as necessary, a relevant Airman Certification Standard to qualify eligible military maintenance technicians for a mechanic certificate issued by the Federal Aviation Administration with an airframe rating or a powerplant rating, or both; and

(3) allow a certificate of eligibility from the Joint Services Aviation Maintenance Technician Certification Council (in this section referred to as the ''JSAMTCC'') evidencing completion of a training curriculum for any rating sought to serve as a substitute to fulfill the requirement under such part 65 for oral and practical tests administered by a designated mechanic examiner for eligible military maintenance technicians.

(b) FINAL RULE.—If the working group finds that revising part 65 of title 14, Code of Federal Regulations, as described in section (a) is appropriate, not later than 1 year after the finding, the Administrator shall issue a final rule that revises part 65 of title 14, Code of Federal Regulations, as described in subsection (a).

(c) AERONAUTICAL KNOWLEDGE SUBJECT AREAS.—

(1) IN GENERAL.—The military mechanic written competency test and Airman Certification Standard described in subsection (a)(1) and subsection (a)(2), respectively, shall focus on the aeronautical knowledge subject areas contained in the Aviation Mechanic General, Airframe, and Powerplant Airman Certificate Standards, as appropriate to the rating sought.

(2) IDENTIFICATION OF SUBJECT AREAS.—The aeronautical knowledge subject areas described in paragraph (1) shall be identified in consultation with industry stakeholders and the Airman Certification System Working Group.

(d) EXPANSION OF TESTING LOCATIONS.—The interagency working group described in subsection (a) shall determine whether an expansion of the number of active testing locations operated within military installation testing centers would increase access to testing, as well as how to implement such expansion.

(e) OUTREACH AND AWARENESS.—The interagency working group described in subsection (a) shall develop a plan to increase outreach and awareness regarding—

(1) the services made available by the JSAMTCC; and

(2) the military mechanic written competency test described in subsection (a), if appropriate.

(f) ELIGIBLE MILITARY MAINTENANCE TECHNICIAN DEFINED.—In this section, the term ''eligible military maintenance technician'' means an individual who is a current or former military aviation maintenance technician who was honorably discharged or has retired from the armed forces (as such term is defined in section 101 of title 10, United States Code).

Subtitle C—Engaging and Retaining the Workforce

SEC. 321. AIRMAN'S MEDICAL BILL OF RIGHTS.

(a) IN GENERAL.—

(1) DEVELOPMENT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a document (in this section referred to as the ''Airman's Medical Bill of Rights'') detailing the right of an individual before, during, and after a medical exam conducted by an Aviation Medical Examiner.

(2) CONTENTS.—The Airman's Medical Bill of Rights required under paragraph (1) shall, at a minimum, contain information about the right of an individual to—

(A) bring a trusted companion or request to have a chaperone present for a medical exam;

(B) terminate an exam at any time and for any reason;

(C) receive care with respect and recognition of the dignity of the individual;

(D) be assured of privacy and confidentiality;

(E) select an Aviation Medical Examiner without interference;

(F) privacy when changing, undressing, and using the restroom;

(G) ask questions about the health status of the individual or any suggested treatments or evaluations, and to have such questions fully answered;

(H) report an incident of misconduct by an Aviation Medical Examiner to the appropriate authorities, including to the State licensing board of the Aviation Medical Examiner or the Federal Aviation Administration;

(I) report to the Administrator an allegation regarding alleged Aviation Medical Examiner misconduct without fear of retaliation or negative action relating to an airman certificate of the individual; and

(J) be advised of any known conflicts of interest an Aviation Medical Examiner may have with respect to the care of the individual.

(3) PUBLIC AVAILABILITY.—The Airman's Medical Bill of Rights required under paragraph (1) shall be—

(A) made available to, and acknowledged by, an individual in the MedXpress system;

(B) made available in a hard-copy format by an Aviation Medical Examiner at the time of exam upon request by an individual; and

(C) displayed in a common space in the office of the Aviation Medical Examiner.

(b) EXPECTATIONS FOR MEDICAL EXAMINATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop a simplified document explaining the standard procedures performed during a medical examination conducted by an Aviation Medical Examiner.

(2) PUBLIC AVAILABILITY.—The document required under paragraph (1) shall be—

(A) made available to, and acknowledged by, an individual in the MedXpress system;

(B) made available in a hard-copy format by an Aviation Medical Examiner at the time of exam upon request by an individual; and

(C) displayed in a common space in the office of the Aviation Medical Examiner.

SEC. 322. IMPROVED DESIGNEE MISCONDUCT REPORTING PROCESS.

(a) IMPROVED DESIGNEE MISCONDUCT REPORTING PROCESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a streamlined process for individuals involved in incidents of alleged misconduct by a designee to report such incidents in a manner that protects the privacy and confidentiality of such individuals.

(2) PUBLIC ACCESS TO REPORTING PROCESS.—The process for reporting alleged misconduct by a designee shall be made available to the public on the website of the Administration, including—

(A) the designee locator search webpage; and

(B) the webpage of the Office of Audit and Evaluation of the Federal Aviation Administration.

(3) OBLIGATION TO REPORT CRIMINAL CHARGES.—Not later than 90 days after the date of enactment of this Act, the Administrator shall revise the orders and policies governing the Designee Management System to clarify that designees are obligated to report any arrest, indictment, or conviction for violation of a local, State, or Federal law within a period of time specified by the Administrator.

(4) AUDIT OF REPORTING PROCESS BY INSPECTOR GENERAL.—

(A) IN GENERAL.—Not later than 3 years after the date on which the Administrator finalizes the update of the reporting process under paragraph (1), the inspector general of the Department of Transportation shall conduct an audit of such reporting process.

(B) CONTENTS.—In conducting the audit of the reporting process described in subparagraph (A), the inspector general shall, at a minimum—

(i) review the efforts of the Administration to improve the reporting process and solutions developed to respond to and investigate allegations of misconduct;

(ii) analyze reports of misconduct brought to the Administrator prior to any changes made to

the reporting process as a result of the enactment of this Act, including the ultimate outcomes of those reports and whether any reports resulted in the Administrator taking action against the accused designee;

(iii) determine whether the reporting process results in appropriate action, including reviewing, investigating, and closing out reports; and

(iv) if applicable, make recommendations to improve the reporting process.

(C) REPORT.—Not later than 1 year after the date of initiation of the audit described in subparagraph (A), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of such audit, including findings and recommendations.

(b) DESIGNEE DEFINED.—In this section, the term ''designee'' means an individual who has been designated to act as a representative of the Administrator as—

(1) an Aviation Medical Examiner (as described in section 183.21 of title 14, Code of Federal Regulations);

(2) a pilot examiner (as described in section 183.23 of such title); or

(3) a technical personnel examiner (as described in section 183.25 of such title).

SEC. 323. REPORT ON SAFE UNIFORM OPTIONS FOR CERTAIN AVIATION EMPLOYEES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall conduct a review to determine whether air carriers operating under part 121 of title 14, Code of Federal Regulations, and repair stations certificated under part 145 of such title have in place uniform policies and uniform offerings that ensure pregnant employees can perform required duties safely.

(b) CONSULTATION.—In conducting the review required under subsection (a), the Administrator shall consult with air carriers and repair stations described in subsection (a) and employees of such air carriers and such stations who are required to adhere to a uniform policy.

(c) BRIEFING.—Not later than 2 years after the date of enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the results of the review required under subsection (a).

SEC. 324. EXTENSION OF SAMYA ROSE STUMO NATIONAL AIR GRANT FELLOWSHIP PROGRAM.

Section 131(d) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 40101 note) is amended by striking ''fiscal years 2021 through 2025'' and inserting ''fiscal years 2023 through 2028''.

SEC. 325. PROMOTION OF CIVIL AERONAUTICS AND SAFETY OF AIR COMMERCE.

Section 40104 of title 49, United States Code, is amended—

(1) in subsection (a) by striking ''In carrying out'' and all that follows through ''other interested organizations.'';

(2) by redesignating subsection (d) as subsection (e);

(3) by redesignating subsection (b) as subsection (d); and

(4) by redesignating subsection (c) as subsection (b) and reordering the subsections accordingly.

SEC. 326. EDUCATIONAL AND PROFESSIONAL DEVELOPMENT.

Section 40104 of title 49, United States Code, is further amended by inserting after subsection (b) (as redesignated by section 325) the following:

''(c) EDUCATIONAL AND PROFESSIONAL DEVELOPMENT.—

''(1) IN GENERAL.—In carrying out subsection (a), the Administrator shall support and undertake efforts, including through the National Center for the Advancement of Aerospace, to promote and support the education of current and future aerospace professionals.

''(2) EDUCATION MATERIALS.—Based on the availability of resources, the Administrator shall distribute civil aviation information, and educational materials, and provide expertise to State and local school administrators, college and university officials, and officers of other interested organizations and entities.

''(3) SUPPORT FOR PROFESSIONAL DEVELOPMENT AND CONTINUING EDUCATION.—To the extent a nonprofit organization, association, industry group, educational institution, collective bargaining unit, governmental organization, or other entity that organizes or hosts a lecture, conference, convention, meeting, round table, or any other type of program with the purpose of sharing educational information related to aerospace with a broad audience, the Administrator shall—

''(A) strongly consider accepting an invitation to attend, present, and contribute to content generation; and

''(B) make efforts to share information each year, putting a particular emphasis on reaching audiences consisting of representatives of the Administrator and entities regulated entities by the Administrator.

''(4) CONTENT.—In planning for the opportunities under paragraph (3), the Administrator shall maintain presentations and content covering topics of broad relevance, including—

''(A) ethical decision-making and the responsibilities of aerospace professionals;

''(B) managing a workforce, encouraging proper reporting of prospective safety issues, and educating employees on safety management systems; and

''(C) responsibilities as a designee or representative of the Administrator.''.

SEC. 327. HUMAN FACTORS PROFESSIONALS.

The Administrator of the Federal Aviation Administration shall establish a new work code for human factors professionals who—

(1) perform work involving the design and testing of technologies, processes, and systems which require effective and safe human performance;

(2) generate and apply theories, principles, practical concepts, systems, and processes related to the design and testing of technologies, systems, and training programs to support and evaluate human performance in work contexts; and

(3) meet education or experience requirements as determined by the Administrator.

SEC. 328. AEROMEDICAL INNOVATION AND MODERNIZATION WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a working group (in this section referred to as the ''working group'') to review the medical processes, policies, and procedures of the Administration and to make recommendations to the Administrator on modernizing such processes, policies, and procedures to ensure timely and efficient certification of airmen.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The working group shall consist of—

(A) 2 co-chairs described in paragraph (2); and

(B) not less than 15 individuals appointed by the Administrator, each of whom shall have knowledge or a background in aerospace medicine, psychology, neurology, cardiology, or internal medicine.

(2) CO-CHAIRS.—The working group shall be co-chaired by—

(A) the Federal Air Surgeon of the Federal Aviation Administration; and

(B) a member described under paragraph (1)(A) to be selected by members of the working group.

(3) PREFERENCE.—The Administrator, in appointing members pursuant to paragraph (1)(B), shall give preference to—

(A) Aviation Medical Examiners (as described in section 183.21 of title 14, Code of Federal Regulations);

(B) licensed medical physicians;

(C) practitioners holding a pilot certificate;

(D) individuals having demonstrated research and expertise in aeromedical research or sciences; and

(E) representatives of organizations with memberships affected by the medical processes, policies, and procedures of the Administration.

(c) ACTIVITIES.—In reviewing the aeromedical decision-making processes, policies, and procedures of the Administration in accordance with subsection (a), the working group, at a minimum, shall—

(1) assess the medical conditions an Aviation Medical Examiner may issue a medical certificate directly to an individual;

(2) determine the appropriateness of expanding the list of such medical conditions;

(3) assess the special issuance process;

(4) determine whether the renewal of a special issuance can be based on a medical evaluation and treatment plan by the treating medical specialist of the individual with concurrence from an Aviation Medical Examiner;

(5) evaluate advancements in technologies to address forms of red-green color blindness;

(6) determine whether such technologies may be approved for use by airmen;

(7) review policies and guidance relating to Attention-Deficit Hyperactivity Disorder and Attention Deficit Disorder;

(8) evaluate whether medications used to treat such disorders may be safely prescribed to an airman;

(9) review protocols pertaining to the Human Intervention Motivation Study of the Federal Aviation Administration;

(10) review protocols and policies relating to—

(A) neurological disorders; and

(B) cardiovascular conditions to ensure alignment with medical best practices, latest research;

(11) review mental health protocols, including mental health conditions such as depression and anxiety;

(12) evaluate medications approved for treating such mental health conditions;

(13) assess processes and protocols pertaining to recertification of an airman receiving disability insurance post-recovery from the medical condition, injury, or disability that precludes an airman from exercising the privileges of an airman certificate; and

(14) assess processes and protocols pertaining to the certification of veterans reporting a disability rating from the Department of Veterans Affairs.

(d) PILOT MENTAL HEALTH TASK GROUP.—

(1) ESTABLISHMENT.—Not later than 120 days after the working group pursuant to subsection (a) is established, the co-chairs of such working groups shall establish a pilot mental health task group (referred to in this subsection as the ''task group'') to develop and provide recommendations related to supporting the mental health of aircraft pilots.

(2) COMPOSITION.—The co-chairs of such working group shall appoint—

(A) a Chair of the task group; and

(B) members of the task group from among the members of the working group appointed by the Administrator under subsection (b)(1).

(3) DUTIES.—The duties of the task group shall include—

(A) carrying out the activities described in subsection (c)(11) and subsection (c)(12);

(B) reviewing and evaluating guidance issued by the International Civil Aviation Organization on pilot mental health; and

(C) providing recommendations for—

(i) best practices for detecting, assessing, and reporting mental health conditions and treatment options as part of pilot aeromedical assessments;

(ii) improving the training of aviation medical examiners to identify mental health conditions among pilots, including guidance on referrals to a mental health provider or other aeromedical resource;

(iii) expanding and improving mental health outreach, education, and assistance programs for pilots; and

(iv) reducing the stigma of assistance for mental health in the aviation industry.

(4) REPORT.—Not later than 2 years after the date of the establishment of the task group, the task group shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

(A) the results of the review and evaluation under paragraph (3)(A); and

(B) recommendations developed pursuant to paragraph (3)(C).

(d) SUPPORT.—The Administrator shall seek to enter into one or more agreements with the National Academies to support the activities of the working group described in subsection (c).

(e) FINDINGS; RECOMMENDATIONS.—

(1) FINDINGS.—The working group shall report annually to the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate on findings resulting from the activities carried out pursuant to subsection (c).

(2) RECOMMENDATIONS.—Findings reported pursuant to paragraph (1) shall be accompanied by recommendations for regulatory, policy, or legislative action to improve or modernize the medical certification and aeromedical processes, procedures, and policies of the Administration.

(f) IMPLEMENTATION.—The Administrator shall implement, as appropriate, the recommendations of the working group.

(g) SUNSET.—The working group shall terminate on September 30, 2028.

SEC. 329. FRONTLINE MANAGER WORKLOAD STUDY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Chief Operating Officer of the Air Traffic Organization of the Federal Aviation Administration shall conduct a study on frontline manager workload challenges in air traffic control facilities.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Chief Operating Officer may—

(1) consider—

(A) workload challenges including—

(i) the managerial tasks expected to be performed by frontline managers, including employee development, management, and counseling;

(ii) the number of supervisory positions of operations requiring watch coverage in each air traffic control facility;

(iii) the complexity of traffic and managerial responsibilities; and

(iv) proficiency and training requirements;

(B) facility type;

(C) facility staffing levels; and

(D) any other factors as the Chief Operating Officer considers appropriate; and

(2) describe recommendations for updates to the Frontline Manager's Quick Reference Guide that reflect current operational standards.

(c) BRIEFING.—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the results of the study conducted under subsection (a).

SEC. 330. AGE STANDARDS FOR PILOTS.

Section 44729 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''Subject to the limitation in subsection (c), a'' and inserting ''A''; and

(B) by striking ''65'' and inserting ''67'';

(2) in subsection (b)(1) by striking ''; or'' and inserting '', unless the operation takes place in airspace where such operations are not permitted; or'';

(3) by striking subsection (c) and redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

(4) in subsection (c), as so redesignated—

(A) in the heading by striking ''60'' and inserting ''65'';

(B) by striking ''the date of enactment of this section,'' and inserting ''the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act,'';

(C) by striking ''section 121.383(c)'' and inserting ''subsections (d) and (e) of section 121.383''; and

(D) by inserting ''(or any successor regulations)'' after ''Regulations'';

(5) in subsection (d), as so redesignated—

(A) by striking paragraph (1) and inserting the following:

''(1) RETROACTIVITY.—A person who has attained 65 years of age on or before the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act may return to service as a pilot for an air carrier engaged in covered operations.''; and

(B) in paragraph (2) by striking ''section, taken in conformance with a regulation issued to carry out this section, or taken prior to the date of enactment of this section in conformance with section 121.383(c) of title 14, Code of Federal Regulations (as in effect before such date of enactment), may'' and inserting ''section or taken in conformance with a regulation issued to carry out this section, may''; and

(6) by adding at the end the following:

''(h) SAVINGS CLAUSE.—An air carrier engaged in covered operations described in subsection (b)(1) on or after the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act may not require employed pilots to serve in such covered operations after attaining 65 years of age.''.

TITLE IV—AIRPORT INFRASTRUCTURE

Subtitle A—Airport Improvement Program Modifications

SEC. 401. AIP DEFINITIONS.

(a) IN GENERAL.—Section 47102 of title 49, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) 'air carrier' has the meaning given the term in section 40102.'';

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i) by striking ''and'' at the end;

(ii) in clause (ii) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) a secondary runway at a nonhub airport that is equivalent in size and type to the primary runway of such airport.'';

(B) in subparagraph (B)(iii) by inserting ''and fuel infrastructure'' after ''surveillance equipment'';

(C) in subparagraph (E) by striking ''after December 31, 1991,'';

(D) in subparagraph (K) by striking ''if the airport is located in an air quality nonattainment or maintenance area (as defined in sections 171(2) and 175A of the Clean Air Act (42 U.S.C. 7501(2); 7505a)) and if the airport would be able to receive emission credits, as described in section 47139'';

(E) in subparagraph (L) by striking ''the airport is located in an air quality nonattainment or maintenance area (as defined in sections 171(2) and 175A of the Clean Air Act (42 U.S.C. 7501(2); 7505a)), if the airport would be able to receive appropriate emission credits (as described in section 47139), and'';

(F) in subparagraph (P) by striking ''improve the reliability and efficiency of the airport's power supply'' and inserting ''improve reliability and efficiency of the airport's power supply or meet current and future electrical power demand''; and

(G) by adding at the end the following:

''(S) construction or renovation of childcare facilities for the exclusive use of airport employees or other individuals who work on airport property, including for air carriers and airport concessionaires.

''(T) advanced digital construction management systems and related technology used in the planning, design and engineering, construction, operations, and maintenance of airport facilities.

''(U) an improvement of any runway, taxiway, or apron that would be necessary to sustain commercial service flight operations or permit the resumption of flight operations under visual flight rules following a natural disaster at—

''(i) a primary airport; or

''(ii) a general aviation airport that is designated as a Federal staging area by the Administrator of the Federal Emergency Management Agency.

''(V) any other activity that the Secretary concludes will reasonably improve or contribute to the maintenance of the safety, efficiency, or capacity of the airport.'';

(3) in paragraph (5) by inserting after subparagraph (C) the following:

''(D) assessing current and future electrical power demand.'';

(4) by redesignating paragraphs (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), and (28) as paragraphs (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), and (29), respectively;

(5) by inserting after paragraph (8) the following:

''(9) 'heliport'—

''(A) means an area of land, water, or structure used or intended to be used for the landing or takeoff of aircraft capable of vertical takeoff and landing profiles; and

''(B) includes a vertiport.'';

(6) in paragraph (28) (as so redesignated) by striking ''the Trust Territory of the Pacific Islands,'';

(7) in paragraph (29)(B) (as so redesignated) by striking ''described in section 47119(a)(1)(B)'' and inserting ''for moving passengers and baggage between terminal facilities and between terminal facilities and aircraft''; and

(8) by adding at the end the following:

''(30) 'vertiport' means an area of land, water, or structure used or intended to be used for the landing or takeoff of powered-lift aircraft capable of vertical takeoff and landing profiles.''.

(b) CONFORMING AMENDMENT.—Section 47127(a) of title 49, United States Code, is amended by striking ''air carrier airport'' and inserting ''commercial service airport''.

SEC. 402. REVENUE DIVERSION PENALTY ENHANCEMENT.

(a) IN GENERAL.—Section 47107 of title 49, United States Code, is amended—

(1) in subsection (m)(4) by striking ''an amount equal to'' and inserting ''an amount equal to double''; and

(2) in subsection (n)(1) by striking ''an amount equal to'' and inserting ''an amount equal to double''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall not apply to any illegal diversion of airport revenues (as described in section 47107(m) of title 49, United States Code) that occurred prior to the date of enactment of this Act.

SEC. 403. EXTENSION OF COMPETITIVE ACCESS REPORT REQUIREMENT.

Section 47107(r)(3) of title 49, United States Code, is amended by striking ''2023'' and inserting ''2028''.

SEC. 404. RENEWAL OF CERTAIN LEASES.

Section 47107(t)(2) of title 49, United States Code, is amended—

(1) in subparagraph (A) by striking ''the date of enactment of this subsection'' and inserting ''October 7, 2016''; and

(2) by striking subparagraph (D) and inserting the following:

''(D) that—

''(i) supports the operation of military aircraft by the Air Force or Air National Guard—

''(I) at the airport; or

''(II) remotely from the airport; or

''(ii) is for the use of nonaeronautical land or facilities of the airport by the National Guard.''.

SEC. 405. COMMUNITY USE OF AIRPORT LAND.

Section 47107(v) of title 49, United States Code, is amended to read as follows:

''(v) COMMUNITY USE OF AIRPORT LAND.—

''(1) IN GENERAL.—Notwithstanding subsections (a)(13), (b), and (c), and subject to paragraph (2), the sponsor of a public-use airport shall not be considered to be in violation of this subtitle, or to be found in violation of a grant assurance made under this section, or under any other provision of law, as a condition for the receipt of Federal financial assistance for airport development, solely because the sponsor has—

''(A) entered into an agreement, including a revised agreement, with a local government providing for the use of airport property for an interim compatible recreational purpose at below fair market value; or

''(B) permanently restricted the use of airport property to compatible recreational and public park use without paying or otherwise obtaining payment of fair market value for the property.

''(2) RESTRICTIONS.—

''(A) INTERIM COMPATIBLE RECREATIONAL PURPOSE.—Paragraph (1) shall apply, with respect to a sponsor that has taken the action described in subparagraph (A) of such paragraph, only—

''(i) to an agreement regarding airport property that was initially entered into before the publication of the Federal Aviation Administration's Policy and Procedures Concerning the Use of Airport Revenue, dated February 16, 1999;

''(ii) if the agreement between the sponsor and the local government is subordinate to any existing or future agreements between the sponsor and the Secretary, including agreements related to a grant assurance under this section;

''(iii) to airport property that was acquired under a Federal airport development grant program;

''(iv) if the airport sponsor has provided a written statement to the Administrator that the property made available for a recreational purpose will not be needed for any aeronautical purpose during the next 10 years;

''(v) if the agreement includes a term of not more than 2 years to prepare the airport property for the interim compatible recreational purpose and not more than 10 years of use for that purpose;

''(vi) if the recreational purpose will not impact the aeronautical use of the airport;

''(vii) if the airport sponsor provides a certification that the sponsor is not responsible for preparation, startup, operations, maintenance, or any other costs associated with the recreational purpose; and

''(viii) if the recreational purpose is consistent with Federal land use compatibility criteria under section 47502.

''(B) PERMANENT RECREATIONAL USE.—Paragraph (1) shall apply, with respect to a sponsor that has taken the action described in subparagraph (B) of such paragraph, only—

''(i) to airport property that was purchased using funds from a Federal grant for acquiring land issued prior to December 30, 1987;

''(ii) to airport property that has been continuously used as a recreational and public park since January 1, 1995;

''(iii) if the airport sponsor has provided a written statement to the Administrator that the property to be permanently restricted for recreational and public park use is not needed for any aeronautical use at the time the written statement is provided and is not expected to be needed for any aeronautical use at any time after such statement is provided;

''(iv) if the recreational and public park use does not impact the aeronautical use of the airport;

''(v) if the airport sponsor provides a certification that the sponsor is not responsible for operations, maintenance, or any other costs associated with the recreational and public park use;

''(vi) if the recreational purpose is consistent with Federal land use compatibility criteria under section 47502;

''(vii) if, in the event the airport sponsor leases the property, the lease will be to a local government entity or nonprofit entity to operate and maintain the property at no cost the airport sponsor; and

''(viii) if, in the event the airport sponsor sells the property, the sale will be to a local government entity and subject to a permanent deed restriction ensuring compatible airport use under regulations issued pursuant to section 47502.

''(3) REVENUE FROM CERTAIN SALES OF AIRPORT PROPERTY.—Notwithstanding any other provision of law, an airport sponsor selling a portion of airport property as described in paragraph (2)(B)(viii)(II) may—

''(A) sell such portion of airport property for less than fair market value; and

''(B) subject to the requirements of subsection (b), retain the revenue from the sale of such portion of airport property.

''(4) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed as permitting a diversion of airport revenue for the capital or operating costs associated with the community use of airport land.''.

SEC. 406. PRICE ADJUSTMENT PROVISIONS.

Section 47108 of title 49, United States Code, is amended—

(1) in subsection (a) by striking ''47114(d)(3)(A) of this title'' and inserting ''47114(d)(2)(A)'';

(2) by striking subsection (b) and inserting the following:

''(b) INCREASING GOVERNMENT SHARE.—

''(1) IN GENERAL.—Except as provided in paragraph (2) or (3), the amount stated in an offer as the maximum amount the Government will pay may not be increased when the offer has been accepted in writing.

''(2) EXCEPTION.—For a project receiving assistance under a grant approved under this chapter or chapter 475, the amount may be increased—

''(A) for an airport development project, by not more than 15 percent; and

''(B) to acquire an interest in land for an airport (except a primary airport), by not more than the greater of the following, based on current creditable appraisals or a court award in a condemnation proceeding:

''(i) 15 percent; or

''(ii) 25 percent of the total increase in allowable project costs attributable to acquiring an interest in land.

''(3) PRICE ADJUSTMENT PROVISIONS.—

''(A) IN GENERAL.—The Secretary may incorporate a provision in a project grant agreement under which the Secretary agrees to pay more than the maximum amount otherwise specified in the agreement if the Secretary finds that commodity or labor prices have increased since the agreement was made.

''(B) DECREASE IN COSTS.—A provision incorporated in a project grant agreement under this paragraph shall ensure that the Secretary realizes any financial benefit associated with a decrease in material or labor costs for the project.'';

(3) by striking subsection (c); and

(4) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 407. ALLOWABLE PROJECT COSTS AND LETTERS OF INTENT.

Section 47110 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1) by striking ''after May 13, 1946, and''; and

(B) in paragraph (1)—

(i) by inserting ''or preparing for'' after ''formulating''; and

(ii) by inserting ''utility relocation, work site preparation,'' before ''and administration'';

(2) in subsection (d)(1) by striking ''section 47114(c)(1) or 47114(d)'' and inserting ''section 47114 or distributed from the small airport fund under section 47116'';

(3) in subsection (e)(2)(C) by striking ''commercial service airport having at least 0.25 percent of the boardings each year at all such airports'' and inserting ''medium hub airport or large hub airport'';

(4) in subsection (h) by striking ''section 47114(d)(3)(A)'' and inserting ''section 47114(c)(1)(D) or section 47114(d)(2)(A)''; and

(5) by striking subsection (i).

SEC. 408. SMALL AIRPORT LETTERS OF INTENT.

(a) IN GENERAL.—Section 47110 of title 49, United States Code, is further amended by adding at the end the following:

''(i) SMALL AIRPORT LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary may issue a letter of intent to a sponsor stating an intention to obligate an amount from future budget authority for an airport development project (including costs of formulating the project) at a nonhub airport or an airport that is not a primary airport. The letter shall establish a schedule under which the Secretary will reimburse the sponsor for the Government's share of allowable project costs, as amounts become available, if the sponsor, after the Secretary issues the letter, carries out the project without receiving amounts under this subchapter.

''(2) LIMITATIONS.—The amount the Secretary intends to obligate in a letter of intent issued under this subsection shall not exceed the larger of—

''(A) the Government's share of allowable project costs; or

''(B) $10,000,000.

''(3) FINANCING.—Allowable project costs under paragraph (1) may include costs associated with making payments for debt service on indebtedness incurred to carry out the project.

''(4) REQUIREMENTS.—The Secretary shall only issue a letter of intent under paragraph (1) if—

''(A) the sponsor notifies the Secretary, before the project begins, of the sponsor's intent to carry out the project and requests a letter of intent; and

''(B) the sponsor agrees to comply with all statutory and administrative requirements that would apply to the project if it were carried out with amounts made available under this subchapter.

''(5) ASSESSMENT.—In reviewing a request for a letter of intent under this subsection, the Secretary shall consider the grant history of an airport, the airport's enplanements or operations, and such other factors as the Secretary determines appropriate.

''(6) PRIORITIZATION.—In issuing letters of intent under this subsection, the Secretary shall—

''(A) prioritize projects that—

''(i) cannot reasonably be funded by an airport sponsor using funds apportioned under section 47114(c), 47114(d)(2)(A)(i), or 47114(d)(6), including funds apportioned under those sections in multiple fiscal years pursuant to section 47117(b)(1); and

''(ii) are necessary to an airport's continued safe operation or development; and

''(B) structure the reimbursement schedules under such letters in a manner that minimizes unnecessary or undesirable project segmentation.

''(7) REQUIRED USE.—

''(A) IN GENERAL.—Beginning in fiscal year 2028, and in each fiscal year thereafter, the Secretary shall ensure that not less than $100,000,000 is committed to be reimbursed in such fiscal year pursuant to letters of intent issued under this subsection.

''(B) WAIVER.—The Secretary may waive the requirement under subparagraph (A) for a fiscal year if the Secretary determines there are insufficient letter of intent requests that meet the requirements of paragraph (4). Upon such waiver, the Secretary shall provide a briefing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the reasons contributing to the need for such waiver and the actions the Secretary intends to take to ensure that there are sufficient letter of intent requests that meet the requirements of paragraph (4) in the fiscal year succeeding the fiscal year for which the Secretary issued such waiver.

''(C) RESTRICTION.—The total estimated amount of future Government obligations covered by all outstanding letters of intent under paragraph (1) may not be more than the amount authorized to carry out section 48103 of this title, less an amount reasonably estimated by the Secretary to be needed for grants under section 48103 that are not covered by a letter.

''(8) NO OBLIGATION OR COMMITMENT.—A letter of intent issued under this subsection is not an obligation of the Government under section 1501 of title 31, and the letter is not deemed to be an administrative commitment for financing. An obligation or administrative commitment may be made only as amounts are provided in authorization and appropriation laws.

''(9) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to prohibit the obligation of amounts pursuant to a letter of intent under this subsection in the same fiscal year as the letter of intent is issued.''.

(b) CONFORMING AMENDMENTS.—

(1) LETTERS OF INTENT.—Section 47110(e)(7) of title 49, United States Code, is amended by striking ''under this section'' and inserting ''under this subsection''.

(2) PRIORITY FOR LETTERS OF INTENT.—Section 47115(h) of title 49, United States Code, is amended by inserting ''prior to fulfilling intentions to obligate under section 47110(i)'' after ''section 47110(e)''.

SEC. 409. PROHIBITION ON USE OF AIP FUNDS TO PROCURE CERTAIN PASSENGER BOARDING BRIDGES.

Section 47110 of title 49, United States Code, is further amended by adding at the end the following:

''(j) ADDITIONAL NONALLOWABLE COSTS.—

''(1) IN GENERAL.—A cost is not an allowable airport development project cost under this chapter if the cost relates to a contract for procurement or installation of a passenger boarding bridge if the contract is with an entity on the list required under paragraph (2).

''(2) REQUIRED LIST.—Not later than 30 days after the date of enactment of this subsection, the Secretary shall, based on information provided by the United States Trade Representative and the Attorney General, publish and annually update a list of entities manufacturing airport passenger boarding bridges—

''(A) that are owned, directed, or subsidized by the People's Republic of China; and

''(B) that—

''(i) have been determined by a Federal court to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States; or

''(ii) own or control, are owned or controlled by, are under common ownership or control with, or are successors to, an entity described in clause (i).''.

SEC. 410. FUEL INFRASTRUCTURE.

Section 47110 of title 49, United States Code, is further amended by adding at the end the following:

''(k) FUEL INFRASTRUCTURE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may decide that covered costs are allowable for an airport development project at a primary or nonprimary airport where such costs are paid for with funds apportioned to the sponsor of such airport under section 47114 or provided pursuant to section 47115.

''(2) PRIORITIZATION.—If the Secretary makes grants from the discretionary fund under section 47115 for covered costs, the Secretary shall prioritize providing such grants to general aviation airports.

''(3) COVERED COSTS DEFINED.—In this subsection, the term 'covered costs'—

''(A) means construction costs related to an airport-owned—

''(i) aeronautical fueling system for unleaded fuel; and

''(ii) fueling systems for type certificated hydrogen-powered aircraft; and

''(B) may include capital costs for fuel farms and other equipment and infrastructure used for the delivery and storage of fuel.''.

SEC. 411. APPORTIONMENTS.

(a) PRIMARY, COMMERCIAL SERVICE, AND CARGO AIRPORTS.—

(1) PRIMARY AND COMMERCIAL SERVICE AIRPORTS.—Section 47114(c)(1) of title 49, United States Code, is amended to read as follows:

''(1) PRIMARY AND COMMERCIAL SERVICE AIRPORTS.—

''(A) PRIMARY AIRPORT APPORTIONMENT.—The Secretary shall apportion to the sponsor of each primary airport for each fiscal year an amount equal to—

''(i) $15.60 for each of the first 50,000 passenger boardings at the airport during the prior calendar year;

''(ii) $10.40 for each of the next 50,000 passenger boardings at the airport during the prior calendar year;

''(iii) $5.20 for each of the next 400,000 passenger boardings at the airport during the prior calendar year;

''(iv) $1.30 for each of the next 500,000 passenger boardings at the airport during the prior calendar year; and

''(v) $1.00 for each additional passenger boarding at the airport during the prior calendar year.

''(B) MINIMUM AND MAXIMUM APPORTIONMENTS.—Not less than $1,300,000 nor more than $22,000,000 may be apportioned under subparagraph (A) to an airport sponsor for a primary airport for each fiscal year.

''(C) NEW AIRPORT.—Notwithstanding subparagraph (A), the Secretary shall apportion in the first fiscal year following the official opening of a new airport with scheduled passenger air transportation an amount equal to $1,300,000 to the sponsor of such airport.

''(D) NONPRIMARY COMMERCIAL SERVICE AIRPORT APPORTIONMENT.—

''(i) IN GENERAL.—The Secretary shall apportion to each commercial service airport that is not a primary airport an amount equal to—

''(I) $60 for each of the first 2,500 passenger boardings at the airport during the prior calendar year; and

''(II) $153.33 for each of the next 7,499 passenger boardings at the airport during the prior calendar year.

''(ii) APPLICABILITY.—Paragraphs (4) and (5) of subsection (d) shall apply to funds apportioned under this subparagraph.

''(E) SPECIAL RULE FOR AIR RESERVE STATIONS.—Notwithstanding section 47102, the Secretary shall consider a public-use airport that is co-located with an air reserve station to be a primary airport for purposes of this chapter.

''(F) SPECIAL RULE FOR FISCAL YEARS 2024 AND 2025.—Notwithstanding any other provision of this paragraph or the absence of scheduled passenger service at an airport, the Secretary shall apportion in fiscal years 2024 and 2025 to the sponsor of an airport an amount based on the number of passenger boardings at the airport during whichever of the following years that would result in the highest apportioned amount under this paragraph:

''(i) Calendar year 2018.

''(ii) Calendar year 2019.

''(iii) The prior full calendar year prior to the current fiscal year.''.

(2) CARGO AIRPORTS.—Section 47114(c)(2) of title 49, United States Code, is amended—

(A) in subparagraph (A)—

(i) by striking ''3.5'' and inserting ''4''; and

(ii) by striking ''100,000,000 pounds'' and inserting ''25,000,000 pounds'';

(B) by striking subparagraph (C); and

(C) by redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively.

(b) GENERAL AVIATION AIRPORTS.—Section 47114(d) of title 49, United States Code, is amended—

(1) in paragraph (3)—

(A) in the heading by striking ''SPECIAL RULE'' and inserting ''APPORTIONMENT'';

(B) by striking ''excluding primary airports but including reliever and nonprimary commercial service airports'' each place it appears and inserting ''excluding commercial service airports but including reliever airports'';

(C) in the matter preceding subparagraph (A) by striking ''20 percent'' and inserting ''25 percent''; and

(D) by striking subparagraphs (C) and (D) and inserting the following:

''(C) An airport that has previously been listed as unclassified under the national plan of integrated airport systems that has reestablished the classified status of such airport as of the date of apportionment shall be eligible to accrue apportionment funds pursuant to subparagraph (A) so long as such airport retains such classified status.'';

(2) in paragraph (4)—

(A) in the heading by striking ''AIRPORTS IN ALASKA, PUERTO RICO, AND HAWAII'' and inserting ''AIRPORTS IN NONCONTIGUOUS STATES AND TERRITORIES'';

(B) by striking ''An amount apportioned under paragraph (2) or (3)'' and inserting the following:

''(A) ALASKA, PUERTO RICO, AND HAWAII.—An amount apportioned under this subsection''; and

(C) by adding at the end the following:

''(B) OTHER TERRITORIES.—An amount apportioned under paragraph (2)(B)(i) may be made available by the Secretary for any public-use airport in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands if the Secretary determines that there are insufficient qualified grant applications for projects at airports that are otherwise eligible for funding under that paragraph. The Secretary shall prioritize the use of such amounts in the territory the amount was originally apportioned in.'';

(3) in paragraph (5) by inserting ''or subsection (c)(1)(D)'' after ''under this subsection'';

(4) in paragraph (6)—

(A) by striking ''provision of this subsection'' and inserting ''provision of this section''; and

(B) by inserting ''or subsection (c)(1)(D)'' after ''under this subsection'';

(5) by striking paragraph (2); and

(6) by redesignating paragraphs (3) through (7) as paragraphs (2) through (6), respectively.

(c) CONFORMING AMENDMENT.—Section 47106(a)(7) of title 49, United States Code, is amended by striking ''section 47114(d)(3)(B)'' and inserting ''section 47114(d)(2)(B)''

SEC. 412. PFC TURNBACK REDUCTION.

(a) IN GENERAL.—Section 47114(f) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''sponsor of an airport having at least .25 percent of the total number of boardings each year in the United States and'' and inserting ''sponsor of a medium or large hub airport''; and

(B) in subparagraph (B) by striking ''75 percent'' and inserting ''60 percent'' each place it appears; and

(2) by striking paragraphs (2) and (3) and inserting the following:

''(2) EFFECTIVE DATE OF REDUCTION.—

''(A) NEW CHARGE COLLECTION.—A reduction in an apportionment under paragraph (1) shall not take effect until the first fiscal year following the year in which the collection of the charge imposed under section 40117 has begun.

''(B) NEW CATEGORIZATION.—A reduction in an apportionment under paragraph (1) shall only be applied to an airport if such airport has been designated as a medium or large hub airport for 3 consecutive years.''.

(b) APPLICABILITY.—For an airport that increased in categorization from a small hub to a medium hub in any fiscal year beginning after the date of enactment of the FAA Reauthorization Act of 2018 (Public Law 115–254) and prior to the date of enactment of this Act, the amendment to section 47114(f)(2) of title 49, United States Code, under subsection (a) shall be applied as though the airport increased in categorization from a small hub to a medium hub in the calendar year prior to the first fiscal year in which such amendment is applicable.

SEC. 413. TRANSFER OF AIP SUPPLEMENTAL FUNDS TO FORMULA PROGRAM.

Section 47115(j) of title 49, United States Code, is amended—

(1) in paragraph (3) by striking subparagraph (B) and inserting the following:

''(B) MINIMUM ALLOCATION.—Not more than 25 percent of the amounts available under this subsection shall be used to provide grants at nonhub and small hub airports.

''(C) PRIORITIZATION.—In making grants under this subsection, the Secretary shall prioritize projects that reduce runway incursions or increase runway or taxiway safety.'';

(2) in paragraph (4)(A) by striking clause (v) and inserting the following:

''(v) $1,110,000,000 for fiscal year 2023.

''(vi) $100,000,000 for fiscal year 2024.

''(vii) $100,000,000 for fiscal year 2025.

''(viii) $100,000,000 for fiscal year 2026.

''(ix) $100,000,000 for fiscal year 2027.

''(x) $100,000,000 for fiscal year 2028.''; and

(3) in paragraph (4)(B) by striking ''2 fiscal years'' and inserting ''3 fiscal years''.

SEC. 414. SMALL AIRPORT FUND.

Section 47116 of title 49, United States Code, is amended—

(1) in subsection (b) by striking paragraphs (1) and (2) and inserting the following:

''(1) Not more than 25 percent for grants for projects at small hub airports.

''(2) Not less than 25 percent for grants to sponsors of public-use airports (except commercial service airports).

''(3) Not less than 50 percent for grants to sponsors of commercial service airports that are not larger than a nonhub airport.'';

(2) in subsection (d)—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2); and

(3) by striking subsections (e) and (f) and inserting the following:

''(e) GENERAL AVIATION HANGARS AND TRANSIENT APRONS.—In distributing amounts from the fund described in subsection (a) to sponsors described in subsection (b)(2) and (b)(3)—

''(1) 5 percent of each amount shall be used for projects to construct aircraft hangars that are not larger than 5,000 square feet; and

''(2) 5 percent of each amount shall be used for projects to construct or rehabilitate aprons intended to be used for itinerant general aviation aircraft parking.''.

SEC. 415. REVISION OF DISCRETIONARY CATEGORIES.

Section 47117 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)(i) by striking ''or (3)(A), whichever is applicable''; and

(B) in subparagraph (B)—

(i) by striking ''section 47114(d)(3)(A)'' and inserting ''section 47114(d)(2)(A)''; and

(ii) by striking ''section 47114(d)(3)(B)'' and inserting ''section 47114(d)(2)(B)'';

(2) in subsection (c)(2) by striking ''47114(d)(3)(A)'' and inserting ''47114(d)(2)(A)'';

(3) in subsection (d)—

(A) in paragraph (1) by striking ''section 47114(d)(2)(A) of this title'' and inserting ''section 47114(d)(2)(B)(i)''; and

(B) in paragraph (2)—

(i) by striking ''section 47114(d)(2)(B) or (C)'' and inserting ''section 47114(d)(2)(B)(ii) or (iii)'' in each place it appears; and

(ii) by striking ''of this title'';

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''$300,000,000'' and inserting ''$200,000,000'';

(II) by striking ''for compatible land use planning and projects carried out by State and local governments under section 47141,'';

(III) by striking ''section 47102(3)(Q)'' and inserting ''subparagraphs (O) through (Q) of section 47102(3)'';

(IV) by striking ''to comply with the Clean Air Act (42 U.S.C. 7401 et seq.)''; and

(V) by adding at the end the following: ''The Secretary shall provide not less than two-thirds of amounts under this subparagraph and paragraph (3) for grants to sponsors of small hub, medium hub, and large hub airports.''; and

(ii) by striking subparagraph (C); and

(B) by striking paragraph (3) and inserting the following:

''(3) SPECIAL RULE.—Beginning in fiscal year 2025, if the amount made available under paragraph (1)(A) was not equal to or greater than $150,000,000 in the preceding fiscal year, the Secretary shall issue grants for projects eligible under paragraph (1)(A) from apportionments made under section 47114 that are not required during the fiscal year to fund a grant for which such apportionments may be used in an amount that is not less than—

''(A) $150,000,000; minus

''(B) the amount made available under paragraph (1)(A) in the preceding fiscal year.''; and

(5) in subsection (f)(1) by striking ''Subject to paragraph (2)'' and inserting ''Subject to paragraph (2) and except as provided in section 47116(a)(2)''.

SEC. 416. TERMINAL DEVELOPMENT.

Section 47119 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''in a nonrevenue-producing public-use area of a commercial service airport'' and all that follows through ''of the Government'' and inserting the following: ''at an airport if the sponsor certifies that the airport, on the date the grant application is submitted to the Secretary, has—

''(A) that any necessary airport development project affecting airport safety, security, or capacity will not be deferred if the Secretary approves a terminal development project under this section; and

''(B) provided for access by passengers to the area of the airport for boarding or exiting aircraft that are not air carrier aircraft.''; and

(B) in paragraph (2) by striking ''parking lot if'' and all that follows through ''Secretary's approval'' and inserting ''parking lot'';

(2) by striking subsections (b), (e) and (f);

(3) by redesignating subsection (c) and (d) as subsections (b) and (c), respectively; and

(4) in subsection (b) (as so redesignated) by striking paragraphs (1) through (5) and inserting the following:

''(1) any part of amounts apportioned to an airport sponsor under subsection (c) or (d) of section 47114 to pay project costs allowable under subsection (a);

''(2) on the approval of the Secretary, any part of amounts that may be distributed for the fiscal year from the discretionary fund established under section 47115 to the sponsor of an airport to pay project costs allowable under subsection (a);

''(3) on the approval of the Secretary, any part of amounts that may be distributed for the fiscal year from the small airport fund established under section 47116 to the sponsor of an airport eligible to receive funds under section 47116 to pay project costs allowable under subsection (a);''.

SEC. 417. STATE BLOCK GRANT PROGRAM.

(a) OFFSETTING ADMINISTRATIVE EXPENSES BURDEN ON STATES.—Section 47109(a)(2) of title 49, United States Code, is amended by striking ''90 percent'' and inserting ''91 percent''.

(b) TRAINING.—Section 47128 of title 49, United States Code, is amended by adding at the end the following:

''(e) TRAINING FOR PARTICIPATING STATES.—

''(1) IN GENERAL.—The Secretary shall provide to each State participating in the block grant program under this section training or updated training materials for the administrative responsibilities assumed by the State under such program at no cost to the State.

''(2) TIMING.—The training or updated training materials provided under paragraph (1) shall be provided at least once during each 2-year period and at any time there is a material change in the program.''.

(c) ADMINISTRATION.—Section 47128 of title 49, United States Code, is further amended by adding at the end the following:

''(f) ROLES AND RESPONSIBILITIES OF PARTICIPATING STATES.—

''(1) AIRPORTS.—Unless a State participating in the block grant program under this section expressly agrees in a memorandum of agreement, the Secretary shall not require the State to manage functions and responsibilities for airport actions or projects that do not relate to such program.

''(2) PROGRAM DOCUMENTATION.—Any grant agreement providing funds to be administered under such program shall be consistent with the most recently executed memorandum of agreement between the State and the Federal Aviation Administration. The Administrator of the Federal Aviation Administration shall provide parity to participating States and shall only require the same type of information and level of detail for any program agreements and documentation that the Administrator would perform with respect to such action if the State did not participate in the program.

''(3) RESPONSIBILITIES.—The Administrator shall retain responsibility for the following, unless expressly agreed to by the State:

''(A) Grant compliance investigations, determinations, and enforcement.

''(B) Obstruction evaluation and airport airspace analysis, determinations, and enforcement off airport property.

''(C) Non-rulemaking analysis, determinations, and enforcement for proposed improvements on airport properties not associated with this subchapter, or off airport property.

''(D) Land use determinations under section 163 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47107 note), compatibility planning, and airport layout plan review and approval for projects not funded by amounts available under this subchapter.

''(E) Nonaeronautical and special event recommendations and approvals.

''(F) Instrument approach procedure evaluations and determinations.

''(G) Environmental review for projects not funded by amounts available under this subchapter.

''(H) Review and approval of land leases, land releases, changes in on-airport land-use designation, and through-the-fence agreements.''.

(d) REPORT.—The Comptroller General of the United States shall issue a report on the Office of Airports of the Federal Aviation Administration and the airport improvement program under subchapter I of chapter 471 and chapter 475 of title 49, United States Code, and include in such report a description of—

(1) the responsibilities of States participating in the block grant program under section 47128 of title 49, United States Code; and

(2) the impact of title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) and other Federal administrative funding sources on the ability of such States to disburse and administer airport improvement program funds.

(e) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports the disbursement of a percentage of administrative funds made available under the heading ''Federal Aviation Administration—Airport Infrastructure Grants'' in title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) to non-primary airports participating in the State's block grant program each fiscal year of the Airport Infrastructure Grants program.

SEC. 418. INNOVATIVE FINANCING TECHNIQUES.

Section 47135 of title 49, United States Code, is amended—

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

''(a) AUTHORITY.—

''(1) IN GENERAL.—The Secretary of Transportation may approve an application by an airport sponsor to use grants received under this subchapter for innovative financing techniques related to an airport development project that is located at an airport that is not a large hub airport.

''(2) APPROVAL.—The Secretary may approve not more than 30 applications described under paragraph (1) in a fiscal year.

''(b) PURPOSES.—The purpose of grants made under this section shall be to—

''(1) provide information on the benefits and difficulties of using innovative financing techniques for airport development projects;

''(2) lower the total cost of an airport development project; or

''(3) expedite the delivery or completion of an airport development project without reducing safety or causing environmental harm.''; and

(2) in subsection (c)(2)—

(A) in subparagraph (C) by striking ''and'' at the end;

(B) in subparagraph (D) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(E) any other techniques that the Secretary determines are consistent with the purposes of this section.''.

SEC. 419. LONG-TERM MANAGEMENT PLANS.

Section 47136(c) of title 49, United States Code is amended—

(1) by striking ''applicants that will'' and inserting the following: ''applicants that—

''(1) will'';

(2) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(2) provide a long-term management plan for eligible vehicles and equipment that includes the existing and future infrastructure requirements of the airport related to such vehicles and equipment.''.

SEC. 420. ALTERNATIVE PROJECT DELIVERY.

(a) IN GENERAL.—Section 47142 of title 49, United States Code, is amended—

(1) in the section heading by striking ''***Design-build contracting***'' and inserting ''***Alternative project delivery***'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''Administrator of the Federal Aviation Administration'' and inserting ''Secretary of Transportation''; and

(ii) by striking ''award a design-build'' and inserting ''award a covered project delivery'';

(B) in paragraph (2) by striking ''design-build'' and inserting ''covered project delivery''; and

(C) in paragraph (4) by striking ''design-build contract will'' and inserting ''covered project delivery contract is projected to''; and

(3) by striking subsection (c) and inserting the following:

''(c) COVERED PROJECT DELIVERY CONTRACT DEFINED.—In this section, the term 'covered project delivery contract' means—

''(1) an agreement that provides for both design and construction of a project by a contractor; or

''(2) a single contract for the delivery of a whole project that—

''(A) includes, at a minimum, the sponsor, builder, and architect-engineer as parties that are subject to the terms of the contract;

''(B) aligns the interests of all the parties to the contract with respect to the project costs and project outcomes; and

''(C) includes processes to ensure transparency and collaboration among all parties to the contract relating to project costs and project outcomes.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 471 of title 49, United States Code, is amended by striking the item relating to section 47142 and inserting the following:

''47142. Alternative project delivery.''.

SEC. 421. NONMOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEMS PILOT PROGRAM.

Section 47143(c) of title 49, United States Code, is amended by striking ''2023'' and inserting ''2028''.

SEC. 422. REPEAL OF OBSOLETE CRIMINAL PROVISIONS.

Section 47306 of title 49, United States Code, and the item relating to such section in the analysis for chapter 473 of such title, are repealed.

SEC. 423. LIMITATION ON CERTAIN ROLLING STOCK PROCUREMENTS.

(a) IN GENERAL.—Section 50101 of title 49, United States Code, is amended—

(1) by striking ''(except section 47127)'' each place it appears; and

(2) by adding at the end the following:

''(d) LIMITATION ON CERTAIN ROLLING STOCK PROCUREMENTS.—

''(1) IN GENERAL.—Financial assistance made available under the provisions described in subsection (a) shall not be used in awarding a contract or subcontract to an entity on or after the date of enactment of this subsection for the procurement of rolling stock for use in an airport-related project if the manufacturer of the rolling stock—

''(A) is incorporated in or has manufacturing facilities in the United States; and

''(B) is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

''(i) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this subsection;

''(ii) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a foreign country included on the priority watch list defined in subsection (g)(3) of that section; and

''(iii) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

''(2) EXCEPTION.—

''(A) IN GENERAL.—For purposes of paragraph (1), the term 'otherwise related legally or financially' does not include—

''(i) a minority relationship or investment; or

''(ii) relationship with or investment in a subsidiary, joint venture, or other entity based in a country described in paragraph (1)(B) that does not export rolling stock or components of rolling stock for use in the United States.

''(B) CORPORATION BASED IN PEOPLE'S REPUBLIC OF CHINA.—Notwithstanding subparagraph (A)(i), for purposes of paragraph (1), the term 'otherwise related legally or financially' includes a minority relationship or investment if the relationship or investment involves a corporation based in the People's Republic of China.

''(3) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.''.

(b) CONFORMING AMENDMENTS.—

(1) RESTRICTING CONTRACT AWARDS BECAUSE OF DISCRIMINATION AGAINST UNITED STATES GOODS OR SERVICES.—Section 50102 of title 49, United States Code, is amended by striking ''(except section 47127)''.

(2) RESTRICTION ON AIRPORT PROJECTS USING PRODUCTS OR SERVICES OF FOREIGN COUNTRIES DENYING FAIR MARKET OPPORTUNITIES.—Section 50104(b) of title 49, United States Code, is amended by striking ''(except section 47127)''.

(3) FRAUDULENT USE OF MADE IN AMERICA LABEL.—Section 50105 of title 49, United States Code, is amended by striking ''(except section 47127)''.

SEC. 424. REGULATORY APPLICATION.

Section 40113(f) of title 49, United States Code, is amended—

(1) by inserting ''or in administering the Airport Improvement Program under chapter 471'' after ''Code of Federal Regulations,''; and

(2) by inserting ''or administrative'' after ''regulatory''.

SEC. 425. NATIONAL PRIORITY SYSTEM FORMULAS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review and update the National Priority System prioritization formulas contained in Federal Aviation Administration Order 5090.5 to account for the amendments to chapter 471 of title 49, United States Code, made by this Act.

(b) REQUIRED CONSULTATION.—In revising the formulas under subsection (a), the Secretary shall consult with representatives of the following:

(1) Primary airports, including large, medium, small, and nonhub airports.

(2) Non-primary airports, including general aviation airports.

(3) Airport trade associations, including trade associations representing airport executives.

(4) State aviation officials, including associations representing such officials.

(5) Air carriers, including mainline, regional, and low cost air carriers.

(6) Associations representing air carriers.

(c) PRIORITY PROJECTS.—In revising the formulas under subsection (a), the Secretary shall assign the highest priority to projects that increase or maintain the safety, efficiency, and capacity of the aviation system.

SEC. 426. MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.

(a) FINDINGS.—Congress finds the following:

(1) While significant progress has occurred due to the establishment of the airport disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program under sections 47113 and 47107(e) of title 49, United States Code, respectively, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in airport-related markets across the Nation.

(2) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and

discrimination lawsuits. Such testimony and documentation show that race- and gender-neutral efforts alone are insufficient to address the problem.

(3) The testimony and documentation described in paragraph (2) demonstrate that race and gender discrimination poses a barrier to full and fair participation in airport-related businesses of women business owners and minority business owners in the racial groups detailed in parts 23 and 26 of title 49, Code of Federal Regulations, and has impacted firm development and other aspects of airport-related business in the public and private markets.

(4) The testimony and documentation described in paragraph (2) provide a strong basis that there is a compelling need for the continuation of the airport disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program to address race and gender discrimination in airport-related business.

(b) SUPPORTIVE SERVICES.—Section 47113 of title 49, United States Code, is amended by adding at the end the following:

''(f) SUPPORTIVE SERVICES.—

''(1) IN GENERAL.—The Secretary of Transportation, in coordination with the Administrator of the Federal Aviation Administration, may, at the request of an airport sponsor, provide assistance under a grant issued under this subchapter to develop, conduct, and administer training programs and assistance programs in connection with any airport improvement project subject to part 26 of title 49, Code of Federal Regulations, for small business concerns referred to in subsection (b) to achieve proficiency to compete, on an equal basis for contracts and subcontracts related to such projects.

''(2) ELIGIBLE ENTITIES.—An entity eligible to receive assistance under this section is—

''(A) a State;

''(B) a political subdivision of a State or local government;

''(C) a Tribal government;

''(D) an airport sponsor;

''(E) a metropolitan planning organization;

''(F) a group of entities described in subparagraphs (A) through (E); or

''(G) any other organization considered appropriate by the Secretary.''.

SEC. 427. AIRPORT ACCESS ROADS IN REMOTE LOCATIONS.

Section 162 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47102 note) is amended in the matter preceding paragraph (1) by striking ''2023'' and inserting ''2028''.

SEC. 428. LIMITED REGULATION OF NONFEDERALLY SPONSORED PROPERTY.

Section 163 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47107 note) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) LIMITED REGULATION.—Except as provided in subsection (b), the Secretary of Transportation may not require an airport to seek approval for (including in the submission of an airport layout plan), or directly or indirectly regulate (including through any grant assurance)—

''(A) the acquisition, use, lease, encumbrance, transfer, or disposal of land (including any portion of such land) by an airport sponsor; or

''(B) the construction, development, improvement, use, or removal of any facility (including any portion of such facility) upon such land.

''(2) BURDEN OF DEMONSTRATING APPLICABILITY.—The burden of demonstrating the nonapplicability of paragraph (1), or the applicability of an exception under subsection (b), shall be on the Secretary.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ''regulation'' and inserting ''law, regulation, or grant assurance''; and

(ii) in subparagraph (A) by striking ''aircraft operations'' and inserting ''aircraft operations that occur or are projected to occur at an airport as described in an airport's master plan'';

(B) in paragraph (2) by striking ''facility'' and inserting ''facility that the Secretary demonstrates was''; and

(C) in paragraph (3) by striking ''contained'' and inserting ''that the Secretary demonstrates is contained''; and

(3) by striking subsection (c) and inserting the following:

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to affect the applicability of sections 47107(b) or 47133 of title 49, United States Code, to revenues generated by the use, lease, encumbrance, transfer, or disposal of land under subsection (a), facilities upon such land, or any portion of such land or facilities; or

''(2) to limit the Secretary's authority to approve or regulate airport projects (or portions of airport projects) that are not subject to the provisions of subsection (a).''.

SEC. 429. MOTORCOACH ENPLANEMENT PILOT PROGRAM.

With respect to fiscal years 2024 through 2028, passengers who board a motorcoach at an airport that is chartered or provided by an air carrier to transport such passengers to another airport at which the passengers board an aircraft in service in air commerce, that entered the sterile area of the airport at which such passengers initially boarded the motorcoach, shall be deemed to be included under the term ''passenger boardings'' in section 47102 of title 49, United States Code.

SEC. 430. POPULOUS COUNTIES WITHOUT AIRPORTS.

Notwithstanding any other provision of law, the Secretary of Transportation may not deny inclusion in the national plan of integrated airport systems maintained under section 47103 of title 49, United States Code, to an airport or proposed airport if the airport or proposed airport—

(1) is located in the most populous county (as such term is defined in section 2 of title 1, United States Code) of a State that does not have an airport listed in the national plan;

(2) has an airport sponsor that was established before January 1, 2017;

(3) is located more than 15 miles away from another airport listed in the national plan;

(4) demonstrates how the airport will meet the operational activity required, through a forecast validated by the Secretary, within the first 10 years of operation;

(5) meets Federal Aviation Administration airport design standards;

(6) submits a benefit-cost analysis;

(7) presents a detailed financial plan to accomplish construction and ongoing maintenance; and

(8) has the documented support of the State government for the entry of the airport or proposed airport into the national plan.

SEC. 431. CONTINUED AVAILABILITY OF AVIATION GASOLINE.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall ensure that any of such varieties of aviation gasoline as may be necessary to fuel any model of piston-engine aircraft remain available for purchase at each airport listed on the national plan of integrated airport systems (as described in section 47103 of title 49, United States Code) at which aviation gasoline was available for purchase as of October 5, 2018.

(b) REMOVAL OF AVAILABILITY.—The Administrator shall consider a prohibition or restriction on the sale of such varieties of aviation gasoline to violate assurance 22 (or any successor assurance related to economic nondiscrimination) of grant assurances associated with the airport improvement program under subchapter I of chapter 471 and chapter 475 of title 49, United States Code.

(c) AVIATION GASOLINE DEFINED.—In this section, the term ''aviation gasoline'' means a gasoline on which a tax is imposed under section 4081(a)(2)(A)(ii) of the Internal Revenue Code of 1986.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to—

(1) affect any airport sponsor found to be out of compliance with the grant assurance described in subsection (b) before the date of enactment of this Act;

(2) affect any investigation of an airport sponsor initiated by the Administrator under parts 13 or 16 of title 14, Code of Federal Regulations, relating to the availability of aviation gasoline; or

(3) require any particular action by the Administrator if the Administrator determines through such investigation that such airport sponsor has violated a grant assurance.

SEC. 432. AIP HANDBOOK UPDATE.

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall revise the Airport Improvement Program Handbook (Order 5100.38D) (in this section referred to as the ''Handbook'') to account for legislative changes to the airport improvement program under subchapter I of chapter 471 and chapter 475 of title 49, United States Code, and to make such other changes as the Administrator determines necessary.

(b) REQUIREMENTS.—In updating the Handbook, the Administrator may not impose any additional requirements or restrictions on the use of Airport Improvement Program funds except as specifically directed by legislation.

(c) CONSULTATION AND PUBLIC COMMENT.—

(1) CONSULTATION.—In developing the revised Handbook under this section, the Administrator shall consult with aviation stakeholders, including airports and air carriers.

(2) PUBLIC COMMENT.—

(A) IN GENERAL.—Not later than 30 months after the date of enactment of this Act, the Administrator shall publish a draft revision of the Handbook and make such draft available for public comment for a period of not less than 90 days.

(B) REVIEW.—The Administrator shall review all comments submitted during the public comment period described under subparagraph (A) and, as the Administrator considers appropriate, incorporate changes based on such comments into the final revision of the Handbook.

(d) INTERIM IMPLEMENTATION OF CHANGES.—Not later than 1 year after the date of enactment of this Act, the Administrator shall issue program guidance letters to provide for the interim implementation of amendments to the Airport Improvement Program made by this Act.

SEC. 433. GAO AUDIT OF AIRPORT FINANCIAL REPORTING PROGRAM.

(a) AUDIT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall complete an audit of the airport financial reporting program of the Federal Aviation Administration and provide recommendations to the Administrator of the Federal Aviation Administration on improvements to such program.

(b) REQUIREMENTS.—In conducting the audit required under subsection (a), the Comptroller General shall, at a minimum—

(1) review relevant Administration guidance to airports, including the version of Advisory Circular 150/5100–19, titled ''Operating and Financial Summary'', that is in effect on the date of enactment of this Act;

(2) evaluate the information requested or required by the Administrator from airports for completeness and usefulness by the Administration and the public;

(3) assess the costs associated with collecting, reporting, and maintaining such information for airports and the Administration;

(4) determine if such information provided is—

(A) updated on a regular basis to make such information useful; and

(B) audited and verified in an appropriate manner;

(5) assess if the Administration has addressed the issues the Administration discovered during the apportionment and disbursement of relief funds to airports under the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) using inaccurate and aged airport financial data; and

(6) determine whether the airport financial reporting program as structured as of the date of enactment provides value to the Administration, the aviation industry, or the public.

(c) REPORT TO CONGRESS.—Not later than 3 months after the completion of the audit required under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of such audit and any recommendations provided to the Administrator to improve or alter the airport financial reporting program.

SEC. 434. GAO REVIEW OF NONAERONAUTICAL REVENUE STREAMS AT AIRPORTS.

(a) REVIEW.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of non-aeronautical revenue streams currently used by hub airports of varying size, assess the impact of nonaeronautical revenue on airports, and evaluate opportunities for revenue that are unutilized or are underutilized by such airports.

(b) SCOPE.—In conducting the review required under subsection (a), the Comptroller General shall, at a minimum—

(1) examine the nonaeronautical revenue streams at a variety of public-use airports in the United States;

(2) examine nonaeronautical revenue streams used by foreign airports;

(3) examine revenue streams used by similar types of infrastructure operators like train stations, bus depots, and shopping malls;

(4) determine the revenue effects of entering into, or choosing not to enter into, concessionaire agreements with companies operating at airports that are not a party to such agreements; and

(5) examine users and beneficiaries of airport services, facilities, property, and passengers, and determine if any such users or beneficiaries could or should be considered as a source of nonaeronautical revenue for an airport.

(c) CONSULTATION.—As part of the review required under subsection (a), the Comptroller General shall consult with representatives of airport concessionaires, airport sponsors, airport governance entities, airport financial planning consultants, and any other relevant stakeholders the Comptroller General determines appropriate.

(d) FINDINGS, BEST PRACTICES, AND RECOMMENDATIONS.—As part of the review required under subsection (a), the Comptroller General shall produce best practices and recommendations that can be adopted by public-use airports to increase non-aeronautical revenue.

(e) REPORT TO CONGRESS.—Not later than 3 months after the completion of the review required under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings, best practices, and recommendations of such review.

SEC. 435. MAINTAINING SAFE FIRE AND RESCUE STAFFING LEVELS.

(a) UPDATE TO REGULATION.—The Administrator of the Federal Aviation Administration shall update the regulations contained in section 139.319 of title 14, Code of Federal Regulations, to ensure that paragraph (4) of such section provides that at least 1 individual maintains certification at the emergency medical technician basic level, or higher.

(b) STAFFING REVIEW.—Not later than 2 years after the date of enactment of this Act, the Administrator shall conduct a review of airport environments and related regulations to evaluate sufficient staffing levels necessary for firefighting and rescue services and response at airports certified under part 139 of title 14, Code of Federal Regulations.

(c) REPORT.—Not later than 1 year after completing the review under subsection (b), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the review.

SEC. 436. GAO STUDY OF ONSITE AIRPORT GENERATION.

(a) STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on the feasibility of installation and adoption of certain power generation property at airports which receive funding from the Federal Government.

(b) CONTENT.—In carrying out the study required under subsection (a), the Comptroller General shall examine—

(1) any safety impacts of the installation and operation of such power generation property, either in aggregate or around certain locations or structures at the airport;

(2) regulatory barriers to adoption;

(3) benefits to adoption;

(4) previous examples of adoptions;

(5) impacts on other entities; and

(6) previous examples of adoption and factors pertaining to previous examples of adoption, including—

(A) novel uses beyond supplemental power generation, such as expanding nonresidential property around airports to minimize noise, power generation resilience, and market forces;

(B) challenges identified in the installation process;

(C) upfront and long-term costs, both foreseen and unforeseen;

(D) funding sources used to pay for upfront costs; and

(E) long-term savings.

(c) REPORT.—Not later than 2 years after the initiation of the study under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report and recommendations on the results of the study.

(d) POWER GENERATION PROPERTY DEFINED.—In this section, the term ''power generation property'' means equipment defined in section 48(a)(3)(A) of the Internal Revenue Code of 1986.

SEC. 437. TRANSPORTATION DEMAND MANAGEMENT AT AIRPORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the efficacy of transportation demand management strategies at United States airports.

(b) CONSIDERATIONS.—In conducting the study under subsection (a), the Comptroller General shall examine, at minimum—

(1) whether transportation demand management strategies should be considered by airports when making infrastructure planning and construction decisions;

(2) the impact of transportation demand management strategies on existing multimodal options to and from airports in the United States; and

(3) best practices for developing transportation demand management strategies that can be used to improve access to airports for passengers and airport and airline personnel.

(c) REPORT.—Upon completion of the study conducted under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on such study.

(d) DEFINITION.—In this section, the term ''transportation demand management strategy'' means the use of planning, programs, policy, marketing, communications, incentives, pricing, data, and technology to optimize travel modes, routes used, departure times, and number of trips.

SEC. 438. COASTAL AIRPORTS ASSESSMENT.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, in coordination with the Chief of Engineers and Commanding General of the United States Army Corps of Engineers, initiate an assessment on the resiliency of coastal airports in the United States.

(b) CONTENTS.—The assessment required under subsection (a) shall—

(1) examine the impact of sea-level rise and other environmental factors that pose risks to coastal airports; and

(2) identify and evaluate current initiatives to prevent and mitigate the impacts of factors described in paragraph (1) on coastal airports.

(c) REPORT.—Upon completion of the assessment, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(1) the results of the assessment required under subsection (a); and

(2) recommendations to improve the resiliency of coastal airports in the United States.

SEC. 439. AIRPORT INVESTMENT PARTNERSHIP PROGRAM.

Section 47134(b) of title 49, United States Code, is amended by adding at the end the following:

''(4) BENEFIT-COST ANALYSIS.—Prior to approving an application submitted under subsection (a), the Secretary may require a benefit-cost analysis. If a benefit-cost analysis is required, the Secretary shall issue a preliminary and conditional finding, which shall—

''(A) be issued not later than 60 days after the date on which the sponsor submits all information required by the Secretary;

''(B) be based upon a collaborative review process that includes the sponsor or sponsor's representative;

''(C) not constitute the issuance of a Federal grant or obligation to issue a grant under this chapter or other provision of law; and

''(D) not constitute any other obligation on the part of the Federal Government until the conditions specified in the final benefit-cost analysis are met.''.

SEC. 440. GAO STUDY ON PER-TRIP AIRPORT FEES FOR TNC CONSUMERS.

(a) STUDY.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of fees that airports assess against customers of transportation network companies.

(b) CONTENTS.—In carrying out the study required under subsection (a), the Comptroller General shall address—

(1) the methodology used by airports to set a fee for customers of TNCs;

(2) expenditures by airports of fees assessed against customers of TNCs; and

(3) a comparison of the fees imposed by airports on customers of TNCs and other comparable modes of for-hire transportation, such as taxi.

(c) REPORT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on

Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(d) TRANSPORTATION NETWORK COMPANY DEFINED; TNC DEFINED.—In this section, the term ''transportation network company'' or ''TNC''—

(1) means a corporation, partnership, sole proprietorship, or other entity that uses a digital network to connect riders to drivers affiliated with the entity in order for the driver to transport the rider using a vehicle owned, leased, or otherwise authorized for use by the driver to a point chosen by the rider; and

(2) does not include a shared-expense carpool or vanpool arrangement that is not intended to generate profit for the driver.

SEC. 441. SPECIAL RULE FOR RECLASSIFICATION OF CERTAIN UNCLASSIFIED AIRPORTS.

(a) REQUEST FOR RECLASSIFICATION.—

(1) IN GENERAL.—Not later than September 30, 2024, a privately owned reliever airport (as such term is defined in section 47102 of title 49, United States Code) that is identified as unclassified in the National Plan of Integrated Airport Systems, 2021–2025 (as published under section 47103 of title 49, United States Code) may submit to the Secretary of Transportation a request to reclassify the airport according to the criteria used to classify a publicly owned airport.

(2) REQUIRED INFORMATION.—In submitting a request under paragraph (1), a privately owned reliever airport shall include the following information:

(A) A sworn statement and accompanying documentation that demonstrates how the airport would satisfy the requirements of Federal Aviation Administration Order 5090.5, titled ''Formulation of the NPIAS and ACIP'' (or any successor guidance), to be classified as ''Local'' or ''Basic'' if the airport was publicly owned.

(B) A report that—

(i) identifies the role of the airport to the aviation system; and

(ii) describes the long-term fiscal viability of the airport based on demonstrated aeronautical activity and associated revenues relative to ongoing operating and maintenance costs.

(b) ELIGIBILITY REVIEW.—

(1) IN GENERAL.—Not later than 60 days after receiving a request from a privately owned reliever airport under subsection (a), the Secretary shall perform an eligibility review with respect to the airport, including an assessment of the airport's safety, security, capacity, access, compliance with Federal grant assurances, and protection of natural resources and the quality of the environment, as prescribed by the Secretary.

(2) PUBLIC SPONSOR.—In performing the eligibility review under paragraph (1), the Secretary—

(A) may require the airport requesting reclassification to provide information regarding the outlook (whether positive or negative) for obtaining a public sponsor; and

(B) may not require the airport to obtain a public sponsor.

(c) RECLASSIFICATION BY THE SECRETARY.—

(1) IN GENERAL.—Not later than 60 days after receiving a request from a privately owned reliever airport under subsection (a)(1), the Secretary shall grant such request if the following criteria are met:

(A) The request includes the required information under subsection (a)(2).

(B) The privately owned reliever airport, to the satisfaction of the Secretary—

(i) passes the eligibility review performed under subsection (b); or

(ii) submits a corrective action plan in accordance with paragraph (2).

(2) CORRECTIVE ACTION PLAN.—With respect to a privately owned reliever airport that does not, to the satisfaction of the Secretary, pass the eligibility review performed under subsection (b), such airport may resubmit to the Secretary a reclassification request along with a corrective action plan that—

(A) resolves any shortcomings identified in such eligibility review; and

(B) proves that any necessary corrective action has been completed by the airport.

(d) EFFECTIVE DATE.—The reclassification of any privately owned reliever airport under this section shall take effect not later than—

(1) September 30, 2026, for any request granted under subsection (c)(1); and

(2) September 30, 2027, for any request granted after the submission of a corrective action plan under subsection (c)(2).

SEC. 442. PERMANENT SOLAR POWERED TAXIWAY EDGE LIGHTING SYSTEMS.

Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall produce an engineering brief that describes the acceptable use of permanent solar powered taxiway edge lighting systems at regional, local, and basic nonprimary airports (as categorized in the most recent National Plan of Integrated Airport Systems).

SEC. 443. SECONDARY RUNWAYS.

In approving grants for projects with funds made available pursuant to title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) under the heading ''Federal Aviation Administration—Airport Infrastructure Grants'', the Administrator of the Federal Aviation Administration shall consider permitting a nonhub or small hub airport to use such funds to extend secondary runways, notwithstanding the level of operational activity as such airport.

SEC. 444. INCREASING THE ENERGY EFFICIENCY OF AIRPORTS AND MEETING CURRENT AND FUTURE ELECTRICAL POWER DEMANDS.

(a) IN GENERAL.—Section 47140 of title 49, United States Code, is amended to read as follows:

''§ 47140. Meeting current and future electrical power demand

''(a) IN GENERAL.—The Secretary of Transportation shall establish a program under which the Secretary shall—

''(1) encourage the sponsor of each public-use airport to—

''(A) conduct airport planning that assesses the airport's—

''(i) current and future electrical power requirements, including—

''(I) heating and cooling;

''(II) on-road airport vehicles, including ground support equipment;

''(III) gate electrification; and

''(IV) electric aircraft charging; and

''(ii) existing electrical infrastructure condition, location and capacity, including base load and backup power, to meet the current and future electrical power demand as identified in this subparagraph; and

''(B) conduct airport development to increase energy efficiency or meet future electrical power demands as identified in subparagraph (A); and

''(2) reimburse the airport sponsor for the costs incurred in conducting the assessment under paragraph (1).

''(b) GRANTS.—The Secretary may make grants from amounts made available under section 48103 to assist airport sponsors that have completed the assessment described in subsection (a)(1)—

''(1) to acquire or construct equipment that will increase energy efficiency at the airport; and

''(2) to pursue an airport development project described in subsection (a)(1)(B).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 471 of title 49, United States Code, is amended by striking the item relating to section 47140 and inserting the following:

''47140. Meeting current and future electrical power demand.''.

SEC. 445. ELECTRIC AIRCRAFT INFRASTRUCTURE PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation may establish a pilot program under which the sponsors of public-use airports may use funds made available under chapter 471 or section 48103 of title 49, United States Code, for use at up to 10 airports to carry out—

(1) activities associated with the acquisition, by purchase or lease, operation, and installation of equipment to support the operations of electric aircraft, including interoperable electric vehicle charging equipment; and

(2) the construction or modification of infrastructure to facilitate the delivery of power or services necessary for the use of electric aircraft, including—

(A) on airport utility upgrades; and

(B) associated design costs.

(b) ELIGIBILITY.—A public-use airport is eligible for participation in the pilot program under this section if the Secretary finds that funds made available under subsection (a) would support—

(1) electric aircraft operators at such airport, or using such airport; or

(2) electric aircraft operators planning to operate at such airport with an associated agreement in place.

(c) SUNSET.—The pilot program established under subsection (a) shall sunset 5 years after the date of enactment of this Act.

SEC. 446. CURB MANAGEMENT PRACTICES.

Nothing in this Act shall be construed to—

(1) prevent airports from engaging in curb management practices, including determining and assigning curb designations, regulations, and to install and maintain upon any of the roadways or parts of roadways as many curb zones as necessary to aid in the regulation, control, and inspection of passenger loading and unloading; or

(2) prevent airports from enforcing curb zones using sensor, camera, automated license plate recognition, and software technologies and issuing citations by mail to the registered owner of the vehicle.

Subtitle B—Passenger Facility Charges

SEC. 461. PFC APPLICATION APPROVALS.

Section 40117(d) of title 49, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) each project is an eligible airport-related project;''.

SEC. 462. PFC AUTHORIZATION PILOT PROGRAM IMPLEMENTATION.

Section 40117(l) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''PILOT PROGRAM'' and inserting ''ALTERNATIVE PROCEDURES''; and

(2) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—In lieu of submitting an application under subsection (c), an eligible agency may impose a passenger facility charge in accordance with the procedures under this subsection subject to the limitations of this section.''.

Subtitle C—Noise and Environmental Programs and Streamlining

SEC. 471. STREAMLINING CONSULTATION PROCESS.

Section 47101(h) of title 49, United States Code, is amended by striking ''shall'' and inserting ''may''.

SEC. 472. REPEAL OF BURDENSOME EMISSIONS CREDIT REQUIREMENTS.

Section 47139 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''airport sponsors receive'' and inserting ''airport sponsors may receive'';

(ii) by striking ''carrying out projects'' and inserting ''carrying out projects, including projects''; and

(iii) by striking ''conditions'' and inserting ''considerations''; and

(B) in paragraph (2)—

(i) by striking ''airport sponsor'' and inserting ''airport sponsor, including for an airport outside of a nonattainment area,'';

(ii) by striking ''only'';

(iii) by striking ''or as offsets'' and inserting '', as offsets''; and

(iv) by striking the period at the end and inserting '', or as part of a State implementation plan.'';

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

SEC. 473. EXPEDITED ENVIRONMENTAL REVIEW AND ONE FEDERAL DECISION.

Section 47171 of title 49, United States Code, is amended—

(1) in subsection (a) by striking ''Secretary of Transportation'' and inserting ''Administrator of the Federal Aviation Administration'';

(2) by striking ''Secretary'' in each place it appears and inserting ''Administrator'';

(3) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''develop and''; and

(ii) by striking ''projects at congested airports'' and all that follows through ''aviation security projects'' and inserting ''projects, terminal development projects, general aviation airport construction or improvement projects, and aviation safety projects''; and

(B) in paragraph (1) by striking ''better'' and inserting ''streamlined''.

(4) by striking subsection (b) and inserting the following:

''(b) AVIATION PROJECTS SUBJECT TO A STREAMLINED ENVIRONMENTAL REVIEW PROCESS.—

''(1) IN GENERAL.—Any airport capacity enhancement project, terminal development project, or general aviation airport construction or improvement project shall be subject to the coordinated and expedited environmental review process requirements set forth in this section.

''(2) PROJECT DESIGNATION CRITERIA.—

''(A) IN GENERAL.—The Administrator may designate an aviation safety project for priority environmental review. A designated project shall be subject to the coordinated and expedited environmental review process requirements set forth in this section.

''(B) PROJECT DESIGNATION CRITERIA.—The Administrator shall establish guidelines for the designation of an aviation safety project or aviation security project for priority environmental review. Such guidelines shall provide for consideration of—

''(i) the importance or urgency of the project;

''(ii) the potential for undertaking the environmental review under existing emergency procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(iii) the need for cooperation and concurrent reviews by other Federal or State agencies; and

''(iv) the prospect for undue delay if the project is not designated for priority review.'';

(5) in subsection (c) by striking ''an airport capacity enhancement project at a congested airport or a project designated under subsection (b)(3)'' and inserting ''a project described or designated under subsection (b)'';

(6) in subsection (d) by striking ''each airport capacity enhancement project at a congested airport or a project designated under subsection (b)(3)'' and inserting ''a project described or designated under subsection (b)'';

(7) in subsection (h) by striking ''designated under subsection (b)(3)'' and all that follows through ''congested airports'' and inserting ''described in subsection (b)(1)'';

(8) in subsection (j)—

(A) by striking ''For any'' and inserting the following:

''(1) IN GENERAL.—For any''; and

(B) by adding at the end the following:

''(2) DEADLINE.—The Administrator shall define the purpose and need of a project not later than 45 days after receipt of a draft purpose and need statement (or revision thereof that materially affects a statement previously prepared or accepted by the Administrator) from an airport sponsor. The Administrator shall provide airport sponsors with appropriate guidance to implement any applicable requirements.'';

(9) in subsection (k)—

(A) by striking ''an airport capacity enhancement project at a congested airport or a project designated under subsection (b)(3)'' and inserting ''a project described or designated under subsection (b)'';

(B) by striking ''project shall consider'' and inserting the following:

''project shall—

''(1) consider'';

(C) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(2) limit the comments of the agency to—

''(A) subject matter areas within the special expertise of the agency; and

''(B) changes necessary to ensure the agency is carrying out the obligations of that agency under the National Environmental Policy Act of 1969 and other applicable law.'';

(10) in subsection (l) by striking the period at the end and inserting ''and section 1503 of title 40, Code of Federal Regulations.''; and

(11) by striking subsection (m) and inserting the following:

''(m) COORDINATION AND SCHEDULE.—

''(1) COORDINATION PLAN.—

''(A) IN GENERAL.—Not later than 90 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the Administrator of the Federal Aviation Administration shall establish a plan for coordinating public and agency participation in and comment on the environmental review process for a project described or designated under subsection (b). The coordination plan may be incorporated into a memorandum of understanding.

''(B) SCHEDULE.—

''(i) IN GENERAL.—The Administration shall establish as part of such coordination plan, after consultation with and the concurrence of each participating agency for the project and with the State in which the project is located (and, if the State is not the project sponsor, with the project sponsor), a schedule for—

''(I) interim milestones and deadlines for agency activities necessary to complete the environmental review; and

''(II) completion of the environmental review process for the project.

''(ii) FACTORS FOR CONSIDERATION.—In establishing the schedule under clause (i), the Administration shall consider factors such as—

''(I) the responsibilities of participating agencies under applicable laws;

''(II) resources available to the cooperating agencies;

''(III) overall size and complexity of the project;

''(IV) the overall time required by an agency to conduct an environmental review and make decisions under applicable Federal law relating to a project (including the issuance or denial of a permit or license) and the cost of the project; and

''(V) the sensitivity of the natural and historic resources that could be affected by the project.

''(iii) MAXIMUM PROJECT SCHEDULE.—To the maximum extent practicable and consistent with applicable Federal law, the Administrator shall develop, in concurrence with the project sponsor, a maximum schedule for the project described or designated under subsection (b) that is not more than 2 years for the completion of the environmental review process for such projects, as measured from, as applicable the date of publication of a notice of intent to prepare an environmental impact statement to the record of decision.

''(iv) DISPUTE RESOLUTION.—

''(I) IN GENERAL.—Any issue or dispute that arises between the Administrator and participating agencies (or amongst participating agencies) during the environmental review process will be addressed expeditiously to avoid delay.

''(II) RESPONSIBILITIES.—The Administrator and participating agencies shall—

''(aa) implement the requirements of this section consistent with any dispute resolution process established in an applicable law, regulation, or legally binding agreement to the maximum extent permitted by law; and

''(bb) seek to resolve issues or disputes at the earliest possible time at the project level through agency employees who have day-to-day involvement in the project.

''(III) ELEVATION FOR MISSED MILESTONE.—If a dispute between the Administrator and participating agencies (or amongst participating agencies) causes a milestone to be missed or extended, or the Administrator anticipates that a permitting timetable milestone will be missed or will need to be extended, then the dispute shall be elevated to an official designated by the relevant agency for resolution. Such elevation should take place as soon as practicable after the Administrator becomes aware of the dispute or potential missed milestone.

''(IV) EXCEPTION.—Disputes that do not impact the ability of an agency to meet a milestone may be elevated as appropriate.

''(V) FURTHER EVALUATION.—Once a dispute has been elevated to the designated official, if no resolution has been reached at the end of 30 days after the relevant milestone date or extension date, then the relevant agencies shall elevate the dispute to senior agency leadership for resolution.

''(C) CONSISTENCY WITH OTHER TIME PERIODS.—A schedule under subparagraph (B) shall be consistent with any other relevant time periods established under Federal law.

''(D) MODIFICATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Administrator may lengthen or shorten a schedule established under subparagraph (B) for good cause. A decision by a project sponsor to change, modify, expand, or reduce the scope of a project may be considered as good cause for lengthening or shortening of such schedule as appropriate and based on the nature and extent of the proposed project adjustment.

''(ii) LIMITATIONS.—

''(I) LENGTHENED SCHEDULE.—The Administrator may lengthen a schedule under clause (i) for a cooperating Federal agency by not more than 1 year after the latest deadline established for the project described or designated under subsection (b) by the Administration.

''(II) SHORTENED SCHEDULE.—The Administrator may not shorten a schedule under clause (i) if doing so would impair the ability of a cooperating Federal agency to conduct necessary analyses or otherwise carry out relevant obligations of the Federal agency for the project.

''(E) FAILURE TO MEET DEADLINE.—If a cooperating Federal agency fails to meet a deadline established under subparagraph (D)(ii)(I)—

''(i) the cooperating Federal agency shall, not later than 10 days after meeting the deadline, submit to the Administrator a report that describes the reasons why the deadline was not met; and

''(ii) the Secretary shall—

''(I) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a copy of the report under clause (i); and

''(II) make the report under clause (i) publicly available on the website of the agency.

''(F) DISSEMINATION.—A copy of a schedule under subparagraph (B), and of any modifications to the schedule, shall be—

''(i) provided to all participating agencies and to the State transportation department of the State in which the project is located (and, if the State is not the project sponsor, to the project sponsor); and

''(ii) made available to the public.

''(2) COMMENT DEADLINES.—The Administrator shall establish the following deadlines for comment during the environmental review process for a project:

''(A) For comments by agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of such statement, unless—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(B) For all other comment periods established by the lead agency for agency or public comments in the environmental review process, a period of no more than 30 days from availability of the materials on which comment is requested, unless—

''(i) a different deadline is established by agreement of the Administrator, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project described or designated under subsection (b) (including the issuance or denial of a permit or license) is required to be made by the later of the date that is 180 days after the date on which the Administrator made all final decisions of the lead agency with respect to the project, or 180 days after the date on which an application was submitted for the permit or license, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and publish on the website of the Administration—

''(A) as soon as practicable after the 180-day period, an initial notice of the failure of the Federal agency to make the decision; and

''(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

''(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection shall reduce any time period provided for public comment in the environmental review process under existing Federal law, including a regulation.

''(n) CONCURRENT REVIEWS AND SINGLE NEPA DOCUMENT.—

''(1) CONCURRENT REVIEWS.—Each participating agency and cooperating agency under the expedited and coordinated environmental review process established under this section shall—

''(A) carry out the obligations of that agency under other applicable law concurrently, and in conjunction, with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), unless doing so would impair the ability of the Federal agency to conduct needed analysis or otherwise carry out such obligations; and

''(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

''(2) SINGLE NEPA DOCUMENT.—

''(A) IN GENERAL.—Except as inconsistent with subsection (a), to the maximum extent practicable and consistent with Federal law, all Federal permits and reviews for a project shall rely on a single environment document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under the leadership of the Administrator of the Federal Aviation Administration.

''(B) USE OF DOCUMENT.—

''(i) IN GENERAL.—To the maximum extent practicable, the Administrator shall develop an environmental document sufficient to satisfy the requirements for any Federal approval or other Federal action required for the project, including permits issued by other Federal agencies.

''(ii) COOPERATION OF PARTICIPATING AGENCIES.—Other participating agencies shall cooperate with the lead agency and provide timely information to help the lead agency carry out this subparagraph.

''(C) TREATMENT AS PARTICIPATING AND COOPERATING AGENCIES.—A Federal agency required to make an approval or take an action for a project, as described in this paragraph, shall work with the Administration for the project to ensure that the agency making the approval or taking the action is treated as being both a participating and cooperating agency for the project.

''(3) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the expedited and coordinated environmental review process under this section shall—

''(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the agency; and

''(B) use the process to address any environmental issues of concern to the agency.

''(o) ENVIRONMENTAL IMPACT STATEMENT.—

''(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project described or designated under subsection (b), if the Administrator modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the Administrator may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(A) cite the sources, authorities, and reasons that support the position of the agency; and

''(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(2) SINGLE DOCUMENT.—To the maximum extent practicable, for a project subject to a coordinated review process under this section, the Administrator shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(A) the final environmental impact statement or record of decision makes substantial changes to the project that are relevant to environmental or safety concerns; or

''(B) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the environmental impacts of the proposed action.

''(3) LENGTH OF ENVIRONMENTAL DOCUMENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an environmental impact statement shall not exceed 150 pages, not including any citations or appendices.

''(B) EXTRAORDINARY COMPLEXITY.—An environmental impact statement for a proposed agency action of extraordinary complexity shall not exceed 300 pages, not including any citations or appendices.

''(p) INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.—

''(1) IN GENERAL.—Subject to paragraph (5) and to the maximum extent practicable and appropriate, the following agencies may adopt or incorporate by reference, and use a planning product in proceedings relating to, any class of action in the environmental review process of a project described or designated under subsection (b):

''(A) The lead agency for a project, with respect to an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(B) A cooperating agency with responsibility under Federal law with respect to the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if consistent with that law.

''(2) IDENTIFICATION.—If the relevant agency makes a determination to adopt or incorporate by reference and use a planning product under paragraph (1), such agency shall identify the agencies that participated in the development of the planning products.

''(3) ADOPTION OR INCORPORATION BY REFERENCE OF PLANNING PRODUCTS.—The relevant agency may—

''(A) adopt or incorporate by reference an entire planning product under paragraph (1); or

''(B) select portions of a planning project under paragraph (1) for adoption or incorporation by reference.

''(4) TIMING.—The adoption or incorporation by reference of a planning product under paragraph (1) may—

''(A) be made at the time the relevant agencies decide the appropriate scope of environmental review for the project; or

''(B) occur later in the environmental review process, as appropriate.

''(5) CONDITIONS.—The relevant agency in the environmental review process may adopt or incorporate by reference a planning product under this section if the relevant agency determines, with the concurrence of the lead agency and, if the planning product is necessary for a cooperating agency to issue a permit, review, or approval for the project, with the concurrence of the cooperating agency, that the following conditions have been met:

''(A) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

''(B) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian Tribes.

''(C) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

''(D) The planning process included public notice that the planning products produced in the planning process may be adopted during any subsequent environmental review process in accordance with this section.

''(E) During the environmental review process, the relevant agency has—

''(i) made the planning documents available for public review and comment by members of the general public and Federal, State, local, and Tribal governments that may have an interest in the proposed project;

''(ii) provided notice of the intention of the relevant agency to adopt or incorporate by reference the planning product; and

''(iii) considered any resulting comments.

''(F) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product or portions thereof.

''(G) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

''(H) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

''(I) The planning product is appropriate for adoption or incorporation by reference and use in the environmental review process for the project and is incorporated in accordance with, and is sufficient to meet the requirements of, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations.

''(6) EFFECT OF ADOPTION OR INCORPORATION BY REFERENCE.—Any planning product or portions thereof adopted or incorporated by reference by the relevant agency in accordance with this subsection may be—

''(A) incorporated directly into an environmental review process document or other environmental document; and

''(B) relied on and used by other Federal agencies in carrying out reviews of the project.

''(q) REPORT ON NEPA DATA.—

''(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall carry out a process to track, and annually submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on projects described in subsection (b)(1) that contains the information described in paragraph (3).

''(2) TIME TO COMPLETE.—For purposes of paragraph (3), the NEPA process—

''(A) for an environmental impact statement—

''(i) begins on the date on which a notice of intent is published in the Federal Register; and

''(ii) ends on the date on which the Administrator issues a record of decision, including, if necessary, a revised record of decision; and

''(B) for an environmental assessment—

''(i) begins on the date on which the Administrator makes a determination to prepare an environmental assessment; and

''(ii) ends on the date on which the Administrator issues a finding of no significant impact or determines that preparation of an environmental impact statement is necessary.

''(3) INFORMATION DESCRIBED.—The information referred to in paragraph (1) is, with respect to the Federal Aviation Administration—

''(A) the number of proposed actions for which a categorical exclusion was applied by the Administration during the reporting period;

''(B) the number of proposed actions for which a documented categorical exclusion was applied by the Administration during the reporting period;

''(C) the number of proposed actions pending on the date on which the report is submitted for which the issuance of a documented categorical exclusion by the Administration is pending;

''(D) the number of proposed actions for which an environmental assessment was issued by the Administration during the reporting period;

''(E) the length of time the Administration took to complete each environmental assessment described in subparagraph (D);

''(F) the number of proposed actions pending on the date on which the report is submitted for which an environmental assessment is being drafted by the Administration;

''(G) the number of proposed actions for which a final environmental impact statement was completed by the Administration during the reporting period;

''(H) the length of time that the Administration took to complete each environmental impact statement described in subparagraph (G);

''(I) the number of proposed actions pending on the date on which the report is submitted for which an environmental impact statement is being drafted; and

''(J) for the proposed actions reported under subparagraphs (F) and (I), the percentage of those proposed actions for which—

''(i) project funding has been identified; and

''(ii) all other Federal, State, and local activities that are required to allow the proposed action to proceed are completed.

''(4) DEFINITIONS.—In this section:

''(A) ENVIRONMENTAL ASSESSMENT.—The term 'environmental assessment' has the meaning given the term in section 1508.1 of title 40, Code of Federal Regulations (or a successor regulation).

''(B) ENVIRONMENTAL IMPACT STATEMENT.—The term 'environmental impact statement' means a detailed statement required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

''(C) NEPA PROCESS.—The term 'NEPA process' means the entirety of the development and documentation of the analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the assessment and analysis of any impacts, alternatives, and mitigation of a proposed action, and any interagency participation and public involvement required to be carried out before the Administrator undertakes a proposed action.

''(D) PROPOSED ACTION.—The term 'proposed action' means an action (within the meaning of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)) under this title that the Administrator proposes to carry out.

''(E) REPORTING PERIOD.—The term 'reporting period' means the fiscal year prior to the fiscal year in which a report is issued under subsection (a).''.

SEC. 474. SUBCHAPTER III DEFINITIONS.

Section 47175 of title 49, United States Code, is amended—

(1) in paragraph (3)(A) by striking ''and'' at the end and inserting ''or'';

(2) in paragraph (4)—

(A) in subparagraph (A) by striking ''and'' at the end; and

(B) in subparagraph (B)—

(i) by striking ''(B)''; and

(ii) by redesignating clauses (i) and (ii) as subparagraphs (B) and (C), respectively;

(3) by striking paragraph (5);

(4) by redesignating paragraphs (3), (1), (4), (2), (6), and (8) as paragraphs (1), (2), (3), (4), (5), and (6), respectively; and

(5) by adding at the end the following:

''(8) TERMINAL DEVELOPMENT.—The term 'terminal development' has the same meaning given such term in section 47102.''.

SEC. 475. PILOT PROGRAM EXTENSION.

Section 190(i) of the FAA Reauthorization Act of 2018 (49 U.S.C. 47104 note) is amended by striking ''5 years'' and all that follows through the period at the end and inserting ''on October 1, 2028.''.

SEC. 476. PART 150 NOISE STANDARDS UPDATE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review and revise part 150 of title 14, Code of Federal Regulations, to reflect all relevant laws and regulations, including part 161 of title 14, Code of Federal Regulations.

(b) OUTREACH.—As part of the review conducted under subsection (a), the Administrator shall clarify existing and future noise policies and standards and seek feedback from airports, airport users, and individuals living in the vicinity of airports before implementing any changes to any noise policies or standards.

(c) BRIEFING.—Not later than 90 days after the date of enactment of this Act, and every 6 months thereafter, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding the review conducted under subsection (a).

(d) SUNSET.—The requirement under subsection (c) shall terminate on September 30, 2028.

SEC. 477. REDUCING COMMUNITY AIRCRAFT NOISE EXPOSURE.

In implementing or revising a flight procedure, the Administrator of the Federal Aviation Administration shall seek to take the following actions (to the extent that such actions do not negatively affect aviation safety or efficiency) to reduce undesirable aircraft noise:

(1) Implement flight procedures that can mitigate the impact of aircraft noise.

(2) Work with airport sponsors and potentially impacted neighboring communities in establishing or modifying aircraft arrival and departure routes.

(3) Discourage local encroachment of residential or other buildings near airports that could create future aircraft noise complaints or impact airport operations or aviation safety.

SEC. 478. CATEGORICAL EXCLUSIONS.

(a) CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.—An action by the Administrator of the Federal Aviation Administration to approve, permit, finance, or otherwise authorize any airport project that is undertaken by the sponsor, owner, or operator of a public-use airport shall be presumed to be covered by a categorical exclusion under Federal Aviation Administration Order 1050.1F, or any successor document, if such project—

(1) receives less than $6,000,000 (as adjusted annually by the Administrator to reflect any increases in the Consumer Price Index prepared by the Department of Labor) of Federal funds or funds from charges collected under section 40117 of title 49, United States Code; or

(2) with a total estimated cost of not more than $35,000,000 (as adjusted annually by the Administrator to reflect any increases in the Consumer Price Index prepared by the Department of Labor) and Federal funds comprising less than 15 percent of the total estimated project cost.

(b) CATEGORICAL EXCLUSION IN EMERGENCIES.—An action by the Administrator to approve, permit, finance, or otherwise authorize an airport project that is undertaken by the sponsor, owner, or operator of a public-use airport shall be presumed to be covered by a categorical exclusion under Federal Aviation Administration Order 1050.1F, or any successor document, if such project is—

(1) for the repair or reconstruction of any airport facility, runway, taxiway, or similar structure that is in operation or under construction when damaged by an emergency declared by the Governor of the State and concurred in by the Administrator, or for a disaster or emergency declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) in the same location with the same capacity, dimensions, and design as the original airport facility, runway, taxiway, or similar structure as before the declaration described in this section; and

(3) commenced within a 2-year period beginning on the date of a declaration described in this section.

(c) EXTRAORDINARY CIRCUMSTANCES.—The presumption that an action is covered by a categorical exclusion under subsections (a) and (b) shall not apply if the Administrator determines that extraordinary circumstances exist with respect to such action.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to impact any aviation safety authority of the Administrator.

(e) DEFINITIONS.—In this section:

(1) CATEGORICAL EXCLUSION.—The term ''categorical exclusion'' has the meaning given the term in section 1508.1(d) of title 40, Code of Federal Regulations.

(2) PUBLIC-USE AIRPORT; SPONSOR.—The terms ''public-use airport'' and ''sponsor'' have the meaning given such terms in section 47102 of title 49, United States Code.

SEC. 479. CRITICAL HABITAT ON OR NEAR AIRPORT PROPERTY.

(a) FEDERAL AGENCY REQUIREMENTS.—The Administrator of the Federal Aviation Administration, to the maximum extent practicable, shall collaborate with the heads of appropriate Federal agencies to ensure that designations of critical habitat, as such term is defined in section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532), on or near airport property do not—

(1) result in conflicting statutory, regulatory, or Federal grant assurance requirements for airports or aircraft operators;

(2) interfere with the safe operation of aircraft; or

(3) occur on airport-owned lands that have become attractive habitat for a threatened or endangered species because such lands—

(A) have been prepared for future development;

(B) have been designated as noise buffer land; or

(C) are held by the airport to prevent encroachment of uses that are incompatible with airport operations.

(b) STATE REQUIREMENTS.—In a State in which a State agency is authorized to designate land on or near airport property for the conservation of a threatened or endangered species in the State, the Administrator, to the maximum extent practicable, shall collaborate with the State in the same manner as the Administrator collaborates with the heads of Federal agencies under subsection (a).

SEC. 480. UPDATING PRESUMED TO CONFORM LIMITS.

Not later than 24 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall take such actions as are necessary to update the Administration's list of actions that are presumed to conform to a State implementation plan pursuant to section 93.153(f) of title 40, Code of Federal Regulations, to include projects relating to the construction of aircraft hangars.

SEC. 481. RECOMMENDATIONS ON REDUCING ROTORCRAFT NOISE IN DISTRICT OF COLUMBIA.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on reducing rotorcraft noise in the District of Columbia.

(b) CONTENTS.—The study conducted under subsection (a) shall consider—

(1) the extent to which military operators consider operating over unpopulated areas outside of the District of Columbia for training missions;

(2) the extent to which vehicles or aircraft other than conventional rotorcraft (such as unmanned aircraft) could be used for emergency and law enforcement response; and

(3) the extent to which relevant operators and entities have assessed and addressed, as appropriate, the noise impacts of various factors of operating rotorcraft, including, at a minimum—

(A) altitude;

(B) the number of flights;

(C) flight paths;

(D) time of day of flights;

(E) types of aircraft;

(F) operating procedures; and

(G) pilot training.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on preliminary observations with a report to follow at a date agreed upon at the time of the briefing containing—

(1) the contents of the study conducted under subsection (a); and

(2) any recommendations for the reduction of rotorcraft noise in the District of Columbia.

(d) RELEVANT OPERATORS AND ENTITIES DEFINED.—In this section, the term ''relevant operators and entities'' means—

(1) the Chief of Police of the Metropolitan Police Department of the District of Columbia;

(2) any medical rotorcraft operator that routinely flies a rotorcraft over the District of Columbia; and

(3) any other operator that routinely flies a rotorcraft over the District of Columbia.

SEC. 482. UFP STUDY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an agreement with the National Academies under which the National Research Council shall carry out a study examining airborne ultrafine particles and the effect of such particles on human health.

(b) SCOPE OF STUDY.—The study conducted under subsection (a) shall—

(1) summarize the relevant literature and studies done on airborne UPFs worldwide;

(2) focus on large hub airports;

(3) examine airborne UFPs and their potential effect on human health, including—

(A) characteristics of UFPs present in the air;

(B) spatial and temporal distributions of UFP concentrations;

(C) primary sources of UFPs;

(D) the contribution of aircraft and airport operations to the distribution of UFP concentrations compared to other sources;

(E) potential health effects associated with elevated UFP exposures, including outcomes related to cardiovascular disease, respiratory infection and disease, degradation of neurocognitive functions, and other health effects; and

(F) potential UFP exposures, especially to susceptible groups;

(4) identify measures intended to reduce the release of UFPs; and

(5) identify information gaps related to understanding potential relationships between UFP exposures and health effects, contributions of aviation-related emissions to UFP exposures, and the effectiveness of mitigation measures.

(c) COORDINATION.— The Administrator may coordinate with the heads of such other agencies that the Administrator considers appropriate to provide data and other assistance necessary for the study.

(d) REPORT.—Not later than 180 days after the National Research Council submits of the results of the study to the Administrator, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the study carried out under subsection (a), including any recommendations based on such study.

(e) DEFINITION OF ULTRAFINE PARTICLE.—In this section, the terms ''ultrafine particle'' and ''UFP'' mean particles with diameters less than or equal to 100 nanometers.

SEC. 483. AVIATION AND AIRPORT COMMUNITY ENGAGEMENT.

(a) ESTABLISHMENT OF TASK FORCE.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish an airport community of interest task force (in this section referred to as the ''Task Force'') to evaluate and improve existing processes and mechanisms for engaging communities impacted by airport development and aviation operations.

(2) ACTIVITIES.—The Task Force shall—

(A) review research on aircraft noise impacts to identify potential actions the Administrator could take;

(B) review processes and practices of the Administration for engaging communities prior to or after air traffic pattern changes that impact such communities, including with how such processes and practices compare to best practices from organizations with expertise in grassroots community organizing and collaboration;

(C) assess Federal efforts to mitigate noise impacts on communities, including costs and benefits of such efforts;

(D) assess the various actions that State and local government officials and community planners could take when considering changes to airport infrastructure, including planned airport projects or surrounding airport community developments;

(E) identify potential improvements to Federal, State, and local airport development policy and planning processes to better balance which communities experience negative externalities as a result of airport operations;

(F) consider guidance to airports and airport communities to improve engagement with the Administration, as recommended by the document titled ''Aircraft Noise: FAA Could Improve Outreach Through Enhanced Noise Metrics, Communication, and Support to Communities'', issued in September 2021 (GAO–21–103933);

(G) consider mechanisms and opportunities for the Administration to facilitate better exchange of helicopter noise information with operators in communities adversely impacted by helicopter noise, as recommended by the Comptroller General in the document titled ''Aircraft Noise: Better Information Sharing Could Improve Responses to Washington, D.C. Area Helicopter Noise Concerns'' (GAO–21–200); and

(H) review air traffic controller guidance on use and development of noise abatement procedures of the Administration to identify areas for improvement or efficiency that do not adversely impact aviation safety.

(3) COMPOSITION.—

(A) APPOINTMENT.—The Administrator shall appoint the members of the Task Force.

(B) CHAIRPERSON.—The Task Force shall be chaired by the Administrator's executive level designee.

(C) REPRESENTATION.—The Task Force shall be comprised of representatives from—

(i) airport communities or a representative organization of an airport community;

(ii) airport operators;

(iii) airlines;

(iv) experts with specific knowledge of air traffic planning;

(v) aircraft manufacturers;

(vi) local government officials; and

(vii) such other representatives as the Administrator considers appropriate.

(4) COMPENSATION.—Members of the Task Force shall serve without compensation.

(5) NONAPPLICABILITY OF FACA.—Chapter 10 of title 5, United States Code, shall not apply to the Task Force established under this section.

(6) CONSULTATION.—The Task Force shall, as appropriate, consult with relevant experts and stakeholders not listed in paragraph (3)(C) in conducting the activities described in paragraph (2).

(7) REPORTS.—

(A) RECOMMENDATIONS.—Not later than 1 year after the date of the establishment of the Task Force and every year thereafter through fiscal year 2028, the Task Force shall provide to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Administrator recommendations to improve the processes and mechanisms for engaging communities impacted by airport development and aviation operations.

(B) BRIEFING.—Not later than 60 days after the submission of the annual recommendations under subparagraph (A), the Administrator shall brief the committees described in such subparagraph on any plans of the Administration to implement the recommendations of the Task Force, including explanations for each of the recommendations the Administrator does not intend to adopt.

(b) ENGAGEMENT EVENTS.—

(1) ANNUAL EVENT.—The Administrator shall seek to convene at least 1 annual event in each geographic region of the Administration to engage with aviation communities on issues of regional import.

(2) PURPOSE.—The purpose of the engagement events described under paragraph (1) shall be to foster open and transparent communication between the Federal Government and aviation-impacted communities prior to, during, and after decision making at the Federal level.

(3) TOPICS OF CONSIDERATION.—The topics of consideration of such engagement events shall be approved by the Regional Administrator or the Regional Community Engagement Officer of the applicable region, in consultation with regional interest groups. Topic areas shall be driven by local and regional feedback and may focus on—

(A) noise concerns from low-flying commercial aircraft;

(B) purchase and installation of aircraft noise reduction measures;

(C) new development projects in close proximity to airports and realistic noise expectations for such projects;

(D) proposed airport expansion projects and the potential noise implications of such projects;

(E) the establishment of new, or changes to existing, approach and departure routes and the community impacts of such changes;

(F) upcoming events with an aviation component; or

(G) any other topic or issue considered relevant by an aviation-impacted community.

(4) PARTICIPATION.—

(A) COORDINATION.—All events described in paragraph (3) shall be convened by or in coordination with the regional offices of the Administration.

(B) ATTENDANCE BY REPRESENTATIVES.—The Administrator shall ensure representatives from relevant program offices of the Administration are in attendance at such events.

(C) APPROPRIATE PARTICIPATION.—The Administrator shall collaborate with community groups at the State, municipal, city, or local government level to ensure appropriate participation by as many relevant parties on a given issue as practicable. Such relevant parties may include—

(i) State or local government officials;

(ii) local or municipal planning and zoning officials;

(iii) neighborhood representatives;

(iv) aircraft operators, flight school representatives, or other local aviation entities;

(v) airport operators; and

(vi) any other parties as appropriate.

(D) COORDINATION.—The Administrator shall coordinate Federal participation that is not under the Administration through the Federal Interagency Committee on Aviation Noise to encourage appropriate Federal representation at all such events, based on the topic areas of consideration.

SEC. 484. COMMUNITY COLLABORATION PROGRAM.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a Community Collaboration Program (in this section referred to as the ''Program'') within the Office for Policy, International Affairs, and Environment of the Administration.

(b) STAFF.—The Program shall be comprised of representatives from—

(1) the Office for Policy, International Affairs, and Environment of the Administration;

(2) the Office of Airports of the Administration;

(3) the Air Traffic Organization of the Administration; and

(4) other entities as considered appropriate by the Administrator.

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—The Program shall facilitate and harmonize, as appropriate, policies and procedures carried out by the entities listed in subsection (b) pertaining to community engagement relating to—

(A) airport planning and development;

(B) noise and environmental policy;

(C) NextGen implementation;

(D) air traffic route changes;

(E) integration of new and emerging entrants; and

(F) other topics with respect to which community engagement is critical to program success.

(2) SPECIFIED RESPONSIBILITIES.—The responsibilities of the Program lead shall include—

(A) the establishment of, and membership selection for, the Airport Community of Interest Task Force, established under section 483;

(B) joint execution with Federal Aviation Administration Regional Administrators of regional community engagement events, as described in section 483;

(C) updating the internal guidance of the Administration for community engagement based on recommendations from such Task Force and best practices of other Federal agencies and external organizations with expertise in community engagement;

(D) coordinating with the Air Traffic Organization on community engagement efforts related to air traffic procedure changes to ensure that impacted communities are consulted in a meaningful way;

(E) oversight of Regional Ombudsmen of the Administration;

(F) oversight, streamlining, and increasing the responsiveness of the noise complaint process of the Administration by—

(i) centralizing noise complaint data and improving data collection methodologies;

(ii) increasing public accessibility to such Regional Ombudsmen;

(iii) ensuring such Regional Ombudsmen are consulted in local air traffic procedure development decisions;

(iv) collecting feedback from such Regional Ombudsmen to inform national policymaking efforts; and

(v) other recommendations made by the Airport Community of Interest Task Force;

(G) timely implementation of the recommendations, as appropriate, made by the Comptroller General of the United States to the Secretary of Transportation contained in the report titled ''Aircraft Noise: FAA Could Improve Outreach Through Enhanced Noise Metrics, Communication, and Support to Communities'', issued in September 2021 (GAO–21–103933) to improve the outreach of the FAA to local communities impacted by aircraft noise, including—

(i) any recommendations to—

(I) identify appropriate supplemental metrics for assessing noise impacts and circumstances for their use to aid in the internal assessment of the Administration of noise impacts related to proposed flight path changes;

(II) update guidance to incorporate additional tools to more clearly convey expected impacts, such as other noise metrics and visualization tools; and

(III) improve guidance to airports and communities on effectively engaging with the Administration; and

(ii) any other recommendations included in the report that would assist the agency in improving outreach to communities affected by aircraft noise; and

(H) other responsibilities as considered appropriate by the Administrator.

(d) REPORT.—Not later than 2 years after the Administrator implements the recommendations described in subsection (c)(2)(H), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing—

(1) the implementation of each such recommendation;

(2) how any recommended actions are assisting the Administrator in improving outreach to communities affected by aircraft noise and other community engagement concerns; and

(3) any challenges or barriers that limit or prevent the ability of the Administrator to take such actions.

SEC. 485. THIRD PARTY STUDY ON AVIATION NOISE METRICS.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an agreement with the National Academies to conduct a study on aviation noise metrics.

(b) CONTENTS.—The study required under subsection (a) shall include an assessment of—

(1) the efficacy of the day-night average sound level (in this section referred to as ''DNL'') noise metric compared to other alternative models;

(2) the disadvantages of the DNL noise metric in effect as of the date of enactment of this Act compared to other alternative models;

(3) any potential changes that should be made to the DNL noise metric in effect as of the date of enactment of this Act; and

(4) the data collected by the Neighborhood Environmental Survey of the Administration using alternative noise metrics.

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the National Academies shall submit to the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report—

(1) on the results of the study described in subsection (a); and

(2) containing recommendations regarding the most appropriate metric to adequately assess the public health impacts of aircraft noise.

SEC. 486. INFORMATION SHARING REQUIREMENT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration, shall establish a mechanism to make helicopter noise complaint data accessible to the Federal Aviation Administration, to helicopter operators operating in the Washington, D.C. area, and to the public on a website of the Administration, based on the recommendation of the Government Accountability Office in the report published on January 7, 2021, titled ''Aircraft Noise: Better Information Sharing Could Improve Responses to Washington, D.C. Area Helicopter Noise Concerns''.

(b) COOPERATION.—Any helicopter operator operating in the Washington, D.C. area shall provide helicopter noise complaint data to the Federal Aviation Administration through the mechanism established under subsection (a).

(c) DEFINITIONS.—In this section:

(1) HELICOPTER NOISE COMPLAINT DATA.—The term ''helicopter noise complaint data''—

(A) means general data relating to a complaint made by an individual about helicopter noise in the Washington, D.C. area and may include—

(i) the location and description of the event that is the subject of the complaint;

(ii) the start and end time of such event;

(iii) a description of the aircraft that is the subject of the complaint; and

(iv) the airport name associated with such event; and

(B) does not include the personally identifiable information of the individual who submitted the complaint.

(2) WASHINGTON, D.C. AREA.—The term ''Washington, D.C. area'' means the area inside of a 30-mile radius surrounding Ronald Reagan Washington National Airport.

TITLE V—AVIATION SAFETY

Subtitle A—General Provisions

SEC. 501. ZERO TOLERANCE FOR NEAR MISSES, RUNWAY INCURSIONS, AND SURFACE SAFETY RISKS.

(a) POLICY.—

(1) IN GENERAL.—Section 47101(a) of title 49, United States Code, is amended—

(A) by redesignating paragraphs (2) through (13) as paragraphs (3) through (14), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) that projects, activities, and actions that prevent runway incursions serve to—

''(A) improve airport surface surveillance; and

''(B) mitigate surface safety risks that are essential to ensuring the safe operation of the airport and airway system;''.

(2) CONFORMING AMENDMENTS.—Section 47101 of title 49, United States Code, is amended—

(A) in subsection (g) by striking ''subsection (a)(5)'' and inserting ''subsection (a)(6)''; and

(B) in subsection (h) by striking ''subsection (a)(6)'' and inserting ''subsection (a)(7)''.

(3) CONTINUOUS EVALUATION.—In carrying out section 47101(a) of title 49, United States Code,

as amended by this subsection, the Administrator of the Federal Aviation Administration shall establish a process to continuously track and evaluate ground traffic and air traffic activity and related incidents at airports.

(b) RUNWAY SAFETY COUNCIL.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a council, to be known as the ''Runway Safety Council'' (in this section referred to as the ''Council''), to develop a systematic proactive management strategy to address surface safety risks.

(2) DUTIES.—The duties of the Council shall include, at a minimum, advancing the development of risk-based, data driven, integrated systems solutions and strategies to enhance surface safety risk mitigation.

(3) MEMBERSHIP.—

(A) IN GENERAL.—In establishing the Council, the Administrator shall appoint at least 1 member from each of the following:

(i) Airport operators.

(ii) Air carriers.

(iii) Aircraft operators.

(iv) Avionics manufacturers.

(v) Flight schools.

(vi) The certified bargaining representative of aviation safety inspectors for the Administration.

(vii) The exclusive bargaining representative of the air traffic controllers certified under section 7111 of title 5, United States Code.

(viii) Other safety experts the Administrator determines appropriate.

(B) ADDITIONAL MEMBERS.—The Administrator may appoint members representing any other stakeholder organization that the Administrator determines appropriate to the Runway Safety Council.

(c) AIRPORT SURFACE SURVEILLANCE.—

(1) IDENTIFICATION.—Not later than 180 days after the date of enactment of this Act, the Administrator shall, in coordination with the Council, consult with relevant stakeholders to identify technologies, equipment, and systems that—

(A) may provide airport surface surveillance capabilities at airports lacking such capabilities;

(B) may augment existing airport surface surveillance systems; or

(C) may provide onboard situational awareness to pilots.

(2) CRITERIA.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(A) based on the information obtained pursuant to paragraph (1), identify airport surface surveillance systems that meet the standards of the Administration and may be able to—

(i) provide airport surface surveillance capabilities at airports lacking such capabilities; or

(ii) augment existing airport surface surveillance systems; and

(B) establish clear and quantifiable criteria relating to operational factors, including ground traffic and air traffic activity and the rate of runway and terminal airspace safety events (including runway incursions), that determine when the installation and deployment of an airport surface surveillance system, or other runway safety system (including runway status lights), at an airport is required.

(3) DEPLOYMENT.—Not later than 5 years after the date of enactment of this Act, the Administrator shall ensure that airport surface surveillance systems are deployed and operational at—

(A) all airports described in paragraph (2)(A); and

(B) all medium and large hub airports.

(4) REPORT.—Not later than 4 years after the date of enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress of the deployment described in paragraph (3).

(d) FOREIGN OBJECT DEBRIS DETECTION.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator shall assess, in coordination with the Council, automated foreign object debris monitoring and detection systems at not less than 3 airports that are using such systems.

(2) CONSIDERATIONS.—In conducting the assessment under paragraph (1), the Administrator shall consider the following:

(A) The categorization of an airport.

(B) The potential frequency of foreign object debris incidents on airport runways or adjacent ramp areas.

(C) The availability of funding for the installation and maintenance of foreign object debris monitoring and detection systems.

(D) The impact of such systems on the airfield operations of an airport.

(E) The effectiveness of available foreign object debris monitoring and detection systems.

(F) Any other factors relevant to assessing the return on investment of foreign object debris monitoring and detection systems.

(3) CONSULTATION.—In carrying out this subsection, the Administrator and the Council shall consult with manufacturers and suppliers of foreign object debris detection technology and any other relevant stakeholders.

(e) RUNWAY SAFETY STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall seek to enter into an agreement with a federally funded research and development center to conduct a study of runway incursions, surface incidents, operational errors, or losses of standard separation of aircraft in the approach or departure phase of flight to determine how advanced technologies and future airport development projects may be able to reduce the frequency of such events and enhance aviation safety.

(2) CONSIDERATIONS.—In conducting the study under paragraph (1), the federally funded research and development center shall—

(A) examine data relating to recurring runway incursions, surface incidents, operational errors, or losses of standard separation of aircraft in the approach or departure phase of flight at airports to identify the underlying factors that caused such events;

(B) assess metrics used to identify when such events are increasing at an airport;

(C) assess available and developmental technologies, including and beyond such technologies considered in subsection (c), that may augment existing air traffic management capabilities of surface surveillance and terminal airspace equipment;

(D) consider growth trends in airport size, staffing and communication complexities to identify—

(i) future gaps in information exchange between aerospace stakeholders; and

(ii) methods for meeting future near real-time information sharing needs; and

(E) examine airfield safety training programs used by airport tenants and other stakeholders operating on airfields of airports, including airfield familiarization training programs for employees, to assess scalability to handle future growth in airfield capacity and traffic.

(3) RECOMMENDATIONS.—In conducting the study required by paragraph (1), the federally funded research and development center shall develop recommendations for the strategic planning efforts of the Administration to appropriately maintain surface safety considering future increases in air traffic and based on the considerations described in paragraph (2).

(4) REPORT TO CONGRESS.—Not later than 90 days after the completion of the study required by paragraph (1), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of such study and any recommendations developed under paragraph (3).

(f) AIRPORT SURFACE DETECTION AND SURVEILLANCE SYSTEM DEFINED.—In this section, the term ''airport surface detection and surveillance system'' means an airport surveillance system that is—

(1) designed to track surface movement of aircraft and vehicles; and

(2) capable of alerting air traffic controllers or flight crew members of a possible runway incursion, misaligned approach, or other safety event.

SEC. 502. GLOBAL AVIATION SAFETY.

(a) IN GENERAL.—Section 40104(d) of title 49, United States Code, (as redesignated by section 325) is amended—

(1) in the subsection heading by inserting ''AND ASSISTANCE'' after ''INTERNATIONAL ROLE'';

(2) in paragraph (1) by striking ''The Administrator'' and inserting ''In carrying out subsection (a), the Administrator'';

(3) by redesignating paragraph (2) as paragraph (4); and

(4) by inserting after paragraph (1) the following:

''(2) INTERNATIONAL PRESENCE.—The Administrator shall maintain an international presence to—

''(A) assist foreign civil aviation authorities in—

''(i) establishing robust aviation oversight practices and policies;

''(ii) training staff, to include inspectors and accident investigators;

''(iii) harmonizing international aviation standards for air traffic management, operator certification, aircraft certification, airports, and certificated or credentialed individuals;

''(iv) validating and accepting foreign aircraft design and production approvals;

''(v) maintaining appropriate levels of air navigation services;

''(vi) preparing for new aviation technologies; and

''(vii) appropriately adopting continuing airworthiness information, such as airworthiness directives;

''(B) encourage the adoption of United States standards, regulations, and policies;

''(C) establish, maintain, and update bilateral or multilateral aviation safety agreements and the aviation safety information contained within such agreements;

''(D) engage in bilateral and multilateral discussions and provide technical assistance as described in paragraph (5);

''(E) validate foreign aviation products and ensure reciprocal validation of products for which the United States is the state of design or production;

''(F) support accident and incident investigations, particularly such investigations that involve United States persons and certified products and such investigations where the National Transportation Safety Board is supporting an investigation pursuant to annex 13 of the International Civil Aviation Organization;

''(G) support the international activities of the United States aviation sector;

''(H) maintain valuable relationships with entities with aviation equities, including civil aviation authorities, other governmental bodies, non-governmental organizations, and foreign manufacturers; and

''(I) perform other activities as determined necessary by the Administrator.''.

(b) REVIEW OF INTERNATIONAL FIELD OFFICES.—Section 40104(d) of title 49, United States Code, (as redesignated by section 325) is further amended by inserting after paragraph (2) the following:

''(3) INTERNATIONAL OFFICES.—In carrying out the responsibilities described in subsection (a), the Administrator shall—

''(A) maintain international offices of the Administration;

''(B) every 3 years, review existing international offices to determine—

''(i) the effectiveness of such offices in fulfilling the mission described in paragraph (2); and

''(ii) the adequacy of resources and staffing to achieve the mission described in paragraph (2);

''(C) establish offices to address gaps identified by the review under subparagraph (B) and in furtherance of the mission described in paragraph (2), putting an emphasis on establishing such offices—

''(i) where international civil aviation authorities are located;

''(ii) where regional intergovernmental organizations are located;

''(iii) in countries that have difficulty maintaining a category 1 classification through the International Aviation Safety Assessment program; and

''(iv) in regions that have experienced substantial growth in aviation operations or manufacturing.''.

(c) BILATERAL AVIATION SAFETY AGREEMENTS.—

(1) ESTABLISHMENT.—Section 40104(d) of title 49, United States Code, (as redesignated by section 325) is further amended by inserting after paragraph (4) the following:

''(5) BILATERAL AVIATION SAFETY AGREEMENTS.—

''(A) IN GENERAL.—The Administrator shall negotiate, enter into, promote, enforce, evaluate the effectiveness of, and seek to update bilateral or multilateral aviation safety agreements, and the parts of such agreements, with international aviation authorities.

''(B) PURPOSE.—The Administrator shall seek to enter into bilateral aviation safety agreements under this section to, at a minimum—

''(i) improve global aviation safety;

''(ii) increase harmonization of, and reduce duplicative, requirements, processes, and approvals to advance the aviation interests of the United States;

''(iii) ensure access to international markets for operators, service providers, and manufacturers from the United States; and

''(iv) put in place procedures for recourse when a party to such agreements fails to meet the obligations of such party under such agreements.

''(C) SCOPE.—The scope of a bilateral aviation safety agreement entered into under this section shall, as appropriate, cover existing aviation users and concepts and establish a process by which bilateral aviation safety agreements can be updated to include new and novel concepts on an ongoing basis.

''(D) CONTENTS.—Bilateral aviation safety agreements entered into under this section shall, as appropriate and consistent with United States law and regulation, include topics such as—

''(i) airworthiness, certification, and validation;

''(ii) maintenance;

''(iii) operations and pilot training;

''(iv) airspace access, efficiencies, and navigation services;

''(v) transport category aircraft;

''(vi) fixed-wing aircraft, rotorcraft, and powered-lift aircraft;

''(vii) aerodrome certification;

''(viii) unmanned aircraft and associated elements of such aircraft;

''(ix) flight simulation training devices;

''(x) new or emerging technologies and technology trends; and

''(xi) other topics as determined appropriate by the Administrator.

''(E) RULE OF CONSTRUCTION.—Bilateral or multilateral aviation safety agreements entered into under this subsection shall not be construed to diminish or alter any authority of the Administrator under any other provision of law.''.

(2) AUDIT OF VALIDATION ACTIVITIES UNDER BILATERAL AVIATION SAFETY AGREEMENTS.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate an audit of bilateral compliance with respect to the validation of aircraft and aircraft parts as set forth in bilateral or multilateral aviation safety agreements between the Federal Aviation Administration and the civil aviation authorities of—

(i) the European Union;

(ii) Canada;

(iii) Brazil;

(iv) China;

(v) the United Kingdom; and

(vi) any other country as determined by the inspector general.

(B) REVIEW CONTENTS.—As part of the review required under this subsection, the inspector general shall evaluate the performance of validation programs by assessing—

(i) validation timelines and milestones for individual projects;

(ii) trends relating to the repeated use of nonbasic criteria to review systems and methods of compliance that have been validated previously in similar contexts;

(iii) the extent to which implementation tools such as validation workplans and safety emphasis items have addressed validation issues;

(iv) the perspective of Administration employees;

(v) the perspective of employees of other civil aviation authorities, who wish to provide such perspective, on the validation of products certified in the United States and the validation of products by the United States of products certified abroad; and

(vi) the perspective of domestic and foreign industry applicants seeking validation of aircraft and aircraft parts.

(C) REPORT AND RECOMMENDATIONS.—Not later than 14 months after beginning the audit under paragraph (1), the Comptroller General shall provide to the Administrator of the Federal Aviation Administration, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the findings of the audit and any recommendations to increase compliance and improve the validation timeframes of aircraft and aircraft parts.

(d) INTERNATIONAL ENGAGEMENT STRATEGY.—Section 40104(d) of title 49, United States Code, (as redesignated by section 325) is further amended by inserting after paragraph (5) the following:

''(6) STRATEGIC PLAN.—The Administrator shall maintain a strategic plan for the international engagement of the Administration that includes—

''(A) all elements of the report required in section 243(b)(1) of the FAA Reauthorization Act of 2018 (49 U.S.C. 44701 note);

''(B) measures to fulfill the mission described in paragraph (2);

''(C) initiatives to attain greater expertise among employees of the Federal Aviation Administration in issues related to dispute resolution, intellectual property, and expert control laws;

''(D) policy regarding the future direction and strategy of the United States engagement with the International Civil Aviation Organization;

''(E) procedures for acceptance of mandatory airworthiness information, such as airworthiness directives, and other safety-related regulatory documents, including procedures to implement the requirements of section 44701(e)(5);

''(F) all factors, including funding and resourcing, necessary for the Administration to maintain leadership in the global activities related to aviation safety and air transportation; and

''(G) establishment of, and a process to regularly track and update, metrics to measure the effectiveness of, and foreign civil aviation authority compliance with, bilateral aviation safety agreements.''.

SEC. 503. AVAILABILITY OF PERSONNEL FOR INSPECTIONS, SITE VISITS, AND TRAINING.

Section 40104 of title 49, United States Code, is further amended by adding at the end the following:

''(f) TRAVEL.—The Administrator and the Secretary of Transportation shall, in carrying out the responsibilities described in subsection (a), delegate to the appropriate supervisors of offices of the Administration the ability to authorize the domestic and international travel of relevant personnel who are not in the Federal Aviation Administration Executive System, without any additional approvals required, for the purposes of—

''(1) promoting aviation safety, aircraft operations, air traffic, airport, unmanned aircraft systems, and other aviation standards and regulations adopted by the United States;

''(2) facilitating the adoption of United States approaches on standards and recommended practices at the International Civil Aviation Organization;

''(3) promoting environmental standards adopted by the United States and standards promulgated under section 44714;

''(4) supporting the acceptance of Administration design and production approvals by other civil aviation authorities;

''(5) training Administration personnel and training provided to other persons;

''(6) engaging with regulated entities, including performing site visits;

''(7) activities associated with subsections (c) through (f) of this section; and

''(8) other activities as determined by the Administrator.''.

SEC. 504. HELICOPTER AIR AMBULANCE OPERATIONS.

(a) OUTDATED AIR AMBULANCE RULEMAKING REQUIREMENT.—Section 44730 of title 49, United States Code, is amended—

(1) in subsection (a)(1) by striking ''not later than 180 days after the date of enactment of this section,'';

(2) in subsection (c) by striking ''address the following'' and inserting ''consider, or address through other means, the following'';

(3) in subsection (d) by striking ''provide for the following'' and inserting ''consider, or address through other means, the following''; and

(4) in subsection (e)—

(A) in the heading by striking ''SUBSEQUENT RULEMAKING'' and inserting ''SUBSEQUENT ACTIONS'';

(B) in paragraph (1) by striking ''shall conduct a follow-on rulemaking to address the following:'' and inserting ''shall address through a follow-on rulemaking, or through such other means that the Administrator considers appropriate, the following:'';

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2).

(b) SAFETY MANAGEMENT SYSTEMS BRIEFING.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on how the proposed rule published on January 11, 2023, titled ''Safety Management System'' (88 Fed. Reg. 1932) will—

(1) improve helicopter air ambulance operations and piloting; and

(2) consider the use of safety equipment by flight crew and medical personnel on a helicopter conducting an air ambulance operation.

(c) IMPROVEMENT OF PUBLICATION OF HELICOPTER AIR AMBULANCE OPERATIONS DATA.—Section 44731 of title 49, United States Code, is amended—

(1) by striking subsection (d);

(2) in subsection (e)—

(A) in paragraph (1) by striking ''and'' at the end; and

(B) by striking paragraph (2) and inserting the following:

''(2) make publicly available, in part or in whole, on the website of the Federal Aviation Administration website, the database developed pursuant to subsection (c); and

''(3) analyze the data submitted under subsection (a) periodically and use such data to inform efforts to improve the safety of helicopter air ambulance operations.''; and

(3) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

SEC. 505. GLOBAL AIRCRAFT MAINTENANCE SAFETY IMPROVEMENTS.

(a) FAA OVERSIGHT OF REPAIR STATIONS LOCATED OUTSIDE THE UNITED STATES.—

(1) IN GENERAL.—Section 44733 of title 49, United States Code, is amended—

(A) in the heading by striking ''**Inspection**'' and inserting ''**Oversight**'';

(B) in subsection (a) by striking ''Not later than 1 year after the date of enactment of this section, the'' and inserting ''The'';

(C) in subsection (e)—

(i) by inserting '', without prior notice to such repair stations,'' after ''annually'';

(ii) by inserting ''and the applicable laws of the country in which the repair station is located'' after ''international agreements''; and

(iii) by striking the last sentence and inserting ''The Administrator may carry out announced or unannounced inspections in addition to the annual unannounced inspection required under this subsection based on identified risks and in a manner consistent with United States obligations under international agreements and the applicable laws of the country in which the part 145 repair station is located.'';

(D) by redesignating subsection (g) as subsection (j); and

(E) by inserting after subsection (f) the following:

''(g) DATA ANALYSIS.—

''(1) IN GENERAL.—Each fiscal year in which a part 121 air carrier has had heavy maintenance work performed on an aircraft owned or operated by such carrier, such carrier shall provide to the Administrator, not later than the end of the following fiscal year, a report containing the information described in paragraph (2).

''(2) INFORMATION REQUIRED.—A report under paragraph (1) shall contain the following:

''(A) The location where any heavy maintenance work on aircraft was performed outside the United States.

''(B) A description of the work performed at each such location.

''(C) The date of completion of the work performed at each such location.

''(D) A list of all failures, malfunctions, or defects affecting the safe operation of such aircraft identified by the air carrier not later than 30 days after the date on which an aircraft is returned to service, organized by reference to aircraft registration number, that—

''(i) requires corrective action after the aircraft is approved for return to service; and

''(ii) results from such work performed on such aircraft.

''(E) The certificate number of the person approving such aircraft or on-wing aircraft engine, for return to service following completion of the work performed at each such location.

''(3) ANALYSIS.—The Administrator shall—

''(A) analyze information provided under this subsection and sections 121.703, 121.705, 121.707, and 145.221 of title 14, Code of Federal Regulations, or any successor provisions of such title, to detect safety issues associated with heavy maintenance work on aircraft performed outside the United States; and

''(B) require appropriate actions by an air carrier or repair station in response to any safety issue identified by the analysis conducted under subparagraph (A).

''(4) CONFIDENTIALITY.—Information provided under this subsection shall be subject to the same protections given to voluntarily provided safety or security related information under section 40123.

''(h) APPLICATIONS AND PROHIBITION.—

''(1) IN GENERAL.—The Administrator may not approve any new application under part 145 of title 14, Code of Federal Regulations, from a person located or headquartered in a country that the Administration, through the International Aviation Safety Assessment program, has classified as Category 2.

''(2) EXCEPTION.—Paragraph (1) shall not apply to an application for the renewal of a certificate issued under part 145 of title 14, Code of Federal Regulations.

''(3) MAINTENANCE IMPLEMENTATION PROCEDURES AGREEMENT.—The Administrator may elect not to enter into a new maintenance implementation procedures agreement with a country classified as Category 2, for as long as the country remains classified as Category 2.

''(3) PROHIBITION ON CONTINUED HEAVY MAINTENANCE WORK.—No part 121 air carrier may enter into a new contract for heavy maintenance work with a person located or headquartered in a country that the Administrator, through the International Aviation Safety Assessment program, has classified as Category 2, for as long as such country remains classified as Category 2.

''(i) MINIMUM QUALIFICATIONS FOR MECHANICS AND OTHERS WORKING ON U.S. REGISTERED AIRCRAFT.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Administrator shall require that, at each covered repair station—

''(A) all supervisory personnel of such station are appropriately certificated as a mechanic or repairman under part 65 of title 14, Code of Federal Regulations, or under an equivalent certification or licensing regime, as determined by the Administrator; and

''(B) all personnel of such station authorized to approve an article for return to service are appropriately certificated as a mechanic or repairman under part 65 of such title, or under an equivalent certification or licensing regime, as determined by the Administrator.

''(2) AVAILABLE FOR CONSULTATION.—Not later than 2 years after the date of enactment of this subsection, the Administrator shall require any individual who is responsible for approving an article for return to service or who is directly in charge of heavy maintenance work performed on aircraft operated by a part 121 air carrier be available for consultation while work is being performed at a covered repair station.''.

(2) DEFINITIONS.—

(A) IN GENERAL.—Section 44733(j) of title 49, United States Code (as redesignated by this section), is amended—

(i) in paragraph (1) by striking ''aircraft'' and inserting ''aircraft (including on-wing aircraft engines)'';

(ii) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(iii) by inserting before paragraph (2), as so redesignated, the following:

''(1) COVERED REPAIR STATION.—The term 'covered repair station' means a facility that—

''(A) is located outside the United States;

''(B) is a part 145 repair station; and

''(C) performs heavy maintenance work on aircraft operated by a part 121 air carrier.''.

(B) TECHNICAL AMENDMENT.—Section 44733(a)(3) of title 49, United States Code, is amended by striking ''covered part 145 repair stations'' and inserting ''part 145 repair stations''.

(3) CONFORMING AMENDMENTS.—The analysis for chapter 447 of title 49, United States Code, is amended by striking the item relating to section 44733 and inserting the following:

''44733. Oversight of repair stations located outside the United States.''.

(b) INTERNATIONAL STANDARDS FOR SAFETY OVERSIGHT OF EXTRATERRITORIAL REPAIR STATIONS.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall invite other civil aviation authorities to convene with the Administration an extraterritorial repair station working group (hereinafter referred to as the ''Working Group'') to conduct a review of the certification and oversight of extraterritorial repair stations and to identify any future enhancements or harmonization that might be appropriate to strengthen oversight of such repair stations and improve global aviation safety.

(2) COMPOSITION OF WORKING GROUP.—The Working Group shall consist of—

(A) technical representatives from the FAA; and

(B) such other civil aviation authorities or international intergovernmental aviation safety organizations as the Administrator determines appropriate and are willing to participate, including—

(i) civil aviation authorities responsible for certificating extraterritorial repair stations; and

(ii) civil aviation authorities of countries in which extraterritorial repair stations are located.

(3) CONSULTATION.—In conducting the review under this section, the Working Group shall, as appropriate, consult with relevant experts and stakeholders.

(4) RECOMMENDATIONS.—The Working Group shall make recommendations with respect to any future enhancements that might be appropriate to—

(A) strengthen oversight of extraterritorial repair stations; and

(B) better leverage the resources of other civil aviation authorities to conduct such oversight.

(5) REPORTS.—

(A) REPAIR STATION WORKING GROUP REPORT.—In establishing the Working Group, the Administrator shall task the Working Group with submitting to the participating civil aviation authorities a report containing the findings of the recommendations made under paragraph (4).

(B) FAA REPORT.—

(i) TRANSMISSION OF REPAIR STATION WORKING GROUP REPORT.—The Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a copy of the report required under subparagraph (A) as soon as is practicable after the receipt of such report.

(ii) FAA BRIEFING TO CONGRESS.—Not later than 45 days after receipt of the report under paragraph (1), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

(I) whether the Administrator concurs or does not concur with each recommendation contained in the report required under subparagraph (A);

(II) any recommendation with which the Administrator does not concur, a detailed explanation as to why the Administrator does not concur;

(III) a plan to implement each recommendation with which the Administrator concurs; and

(IV) a plan to work with the international community to implement the recommendations applicable to both the FAA as well as other civil aviation authorities.

(6) TERMINATION.—The Working Group shall terminate 90 days after the date of submission of the report under paragraph (5)(A), unless the Administrator or another participant of the Working Group requests for an extension of the Working Group in order to inform the implementation and harmonization of any recommendation applicable to multiple civil aviation authorities.

(7) DEFINITION OF EXTRATERRITORIAL REPAIR STATION.—In this subsection, the term

''extraterritorial repair station'' means a repair station that performs heavy maintenance work on an aircraft (including on-wing engines) and that is located outside of the territory of the country of the civil aviation authority which certificated the repair station.

(c) ALCOHOL AND DRUG TESTING AND BACKGROUND CHECKS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report updating Congress on the progress and challenges involved with carrying out the requirements of subsection (b) of section 2112 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44733).

(2) SUNSET.—The reporting requirement under paragraph (1) shall cease to be effective after a final rule carrying out the requirements of such subsection (b) has been published in the Federal Register.

(3) RULEMAKING ON ASSESSMENT REQUIREMENT.—With respect to any employee not covered under the requirements of section 1554.101 of title 49, Code of Federal Regulations, the Administrator shall initiate a rulemaking or request the head of another Federal agency to initiate a rulemaking that requires a covered repair station to confirm that any such employee has successfully completed an assessment commensurate with a security threat assessment described in subpart C of part 1540 of such title.

(d) DEFINITIONS.—In this section:

(1) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the FAA.

(3) COVERED REPAIR STATION; HEAVY MAINTENANCE WORK.—The terms ''covered repair station'' and ''heavy maintenance work'' have the meaning given those terms in section 44733(j) of title 49, United States Code.

SEC. 506. ODA BEST PRACTICE SHARING.

Section 44736(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''Not later than 120 days after the date of enactment of this section, the'' and insert ''The''; and

(2) in paragraph (3)—

(A) in subparagraph (E) by striking ''and'' at the end;

(B) in subparagraph (F) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(G) convene a forum not less than every 2 years between ODA holders, unit members, and other organizational representatives and relevant experts, in order to—

''(i) share best practices;

''(ii) instill professionalism, ethics, and personal responsibilities in unit members; and

''(iii) foster open and transparent communication between Administration safety specialists, ODA holders, and unit members.''.

SEC. 507. TRAINING OF ORGANIZATION DELEGATION AUTHORITY UNIT MEMBERS.

(a) UNIT MEMBER ANNUAL ETHICS TRAINING.—Section 44736 of title 49, United States Code, is further amended by adding at the end the following:

''(g) ETHICS TRAINING REQUIREMENT FOR ODA HOLDERS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Administrator of the Federal Aviation Administration shall review and ensure each ODA holder approved under section 44741 has in effect a recurrent training program for all ODA unit members that covers—

''(A) unit member professional obligations and responsibilities;

''(B) the ODA holder's code of ethics as required to be established under section 102(f) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 44701 note);

''(C) procedures for reporting safety concerns, as described in the respective approved procedures manual for the delegation;

''(D) the prohibition against and reporting procedures for interference from a supervisor or other ODA member described in section 44742; and

''(E) any additional information the Administrator considers relevant to maintaining ethical and professional standards across all ODA holders and unit members.

''(2) FAA REVIEW.—

''(A) REVIEW OF TRAINING PROGRAM.—The Organization Designation Authorization Office of the Administration shall review each ODA holders' recurrent training program to ensure such program includes all elements described in paragraph (1).

''(B) CHANGES TO PROGRAM.—Such Office may require changes to the training program considered necessary to maintain ethical and professional standards across all ODA holders and unit members.

''(3) TRAINING.—As part of the recurrent training required under paragraph (1), not later than 60 business days after being designated as an ODA unit member, and annually thereafter, each ODA unit member shall complete the ethics training required by the ODA holder of the respective ODA unit member in order to exercise the functions delegated under the ODA.

''(4) ACCOUNTABILITY.—The Administrator shall establish such processes or requirements as are necessary to ensure compliance with paragraph (3).''.

(b) DEADLINE.—An ODA unit member authorized to perform delegated functions under an ODA prior to the date of completion of an ethics training required under section 44736(g) of title 49, United States Code, shall complete such training not later than 30 days after the training program is approved by the Administrator of the Federal Aviation Administration pursuant to such section.

SEC. 508. CLARIFICATION ON SAFETY MANAGEMENT SYSTEM INFORMATION DISCLOSURE.

Section 44735 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''; or'' and inserting a semicolon;

(B) in paragraph (2) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(3) if the report, data, or other information is submitted for any purpose relating to the development, implementation, and use of a safety management system, including a system required by regulation, that is acceptable to the Administrator.''; and

(2) by adding at the end the following:

''(d) OTHER AGENCIES.—

''(1) IN GENERAL.—The limitation established under subsection (a) shall apply to the head of any other Federal agency who receives reports, data, or other information described in such subsection from the Administrator.

''(2) RULE OF CONSTRUCTION.—This section shall not be construed to limit the accident or incident investigation authority of the National Transportation Safety Board under chapter 11, including the requirement to not disclose voluntarily provided safety-related information under section 1114.''.

SEC. 509. EXTENSION OF AIRCRAFT CERTIFICATION, SAFETY, AND ACCOUNTABILITY ACT REPORTING REQUIREMENTS.

(a) APPEALS OF CERTIFICATION DECISIONS.—Section 44704(g)(1)(C)(ii) of title 49, United States Code, is amended by striking ''2025'' and inserting ''2028''.

(b) OVERSIGHT OF ORGANIZATION DESIGNATION AUTHORIZATION UNIT MEMBERS.—Section 44741(f)(2) of title 49, United States Code, is amended by striking ''Not later than 90 days'' and all that follows through ''the Administrator shall provide a briefing'' and inserting ''The Administrator shall provide an annual briefing each fiscal year through fiscal year 2028''.

(c) INTEGRATED PROJECT TEAMS.—Section 108(f) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 44704 note) is amended by striking ''2023'' and inserting ''2028''.

(d) VOLUNTARY SAFETY REPORTING PROGRAM.—Section 113(f) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 44701 note) is amended by striking ''2023'' and inserting ''2028''.

(e) CHANGED PRODUCT RULE.—Section 117(b)(1) of the Aircraft Certification, Safety, and Accountability Act (49 U.S.C. 44704 note) is amended by striking ''2023'' and inserting ''2028''.

SEC. 510. DON YOUNG ALASKA AVIATION SAFETY INITIATIVE.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end the following:

''§ 44745. Don Young Alaska Aviation Safety Initiative.

''(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall redesignate the FAA Alaska Aviation Safety Initiative of the Administration as the Don Young Alaska Aviation Safety Initiative (in this section referred to as the 'Initiative'), under which the Administrator shall carry out the provisions of this section and take such other actions as the Administrator determines appropriate to improve aviation safety in covered locations.

''(b) OBJECTIVE.—The objective of the Initiative shall be to work cooperatively with aviation stakeholders and other stakeholders towards the goal of—

''(1) reducing the rate of fatal aircraft accidents in covered locations by 90 percent from 2019 to 2033; and

''(2) by January 1, 2033, eliminating fatal accidents of aircraft operated by an air carrier that operates under part 135 of title 14, Code of Federal Regulations.

''(c) LEADERSHIP.—

''(1) IN GENERAL.—The Administrator shall designate the Regional Administrator for the Alaskan Region of the Administration to serve as the Director of the Initiative.

''(2) REPORTING CHAIN.—In all matters relating to the Initiative, the Director of the Initiative shall report directly to the Administrator.

''(3) COORDINATION.—The Director of the Initiative shall coordinate with the heads of other offices and lines of business of the Administration, including the other regional administrators, to carry out the Initiative.

''(d) AUTOMATED WEATHER SYSTEMS.—

''(1) REQUIREMENT.—The Administrator shall ensure, to the greatest extent practicable, that a covered automated weather system is installed and operated at each covered airport not later than December 31, 2030.

''(2) WAIVER.—In complying with the requirement under paragraph (1), the Administrator may waive any positive benefit-cost ratio requirement for the installation and operation of a covered automated weather system.

''(3) PRIORITIZATION.—In developing the installation timeline of a covered automated weather system at a covered airport pursuant to this subsection, the Administrator shall—

''(A) coordinate and consult with the governments with jurisdiction over covered locations, covered airports, air carriers operating in covered locations, private pilots based in covered locations, and such other members of the aviation community in covered locations; and

''(B) prioritize early installation at covered airports that would enable the greatest number of instrument flight rule operations by air carriers operating under part 121 or 135 of title 14, Code of Federal Regulations.

''(4) RELIABILITY.—

''(A) IN GENERAL.—Pertaining to both Federal and non-Federal systems, the Administrator shall be responsible for ensuring—

''(i) the reliability of covered automated weather systems; and

''(ii) the availability of weather information from such systems.

''(B) SPECIFICATIONS.—The Administrator shall establish data availability and equipment reliability specifications for covered automated weather systems.

''(C) SYSTEM RELIABILITY AND RESTORATION PLAN.—Not later than 2 years after the date of enactment of this section, the Administrator shall establish an automated weather system reliability and restoration plan. Such plan shall document the Administrator's strategy for ensuring covered automated weather system reliability, including the availability of weather information from such system, and for restoring service in as little time as possible.

''(D) TELECOMMUNICATIONS OR OTHER FAILURES.—If a covered automated weather system is unable to broadly disseminate weather information due to a telecommunications failure or a failure other than an equipment failure, the Administrator shall take such actions as may be necessary to restore the full functionality and connectivity of the covered automated weather system. The Administrator shall take actions under this subparagraph with the same urgency as the Administrator would take an action to repair a covered automated weather system equipment failure or data fidelity issue.

''(E) RELIABILITY DATA.—In tabulating data relating to the operational status of covered automated weather systems (including individually or collectively), the Administrator may not consider a covered automated weather system that is functioning nominally but is unable to broadly disseminate weather information telecommunications failure or a failure other than an equipment failure as functioning reliably.

''(5) INVENTORY.—The Administrator shall consider storing excess inventory necessary for air traffic control equipment, including commonly required replacement parts, in covered locations to reduce the amount of time necessary to acquire such equipment or such parts necessary to replace or repair air traffic control system components.

''(6) VISUAL WEATHER OBSERVATION SYSTEM.—Not later than 1 year after the date of enactment of this section, the Administrator shall take such actions as may be necessary to—

''(A) deploy visual weather observation systems; and

''(B) ensure that such systems are capable of meeting the definition of covered automated weather systems.

''(e) WEATHER CAMERAS.—

''(1) IN GENERAL.—The Director shall continuously assess the state of the weather camera systems in covered locations to ensure the operational sufficiency and reliability of such systems.

''(2) APPLICATIONS.—The Director shall—

''(A) accept applications from persons to install weather cameras; and

''(B) consult with the governments with jurisdiction over covered locations, covered airports, air carriers operating in covered locations, private pilots based in covered locations, and such other members of the aviation community in covered locations as the Administrator determines appropriate to solicit additional locations at which to install and operate weather cameras.

''(3) PRESUMPTION.—Unless the Director has clear and compelling evidence to the contrary, the Director shall presume that the installation of a weather camera at a covered airport, or that is recommended by a government with jurisdiction over a covered location, is cost beneficial and will improve aviation safety.

''(f) COOPERATION WITH OTHER AGENCIES.—In carrying out this section, the Administrator shall cooperate with the heads of other Federal or State agencies with responsibilities affecting aviation safety in covered locations, including the collection and dissemination of weather data.

''(g) SURVEILLANCE AND COMMUNICATION.—

''(1) IN GENERAL.—The Director shall take such actions as may be necessary to—

''(A) encourage and incentivize the equipage of aircrafts that operate under part 135 of title 14, Code of Federal Regulations, with automatic dependent surveillance and broadcast out equipment; and

''(B) improve aviation surveillance and communications in covered locations.

''(2) REQUIREMENT.—Not later than December 31, 2030, the Administrator shall ensure that automatic dependent surveillance and broadcast coverage is available at 5,000 feet above ground level throughout each covered location.

''(3) WAIVER.—In complying with the requirement under paragraph (2), the Administrator shall waive any positive benefit-cost ratio requirement for the installation and operation of equipment and facilities necessary to implement such requirement.

''(4) SERVICE AREAS.—The Director shall continuously identify additional automatic dependent surveillance–broadcast service areas in which the deployment of automatic dependent surveillance–broadcast receivers and equipment would improve aviation safety.

''(h) OTHER PROJECTS.—The Director shall continue to build upon other initiatives recommended in the reports of the FAA Alaska Aviation Safety Initiative of the Administration published before the date of enactment of this section.

''(i) ANNUAL REPORT.—

''(1) IN GENERAL.—The Director shall submit an annual report on the status and progress of the Initiative to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(2) OBJECTIVES AND REQUIREMENTS.—The report under paragraph (1) shall include a detailed description of the Director's progress in and plans for meeting the objectives of the Initiative under subsection (b) and the other requirements of this section.

''(3) STAKEHOLDER COMMENTS.—The Director shall append stakeholder comments, organized by topic, to each report submitted under paragraph (1) in the same manner as appendix 3 of the report titled 'FAA Alaska Aviation Safety Initiative FY21 Final Report', dated September 30, 2021.

''(j) FUNDING.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, in fiscal years 2024 through 2028—

''(A) the Administrator may, upon application from the government with jurisdiction over a covered location, use amounts apportioned to a covered location under subsection (d)(2)(B) or subsection (e)(5) of section 47114 to carry out the Initiative; or

''(B) the sponsor of an airport in a covered location that receives an apportionment under subsection (d)(2)(B) or subsection (e) of section 47114 may use such apportionment for any purpose contained in this section.

''(2) SUPPLEMENTAL FUNDING.—Out of amounts made available under section 106(k) and section 48101, not more than a total of $25,000,000 for each of fiscal year 2024 through 2028 is authorized to be expended to carry out the Initiative.

''(k) DEFINITIONS.—In this section:

''(1) COVERED AIRPORT.—The term 'covered airport' means an airport in a covered location that is included in the national plan of integrated airport systems required under section 47103 and that has a status other than unclassified in such plan.

''(2) COVERED AUTOMATED WEATHER SYSTEM.—The term 'covered automated weather system' means an automated or visual weather reporting facility that enables a pilot to begin an instrument procedure approach to an airport under section 91.1039 or 135.225 of title 14, Code of Federal Regulations.

''(3) COVERED LOCATION.—The term 'covered location' means Alaska, Hawaii, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the United States Virgin Islands.

''(l) CONFORMITY.—The Administrator shall conduct all activities required under this section in conformity with section 44720.''.

(b) REMOTE POSITIONS.—Section 40122(g) of title 49, United States Code, is amended by adding at the end the following:

''(7) REMOTE POSITIONS.—

''(A) IN GENERAL.—If the Administrator determines that a covered position has not been filled after multiple vacancy announcements and that there are unique circumstances affecting the ability of the Administrator to fill such position, the Administrator may consider, in consultation with the appropriate labor union, applicants for the covered position who apply under a vacancy announcement recruiting from the State or territory in which the position is based.

''(B) COVERED POSITION DEFINED.—In this paragraph, the term 'covered position' means a safety-critical position based in Alaska, Hawaii, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands.''.

(c) RUNWAY LENGTH.—Notwithstanding any other provision of law, the Secretary of Transportation may not require an airport to shorten a runway or prevent airport improvement grants made by the Secretary to be used for reconstructing and rehabilitating a primary runway on the basis that the airport does not have a sufficient number of aircraft operations requiring a certain runway length if—

(1) the airport is located in a covered location;

(2) the airport is not connected to the road transportation network; and

(3) the runway length is utilized by aircraft to deliver necessary cargo, including heating fuel and gasoline, for the community served by the airport.

(d) ALASKAN REGIONAL ADMINISTRATOR.—

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

(A) the Regional Administrator for the Alaskan Region is a uniquely important position that contributes to aviation safety in the State of Alaska;

(B) vacancies in any Federal Aviation Administration office have a deleterious effect on the efficacy of the Alaskan Region office;

(C) a prolonged vacancy in the position of Regional Administrator for the Alaskan Region may be detrimental to the effective administration of such region and the Don Young Alaska Aviation Safety Initiative; and

(D) the Administrator of the Federal Aviation Administration should ensure that any vacancy in the position of Regional Administrator for the Alaskan Region is filled will a highly qualified candidate as expeditiously as possible.

(2) VACANCY NOTIFICATION REQUIREMENTS.—

(A) INITIAL VACANCY.—The Administrator of the Federal Aviation Administration shall notify the appropriate committees of Congress when there is a vacancy for the position of Regional Administrator for the Alaskan Region.

(B) STATUS UPDATES.—Not later than 90 days after the notification under subparagraph (A) (and every 30 days thereafter until the vacancy described under subparagraph (A) is filled), the Administrator shall notify the appropriate committees of Congress of any vacancy of such position, if so, provide an estimated timeline for filling such vacancy.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term ''appropriate committees of Congress'' means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(D) SUNSET.—This paragraph shall cease to be effective after September 30, 2028.

(e) IMPLEMENTATION OF NTSB RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator shall take such actions as may be necessary to implement National Transportation Safety Board recommendations A–22–25 and A–22–26 (as contained in Aviation Investigation Report AIR–22–09, adopted November 16, 2022).

(2) COORDINATION.—In taking actions under paragraph (1), the Administrator shall coordinate with the State of Alaska, airports in Alaska, air carriers operating in Alaska, private pilots (including tour operators) based in Alaska, and such other members of the Alaska aviation community or other stakeholders as the Administrator determines appropriate.

(f) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

''44745. Don Young Alaska Aviation Safety Initiative.''.

SEC. 511. CONTINUED OVERSIGHT OF FAA COMPLIANCE PROGRAM.

Section 122 of the Aircraft Certification, Safety, and Accountability Act (Public Law 116–260; 134 Stat. 2344) is amended—

(1) in subsection (b) by striking paragraph (2) and inserting the following:

''(2) conduct an annual agency-wide evaluation of the Compliance Program through fiscal year 2028 to assess the functioning and effectiveness of such program and to determine—

''(A) the need for long-term metrics that, to the maximum extent practicable, apply to all program offices to assess the effectiveness of the program;

''(B) if the program ensures the highest level of compliance with safety standards; and

''(C) if the program has met its stated safety goals and purpose;'';

(2) in subsection (c)(4) by striking ''2023'' and inserting ''2028''; and

(3) in subsection (d) by striking ''2023'' and inserting ''2028''.

SEC. 512. SCALABILITY OF SAFETY MANAGEMENT SYSTEMS.

In conducting any rulemaking to require, or implementing a regulation requiring, a safety management system, the Administrator of the Federal Aviation Administration shall consider the scalability of such safety management system requirements to the full range of entities in terms of size or complexity that may be affected by such rulemaking or regulation, including—

(1) how an entity can demonstrate compliance using various documentation, tools, and methods, including, as appropriate, systems with multiple small operators collectively monitoring for and addressing risks;

(2) a review of traditional safety management techniques and the suitability of such techniques for small entities;

(3) the applicability of existing safety management system programs implemented by an entity;

(4) the suitability of existing requirements under part 5 of title 14, Code of Federal Regulations, for small entities; and

(5) other unique challenges relating to small entities the Administrator determines appropriate to consider.

SEC. 513. FINALIZE SAFETY MANAGEMENT SYSTEM RULEMAKING.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule relating to the Notice of Proposed Rulemaking of the Federal Aviation Administration titled ''Safety Management Systems'', issued on January 11, 2023.

(b) APPLICABILITY.—In issuing a final rule under subsection (a), the Administrator shall ensure that the safety management system requirement under the Notice of Proposed Rulemaking described in subsection (a) is applied to all certificate holders operating under the rules for commuter and on-demand operations under part 135 of title 14, Code of Federal Regulations, commercial air tour operators operating under section 91.147 of such title, production certificate holders that are holders or licensees of a type certificate for the same product, and holders of a type certificate who license out such certificate for production under part 21 of such title.

SEC. 514. IMPROVEMENTS TO AVIATION SAFETY INFORMATION ANALYSIS AND SHARING.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall implement improvements to the Aviation Safety Information Analysis and Sharing Program with respect to safety data sharing and risk mitigation.

(b) REQUIREMENTS.—In carrying out subsection (a), the Administrator shall—

(1) identify methods to increase the rate at which data is collected, processed, and analyzed to expeditiously share safety intelligence;

(2) develop predictive capabilities to anticipate emerging safety risks;

(3) identify methods to improve shared data environments with external stakeholders;

(4) establish a robust process for prioritizing requests for safety information;

(5) establish guidance to encourage regular safety inspector review of non-confidential aviation safety and performance data;

(6) identify industry segments not yet included and conduct outreach to such industry segments to increase the rate of participation, including—

(A) general aviation;

(B) rotorcraft;

(C) air ambulance; and

(C) maintenance facilities; and

(7) establish processes for obtaining and analyzing comprehensive and aggregate data for new and future industry segments.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to require the Administrator to share confidential or proprietary information and data to safety inspectors for purposes of enforcement; or

(2) to limit the applicability of section 44735 of title 49, United States Code, to the Aviation Safety Information Analysis and Sharing Program.

(d) BRIEFING.—Not later than 180 days after the date of enactment of this Act, and every 6 months thereafter until the improvements under subsection (a) are made, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress of implementation of the Aviation Safety Information Analysis and Sharing Program and steps taken to make improvements under subsection (a).

SEC. 515. IMPROVEMENT OF CERTIFICATION PROCESSES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall continually look for opportunities and methods to improve the processing of applications, consideration of applications, communication with applicants, and quality of feedback provided to applicants, for aircraft certification projects.

(b) CERTIFICATION IMPROVEMENTS.—Not later than 270 days after the date of enactment of this Act, the Administrator shall enter into an appropriate arrangement with a qualified third-party organization or consortium to identify and assess digital tools and software systems to allow for efficient and virtual evaluation of an applicant design, associated documentation, and software or systems engineering product, including in digital 3 dimensional formats or using model-based systems engineering design techniques for aircraft certification projects.

(c) PARTIES TO REVIEW.—In identifying digital tools and software systems as described in subsection (b), the Administrator shall ensure that the qualified third-party organization or consortium entering into an arrangement under this section shall, throughout the review, consult with—

(1) the aircraft certification and flight standards offices or services of the Administration; and

(2) at least 3 industry members representing aircraft and aircraft part manufacturing interests.

(d) DIGITAL TOOL AND SOFTWARE SYSTEM REQUIREMENTS.—In identifying digital tools and software systems under subsection (b), the qualified third-party organization or consortium shall—

(1) consider the interoperability of such systems to the extent practicable;

(2) consider the scalability and usability of such systems for differing use-cases by aircraft manufacturers, aircraft operators, and the Administration, including cross-office use-cases within the Administration;

(3) consider such systems currently in use by United States manufacturers or other civil aviation authorities for certification and engineering purposes;

(4) consider the—

(A) available technology support for such systems; and

(B) ability for such systems to be updated and adapted over time to improve user interfaces, including providing additional functionalities and addressing gaps;

(5) consider the ability of digital tools and software systems to aid in the electronic review of software components of aircraft and aircraft systems;

(6) consider the ability of the Administration and aircraft designers to use digital tools and software systems for corrective actions and modifications in a more rapid fashion;

(7) determine if each system provides adequate protections for the exchange of information between governmental and nongovernmental entities, including—

(A) intellectual property protections;

(B) cyber and network security protections; and

(C) the ability for governmental and nongovernmental entities to control what is acceptable and what is restricted for other parties;

(8) evaluate the estimated ease of adoption and any impediments to adoption for personnel of the Federal Aviation Administration; and

(9) evaluate the ability for nongovernmental organizations of various sizes to adopt and utilize the digital and software systems identified under subsection (b) to improve the aircraft certification application and coordination processes with the Administration.

(e) ASSESSMENT.—After reviewing digital and software systems under subsection (b), the qualified third-party organization or consortium shall provide an assessment to the Administrator as to—

(1) whether or not digital and software systems and tools would improve the coordination of the Administration with industry;

(2) whether or not such systems and tools would improve the ability of the Administration to validate and verify aircraft and software designs in non-paper formats; and

(3) the potential safety benefits or safety risks of using such systems and tools.

(f) CONTENT OF ASSESSMENT.—In the event the qualified third-party organization or consortium finds that digital and software systems and tools would assist the work of the Administration and improve certification projects processing, the assessment described under subsection (e) shall also include—

(1) a prioritization, expected costs, and timeline of acquisitions and training based on immediate and future needs and benefits; and

(2) suggest actions the Administration could take in order to institutionalize the use of such technologies at the headquarters and field offices of the Administration, and to protect information shared through such technologies, including recommended updates to orders issued by the Administration.

(g) IMPLEMENTATION.—Based on the assessment required in subsections (e) and (f), if the qualified third-party organization finds that the use of digital software systems and tools would assist the work of the agency, the Administrator shall—

(1) provide the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate with a briefing on the intended actions of the Administrator;

(2) not later than 60 days after receiving such assessment develop a plan to—

(A) work towards the acquisition of the systems and tools recommended, subject to the availability of appropriations;

(B) update any applicable orders and guidance to allow for the use of these new systems and tools by personnel of the Administration and nongovernmental entities applying to or coordinating with the Administration on certification related activities, at the discretion of the applicant or nongovernmental entity;

(C) on an ongoing basis review and modify orders and guidance to improve the use of these systems and tools as well as addressing any intellectual property vulnerabilities; and

(h) BRIEFING.—Not later than 30 months after receiving such assessment, the Administrator shall provide the committees described in paragraph (1) with a briefing on the use, benefits, and any drawbacks of the systems and tools, including comparisons between certification programs using and not using digital and software systems and tools.

SEC. 516. INSTRUCTIONS FOR CONTINUED AIRWORTHINESS AVIATION RULEMAKING COMMITTEE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene an aviation rulemaking committee to review, and develop findings and recommendations regarding, instructions for continued airworthiness (as described in section 21.50 of title 14, Code of Federal Regulations), and provide to the Administrator a report on such findings and recommendations and for other related purposes as determined by the Administrator.

(b) COMPOSITION.—The aviation rulemaking committee established pursuant to subsection (a) shall consist of members appointed by the Administrator, including representatives of—

(1) holders of type certificates (as described in subpart B of part 21, title 14, Code of Federal Regulations);

(2) holders of production certificates (as described in subpart G of part 21, title 14, Code of Federal Regulations);

(3) holders of parts manufacturer approvals (as described in subpart K of part 21, title 14, Code of Federal Regulations);

(4) holders of technical standard order authorizations (as described in subpart O of part 21, title 14, Code of Federal Regulations);

(5) operators under parts 121, 125, or 135 of title 14, Code of Federal Regulations;

(6) holders of repair station certificates (as described in section 145 of title 14, Code of Federal Regulations);

(7) the certified bargaining representative of aviation safety inspectors for the Administration;

(8) general aviation operators;

(9) mechanics certificated under part 65 of title 14, Code of Federal Regulations;

(10) holders of supplemental type certificates (as described in subpart E of part 21 of title 14, Code of Federal Regulations);

(11) designated engineering representatives employed by repair stations; and

(12) aviation safety experts with specific knowledge of instructions for continued airworthiness policies and regulations.

(c) CONSIDERATIONS.—The aviation rulemaking committee established pursuant to subsection (a) shall consider—

(1) existing standards, regulations, certifications, assessments, and guidance related to instructions for continued airworthiness and the clarity of such standards, regulations, certifications, assessments, and guidance to all parties;

(2) the sufficiency of safety data used in preparing instructions for continued airworthiness;

(3) the sufficiency of maintenance data used in preparing instructions for continued airworthiness;

(4) the protection of proprietary information and intellectual property in instructions for continued airworthiness;

(5) the availability of instructions for continued airworthiness, as needed, for maintenance activities;

(6) the need to harmonize or deconflict proposed and existing regulations with other Federal regulations, guidance, and policies;

(7) international collaboration, where appropriate and consistent with the interests of safety in air commerce and national security, with other civil aviation authorities, international aviation and standards organizations, and any other appropriate entities; and

(8) any other matter the Administrator determines appropriate.

(d) DUTIES.—The Administrator shall—

(1) not later than 1 year after the date of enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a copy of the aviation rulemaking committee report under subsection (a); and

(2) not later than 180 days after the date of submission of the report under paragraph (1), initiate a rulemaking activity or make such policy and guidance updates necessary to address any consensus recommendations reached by the aviation rulemaking committee established pursuant to subsection (a), as determined appropriate by the Administrator.

SEC. 517. CLARITY FOR SUPPLEMENTAL TYPE CERTIFICATE REQUIREMENTS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall issue or update guidance, policy documents, orders, job aids, or regulations to clarify the conditions under which a major alteration will require a supplemental type certificate under part 21 of title 14, Code of Federal Regulations.

(b) CONTENTS.—Issuances or updates under subsection (a) shall include providing clarity around—

(1) the terms ''might appreciatively effect'' and ''no appreciable effect pursuant to sections 1.1 and 21.93 of title 14, Code of Federal Regulations, respectively''; and

(2) whether the term ''other approved design'', as such term appears in part 21.1 of title 14, Code of Federal Regulations, includes engineering data approved by the Administrator by means other than through a supplemental type certificate.

(c) CONSIDERATIONS.—In satisfying subsection (a), the Administrator shall make such updates as necessary to provide consideration for the level of effort required by an applicant to make a major alteration and the associated level of risk to the national airspace system for a single aircraft or multiple aircraft using such alteration.

SEC. 518. USE OF ADVANCED TOOLS IN CERTIFYING AEROSPACE PRODUCTS.

(a) IN GENERAL.—Not later than 30 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete an assessment of the use of advanced tools during the testing, analysis, and verification stages of aerospace certification projects to reduce the risks associated with high-risk flight profiles and performing limit testing.

(b) CONSIDERATIONS.—In carrying out the assessment under subsection (a), the Administrator shall consider—

(1) instances where high risk flight profiles and limit testing have already occurred in the certification process and the applicability of such test data for use in other aspects of flight testing;

(2) the safety of pilots during such testing;

(3) the value and accuracy of data collected using such advanced tools;

(4) the ability to produce more extensive data sets using such advanced tools;

(5) any aspects of testing for which the use of such tools would not be valuable or applicable;

(6) the cost of using such advanced tools; and

(7) the best practices of other civil aviation authorities that permit the use of advanced tools during aerospace certification projects.

(c) CONSULTATION.—In carrying out the assessment under subsection (a), the Administrator shall consult with—

(1) aircraft manufacturers, including manufacturers that have designed and certified aircraft under—

(A) part 23 of title 14, Code of Federal Regulations;

(B) part 25 of such title; or

(C) part 27 of such title;

(2) aircraft manufacturers that have designed and certified, or are in the process of certifying, aircraft with a novel design under part 21.17(b) of such title;

(3) associations representing aircraft manufacturers;

(4) researchers and academics in related fields; and

(5) pilots who are experts in flight testing.

(d) CONGRESSIONAL REPORT.—Not later than 60 days after the completion of the assessment under subsection (a), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

(1) the results of the assessment conducted under subsection (a); and

(2) how the Administrator plans to implement the findings of the assessment and any changes needed to Administration policy, guidance, and regulations to allow for and optimize the use of advanced tools during the certification of aerospace products in order to reduce risk and improve safety outcomes.

SEC. 519. TRANSPORT AIRPLANE AND PROPULSION CERTIFICATION MODERNIZATION.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a notice of proposed rulemaking for the rulemaking activity titled ''Transport Airplane and Propulsion Certification Modernization'', published in Fall 2022 in the Unified Agenda of Federal Regulatory and Deregulatory Actions (RIN 2120–AL42).

SEC. 520. ENGINE FIRE PROTECTION STANDARDS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish an internal regulatory review team to review and compare domestic and international airworthiness standards and guidance for aircraft engine firewalls.

(b) REVIEW.—In completing the review under subsection (a), the regulatory review team shall—

(1) identify any significant differences in standards or guidance with respect to test article selection, fire test boundaries, and pass-fail criteria;

(2) consider if alternative international standards used by peer civil aviation authorities reflect best practices that should be adopted by the Administration;

(3) recommend updates, if appropriate, to the Significant Standards List of the Administration based on any findings;

(4) assess whether a selection of aircraft engine firewalls certified by other civil aviation

authorities, which were validated by the Administration, comply with the requirements of the Administration;

(5) recommend actions the Administration should take during future validation activities or with other civil aviation authorities to address any gaps in requirements; and

(6) consult with industry stakeholders during such review.

(c) BRIEFING.—Not later than 120 days after the completion of the review under subsection (a), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings and recommendations stemming from such review.

SEC. 521. RISK MODEL FOR PRODUCTION FACILITY INSPECTIONS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act and periodically thereafter, the Administrator of the Federal Aviation Administration shall—

(1) conduct a review of the risk-based model used by Federal Aviation Administration certification management offices to inform the frequency of aircraft manufacturing or production facility inspections; and

(2) update the model to ensure such model adequately accounts for risk at facilities during periods of increased production.

(b) BRIEFINGS.—Not later than 60 days after the date on which the review is conducted under subsection (a), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

(1) the results of the review;

(2) any changes made to the risk-based model described in subsection (a); and

(3) how such changes would help improve the in-plant inspection process.

SEC. 522. SECONDARY COCKPIT BARRIERS.

(a) IN GENERAL.—Not later than 6 months after the issuance of a final rule on the proposed rule of the Federal Aviation Administration titled ''Installation and Operation of Flightdeck Installed Physical Secondary Barriers on Transport Category Airlines in Part 121 Service'', and issued on August 1, 2022 (87 Fed. Reg. 46892), the Administrator of the Federal Aviation Administration shall convene an aviation rulemaking committee to review and develop findings and recommendations to require installation of a secondary cockpit barrier on aircraft operated under the provisions of part 121 of title 14, Code of Federal Regulations, that are not captured under another regulation or proposed regulation.

(b) MEMBERSHIP.—The Administrator shall appoint the members of the rulemaking committee convened under subsection (a), which shall be comprised of at least 1 representative each of—

(1) mainline air carriers;

(2) regional air carriers;

(3) cargo air carriers;

(4) aircraft manufacturers;

(5) a labor group representing pilots;

(6) a labor group representing flight attendants; and

(7) other stakeholders the Administrator determines appropriate.

(c) CONSIDERATIONS.—The aviation rulemaking committee convened under subsection (a) shall consider—

(1) minimum dimension requirements for secondary barriers on all aircraft types operated under part 121 of title 14, Code of Federal Regulations;

(2) secondary barrier performance standards manufacturers and air carriers must meet for such aircraft types;

(3) the availability of certified secondary barriers suitable for use on such aircraft types;

(4) the development, certification, testing, manufacturing, installation, and training for secondary barriers for such aircraft types;

(5) flight duration and stage length;

(6) the location of lavatory on such aircraft as related to operational complexities;

(7) operational complexities;

(8) any risks to safely evacuate passengers of such aircraft; and

(9) other considerations the Administrator determines appropriate.

(d) REPORT TO CONGRESS.—Not later than 18 months after the convening of the aviation rulemaking committee described in subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report based on the findings and recommendations of the aviation rulemaking committee convened under subsection (a), to include—

(1) if applicable, any dissenting positions on the findings and the rationale for each position; and

(2) any disagreements, including the rationale for each position and the reasons for the disagreement.

SEC. 523. REVIEW OF FAA USE OF AVIATION SAFETY DATA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an appropriate arrangement with a qualified third-party organization or consortium to evaluate the Administration's collection, collation, analysis, and use of aviation data across the Administration.

(b) CONSULTATION.—In completing the evaluation under subsection (a), the qualified third-party organization or consortium shall—

(1) seek the input of experts in data analytics, including at least 1 expert in the commercial data services or analytics solutions sector;

(2) consult with the National Transportation Safety Board and the Transportation Research Board; and

(3) consult with appropriate federally funded research and development centers, to the extent that such centers are not already involved in the evaluation.

(c) SUBSTANCE OF EVALUATION.—In completing the evaluation under subsection (a), the qualified third-party organization or consortium shall—

(1) compile a list of internal and external sources, databases, and streams of information the Administration receives or has access to that provide the Administration with operational or safety information and data about the national airspace system, its users, and other regulated entities of the Administration;

(2) review data sets to determine completeness and accuracy of relevant information;

(3) identify gaps in information that the Administration could fill through sharing agreements, partnerships, or other means that would add value during safety trend analysis;

(4) assess the Administration's capabilities, including analysis systems and workforce skillsets, to analyze relevant data and information to make informed decisions;

(5) review data and information for proper storage, identification controls, and data privacy—

(A) as required by law; and

(B) consistent with best practices for data collection, storage, and use;

(6) review the format of such data and identify methods to improve the usefulness of such data;

(7) assess internal and external access to data for—

(A) appropriateness based on data type and level of detail;

(B) proper data access protocols and precautions; and

(C) maximizing availability of safety-related data that could support the improvement of safety management systems of and trend identification by regulated entities and the Administration;

(8) examine the collation and dissemination of data within offices and between offices of the Administration;

(9) review and recommend improvements to the data analysis techniques of the Administration; and

(10) recommend investments the Administration should consider to better collect, manage, and analyze data sets, including within and between offices of the Administration.

(d) ACCESS TO INFORMATION.—The Administration shall provide the qualified third-party organization or consortium and the experts described in subsection (b) with adequate access to safety and operational data collected by and held by the agency across all offices of the Administration, except if specific access is otherwise prohibited by law.

(e) NONDISCLOSURE.—Prior to participating in the review, the Administrator shall ensure that each person participating in the evaluation under this section enters into an agreement with the Administrator in which the person shall be prohibited from disclosing at any time, except as required by law, to any person, foreign or domestic, any non-public information made accessible to the federally funded research and development center under this section.

(f) REPORT.—The qualified third-party organization or consortium carrying out the evaluation under this section shall provide a report of the findings of the center to the Administrator and include recommendations to improve the Administration's collection, collation, analysis, and use of aviation data, including recommendations to—

(1) improve data access across offices within the Administration, as necessary, to support efficient execution of safety analysis and programs across such offices;

(2) improve data storage best practices;

(3) develop or refine methods for collating data from multiple administration and industry sources; and

(4) procure or use available analytics tools to draw conclusions and identify previously unrecognized trends or miscategorized risks in the aviation system, particularly when identification of such information requires the analysis of multiple sets of data from multiple sources.

(g) IMPLEMENTATION OF RECOMMENDATIONS.—Not later than 6 months after the receipt of the report under subsection (f), the Administrator shall review, develop an implementation plan, and begin the implementation of the recommendations received in such report.

(h) REVIEW OF IMPLEMENTATION.—The qualified third-party organization or consortium that conducted the initial evaluation, and any experts who contributed to such evaluation pursuant to subsection (b)(1), shall provide regular feedback and advice to the Administrator on the implementation plan developed under subsection (g) and any implementation activities for at least 2 years beginning on the date of the receipt of the report under subsection (f).

(i) REPORT TO CONGRESS.—The Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report described in subsection (f) and the implementation plan described in subsection (g).

(j) EXISTING REPORTING SYSTEMS.—Consistent with section 132 of the Aircraft Certification, Safety, and Accountability Act (Public Law 116–260), the Executive Director of the Transportation Research Board, in consultation with the Secretary of Transportation and the Administrator, may further harmonize data and sources following the implementation of recommendations contained in the report required under subsection (g).

SEC. 524. PART 135 DUTY AND REST.

(a) PART 91 TAIL–END FERRY RULEMAKING.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall require that

any operation conducted by a flightcrew member during an assigned duty period under the operational control of an operator holding a certificate under part 135 of title 14, Code of Federal Regulations, before, during, or after the duty period (including any operations under part 91 of title 14, Code of Federal Regulations), without an intervening rest period, shall count towards the flight time and duty period limitations of such flightcrew member under part 135 of title 14, Code of Federal Regulations.

(b) RECORD KEEPING.—Not later than 1 year after the date of enactment of this Act, the Administrator shall update any Administration policy and guidance regarding complete and accurate record keeping practices for operators holding a certificate under part 135 of title 14, Code of Federal Regulations, in order to properly document, at a minimum—

(1) flightcrew assignments;

(2) flightcrew rest notifications;

(3) compliance with flight and duty times limitations and post-duty rest requirements; and

(4) duty period start and end times.

(c) SAFETY MANAGEMENT SYSTEM OVERSIGHT.—The Administrator, in performing oversight of the safety management system of an operator holding a certificate under part 135 of title 14, Code of Federal Regulations, following the implementation of the final rule issued based on the rulemaking titled ''Safety Management Systems'', and published on January 11, 2023 (88 Fed. Reg 1932), shall ensure such operator is evaluating and appropriately mitigating aviation safety risks, including, at minimum, risks associated with—

(1) inadequate flightcrew member duty and rest periods; and

(2) incomplete records pertaining to flightcrew rest, duty, and flight times.

SEC. 525. COCKPIT VOICE AND VIDEO RECORDERS.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

''§ 44746. Cockpit recording device

''(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall complete a rulemaking proceeding to—

''(1) require that, not later than 4 years after the date of enactment of this section, all applicable aircraft are fitted with a cockpit voice recorder and a flight data recorder that are each capable of recording the most recent 25 hours of data;

''(2) prohibit any person from deliberately erasing or tampering with any recording on such a cockpit voice recorder or flight data recorder following a National Transportation Safety Board reportable event under part 830 of title 49, Code of Federal Regulations, and provide for civil and criminal penalties for such deliberate erasing or tampering, which may be assessed in accordance with section 1155 and section 32 of title 18;

''(3) require that such a cockpit voice recorder has the capability for an operator to use an erasure feature, such as an installed bulk erase function, consistent with applicable law and regulations;

''(4) require that, in the case of such a cockpit voice recorder or flight data recorder that uses a solid state recording medium in which activation of a bulk erase function assigns a random discrete code to the deleted recording, only the manufacturer of the recorder and National Transportation Safety Board have access to the software necessary to determine the code in order to extract the deleted recorded data; and

''(5) ensure that data on such a cockpit voice recorder or a flight data recorder, through technical means other than encryption (such as overwriting or the substitution of a blank recording medium before the recorder is returned to the owner) is not disclosed for use other than for accident or incident investigation purposes.

''(b) PROHIBITED USE.—A cockpit voice recorder recording shall not be used by the Administrator or any employer for any certificate action, civil penalty, or disciplinary proceedings against flight crewmembers.

''(c) APPLICABLE AIRCRAFT DEFINED.—In this section, the term 'applicable aircraft' means an aircraft that is—

''(1) operated under part 121 of title 14, Code of Federal Regulations; and

''(2) required by regulation to have a cockpit voice recorder or a flight data recorder.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

''44746. Cockpit recording device.''.

SEC. 526. FLIGHT DATA RECOVERY FROM OVERWATER OPERATIONS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall direct the Aviation Rulemaking Advisory Committee (hereinafter referred to as the ''Committee'' in this section) to review regulations regarding flight data recovery for aircraft—

(1) operated under part 121 of title 14, Code of Federal Regulations; and

(2) used in extended overwater operations.

(b) CONSIDERATIONS.—In carrying out the review pursuant to subsection (a), the Committee shall provide to the Administrator any consensus recommendations for the equipage of aircraft described in subsection (a) with a cockpit voice recorder and a flight data recorder that—

(1) provide a means, in the event of an accident, to recover mandatory flight data parameters in a manner that does not require the underwater retrieval of the cockpit voice recorder or flight data recorder;

(2) is equipped with a tamper-resistant method to broadcast sufficient information to a ground station to establish the location where an aircraft terminates flight as the result of an accident within 6 nautical miles of the point of impact of the aircraft; and

(3) is equipped with an airframe low-frequency underwater locating device that functions for at least 90 days and that can be detected by appropriate equipment.

(c) RECOMMENDATIONS.—Not later than 18 months after tasking the aviation rulemaking advisory committee under subsection (a), the committee shall submit to the Administrator any consensus recommendations developed under subsection (b).

(d) RULEMAKING.—Not later than 1 year after receiving any recommendations pursuant to subsection (c), the Administrator shall initiate a rulemaking activity based on such consensus recommendations, if determined appropriate.

(e) BRIEFING.—If the Administrator decides not to issue a final rule with respect to the rulemaking initiated under subsection (d), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the justification for such decision.

SEC. 527. EMERGENCY MEDICAL EQUIPMENT ON PASSENGER AIRCRAFT.

(a) IN GENERAL.—Not later than 12 months after date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review and update, as appropriate, part 121 of title 14, Code of Federal Regulations, regarding emergency medical equipment, including the contents of emergency medical kits, and training required for flight crew.

(b) CONSIDERATION.—In carrying out subsection (a), the Administrator shall consider—

(1) the benefits and costs (including the costs of flight diversions and emergency landings) of requiring any new medications or equipment necessary to be included in approved emergency medical kits under part 121 of title 14, Code of Federal Regulations; and

(2) whether the contents of the emergency medical kits include the appropriate medications and equipment that can practicably be administered to address—

(A) the emergency medical needs of children and pregnant women;

(B) opioid overdose;

(C) anaphylaxis; and

(D) cardiac arrest.

(c) CONSULTATION.—In conducting the review required under subsection (a), the Administrator shall consult with associations representing aerospace medical professionals.

SEC. 528. NAVIGATION AIDS STUDY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate a study examining the effects of reclassifying navigation aids to Design Assurance Level–A from Design Assurance Level–B, including the following navigation aids:

(1) Distance measuring equipment.

(2) Very high frequency omni-directional range.

(3) Tactical air navigation.

(4) Wide area augmentation system.

(b) CONTENTS.—In conducting the study required under subsection (a), the inspector general shall address—

(1) the cost-benefit analyses associated with the reclassification described in such subsection;

(2) the findings from the operational safety assessments and preliminary hazard analyses of the navigation aids listed in such subsection;

(3) the risks of such reclassification on navigation aid equipment currently in use;

(4) the potential impacts on global interoperability of navigational aids; and

(5) what additional actions should be taken based on the findings of this subsection.

(c) REPORT.—Not later than 24 months after the date of enactment of this Act, the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the results of the study conducted under subsection (a).

SEC. 529. REMOTE TOWERS.

(a) STUDY.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into an agreement with a qualified organization to conduct a study examining the viability and feasibility of remote tower technology available on the date of enactment of this Act to accommodate existing air traffic activity at non-towered, public-use airports and airports with a visual flight rule air traffic control tower.

(2) CONSIDERATIONS.—In the study conducted under subsection (a), the qualified organization selected under such subsection shall consider and include in such study—

(A) the effectiveness and adequacy of the pilot program established under section 161 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47104 note) in—

(i) assessing the installation, maintenance, and operational costs and benefits of remote tower technology; and

(ii) establishing a clear process for the safety and operational certification of such technology;

(B) a description of actions that the Administration has undertaken to carry out such pilot program;

(C) any barriers related to the safety and operational certification of such technology;

(D) the number and type of non-towered airports in the national airspace system;

(E) the availability and development of remote tower technology;

(F) the potential to use remote tower systems to control air traffic at multiple airports and from a single physical location, similar to a terminal radar approach control facility;

(G) staffing flexibility to support seasonal staffing of remote towers;

(H) safety factors related to the potential need for such remote tower technology;

(I) the potential to use remote tower systems to surveil for unmanned aircraft, in conjunction with unmanned aircraft system traffic management systems, to enhance air traffic management of manned air traffic;

(J) factors related to the demand for remote tower technology;

(K) an examination of remote tower use in other countries;

(L) projected costs associated with installing and maintain remote tower technology at a single airport; and

(M) recommendations regarding the most cost-effective approach to provide air traffic control services at non-towered airports in the national airspace system.

(3) INPUT.—In carrying out the study under subsection (a), the qualified organization selected under such subsection shall—

(A) seek coordination with the Air Traffic Organization and other offices of the Administration; and

(B) seek the participation of representatives of—

(i) the exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code;

(ii) manufacturers of remote towers;

(iii) airport operators; and

(iv) other stakeholders that the Administrator determines appropriate.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of the study under subsection (a).

(b) CERTIFICATION PROCESS.—

(1) IN GENERAL.—Not later than 1 year after the completion of the study required under subsection (a), the Administrator shall establish a process for the certification of system design and operational approval of remote towers for use at public-use airports.

(2) CONSULTATION.—In carrying out subsection (b), the Administrator shall consult with the following:

(A) The exclusive bargaining representative of the air traffic controllers certified under section 7111 of title 5, United States Code.

(B) Manufacturers of remote towers.

(C) Non-towered airport operators.

(3) REQUIREMENTS.—In developing the certification process required under subsection (b), the Administrator shall—

(A) establish requirements for the system design and operational approval of remote towers, including—

(i) sensor and camera visual requirements;

(ii) datalink latency requirements; and

(iii) visual presentation design requirements for monitors used to display sensor and camera feeds;

(B) establish tower-closure standards for contingency operations and procedures for remote tower failures and malfunctions; and

(C) consider the use of—

(i) ground– and space–based telecommunications infrastructure; and

(ii) any other wireless telecommunications infrastructure that may enable the operation of a remote tower.

(4) OPERATIONAL APPROVAL ASSESSMENTS.—In developing the operational approval process required under this subsection, the Administrator shall—

(A) determine the appropriate number of air traffic controllers necessary to staff a remote tower for safe air traffic control operations at the respective airport based on the existing or projected air traffic activity at the airport;

(B) use a safety risk management panel process to address any safety issues with respect to the remote tower;

(C) if the remote tower is intended to be installed at a non-towered airport, assess the safety benefits of the remote tower against the lack of an existing tower; and

(D) establish, to the satisfaction of the Administrator and using performance-based criteria, to the extent appropriate, published in advance, the level of safety necessary for the operation of the remote tower at the airport.

(5) AIRPORT OPERATORS.—An airport operator seeking to install or construct a certified remote tower shall submit to the Administrator an application in such form and containing such information as the Administrator may require.

(6) IMPLEMENTATION.—In carrying out this section, the Administrator shall—

(A) identify air traffic control information and data that assists the Administrator in categorically certifying remote towers at different types of airports;

(B) implement processes necessary to collect the information and data identified in subparagraph (A); and

(C) develop criteria from the information and data identified in subparagraph (A) to assess remote towers for widespread use at categories of public-use airports.

(7) PRIORITIZATION OF REMOTE TOWER CERTIFICATION APPLICANTS.—With respect to applications submitted as required by paragraph (4), the Administrator shall prioritize—

(A) airports that do not have a permanent air traffic control tower at the time of application;

(B) airports that would provide small and rural community air service; or

(C) airports that have been newly accepted as of the date of enactment of this Act into the Contract Tower Program.

(8) BRIEFING.—Not later than 180 days after receiving the report required under subsection (a), and annually thereafter through fiscal year 2028, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the activities required under this section.

(c) DEFINITIONS.—In this section:

(1) AIR TRAFFIC ACTIVITY.—The term ''air traffic activity'' means the number of takeoffs, landings, and simulated approaches of an airport and the time of which such takeoffs, landings, and simulated approaches occur.

(2) CONTRACT TOWER PROGRAM.—The term ''Contract Tower Program'' has the meaning given such term in section 47124(e) of title 49, United States Code.

(3) QUALIFIED ORGANIZATION.—The term ''qualified organization'' means an independent non-profit organization that recommends solutions to public policy challenges through objective analysis.

(4) REMOTE TOWER.—The term ''remote tower'' has the meaning given such term in section 161(a)(9) of the FAA Reauthorization Act of 2018 (49 U.S.C. 47104 note).

SEC. 530. WEATHER REPORTING SYSTEMS STUDY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study to examine how to improve the procurement, functionality, and sustainability of weather reporting systems, including—

(1) automated weather observing systems;

(2) automated surface observing systems;

(3) visual weather observing systems; and

(4) non-Federal weather reporting systems.

(b) CONTENTS.—In conducting the study required under section (a), the Comptroller General shall address—

(1) the current state of the supply chain related to weather reporting systems and the components of such systems, including—

(A) the adequacy of suppliers of such systems and components;

(B) the affordability of such systems and components; and

(C) the availability and affordability of replacement parts;

(2) the average age of weather reporting systems infrastructure installed in the national airspace system;

(3) challenges to maintaining and replacing weather reporting systems, including—

(A) root causes of weather reporting system outages, including failures of such systems, and supporting systems such as telecommunications infrastructure; and

(B) the degree to which such outages affect weather reporting in the national airspace system;

(4) mitigation measures to maintain aviation safety during such an outage; and

(5) alternative means of obtaining weather elements at airports, including wind direction, wind speed, barometric pressure setting, and cloud coverage, including visibility.

(c) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with the appropriate stakeholders and Federal agencies involved in installing, managing, and supporting weather reporting systems in the national airspace system.

(d) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the results of the study conducted under subsection (a).

(2) RECOMMENDATIONS.—The Comptroller General shall include in the report submitted under paragraph (1) recommendations for—

(A) ways to improve the resiliency and redundancy of weather reporting systems;

(B) alternative means of compliance for obtaining weather elements at airports; and

(C) if necessary, changes to Orders of the Administration, including the following:

(i) Surface Weather Observing, Joint Order 7900.5.

(ii) Notices to Air Missions, Joint Order 7930.2.

SEC. 531. GAO STUDY ON EXPANSION OF THE FAA WEATHER CAMERA PROGRAM.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the feasibility and benefits and costs of expanding the Weather Camera Program of the Federal Aviation Administration to locations in the United States that lack weather camera services.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall review—

(1) the potential effects of the existing Weather Camera Program on weather-related aviation accidents and flight interruptions;

(2) the potential benefits and costs associated with expanding the Weather Camera Program;

(3) limitations on the real-time access of weather camera information by pilots and aircraft operators;

(4) non-safety related regulatory structures or barriers to the allowable use of weather camera information for the purposes of aircraft operations;

(5) limitations of existing weather camera systems at the time of the study;

(6) alternative sources of viable weather data;

(7) funding mechanisms for weather camera installation and operations; and

(8) other considerations the Comptroller General determines appropriate.

(c) REPORT TO CONGRESS.—Not later than 28 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study required under subsection (a).

SEC. 532. AUDIT ON AVIATION SAFETY IN ERA OF WIRELESS CONNECTIVITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate an audit of the Federal Aviation Administration's internal processes and procedures to communicate the position of civil aviation operators and the safety of the national airspace system to the National Telecommunications and Information Administration regarding proposed spectrum reallocations or auction decisions.

(b) ASSESSMENT.—In conducting the audit described in subsection (a), the inspector general shall assess best practices and policy recommendations for the Federal Aviation Administration to—

(1) improve internal processes by which proposed spectrum reallocations or auctions are thoroughly reviewed in advance to ensure that any comments or technical concerns regarding aviation safety from civil aviation stakeholders are communicated to the National Telecommunications and Information Administration that are to be submitted to the Federal Communications Commission;

(2) develop internal processes and procedures to assess the effects a proposed spectrum reallocation or auction may have on the [National Airspace System/national airspace system] in a timely manner to ensure safety of the national airspace system;

(3) improve external communication processes to better inform civil aviation stakeholders, including owners and operators of civil aircraft, on any comments or technical concerns of the Federal Aviation Administration relating to a proposed spectrum reallocation or auction that may impact the national airspace system; and

(4) better communicate to the National Telecommunications and Information Administration when a proposed spectrum reallocation or auction may pose a potential risk to aviation safety.

(c) STAKEHOLDER VIEWS.—In conducting the audit pursuant to subsection (a), the inspector general shall consult with relevant stakeholders, including—

(1) air carriers operating under part 121 of title 14, Code of Federal Regulations;

(2) manufacturers of aircraft and aircraft components;

(3) wireless communication carriers;

(4) labor unions representing pilots;

(5) air traffic system safety specialists;

(6) other representatives of the communications industry;

(7) aviation safety experts;

(8) the National Telecommunications and Information Administration; and

(9) the Federal Communications Commission.

(d) REPORT.—Not later than 2 years after the date on which the audit is conducted pursuant to subsection (a), the inspector general shall complete and submit a report on findings and recommendations to—

(1) the Administrator of the Federal Aviation Administration;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Energy and Commerce of the House of Representatives; and

(4) the Committee on Commerce, Science, and Technology of the Senate.

SEC. 533. RAMP WORKER SAFETY CALL TO ACTION.

(a) CALL TO ACTION RAMP WORKER SAFETY REVIEW.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a Call to Action safety review of airport ramp worker safety in order to bring stakeholders together to share best practices and implement actions to address airport ramp worker safety.

(b) CONTENTS.—The Call to Action safety review required pursuant to subsection (a) shall include—

(1) a review of Administration regulations, guidance, and directives related to airport ramp worker procedures and oversight of such processes;

(2) a review of reportable accidents and incidents involving airport ramp workers, including any identified contributing factors to the reportable accident or incident;

(3) a review of training and related educational materials for airport ramp workers, including supervisory employees;

(4) a review of devices and methods for communication on the ramp;

(5) a review of markings on the ramp that define restriction, staging, safety, or hazard zones;

(6) a review of aircraft jet blast and engine intake safety markings; and

(7) a process for stakeholders, including airlines, aircraft manufacturers, airports, labor, and aviation safety experts, to provide feedback and share best practices.

(c) REPORT AND ACTIONS.—Not later than 180 days after the conclusion of the Call to Action safety review pursuant to subsection (a), the Administrator shall—

(1) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review and any recommendations for actions or best practices to improve airport ramp worker safety, including the identification of risks and possible mitigations to be considered in any applicable safety management system of air carriers and airports; and

(2) initiate such actions as are necessary to act upon the findings of the review under subsection (b).

SEC. 534. SAFETY DATA ANALYSIS FOR AIRCRAFT WITHOUT TRANSPONDERS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Chairman of the National Transportation Safety Board, shall collect and analyze data relating to accidents and incidents involving covered exempt aircraft that occurred within 30 nautical miles of an airport.

(b) REQUIREMENTS.—The analysis required under subsection (a) shall include with respect to covered exempt aircraft a review of—

(1) incident and accident data since 2006;

(2) incidents and accidents involving midair events, including collisions;

(3) incidents and accidents involving ground proximity warning system alerts;

(4) incidents and accidents involving traffic collision avoidance system alerts;

(5) incidents and accidents involving a loss of separation or near miss; and

(6) the causes of the accidents and incidents described in paragraphs (1) through (5).

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the analysis required under subsection (a) and, if appropriate, recommendations on how to reduce the number of incidents and accidents associated with such covered exempt aircraft.

(d) COVERED EXEMPT AIRCRAFT DEFINED.—In this section, the term ''covered exempt aircraft'' means aircraft, balloons, and gliders exempt from air traffic control transponder and altitude reporting equipment and use requirements under part 91.215(b)(3) of title 14, Code of Federal Regulations.

SEC. 535. CRASH-RESISTANT FUEL SYSTEMS IN ROTORCRAFT.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall task the Aviation Rulemaking Advisory Committee to—

(1) review the data analysis conducted and the recommendations developed by the Aviation Rulemaking Advisory Committee Rotorcraft Occupant Protection Working Group of the Administration;

(2) update the 2018 report of such working group on rotorcraft occupant protection by—

(A) reviewing National Transportation Safety Board data from 2016 through 2023 on post-crash fires in helicopter accidents; and

(B) determining whether and to what extent crash-resistant fuel systems could have prevented fatalities; and

(3) develop recommendations for either the Administrator or the helicopter industry to encourage helicopter owners and operators to expedite the installation of crash-resistant fuel systems in the aircraft of such owners and operators regardless of original certification and manufacture date.

(b) SCHEDULE.—

(1) DEADLINE.—Not later than 18 months after the Administrator tasks the Aviation Rulemaking Advisory Committee under subsection (a), the Committee shall submit the recommendations developed under subsection (a)(2) to the Administrator.

(2) IMPLEMENTATION.—If applicable, and not later than 180 days after receiving the recommendations under paragraph (1), the Administrator shall—

(A) begin implementing, as appropriate, any consensus safety recommendations the Administrator receives from the Aviation Rulemaking Advisory Committee, and brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on any recommendations the Administrator does not implement; and

(B) partner with the United States Helicopter Safety Team, as appropriate, to facilitate implementation of any recommendations for the helicopter industry pursuant to subsection (a)(2)

SEC. 536. REDUCING TURBULENCE ON PART 121 AIRCRAFT OPERATIONS.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review and implement, as appropriate, the recommendations made by the Chair of the National Transportation Safety Board to the Administrator contained in the safety research report titled ''Preventing Turbulence-Related Injuries in Air Carrier Operations Conducted Under Title 14 Code of Federal Regulations Part 121'', issued on August 10, 2021 (NTSB/SS–21/01).

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after completing the review under subsection (a), and every 2 years thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of the recommendations in the safety research report described in subsection (a) until the earlier of—

(A) the date on which such recommendations have been adopted; or

(B) the date that is 10 years after the date of enactment of this Act.

(2) CONTENTS.—If the Administrator decides not to implement a recommendation in the safety research report described in subsection (a), the Administrator shall provide, as a part of the report required under paragraph (1), a description of why the Administrator did not implement such recommendation.

SEC. 537. STUDY ON RADIATION EXPOSURE.

(a) STUDY.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine under which the National Research Council of the National Academies shall conduct a study on radiation exposure onboard various aircraft types operated under part 121 of title 14, Code of Federal Regulations.

(b) SCOPE OF STUDY.—In conducting the study under subsection (a), the National Research Council shall assess—

(1) radiation concentrations in such aircraft at takeoff, in-flight at high altitudes, and upon landing;

(2) the health risks and impact of radiation exposure to flight attendants and passengers onboard aircraft operating at high altitudes; and

(3) mitigation measures to prevent and reduce the health and safety impacts of radiation exposure to flight attendants and passengers.

(c) REPORT TO CONGRESS.—Not later than 16 months after the initiation of the study required under subsection (a), the Secretary shall submit to the appropriate committees of Congress the study conducted by the National Research Council pursuant to this section.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 538. DETERRING CREWMEMBER INTERFERENCE.

(a) TASK FORCE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene a task force to develop voluntary standards and best practices relating to suspected violations of sections 46318, 46503, and 46504 of title 49, United States Code, including—

(A) proper and consistent incident documentation and reporting techniques;

(B) best practices for flight crew and cabin crew response, including de-escalation;

(C) improved coordination between stakeholders, including flight crew and cabin crew, airport staff, other Federal agencies as appropriate, and law enforcement; and

(D) appropriate enforcement actions.

(2) MEMBERSHIP.—The task force convened under paragraph (1) shall be comprised representatives of—

(A) air carriers;

(B) airport sponsors and airport law enforcement agencies;

(C) other Federal agencies determined necessary by the Administrator; and

(D) labor organizations representing air carrier pilots;

(E) labor organizations representing flight attendants; and

(F) labor organizations representing ticketing, check-in, or other customer service representatives employed by air carriers.

(b) ANNOUNCEMENTS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall initiate such actions as may be necessary to include in the briefing of passengers before takeoff required under section 121.571 of title 14, Code of Federal Regulations, a statement informing passengers that it is against Federal law to assault or threaten to assault any individual on an aircraft or interfere with the duties of a crewmember.

(c) DEFINITIONS.—For purposes of this section, the definitions in section 40102(a) of title 49, United States Code, shall apply to terms in this section.

SEC. 539. CABIN TEMPERATURE STANDARDS.

(a) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review existing standards produced by recognized industry standards organizations on safe air temperatures and humidity levels in enclosed environments, including onboard aircraft, and determine the validity of such standards, including the American Society of Heating, Refrigerating and Air-Conditioning Engineers (in this section referred to as ''ASHRAE'') standards titled ''Air Quality within Commercial Aircraft'' (ASHRAE Guideline 28–2021) and ''Thermal Environmental Conditions for Human Occupancy'' (ASHRAE Standard 55–2020).

(b) CONSULTATION.—In conducting the review under subsection (a), the Administrator shall consult with—

(1) certificate holders under part 121 of title 14, Code of Federal Regulations;

(2) certified labor representatives of flight attendants, pilots, and other crewmembers;

(3) relevant Federal agencies; and

(4) other relevant stakeholders, as appropriate.

(c) ACADEMIC STUDY.—In the event that the Administrator determines, through the review carried out under subsection (a), that there is not an appropriate standard to determine unsafe temperatures onboard aircraft operated under part 121 of title 14, Code of Federal Regulations, the Administrator shall enter into an appropriate agreement with the National Academies to—

(1) conduct a study of unsafe aircraft cabin temperatures and aircraft conditions that contribute to such temperatures; and

(2) provide recommendations for air carriers and aircraft manufacturers to improve the management of temperature and related factors onboard aircraft.

(d) REPORTS.—

(1) FAA.—Not later than 3 months after completing the review required under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings and determination of the review.

(2) NATIONAL ACADEMIES.—If a report is produced under subsection (c), not later than 1 month after receiving such report the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate such report.

SEC. 540. CABIN AIR QUALITY.

(a) REPORTING OF SMOKE OR FUME EVENTS ONBOARD COMMERCIAL AIRCRAFT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a standardized system for a flight attendants, pilots, and aircraft maintenance technicians of air carriers to voluntarily report fume events onboard passenger-carrying aircraft operating under part 121 of title 14, Code of Federal Regulations.

(2) INFORMATION SUBMISSION.—The system developed under paragraph (1) shall include a method of submission, which shall request at least the following information:

(A) Identification of the flight number, type, and registration of the aircraft.

(B) The date of the reported fume event onboard the aircraft.

(C) Description of smoke or fume in the aircraft, including the nature, intensity, and visual consistency or smell (if any).

(D) The location of the smoke or fumes in the aircraft.

(E) The source (if discernible) of the smoke or fumes in the aircraft.

(F) The phase of flight during which smoke or fumes first became present.

(G) The duration of the fume event.

(H) Any required onboard medical attention for passengers or crew members.

(I) Any additional factors as determined appropriate by the Administrator or crew member submitting a report.

(3) GUIDELINES FOR SUBMISSION.—The Administrator shall issue guidelines on how to submit the information described in paragraph (2).

(4) CONFIRMATION OF SUBMISSION.—Upon submitting the information described in paragraph (2), the submitting party shall receive a duplicate record of the submission and confirmation of receipt.

(5) USE OF INFORMATION.—The Administrator—

(A) may not publish any information submitted under this section;

(B) shall maintain a database of such information;

(C) at the request of an air carrier, shall provide to such air carrier any information submitted under this section that is relevant to such air carrier, except any information that may be used to identify the party submitting such information;

(D) may not, without validation, assume that information submitted under this section is accurate for the purposes of initiating rulemaking or taking an enforcement action;

(E) may use information submitted under this section to inform the oversight of the safety management system of an air carrier; and

(F) may use information submitted under this section for the purpose of performing a study or supporting a study sponsored by the Administrator.

(b) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into the appropriate arrangements with the National Academies to conduct a study and issue recommendations to be made publicly available pertaining to cabin air quality and any risk of, and potential for, persistent and accidental fume events onboard a passenger-carrying aircraft operating under part 121 of title 14, Code of Federal Regulations.

(2) SCOPE.—In carrying out a study pursuant to paragraph (1), the National Academies shall examine—

(A) the information collected pursuant to subsection (a);

(B) the report issued pursuant to section 326 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) and any identified assumptions or gaps described in such report;

(C) any health risks or impacts of fume events on flight crews, including flight attendants and pilots, and passengers onboard aircraft operating under part 121 of title 14, Code of Federal Regulations;

(D) instances of persistent or regularly occurring (as determined by the National Academies) fume events in such aircraft;

(E) instances of accidental, unexpected, or irregularly occurring (as determined by the National Academies) fume events on such aircraft, including whether such accidental events are more frequent during various phases of operations, including ground operations, taxiing, take off, cruise, and landing;

(F) the likely originating material of, and the air contaminants present during, the situations described in subparagraphs (D) and (E);

(G) the frequencies, durations, and likely causes of the situations described in subparagraphs (D) and (E); and

(H) any additional data on fume events as determined appropriate by the National Academies.

(3) RECOMMENDATIONS.—The National Academies shall provide recommendations based on the study conducted under paragraph (1)—

(A) that shall, at minimum, address how to—

(i) improve overall cabin air quality of passenger-carrying aircraft;

(ii) improve the detection, accuracy, and reporting of fume events; and

(iii) reduce the frequency and impact of fume events; and

(B) for any updates to standards, guidelines, or regulations that could help achieve the recommendations described in subparagraph (A).

(4) REPORT TO CONGRESS.—Not later than 1 month after the completion of the study conducted under paragraph (1), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science,

and Transportation of the Senate a copy of such study.

(c) FUME EVENT DEFINED.—In this section, the term ''fume event'' means the presence of fumes in the cabin, including smoke.

SEC. 541. EVACUATION STANDARDS FOR TRANSPORT CATEGORY AIRPLANES.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall task the Aviation Rulemaking Advisory Committee with reviewing and proposing updates to the evacuation requirements under section 25.803 of title 14, Code of Federal Regulations, and appendix J to part 25 of such title.

(b) CONSIDERATIONS.—In tasking the Aviation Rulemaking Advisory Committee under subsection (a), the Administrator shall, at a minimum, task the Committee to—

(1) evaluate whether the representative passenger loads, prescribed in regulation on the date of enactment of this Act, represent a realistic composition of passengers on an aircraft operated under part 121 of title 14, Code of Federal Regulations, including accounting for—

(A) children, including infants;

(B) passengers who do not speak English;

(C) passengers with disabilities; and

(D) service animals (as such term is defined in section 35.104 and 36.104 of title 28, Code of Federal Regulations, or successor regulations); and

(2) determine if there are technologies or techniques that can be used to more accurately represent categories of passengers who are unable to provide consent during evacuation testing, but should be simulated in such testing;

(3) evaluate whether the requirements prescribed in regulation on the date of enactment of this Act adequately consider the varying sizes, weight, and matter or baggage present in an aircraft cabin; and

(4) determine whether the evacuation testing performed, associated with section 25.803 of title 14, Code of Federal Regulations, considers the seat size, seat pitch, seating layout, aisle width, and aisle layout of the aircraft type being tested.

(c) CONSULTATION.—In tasking the Aviation Rulemaking Advisory Committee under subsection (a), the Administrator shall allow such Committee to consult with the National Transportation Safety Board, transport category aircraft manufacturers, air carriers certificated under part 121 of title 14, Code of Federal Regulations, crew members of such air carriers, emergency responders, groups representing passengers and passengers with disabilities, and other relevant experts.

(d) RULEMAKING.—Not later than 18 months after receiving such recommendations to update section 25.803 of title 14, Code of Federal Regulations, and appendix J to part 25 of such title, the Administrator shall issue a final rulemaking based on the recommendations provided by the aviation rulemaking advisory committee tasked under this section, as necessary.

(e) PASSENGER WITH DISABILITIES.—In this section, the term ''passenger with disabilities'' means any qualified individual with a disability, as such term is defined in section 382.3 of title 14, Code of Federal Regulations, or successor regulations.

SEC. 542. LITHIUM–ION POWERED WHEELCHAIRS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall task the Air Carrier Access Act Advisory Committee (in this section referred to as the ''Committee'') to conduct a review of regulations regarding lithium–ion battery powered wheelchairs and mobility aids and provide recommendations to the Secretary to ensure safe transport of such wheelchairs and mobility aids in air transportation.

(b) CONSIDERATIONS.—In conducting the review required under subsection (a), the Committee shall consider the following:

(1) Any existing or necessary standards for lithium–ion batteries, including casings or other similar components, in such wheelchairs and mobility aids.

(2) The availability of necessary containment or storage devices, including fire containment covers or fire-resistant storage containers, for such wheelchairs and mobility aids.

(3) The policies of each air carrier (as such term is defined in part 121 of title 14, Code of Federal Regulations) pertaining to lithium–ion battery powered wheelchairs and mobility aids (as in effect on the date of enactment of this Act).

(4) Any other considerations the Secretary determines appropriate.

(c) CONSULTATION REQUIREMENT.—In conducting the review required under subsection (a), the Committee shall consult with the Administrator of the Pipeline and Hazardous Materials Safety Administration.

(d) NOTIFICATION.—

(1) IN GENERAL.—Upon completion of the review conducted under subsection (a), the Committee shall notify the Secretary if an air carrier does not have a policy pertaining to lithium–ion battery powered wheelchairs and mobility aids in effect.

(2) NOTIFICATION.—The Secretary shall notify an air carrier described in paragraph (1) of the status of such air carrier.

(e) REPORT TO CONGRESS.—Not later than 90 days after submission of the recommendations to the Secretary, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate any recommendations under subsection (a), in the form of a report.

(f) PUBLICATION.—The Secretary shall publish the report required under subsection (e) on the public website of the Department of Transportation.

SEC. 543. NATIONAL SIMULATOR PROGRAM POLICIES AND GUIDANCE.

(a) REVIEW.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall review relevant policies and guidance, including all advisory circulars, information bulletins, and directives, pertaining to part 60 of title 14, Code of Federal Regulations.

(b) UPDATES.—Upon completion of the review required under subsection (a), the Administrator shall, at a minimum, update the following:

(1) Advisory Circular 120–40B, issued July 29, 1991.

(2) Advisory Circular 120–45A, issued February 5, 1992.

(3) Advisory Circular 120–50A, issued February 9, 1996.

(4) Advisory Circular 120–63, issued October 11, 1994.

(c) CONSULTATION.—In carrying out the review required under subsection (a), the Administrator shall convene and consult with entities required to comply with part 60 of title 14, Code of Federal Regulations, including representatives of—

(1) air carriers;

(2) flight schools certificated under part 141 of title 14, Code of Federal Regulations;

(3) training centers certificated under part 142 of title 14, Code of Federal Regulations; and

(4) manufacturers and suppliers of flight simulation training devices (as defined in part 1 of title 14, Code of Federal Regulations, and Appendix F to part 60 of such title).

SEC. 544. GAO STUDY ON FAA NATIONAL SIMULATOR PROGRAM.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study into the National Simulator Program of the Federal Aviation Administration that is part of the Air Transportation Division's Training and Simulation Group.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall, at a minimum, assesses—

(1) how the program described under subsection (a), is maintained to reflect and account for advancement in technologies pertaining to flight simulation training devices (as defined in part 1 of title 14, Code of Federal Regulations, and appendix F to part 60 of such title);

(2) the staffing levels, critical competencies, and skills gaps of Administration personnel responsible for carrying out and supporting the program described in subsection (a); and

(3) how the program described in subsection (a) engages air carriers and relevant industry stakeholders, including flight schools, to ensure efficient compliance with part 60 of such title.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study conducted under subsection (a).

SEC. 545. GAO STUDY ON FAA ALIGNMENT WITH BEST AVAILABLE TECHNOLOGIES AND STANDARDS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the incorporation of best available technologies by the Federal Aviation Administration to increase aviation safety and improve the health and safety of aviation workers.

(b) SCOPE.—In conducting the study under subsection (a), the Comptroller General shall—

(1) analyze the degree to which the Administrator of the Federal Aviation Administration is enabling the use or adoption of technologies used by other air navigation service providers to meet ICAO standards; and

(2) identify any barriers to adoption of such technologies.

(c) REPORT.—Not later than 4 years after the date of enactment of this Act, the Comptroller General shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings of the study.

(d) ICAO DEFINED.—In this section, the term ''ICAO'' means the International Civil Aviation Organization.

SEC. 546. ADVANCED SIMULATION TRAINING.

(a) IN GENERAL.—Notwithstanding section 61.159(a)(6) of title 14, Code of Federal Regulations (or any successor regulations), a person who is applying for an airline transport certificate with an airplane category and class rating may obtain up to 150 additional hours of the total aeronautical experience requirement in a full flight simulator representing an airplane that provides six-degrees of freedom motion, provided the aeronautical experience—

(1) was accomplished as part of a Federal Aviation Administration approved training course in parts 121, 135, 141, or 142 of such title; and

(2) does not qualify for flight credit hours for an individual applying for an airline transport pilot certificate with restricted privileges under paragraphs (a), (b), (c), and (d) of section 61.160 of such title (or any successor regulation).

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the ability of a person to also obtain 100 hours of aeronautical experience in a flight training device or full flight simulator under section 61.159(a)(6) of title 14, Code of Federal Regulations (or any successor regulations).

(c) RULEMAKING.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule to update part 61 of title 14, Code of Federal Regulations, to reflect changes made by this section.

(2) CONSULTATION.—The Administrator shall consult with the Air Carrier Training Aviation Rulemaking Committee—

(A) in developing the rule under paragraph (1), and

(B) in evaluating, notwithstanding subsection (a), whether the additional 150 hours allowed under subsection (a) may be accrued in a full flight simulator representing an airplane that provides three-degrees of freedom motion.

(3) APPLICABILITY.—Nothing in this subsection, nor any potential failure of the Administrator to issue a final rule under paragraph (1), shall be construed to prohibit the immediate applicability of subsection (a).

(d) DEFINITIONS.—In this section, the terms ''flight training device'' and ''full flight simulator'' have the meanings given such terms in section 1.1 of title 14, Code of Federal Regulations.

SEC. 547. INCREMENTAL SAFETY IMPROVEMENT.

Section 44704 of title 49, United States Code, is amended by adding at the end the following:

''(h) INCREMENTAL SAFETY IMPROVEMENT.—

''(1) IN GENERAL.—The Administrator may consider and approve a proposed incremental design change request from a type certificate holder, if such holder is required by the Administrator to make a safety-related design change to bring a product into compliance, even if the proposed incremental design change does not eliminate all noncompliant conditions.

''(2) PROPOSED INCREMENTAL DESIGN CHANGE.—A proposed incremental design change under paragraph (1) shall—

''(A) be related to the required safety-related change described in this subsection; and

''(B) improve safety.

''(3) FULL COMPLIANCE.—An approval issued under this subsection shall not be construed to relieve a type certificate holder from addressing all noncompliant conditions under paragraph (1).''.

Subtitle B—Aviation Cybersecurity

SEC. 571. FINDINGS.

Congress finds the following:

(1) Congress has repeatedly tasked the Federal Aviation Administration with responsibility for securing the national airspace system, including the air traffic control system and other air navigation services, civil aircraft, and aeronautical products and articles through safety regulation and oversight. These mandates have routinely included protecting against associated cyber threats affecting aviation safety or the Administration's provision of safe, secure, and efficient air navigation services and airspace management.

(2) In 2016, Congress passed the FAA Extension, Safety, and Security Act of 2016, which established requirements for the Federal Aviation Administration to enhance the national airspace system's cybersecurity and included mandates for the Administration to—

(A) develop a cybersecurity strategic plan;

(B) coordinate with other Federal agencies to identify cyber vulnerabilities;

(C) develop a cyber threat model; and

(D) complete a comprehensive, strategic policy framework to identify and mitigate cybersecurity risks to the air traffic control system.

(3) In 2018, Congress passed the FAA Reauthorization Act of 2018 which—

(A) authorized funding for the construction of Federal Aviation Administration facilities dedicated to improving the cybersecurity of the national airspace system;

(B) required the Federal Aviation Administration to review and update its comprehensive, strategic policy framework for cybersecurity to assess the degree to which the framework identifies and addresses known cybersecurity risks associated with the aviation system, and evaluate existing short- and long-term objectives for addressing cybersecurity risks to the national airspace system;

(C) created a Chief Technology Officer position within the Federal Aviation Administration to be responsible for, among other things, coordinating the implementation, operation, maintenance, and cybersecurity of technology programs relating to the air traffic control system with the aviation industry and other Federal agencies; and

(D) directed the National Academy of Sciences to study the cybersecurity workforce of the Federal Aviation Administration in order to develop recommendations to increase the size, quality, and diversity of such workforce.

(4) Congress has tasked the Federal Aviation Administration with being the primary Federal agency to assess and address the threats posed from cyber incidents relating to Federal Aviation Administration-provided air traffic control and air navigation services and the threats posed from cyber incidents relating to civil aircraft, aeronautical products and articles, aviation networks, aviation systems, services, and operations, and the aerospace industry affecting aviation safety or the provision of safe, secure, and efficient air navigation services and airspace management by the Administration.

(5) Since 2005, the Federal Aviation Administration has been addressing cyber vulnerabilities in civil aircraft and aeronautical products and articles during the safety certification process.

SEC. 572. AEROSPACE PRODUCT SAFETY.

(a) CYBERSECURITY STANDARDS.—Section 44701(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by inserting ''cybersecurity,'' after ''quality of work,''; and

(2) in paragraph (5)—

(A) by inserting ''cybersecurity and'' after ''standards for''; and

(B) by striking ''procedure'' and inserting ''procedures''.

(b) EXCLUSIVE RULEMAKING AUTHORITY.—Section 44701 of title 49, United States Code, is amended by adding at the end the following:

''(h) EXCLUSIVE RULEMAKING AUTHORITY.—Notwithstanding any other provision of law and except as provided in section 40132, the Administrator, in consultation with the heads of such other agencies as the Administrator determines necessary, shall have exclusive authority to prescribe regulations for purposes of assuring civil aircraft, including unmanned aircraft systems, aircraft engine, propeller, and appliance cybersecurity.''.

SEC. 573. FEDERAL AVIATION ADMINISTRATION REGULATIONS, POLICY, AND GUIDANCE.

(a) IN GENERAL.—Chapter 401 of title 49, United States Code, is further amended by adding at the end the following:

''§ 40132. National airspace system cyber threat management process

''(a) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration, in consultation with other agencies as the Administrator determines necessary, shall establish a national airspace system cyber threat management process to protect the national airspace system cyber environment, including the safety, security, and efficiency of the air navigation services provided by the Administration.

''(b) ISSUES TO BE ADDRESSED.—In establishing the national airspace system cyber threat management process under subsection (a), the Administrator shall, at a minimum—

''(1) monitor the national airspace system for cybersecurity incidents;

''(2) in consultation with appropriate Federal agencies, evaluate the cyber threat landscape for the national airspace system, including updating such evaluation on both annual and threat-based timelines;

''(3) conduct national airspace system cyber incident analyses;

''(4) create a cyber common operating picture for the national airspace system cyber environment;

''(5) coordinate national airspace system cyber incident responses with other appropriate Federal agencies;

''(6) track cyber incident detection, response, mitigation implementation, recovery, and closure;

''(7) establish a process, or utilize existing processes, to collect relevant interagency and stakeholder national airspace system cyber incident data, including data from other Federal agencies and private persons; and

''(8) consider any other matter the Administrator determines appropriate.

''(c) DEFINITIONS.—In this section:

''(1) CYBER COMMON OPERATING PICTURE.—The term 'cyber common operating picture' means the correlation of a detected cyber incident or cyber threat in the national airspace system and other operational anomalies to provide a holistic view of potential cause and impact.

''(2) CYBER ENVIRONMENT.—The term 'cyber environment' means the information environment consisting of the interdependent networks of information technology infrastructures and resident data, including the internet, telecommunications networks, computer systems, and embedded processors and controllers.

''(3) CYBER INCIDENT.—The term 'cyber incident' means an action that creates noticeable degradation, disruption, or destruction to the cyber environment and causes a safety or other negative impact on operations of—

''(A) the national airspace system;

''(B) civil aircraft; or

''(C) aeronautical products and articles.

''(4) CYBER THREAT.—The term 'cyber threat' means the threat of an action that, if carried out, would constitute a cyber incident or an electronic attack.

''(5) ELECTRONIC ATTACK.—The term 'electronic attack' means the use of electromagnetic spectrum energy to impede operations in the cyber environment, including through techniques such as jamming or spoofing.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 401 of title 49, United States Code, is further amended by adding at the end the following:

''40132. National airspace system cyber threat management process.''.

SEC. 574. CIVIL AVIATION CYBERSECURITY RULEMAKING COMMITTEE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene an aviation rulemaking committee on civil aircraft cybersecurity to conduct a review and develop findings and recommendations on cybersecurity standards for civil aircraft, aircraft ground support information systems, airports, air traffic control mission systems, and aeronautical products and articles.

(b) DUTIES.—The Administrator shall—

(1) not later than 2 years after the date of enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report based on the findings of the aviation rulemaking committee convened under subsection (a); and

(2) not later than 180 days after the date of submission of the report under paragraph (1) and, in consultation with other agencies as the Administrator determines necessary, for consensus recommendations reached by such aviation rulemaking committee—

(A) undertake a rulemaking, if appropriate, based on such recommendations; and

(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a supplemental report with explanations for each consensus recommendation not addressed, if applicable, by a rulemaking under subparagraph (A).

(c) COMPOSITION.—The aviation rulemaking committee convened under subsection (a) shall consist of members appointed by the Administrator, including representatives of—

(1) aircraft manufacturers, to include at least 1 manufacturer of transport category aircraft;

(2) air carriers;
(3) unmanned aircraft system stakeholders, including operators, service suppliers, and manufacturers of hardware components and software applications;
(4) manufacturers of powered-lift aircraft;
(5) airports;
(6) original equipment manufacturers of ground and space based aviation infrastructure;
(7) aviation safety experts with specific knowledge of aircraft cybersecurity; and
(8) a non-profit which operates 1 or more federally funded research and development centers with specific knowledge of aviation and cybersecurity.

(d) MEMBER ELIGIBILITY.—Prior to a member's appointment under subsection (c), the Administrator shall determine if there is cause for such member to be restricted from possessing sensitive security information. Upon a determination of no cause being found regarding the member, and upon the member voluntarily signing a nondisclosure agreement, the member may be granted access to sensitive security information that is relevant to the member's duties on the aviation rulemaking committee. The member shall protect the sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

(e) PROHIBITION ON COMPENSATION.—The members of the aviation rulemaking committee convened under subsection (a) shall not receive pay, allowances, or benefits from the Government by reason of their service on such committee.

(f) CONSIDERATIONS.—The Administrator shall direct such committee to consider—
(1) existing cybersecurity standards, regulations, policies, and guidance, including those from other Federal agencies;
(2) threat- and risk-based security approaches used by the aviation industry, including the assessment of the potential costs and benefits of cybersecurity actions;
(3) data gathered from cybersecurity reporting;
(4) data gathered from safety reporting;
(5) the diversity of operations and systems on aircraft and amongst air carriers;
(6) security of design data;
(7) the need to harmonize or deconflict proposed and existing standards, regulations, policies, and guidance with other Federal standards, regulations, policies, and guidance;
(8) design approval holder aircraft network security guidance for operators;
(9) the need for such standards, regulations, policies, and guidance as applied to civil aircraft information, data, networks, systems, services, operations, and technology;
(10) Federal Aviation Administration services, aviation industry services, and aircraft use of positioning, navigation, and timing data in the context of Executive Order 13905, as in effect on the date of enactment of this Act;
(11) updates needed to airworthiness regulations and systems safety assessment methods used to show compliance with airworthiness requirements for design, function, installation, and certification of civil aircraft, aeronautical products and articles, and aircraft networks;
(12) updates needed to air carrier operating and maintenance regulations to ensure continued adherence with processes and procedures established in airworthiness regulations to provide cybersecurity protections for aircraft systems, including for continued airworthiness;
(13) policies and procedures to coordinate with other Federal agencies, including intelligence agencies, and the aviation industry in sharing information and analyses related to cyber threats to civil aircraft information, data, networks, systems, services, operations, and technology and aeronautical products and articles;
(14) the response of the Administrator and aviation industry to, and recovery from, cyber incidents, including by coordinating with other Federal agencies, including intelligence agencies;
(15) processes for members of the aviation industry to voluntarily report to the Federal Aviation Administration cyber incidents that may affect aviation safety in a manner that protects trade secrets and confidential business information;
(16) the unique nature of the aviation industry, including aircraft networks, aircraft systems, and aeronautical products, and the interconnectedness of cybersecurity and aviation safety;
(17) appropriate cybersecurity controls for aircraft networks, aircraft systems, and aeronautical products and articles to protect aviation safety, including airworthiness;
(18) appropriate cybersecurity controls for airports relative to the size and nature of airside operations of such airports to ensure aviation safety;
(19) minimum standards for protecting civil aircraft, aeronautical products and articles, aviation networks, aviation systems, services, and operations from cyber threats and cyber incidents;
(20) international collaboration, where appropriate and consistent with the interests of aviation safety in air commerce and national security, with other civil aviation authorities, international aviation and standards organizations, and any other appropriate entities to protect civil aviation from cyber incidents and cyber threats;
(21) the recommendations and implementation of the Aircraft System Information Security/Protection report of the aviation rulemaking advisory committee submitted on August 22, 2016; and
(22) any other matter the Administrator determines appropriate.

(g) DEFINITIONS.—The definitions set forth in section 40132 of title 49, United States Code (as added by this subtitle), shall apply to this section.

TITLE VI—AEROSPACE INNOVATION

Subtitle A—Unmanned Aircraft Systems

SEC. 601. DEFINITIONS.

(a) DEFINITION.—Section 44801(1) of title 49, United States Code, is amended—
(1) in subparagraph (B) by striking ''and'' at the end;
(2) in subparagraph (C) by striking the period at the end and inserting a semicolon; and
(3) by adding at the end the following:
''(D) is able to maintain safe flight control in the event of a power or flight control failure during flight; and
''(E) is programmed to initiate a controlled landing in the event of a tether separation.''.

SEC. 602. UNMANNED AIRCRAFT SYSTEM TEST RANGES.

(a) IN GENERAL.—Section 44803 of title 49, United States Code, is amended to read as follows:

''§ 44803. Unmanned aircraft system test ranges

''(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall carry out and update, as appropriate, a program to enable a broad variety of testing and evaluation activities at unmanned aircraft system test ranges, as in effect on the day before the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act, to the extent consistent with aviation safety and efficiency, and for purposes of the safe integration of unmanned aircraft systems into the national airspace system.

''(b) AIRSPACE REQUIREMENTS.—In carrying out the program under subsection (a)—
''(1) the Administrator may establish nonregulatory special use airspace areas upon the request of a test range sponsor selected by the Administrator under subsection (a), for purposes of accommodating hazardous testing and evaluation activities to inform the safe integration of unmanned aircraft systems into the national airspace system, or for purposes of other activities authorized by the Administrator under subsection (g);
''(2) each selected test range sponsor for a designated test range shall be considered the using agency for purposes of the respective nonregulatory special use airspace areas established by the Administrator under this section; and
''(3) the Administrator may require that each selected test range sponsor for a designated test range provide a draft environmental review consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), subject to the supervision and adoption of the Administrator, with respect to any request for the establishment of a nonregulatory special use airspace area under this section.

''(c) PROGRAM REQUIREMENT.—In carrying out the program under subsection (a), the Administrator—
''(1) may develop operational standards and air traffic requirements for flight operations at test ranges;
''(2) shall coordinate with, and leverage the resources of, other Federal agencies, as the Administrator considers appropriate;
''(3) shall address both civil and public aircraft operations;
''(4) shall provide for verification of the safety of flight systems and related navigation procedures as it relates to continued development of standards for integration into the national airspace system;
''(5) shall engage test range sponsors, as necessary and within available resources, in projects for testing and evaluation of flight systems to facilitate the validation of standards by the Administration for the safe integration of unmanned aircraft systems into the national airspace system, which may include solutions for—
''(A) developing and enforcing geographic and altitude limitations;
''(B) providing for alerts regarding any hazards or limitations on flight, including prohibitions on flight;
''(C) sense and avoid capabilities;
''(D) technology to support communications, navigation, and surveillance;
''(E) unmanned aircraft system operations beyond visual line of sight, at nighttime, or over people;
''(F) operation of multiple unmanned aircraft systems by a single remote pilot;
''(G) unmanned aircraft systems traffic management capabilities or services;
''(H) counter unmanned aircraft system capabilities;
''(I) improving privacy protections through the use of advances in unmanned aircraft systems; and
''(J) other critical priority areas for which testing and evaluation is needed.
''(6) shall coordinate periodically with all test range sponsors to ensure test range sponsors know which data should be collected, how data can be de-identified to flow more readily to the Administration, what procedures should be followed, and what testing and evaluations would advance efforts to safely integrate unmanned aircraft systems into the national airspace system; and
''(7) shall allow test range sponsors to receive Federal funding, other than from the Federal Aviation Administration, including in-kind contributions, from test range participants in the furtherance of testing and evaluation objectives.

''(d) EXEMPTION.—Except as provided in subsection (g), the requirements of section 44711, including related implementing regulations, shall not apply to persons approved by the test range sponsor for operation at a designated test range under this section.

''(e) RESPONSIBILITIES OF TEST RANGE SPONSOR.—The sponsor of each test range under subsection (a) shall—
''(1) provide access to all interested private and public entities seeking to carry out testing

and evaluation activities at the test range designated pursuant to this section, to the greatest extent practicable, consistent with safety and any operating procedures established by the test range sponsor, including access by small business concerns (as that term is described in section 3(a) of the Small Business Act (15 U.S.C. 632(a));

''(2) ensure all activities remain within the geographical boundaries and altitude limitations established for the nonregulatory special use airspace area covering the test range;

''(3) ensure no activity is conducted at the designated test range in a careless or reckless manner;

''(4) establish safe operating procedures for all operators approved for activities at the test range, including provisions for maintaining operational control and ensuring protection of persons and property on the ground, subject to approval by the Administrator;

''(5) exercise direct oversight of all operations conducted at the test range;

''(6) consult with the Administrator on the nature of planned activities at the test range and whether temporary segregation through the use of a nonregulatory special use airspace area is required to contain such activities is consistent with aviation safety;

''(7) protect proprietary technology, sensitive data, or sensitive research of any civil or private entity when using the test range;

''(8) maintain detailed records of all ongoing and completed testing and evaluation activities conducted at the test range and all operators conducting such activities, for inspection by, and reporting to, the Administrator, as required by agreement between the Administrator and the test range sponsor;

''(9) make all original records available for inspection upon request by the Administrator; and

''(10) provide recommendations to the Administrator to further enable public and private testing and evaluation activities at the test ranges that contribute to the safe integration of unmanned aircraft systems by the Administration into the national airspace system, on a quarterly basis until the program terminates.

''(f) TESTING.—

''(1) IN GENERAL.—The Administrator may authorize a sponsor of a test range designated under subsection (a) to host testing and evaluation activities other than those directly related to the integration of unmanned aircraft systems into the national airspace system, provided that the activity is necessary to inform the development of standards or policy for integrating new types of flight systems into the national airspace system.

''(2) WAIVER.—In carrying out this subsection, the Administrator may waive the requirements of section 44711, including related regulations, to the extent consistent with aviation safety.

''(g) AGREEMENTS.—The Administrator may use the transaction authority under section 106(l)(6) to enter into appropriate agreements to direct testing and evaluation activities related to unmanned aircraft systems at any test range designated under subsection (a).

''(h) TERMINATION.—The program under this section shall terminate on September 30, 2028.''.

(b) CONFORMING AMENDMENT.—Section 44801(10) of title 49, United States Code, is amended by striking ''any of the 6 test ranges'' and all that follows through ''January 1, 2009'' and inserting ''the test ranges established by the Administrator under section 44803''.

SEC. 603. UNMANNED AIRCRAFT IN THE ARCTIC.

(a) IN GENERAL.—Section 44804 of title 49, United States Code, is amended—

*(1) in section heading by striking ''**Small unmanned**'' and inserting ''**Unmanned**''; and*

(2) by striking ''small'' each place it appears.

(b) CLERICAL AMENDMENT.—The analysis for chapter 448 of title 49, United States Code, is amended by striking the item relating to section 44804 and insert the following:

''44804. Unmanned aircraft in the Arctic.''.

SEC. 604. PUBLIC SAFETY USE OF TETHERED UAS.

(a) IN GENERAL.—Section 44806 of title 49, United States Code, is amended—

*(1) in the section heading by inserting ''**and public safety use of unmanned aircraft systems**'' after ''**systems**'';*

(2) in subsection (c)—

(A) in the subsection heading by inserting ''SAFETY USE OF'' after ''PUBLIC''; and

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''Not later than 180 days after the date of enactment of this Act, the'' and inserting ''The'';

(II) by striking ''permit the use of'' and inserting ''permit'';

(III) by striking ''public''; and

(IV) by inserting ''by a public safety organization for such systems'' after ''systems'';

(ii) by striking subparagraph (A) and inserting the following:

''(A) operated—

''(i) at or below an altitude of 150 feet above ground level within class B, C, D, E, or G airspace, but not at a greater altitude than the ceiling depicted on the UAS facility maps published by the Federal Aviation Administration, where applicable;

''(ii) within zero-grid airspaces as depicted on such UAS facility maps, only if operated in lifesaving or emergency situations and with prior notification to the Administration in a manner determined by the Administrator; or

''(iii) above 150 feet above ground level within class B, C, D, E, or G airspace only with prior authorization from the Administrator;'';

(iii) by striking subparagraph (B); and

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively; and

(C) in paragraph (3) by striking ''Public actively'' and inserting ''Actively''; and

(3) by adding at the end, the following:

''(e) DEFINITION.—In this section, the term 'public safety organization' means an entity that primarily engages in activities related to the safety and well-being of the general public, including law enforcement, fire departments, emergency medical services, and other organizations that protect and serve the public in matters of safety and security.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 448 of title 49, United States Code, is amended by striking the item relating to section 44806 and inserting the following:

''44806. Public unmanned aircraft systems and public safety use of unmanned aircraft systems.''.

SEC. 605. SPECIAL AUTHORITY FOR UNMANNED AIRCRAFT SYSTEMS.

Section 44807 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''or chapter 447'' after ''this chapter'';

(B) by striking ''the Secretary of Transportation'' and inserting ''the Administrator of the Federal Aviation Administration''; and

(C) by striking ''if certain'' and inserting ''how'';

(2) in subsection (b)—

(A) by striking ''the Secretary'' and inserting ''the Administrator''; and

(B) in paragraph (1)—

(i) by striking ''which types of unmanned aircraft systems, if any, as a result of their size'' and inserting ''how the unmanned aircraft, as a result of such aircraft's size''; and

(ii) by striking ''do not create'' and inserting ''does not create'';

(3) in subsection (c) to read as follows:

''(c) REQUIREMENTS FOR SAFE OPERATION.—

''(1) IN GENERAL.—For unmanned aircraft systems that the Administrator determines under this section may operate safely in the national airspace system, the Administrator shall establish risk-based requirements, or a process to accept risk-based proposed requirements, for the safe operation of such aircraft systems in the national airspace system, including operation related to testing and evaluation of proprietary systems.

''(2) TREATMENT OF MITIGATION MEASURES.—To the extent that a proposed operation will be conducted exclusively within the airspace of a Mode C Veil during the entirety of the operation, such operation shall be treated as satisfying the requirements of section 91.113(b) of title 14, Code of Federal Regulations, so long as the operation employs—

''(A) ADS–B In-based detect and avoid capabilities;

''(B) air traffic control communication and coordination; and

''(C) aeronautical information management systems to notify other aircraft operators of such operations.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to give an unmanned aircraft operating pursuant to this section the right of way over a manned aircraft.'';

(4) in subsection (d) by striking ''2023'' and inserting ''2033''; and

(5) by adding at the end the following:

''(e) LIMITATION.—In making determinations under this section, the Administrator may not consider unmanned aircraft systems to the extent that such systems may meet the requirements of established regulations applicable to the proposed operation of a system.

''(f) EXEMPTION.—The Administrator may exercise the authorities described in this section without requiring a rulemaking or imposing the requirements of part 11 of title 14, Code of Federal Regulations, to the extent consistent with aviation safety.''.

SEC. 606. RECREATIONAL OPERATIONS OF DRONE SYSTEMS.

(a) SPECIFIED EXCEPTION FOR LIMITED RECREATIONAL OPERATIONS OF UNMANNED AIRCRAFT.—Section 44809 of title 49, United States Code, is amended—

(1) in subsection (a) by striking paragraph (6) and inserting the following:

''(6) Except for circumstances when the Administrator establishes alternative altitude ceilings or as otherwise authorized in section (c), in Class G airspace, the aircraft is flown from the surface to not more than 400 feet above ground level and complies with all airspace and flight restrictions and prohibitions established under this subtitle, such as special use airspace designations and temporary flight restrictions.'';

(2) by striking subsection (c) and inserting the following:

''(c) OPERATIONS AT FIXED SITES.—

''(1) IN GENERAL.—The Administrator shall establish a process to approve, and publicly disseminate the location of, fixed sites at which a person may carry out recreational unmanned aircraft system operations.

''(2) OPERATING PROCEDURES.—

''(A) CONTROLLED AIRSPACE.—Persons operating unmanned aircraft under paragraph (1) from a fixed site within Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, or a community-based organization sponsoring operations within such airspace, shall make the location of the fixed site known to the Administrator and shall establish a mutually agreed upon operating procedure with the air traffic control facility.

''(B) ALTITUDE.—The Administrator, in coordination with community-based organizations sponsoring operations at fixed sites, shall develop a process to approve requests for recreational unmanned aircraft systems operations at fixed sites that exceed the maximum altitude contained in a UAS Facility Map.

''(C) CLASS G AIRSPACE.—Subject to compliance with all airspace and flight restrictions and prohibitions established under this subtitle, such as special use airspace designations and

temporary flight restrictions, persons operating drones under paragraph (1) from a fixed site at which the operations are sponsored by a community-based organization may operate within Class G airspace—

''(i) up to 400 feet above ground level, without prior authorization from the Administrator; and

''(ii) above 400 feet above ground level, with prior authorization from the Administrator.

''(3) UNMANNED AIRCRAFT WEIGHING 55 POUNDS OR GREATER.—A person may operate an unmanned aircraft weighing 55 pounds or greater, including the weight of anything attached to or carried by the aircraft, under paragraph (1) if—

''(A) the unmanned aircraft complies with standards and limitations developed by a community-based organization and approved by the Administrator; and

''(B) the aircraft is operated from a fixed site as described in paragraph (1).

''(4) FAA-RECOGNIZED IDENTIFICATION AREAS.—In implementing subpart C of part 89 of title 14, Code of Federal Regulations, the Administrator shall prioritize the review and adjudication of requests to establish FAA Recognized Identification Areas at fixed sites established under this section.'';

(3) in subsection (d) by striking the subsection heading and all that follows through ''(3) SAVINGS CLAUSE.—'' and inserting ''(d) SAVINGS CLAUSE.—'';

(4) in subsection (d) by striking ''subsection (a) of'';

(5) in subsection (f)(1) by striking ''updates to'';

(6) by striking subsection (g)(1) and inserting the following:

''(1) IN GENERAL.—The Administrator, in consultation with manufacturers of unmanned aircraft systems, community-based organizations, and other industry stakeholders, shall develop, maintain, and update, as necessary, an aeronautical knowledge and safety test. Such test shall be administered electronically by the Administrator or a person designated by the Administrator.''; and

(7) in subsection (h)—

(A) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

''(1) is recognized by the Administrator of the Federal Aviation Administration;''.

(b) USE OF UNMANNED AIRCRAFT SYSTEMS FOR EDUCATIONAL PURPOSES.—Section 350 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44809 note) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting before paragraph (3) (as so redesignated) the following:

''(2) operated by an elementary school or secondary school for educational or research purposes;''; and

(2) in subsection (d)—

(A) in paragraph (2) by inserting ''an elementary school, or a secondary school,'' after ''with respect to the operation of an unmanned aircraft system by an institution of higher education,''; and

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

''(3) ELEMENTARY SCHOOL.—The term 'elementary school' has the meaning given to that term by section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(19)).

''(4) SECONDARY SCHOOL.—The term 'secondary school' has the meaning given to that term by section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(45)).''.

SEC. 607. AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION AND ENFORCEMENT.

Section 44810(h) of title 49, United States Code, is amended by striking ''2023'' and inserting ''2028''.

SEC. 608. APPLICATIONS FOR DESIGNATION.

Section 2209 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190) is further amended—

(1) in subsection (a)—

(A) by inserting '', including temporarily,'' after ''restrict''; and

(B) by inserting ''or eligible outdoor gathering'' after ''fixed site facility'';

(2) in subsection (b)(1)(C)—

(A) in clause (iv), by striking ''Other locations that warrant such restrictions'' and inserting ''State correctional facilities''; and

(B) by adding at the end the following:

''(v) Eligible outdoor gatherings.''; and

(3) by adding at the end the following:

''(f) ELIGIBLE OUTDOOR GATHERING DEFINED.—In this section, the term 'eligible outdoor gathering' means an event that—

''(1) is primarily outdoors;

''(2) has an estimated daily attendance of 20,000 or greater in at least 1 of the preceding 3 years;

''(3) has defined and static geographical boundaries; and

''(4) is advertised in the public domain.

''(f) DEADLINES.—

''(1) Not later than March 1, 2024, the Administrator shall publish a notice of proposed rulemaking to carry out the requirements of this section.

''(2) Not later than 16 months after publishing the notice of proposed rulemaking under paragraph (1), the Administrator shall issue a final rule.''.

SEC. 609. BEYOND VISUAL LINE OF SIGHT RULEMAKING.

(a) IN GENERAL.—Not later than 4 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a notice of proposed rulemaking establishing performance-based airworthiness criteria and risk-based operational regulations for unmanned aircraft systems operated beyond visual line of sight that are intended to operate primarily at or below 400 feet above ground level.

(b) CONTENTS.—In carrying out subsection (a), the Administrator shall—

(1) establish a means to accept proposed—

(A) airworthiness standards for unmanned aircraft;

(B) standards for associated elements of unmanned aircraft; and

(C) qualification standards for remote pilots operating unmanned aircraft beyond visual line of sight;

(2) enable the ability for unmanned aircraft to be operated for agricultural purposes;

(3) establish a process by which the Administrator may approve or accept third party compliance services in support of the safe integration of unmanned aircraft systems into the national airspace system; and

(4) establish protocols, as appropriate, for networked information exchange, including network-based remote identification in support of beyond visual line of sight operations.

(c) CONSIDERATIONS.—In carrying out subsection (a), the Administrator may leverage previously gathered data, information, and efforts of the Administration to finalize rulemaking as required under this section.

(d) UNMANNED AIRCRAFT AIRWORTHINESS STANDARDS.—In carrying out subsection (b)(1)(A), the Administrator shall—

(1) define the operational environments for which airworthiness is needed to ensure aviation safety;

(2) establish an airworthiness category or categories for unmanned aircraft to be eligible for a special airworthiness certificate; and

(3) establish a process to approve standards, means of compliance, and declarations of compliance.

(e) UNMANNED AIRCRAFT ASSOCIATED ELEMENTS STANDARDS.—

(1) IN GENERAL.—In carrying out subsection (b)(1)(B), the Administrator shall establish a process to accept or approve the associated elements of an unmanned aircraft that, when considered collectively with other associated elements and an unmanned aircraft, meet an acceptable performance-based safety standard.

(2) CONSIDERATIONS.—In establishing the process under paragraph (1), the Administrator shall consider the ways associated elements of an unmanned aircraft system interact with other associated elements and unmanned aircraft.

(f) REMOTE PILOT QUALIFICATIONS.—

(1) IN GENERAL.—In carrying out subsection (b)(1)(C), the Administrator shall establish qualifications and standards, or a means to accept proposed qualifications and standards, for remote pilots operating unmanned aircraft systems.

(2) CONSIDERATIONS.—In carrying out paragraph (1), the Administrator shall account for the varying levels of automation of unmanned aircraft systems.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to allow for the establishment of type-ratings that apply specifically and exclusively to an aircraft manufactured by 1 manufacturer.

(g) INTERIM APPROVALS.—Before the date on which the Administrator issues a final rule under this section, the Administrator shall use the process described in section 44807 of title 49, United States Code, to authorize unmanned aircraft system operations conducted beyond visual line of sight.

(h) FINAL RULE.—Not later than 16 months after the date of enactment of this Act, the Administrator shall issue a final rule establishing the regulations required under this section.

(i) DEFINITIONS.—In this section:

(1) ASSOCIATED ELEMENTS.—The term ''associated elements'' means any component of an unmanned aircraft system, not permanently affixed to the unmanned aircraft, required for the remote pilot to operate such aircraft safely and efficiently in the national airspace system.

(2) BEYOND VISUAL LINE OF SIGHT.—The term ''beyond visual line of sight'' means a distance at which the remote pilot in command of an unmanned aircraft system cannot see the unmanned aircraft with vision unaided by any device other than corrective lenses.

(3) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meaning given such terms in section 44801 of title 49, United States Code.

SEC. 610. UAS TRAFFIC MANAGEMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration may enter into agreements for purposes of—

(1) testing and refining UTM capabilities and services to inform the development of UTM standards in subsection (b);

(2) authorizing UTM service providers that meet the requirements described in subsection (b) to provide UTM services to better enable advanced unmanned aircraft systems operations, including—

(A) beyond visual line of sight operations;

(B) aircraft-to-aircraft communications; and

(C) operations in which an individual acts as remote pilot in command of more than 1 unmanned aircraft at the same time; and

(3) fostering the safe integration of unmanned aircraft systems using UTM capabilities and services within the national airspace system.

(b) STANDARDIZATION.—

(1) IN GENERAL.—In carrying out subsection (a), the Administrator shall publish requirements or guidance associated with UTM, including—

(A) the types of operations requiring, or benefitting from, the use of UTM capabilities and services described in subsection (a), including beyond visual line of sight operations;

(B) areas of operation or categories of airspace requiring, or benefitting from, the use of UTM capabilities and services;

(C) performance-based technical standards for UAS operations using UTM capabilities and services; and

(D) application program interfaces that enable UTM service suppliers to integrate UTM capabilities and services into other systems for use by users of the national airspace system, including unmanned aircraft system operators.

(2) INTERNATIONAL HARMONIZATION.—In carrying out paragraph (1), the Administrator shall seek to harmonize, to the extent practicable and advisable, UTM standards with standards produced by recognized industry standards organizations or other peer civil aviation authorities.

(3) FEEDBACK OF CONCEPT OF OPERATIONS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall solicit feedback from stakeholders on the most recently published UTM concept of operations of the Administration.

(4) FINALIZATION OF CONCEPT OF OPERATIONS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall publish a final version of the UTM concept of operations of the Administration.

(c) STAKEHOLDER PARTNERSHIPS.—In carrying out subsection (a), the Administrator shall establish a means by which the Administrator can enter into cooperative agreements, contracts, other transaction agreements, and other appropriate mechanisms with appropriate persons, partnerships, and consortia to enable qualified third-parties to design, build, develop, fund, and manage UTM.

(d) RULES OF CONSTRUCTION.—

(1) BEYOND VISUAL LINE OF SIGHT OPERATIONS.—Nothing in this section shall be construed to prevent or prohibit beyond visual line of sight operations through the use of technologies other than UTM capabilities and services.

(2) AIRSPACE.—Nothing in this section shall be construed to alter the authority under section 40103 of title 49, United States Code.

(e) BRIEFING.—Not later than 90 days after the date of enactment of this Act, and annually thereafter, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on progress made by the Administration detailing the implementation and requirements of this section and any applicable timelines to completion.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE PERSONS.—The term ''appropriate persons'' means a Federal, State, local, Tribal, or territorial governmental entity, or a person.

(2) UTM.—The term ''UTM'' means the manner in which the Administration will support operations for unmanned aircraft systems operating in low-altitude airspace.

SEC. 611. RADAR DATA PILOT PROGRAM.

(a) SENSITIVE RADAR DATA FEED PILOT PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Defense, and other heads of relevant Federal agencies, shall establish a pilot program to make airspace data feeds containing classified or controlled unclassified information available to qualified users, in conjunction with subsection (b).

(b) AUTHORIZATION.—In carrying out subsection (a), the Administrator and the heads of other relevant Federal agencies and in coordination with the Secretary of Defense, shall establish a process to authorize qualified entities to receive airspace data feeds containing classified information related to air traffic within the national airspace system and use such information in an agreed upon manner to—

(1) provide—

(A) air traffic management services; and

(B) unmanned aircraft system traffic management services; or

(2) to test technologies that may enable or enhance the provision of the services described in paragraph (1).

(c) BRIEFING.—Not later than 90 days after establishing the pilot program under subsection (a), and annually thereafter, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the findings of the Administrator related to the pilot program established under this section.

(d) SUNSET.—This section shall cease to be effective on October 1, 2028.

(e) DEFINITION OF QUALIFIED USER.—In this section, the term ''qualified user'' means an entity authorized to receive airspace data feeds containing classified or controlled unclassified information pursuant to subsection (b).

SEC. 612. ELECTRONIC CONSPICUITY STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of technologies and methods that may be used by operators of unmanned aircraft systems to detect and avoid manned aircraft that may lawfully operate below 500 feet above ground level and that are—

(1) not equipped with a transponder or automatic dependent surveillance-broadcast out equipment; or

(2) otherwise not electronically conspicuous.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with—

(1) representatives from—

(A) unmanned aircraft systems manufacturers and operators;

(B) general aviation operators;

(C) aerial applicators; and

(D) helicopter operators, including State and local governments; and

(2) any other person the Comptroller General determines appropriate.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the results of such study.

SEC. 613. REMOTE IDENTIFICATION ALTERNATIVE MEANS OF COMPLIANCE.

(a) STUDY.—The Administrator of the Federal Aviation Administration shall review and evaluate the final rule titled ''Remote Identification of Unmanned Aircraft'', issued on January 15, 2021, to determine the feasibility and advisability of whether unmanned aircraft manufacturers and operators can meet the intent of such final rule through alternative means of compliance, including through network–based remote identification.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study under subsection (a).

SEC. 614. PART 107 WAIVER IMPROVEMENTS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall adopt a performance– and risk–based approach in reviewing requests for certificates of waiver under section 107.200 of title 14, Code of Federal Regulations.

(b) STANDARDIZATION OF WAIVER APPLICATION.—

(1) IN GENERAL.—In carrying out subsection (a), the Administrator shall improve the process established to submit requests for certificates of waiver described in subsection (a).

(2) FORMAT.—In carrying out paragraph (1), the Administrator may not require the use of open-ended descriptive prompts that are required to be filled out by an applicant, except to provide applicants the ability to provide the Administration with information for an unusual or irregular operation.

(3) DATA.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall leverage data gathered from previous requests for certificates of waivers.

(B) CONSIDERATIONS.—In carrying out subparagraph (A), the Administrator shall safely use—

(i) big data analytics; and

(ii) machine learning.

(c) CONSIDERATION OF PROPERTY OWNERSHIP INTEREST.—

(1) IN GENERAL.—In determining whether to issue a certificate of waiver under section 107.200 of title 14, Code of Federal Regulations, the Administrator shall—

(A) consider whether the waiver applicant has control over access to all real property on the ground within the area of operation; and

(B) recognize and account for the safety enhancements of such controlled access.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to direct the Administrator to consider the lack of control over access to all real property on the ground within an area of operation, or a lack of property interest in such area of operation, as negatively affecting the safety of the operation intended to be conducted under such certificate of waiver.

(d) PUBLIC AVAILABILITY OF WAIVERS.—

(1) IN GENERAL.—The Administrator shall publish all certificates of waiver issued under section 107.200 of title 14, Code of Federal Regulations, on the website of the Administration, including, with respect to each issued certificate of waiver—

(A) the terms, conditions, and limitations; and

(B) the class of airspace and any restrictions related to operating near airports or heliports.

(2) PUBLICATION.—In carrying out paragraph (1), the Administrator shall ensure that published information is made available in a manner that prevents inappropriate disclosure of proprietary information.

(e) PRECEDENTIAL USE OF PREVIOUSLY APPROVED WAIVERS.—

(1) WAIVER APPROVAL PRECEDENT.—Except as provided in paragraph (3), if the Administrator determines, using criteria for a particular waiver, that an application for a certificate of waiver issued under section 107.200 of title 14, Code of Federal Regulations, is substantially similar (or is comprised of elements that are substantially similar) to an application for a certificate of waiver that the Administrator has previously approved, the Administrator may streamline, as appropriate, the approval of applications with substantially similar conditions and limitations as a previously approved application.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to preclude an applicant for a certificate of waiver from applying to modify a condition, or remove a limitation of, such certificate.

(f) MODIFICATION OF WAIVERS.—

(1) IN GENERAL.—The Administrator shall establish an expedited review process for a request to modify or renew certificates of waiver previously issued under section 107.200 of title 14, Code of Federal Regulations, as appropriate.

(2) USE OF REVIEW PROCESS.—The review process established under paragraph (1) shall be used to review certificates of waiver that cover operations that are substantially similar in all material facts to operations covered under a subsequently issued certificate of waiver.

SEC. 615. ACCEPTABLE LEVELS OF RISK AND RISK ASSESSMENT METHODOLOGY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish acceptable levels of risk, and develop a risk assessment methodology associated with such levels of risk, to enable unmanned aircraft system operations conducted—

(1) under waivers issued to part 107 of title 14, Code of Federal Regulations;

(2) pursuant to section 44807 of title 49, United States Code; or

(3) pursuant to future regulations promulgated by the Administrator, as appropriate.

(b) ACCEPTABLE LEVELS OF RISK.—In carrying out subsection (a), the Administrator shall establish acceptable levels of risk for unmanned aircraft system operations in the national airspace system and a method for assessing the operational risk of a proposed operation in accordance with such acceptable level.

(c) RISK ASSESSMENT METHODOLOGY.—In carrying out subsections (a) and (b), the Administrator shall develop a risk assessment methodology to allow remote pilots in command operating unmanned aircraft systems pursuant to subsection (a) to determine the risk associated with a specific operation, and mitigate such a risk, as necessary.

(d) RISK ASSESSMENT METHODOLOGY CONSIDERATIONS.—In establishing the risk assessment methodology described under this section, the Administrator shall consider—

(1) the time of day of the operation;

(2) the population density of the area of operation;

(3) the class of airspace and such requirements necessary for airspace users to legally operate in each class of airspace;

(4) the proximity to infrastructure, to the extent that proximity mitigates risk to other operators of the national airspace system;

(5) the nature of the detect and avoid mitigation measures of an unmanned aircraft system; and

(6) the attributes and characteristics of the unmanned aircraft of the unmanned aircraft system, including the—

(A) size;

(B) visibility;

(C) maximum takeoff weight;

(D) maximum indicated airspeed; and

(E) payload.

(e) PUBLICATION.—The Administrator shall make the risk assessment methodology established under this section available to the public on an appropriate website of the Administration.

(f) DEFINITIONS OF UNMANNED AIRCRAFT AND UNMANNED AIRCRAFT SYSTEM.—In this section, the terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given such terms in section 44801 of title 49, United States Code.

SEC. 616. ENVIRONMENTAL REVIEW.

(a) GUIDANCE UPDATES.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish unmanned aircraft system-specific guidance and implementation procedures. Such guidance and implementation procedures shall—

(1) provide guidance to streamline environmental assessments at a programmatic level, as the Administrator considers appropriate, for an unmanned aircraft system operator's network of operations within a defined geographical region, including within and over approved commercial or industrial sites closed or restricted to the public;

(2) provide guidance for nationwide programmatic approaches for large scale distributed unmanned aircraft system operations whereby a Programmatic Environmental Assessment or Environmental Impact Statement can be leveraged for subsequent related actions to ensure efficient environmental review;

(3) consider additional Categorical Exclusions based on previously prepared and finalized Environmental Assessments or in consultation with the Council on Environmental Quality;

(4) prioritize proposed projects or activities that may—

(A) offset or limit the impacts of non-zero emission activities;

(B) offset or limit the release of environmental pollutants to soil or water; or

(C) demonstrate other factors to the benefit of the environment as determined by the Administrator;

(5) contain intra-agency process improvements to avoid providing conflicting safety and environmental feedback to operators;

(6) contain standards and criteria for engaging specialized third parties to support the Administration's preparation and review of documentation relating to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to ensure streamlined timelines for complex reviews; and

(7) any other modifications the Administrator considers necessary within the stated environmental objectives of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Federal priority to maintain global leadership in aviation innovation.

(b) BRIEFING.—No later than 90 days after the date of enactment of this Act, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the plan of the Administration to implement subsection (b), including each of the considerations specified in the subsection, and an explanation for any consideration the Administrator does not intend to implement.

(c) CONCURRENT REVIEWS.—If the Administrator determines that the review of an unmanned aircraft system's design, construction, maintenance and operational sustainability, airworthiness approval, or operational approval requires environmental assessment, including requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Administrator shall, to the maximum extent practicable, conduct such reviews and analyses concurrent with one another.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting, restricting or otherwise limiting the authority of the Secretary of Transportation or the Administrator from implementing or complying with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any related requirements to ensure the protection of the environment and aviation safety.

(e) ASSOCIATED UAS CERTIFICATION STANDARDS.—

(1) OPTION TO SUSPEND NOISE CERTIFICATION REQUIREMENT PENDING STANDARDS DEVELOPMENT.—Notwithstanding the requirements of section 44715 of title 49, United States Code, the Administrator may waive the determination of compliance with part 36 of title 14, Code of Federal Regulations, for an applicant seeking an unmanned aircraft system type and airworthiness certification, provided the Administrator has developed appropriate noise measurement procedures for such systems and the Administrator has received the noise measurements results based on such procedures from the applicant.

(2) DEVELOPMENT OF CRITERIA.—Not later than 90 days after the date of enactment of this Act, the Administrator shall develop and establish substantive criteria and standards metrics used by the Administrator to determine whether to approve or disapprove the airworthiness of an unmanned aircraft pursuant to part 36 of title 14, Code of Federal Regulations.

(3) SUBSTANTIVE CRITERIA AND STANDARDS METRICS.—In establishing the substantive criteria and standards metrics as required under paragraph (2), the Administrator shall include such criteria and metrics related to the airworthiness of unmanned aircraft for the following:

(A) Noise impacts.

(B) Visual impacts.

(4) PUBLICATION.—The Administrator shall publish in the Federal Register and post on a website of the Federal Aviation Administration the criteria and metrics established pursuant to paragraph (2).

(f) DEFINITION OF UNMANNED AIRCRAFT SYSTEM.—In this section, the term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. 617. CARRIAGE OF HAZARDOUS MATERIALS.

(a) NEAR-TERM APPROVALS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall coordinate with the Administrator of the Pipeline and Hazardous Materials Safety Administration to revise processes in effect on the date of enactment of this Act for the carriage of hazardous materials by unmanned aircraft systems to provide that—

(1) special conditions, waivers, or other requirements necessary to enable the carriage of hazardous materials shall be incorporated into the existing regulatory and operator certification processes of the Federal Aviation Administration for unmanned aircraft operations in which the aircraft—

(A) weighs less than 100 pounds; and

(B) is capable of carrying less than 10 pounds gross weight of limited quantity cargo; and

(2) the existing special permitting process or other existing processes carried out by the Administrator of the Pipeline and Hazardous Materials Safety Administration shall be initiated as early as practicable, and in conjunction with the existing regulatory and operator certification processes of the Federal Aviation Administration, for unmanned aircraft operations in which the unmanned aircraft—

(A) weighs 100 pounds or more; or

(B) is capable of carrying 10 pounds or more gross weight of limited quantity cargo.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall revise requirements, guidance, standards, or other policy materials governing the carriage of hazardous materials to allow for the carriage of a de minimis amount of hazardous materials by an unmanned aircraft.

(2) CONSIDERATIONS.—In carrying out paragraph (1), the Administrator shall consider—

(A) whether a hazardous material is a consumer commodity;

(B) requirements for common carriage and private carriage;

(C) whether the transportation of a de minimis volume, weight, or amount of a hazardous material would pose an unreasonable risk to health and safety or property;

(D) whether the volume, weight, or amount of a hazardous material is large enough to permit the transportation of a commercially meaningful volume, weight, or amount; and

(E) the altitude at which unmanned aircraft operations are conducted.

(3) IMPLEMENTATION.—

(A) PETITION.—The Secretary shall establish a process for a person to petition to establish or revise a de minimis amount or a hazardous material.

(B) PERIODIC UPDATES.—The Secretary shall—

(i) periodically review, as necessary, de minimis amounts of hazardous materials established under paragraph (1);

(ii) determine whether such amounts of Hazardous materials should be revised, based on operational and safety data or other factors; and

(iii) assess whether to establish a de minimis amount for a hazardous material for which a de minimis volume, weight, or amount has previously not been established.

(c) SAVING CLAUSE.—Nothing in this section shall be construed to—

(1) limit the authority of the Secretary, the Administrator of the Federal Aviation Administration, or the Administrator of the Pipeline and Hazardous Materials Safety Administration from implementing requirements under existing authorities to ensure the safe carriage of hazardous materials by aircraft; and

(2) confer upon the Administrator of the Federal Aviation Administration the authorities of

the Administrator of the Pipeline and Hazardous Materials Safety Administration, as described in part 175 of title 49, Code of Federal Regulations, and chapter 51 of title 49, United States Code.

(d) EXEMPTION.—The authorities of the Administrator related to the transportation, packaging, marking, or description of hazardous materials in section 106(g)(1) of title 49, United States Code, shall not apply to the extent necessary to enact the requirements of this section.

(e) DEFINITIONS.—In the section:

(1) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given the term in section 44801 of title 49, United States Code.

(2) CONSUMER COMMODITY.—The term ''consumer commodity'' has the meaning given such term in section 171.8 of title 49, Code of Federal Regulations.

SEC. 618. UNMANNED AIRCRAFT SYSTEM USE IN WILDFIRE RESPONSE.

(a) UNMANNED AIRCRAFT SYSTEMS IN WILDFIRE RESPONSE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the United States Forest Service and any other Federal entity or contracted operator the Administrator considers appropriate, shall develop a plan on the use of unmanned aircraft systems by public entities in wildfire response efforts, including wildfire detection, mitigation, and suppression.

(2) PLAN CONTENTS.—The plan under subsection (a) shall provide recommendations to—

(A) identify and designate areas of public land with high potential for wildfires in which public entities may conduct unmanned aircraft system beyond visual line of sight operations as part of wildfire response efforts, including wildfire detection, mitigation, and suppression;

(B) develop a process to facilitate the safe and efficient operation of unmanned aircraft systems beyond the visual line of sight in wildfire response efforts in areas designated under paragraph (A), including the waiver process under section 91.113 or section 107.31 of title 14, Code of Federal Regulations, for public entities that use unmanned aircraft systems for aerial wildfire detection, mitigation, and suppression; and

(C) improve coordination between the relevant Federal agencies and public entities on the use of unmanned aircraft systems in wildfire response efforts.

(3) PLAN SUBMISSION.—Upon completion of the plan under subsection (a), the Administrator of the Federal Aviation Administration shall submit such plan to, and provide a briefing for, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senates.

(4) PUBLICATION.—Upon submission of the plan under subsection (a), the Administrator of the Federal Aviation Administration shall publish such plan on a publicly available website of the Administration.

(b) APPLICABILITY.—This section shall only apply to unmanned aircraft systems that are—

(1) operated by, or on behalf of, a public entity;

(2) operated in airspace covered by a wildfire-related temporary flight restriction under section 91.137 of title 14, Code of Federal Regulations; and

(3) under the operational control of, or otherwise are being operationally coordinated by, an authorized aviation coordinator responsible for coordinating disaster relief aircraft within the airspace covered by such temporary flight restriction.

(c) INTERAGENCY COORDINATION.—Not later than 180 days after the date of enactment of this Act, the Administrator shall seek to enter into the necessary agreements to provide a liaison of the Administration to the National Interagency Fire Center to facilitate the use of manned and unmanned aircraft in wildfire response efforts, including wildfire detection, mitigation, and suppression.

(d) SAVINGS CLAUSE.—Nothing in this Act shall be construed to confer upon the Administrator of the Federal Aviation Administration the authorities of the Administration of the Federal Emergency Management Agency on wildfire response under section 611 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196).

(e) DEFINITIONS.—In this section:

(1) PUBLIC ENTITY.—The term ''public entity'' means—

(A) a Federal agency;

(B) a State government;

(C) a local government;

(D) a Tribal government; and

(E) a territorial government.

(2) PUBLIC LAND.—The term ''public land'' has the meaning given such term in section 205 of the Sikes Act (16 U.S.C. 670k).

(3) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

(4) WILDFIRE.—The term ''wildfire'' has the meaning given that term in section 2 of the Emergency Wildfire Suppression Act (42 U.S.C. 1856m).

SEC. 619. PILOT PROGRAM FOR UAS INSPECTIONS OF FAA INFRASTRUCTURE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish and initiate a pilot program to supplement appropriate inspection and oversight activities of the department with unmanned aircraft systems for the purposes of increasing employee safety, enhancing data collection, increasing the accuracy of inspections, reducing costs, and other purposes the Secretary considers to be in the broader interests of good government.

(b) GROUND-BASED AVIATION INFRASTRUCTURE.—Under the program required in subsection (a), the Administrator of the Federal Aviation Administration shall evaluate the use of unmanned aircraft systems to inspect ground-based aviation infrastructure that may require visual inspection in hard-to-reach areas, including—

(1) navigational aids;

(2) air traffic control towers;

(3) radar facilities;

(4) communication facilities; and

(5) other air traffic control facilities.

(c) COORDINATION.—In carrying out the pilot program established under subsection (a), the Secretary shall consult with the labor union certified under section 7111 of title 5, United States Code, to represent personnel responsible for the inspection of the ground-based aviation infrastructure described in subsection (b).

(d) COVERED FOREIGN UNMANNED AIRCRAFT SYSTEM.—The Secretary may not carry out an inspection under this section using an unmanned aircraft system manufactured by—

(1) an entity included on the Consolidated Screening list or Entity List as designated by the Secretary of Commerce;

(2) an entity domiciled in the People's Republic of China or the Russian Federation; or

(3) an entity, or a subsidiary or affiliate of an entity, that is subject to influence or control by—

(A) the Government of the People's Republic of China;

(B) the Chinese Communist Party; or

(C) the Russian Federation.

(e) BRIEFING.—Not later than 2 years after the date of enactment of this Act, and annually thereafter until the termination of the pilot program under this section, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the status and results of the pilot program established under subsection (a), including—

(1) cost saving;

(2) a description of how unmanned aircraft systems were used to supplement existing inspection, data collection, or oversight activities of Department employees, including the number of operations and types of activities performed;

(3) efficiency or safety improvements, if any, associated with the use of unmanned aircraft systems to supplement conventional inspection, data collection, or oversight activities;

(4) the fleet of unmanned aircraft systems maintained by the Department of Transportation for the program, or an overview of the services used as part of the pilot program; and

(5) recommendations for improving the use or efficacy of unmanned aircraft systems to supplement the Department's conventional inspection, data collection, or oversight activities.

(f) SUNSET AND INCORPORATION INTO STANDARD PRACTICE.—

(1) SUNSET.—The pilot program established under subsection (a) and the reporting requirement under subsection (f) shall terminate on the date that is 50 months after the date of enactment of this Act.

(2) INCORPORATION INTO STANDARD PRACTICE.—Upon termination of the pilot program, the Secretary shall assess the results of the pilot program under this section and determine whether to permanently incorporate the use of unmanned aircraft systems into the regular inspection, data collection, and oversight activities of the Department.

(3) REPORT TO CONGRESS.—Not later than 3 months after the termination of the pilot program under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the final results of the pilot program and the actions taken by the Administrator pursuant to paragraph (2).

SEC. 620. DRONE INFRASTRUCTURE INSPECTION GRANT PROGRAM.

(a) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a drone infrastructure inspection grant program to make grants to governmental entities to facilitate the use of eligible small unmanned aircraft systems to support more efficient inspection, operation, construction, maintenance, modernization, and repair of an element of critical infrastructure to improve worker safety related to critical infrastructure projects.

(b) USE OF GRANT AMOUNTS.—A governmental entity may use a grant provided under this section to—

(1) purchase or lease eligible small unmanned aircraft systems;

(2) support operational capabilities of eligible small unmanned aircraft systems by the governmental entity;

(3) contract for services performed using an eligible small unmanned aircraft system in circumstances in which the governmental entity does not have the resources or expertise to safely carry out or assist in carrying out the activities described under subsection (a); and

(4) support the program management capability of the governmental entity to use an eligible small unmanned aircraft system.

(c) ELIGIBILITY.—To be eligible to receive a grant under this section, a governmental entity shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require, including an assurance that the governmental entity or any contractor of the governmental entity, will comply with relevant Federal regulations.

(d) SELECTION OF APPLICANTS.—In awarding a grant under this section, the Secretary shall prioritize applications that propose to—

(1) carry out a critical infrastructure project in a variety of communities, including urban, suburban, rural, tribal, or any other type of community; and

(2) address a safety risk in the inspection, operation, construction, maintenance, or repair of an element of critical infrastructure.

(e) LIMITATION.—Nothing in this section shall be construed as to interfere with an agreement between a governmental entity and a labor union, including requirements under section 5333(b) of title 49, United States Code.

(f) REPORT TO CONGRESS.—Not later than 1 year after the first grant is provided under this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that evaluates the program carried out under this section, including—

(1) a description of the number of grants awarded;

(2) the amount of each grant;

(3) the activities funded under this section; and

(4) the effectiveness of such funded activities in meeting the objectives described in subsection (a).

(g) FUNDING.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of a project carried out using a grant under this section shall not exceed 50 percent of the total project cost.

(B) WAIVER.—The Secretary may increase the Federal share requirement under subparagraph (A) to up to 75 percent for a project carried out using a grant under this section by a governmental entity if such entity—

(i) submits a written application to the Secretary requesting an increase in the Federal share; and

(ii) demonstrates that the additional assistance is necessary to facilitate the acceptance and full use of a grant under this section, such as alleviating economic hardship, meeting additional workforce needs, or such other uses that the Secretary determines to be appropriate.

(2) AUTHORIZATION OF APPROPRIATIONS.—Out of amounts authorized to be appropriated under section 106(k) of title 49, United States Code, the Secretary shall make available to carry out this section—

(A) $2,000,000 for fiscal year 2024;

(B) $12,000,000 for fiscal year 2025;

(C) $12,000,000 for fiscal year 2026;

(D) $12,000,000 for fiscal year 2027; and

(E) $12,000,000 for fiscal year 2028.

(h) DEFINITIONS.—In this section:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity—

(A) included on the Consolidated Screening List or Entity List as designated by the Secretary of Commerce;

(B) domiciled in the People's Republic of China or the Russian Federation;

(C) subject to influence or control by the government of the People's Republic of China or by the Russian Federation; or

(D) is a subsidiary or affiliate of an entity described in subparagraphs (A) through (C).

(2) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given such term in subsection (e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)).

(3) ELEMENT OF CRITICAL INFRASTRUCTURE.—The term ''element of critical infrastructure'' means a critical infrastructure facility or asset, including public bridges, tunnels, roads, highways, dams, electric grid, water infrastructure, communication systems, pipelines, or other related facilities or assets, as determined by the Secretary.

(4) ELIGIBLE SMALL UNMANNED AIRCRAFT SYSTEM.—The term ''eligible small unmanned aircraft system'' means a small unmanned aircraft system manufactured or assembled by a company that is domiciled in the United States and is not a covered foreign entity.

(5) ELIGIBLE SMALL UNMANNED AIRCRAFT SYSTEM TECHNOLOGY.—The term ''eligible small unmanned aircraft system technology'' means—

(A) an eligible small unmanned aircraft system; or

(B) a major component of such a system that is not manufactured by or procured from a covered foreign entity.

(6) GOVERNMENTAL ENTITY.—The term ''governmental entity'' means—

(A) a State, the District of Columbia, the Commonwealth of Puerto Rico, a territory of the United States, or a political subdivision thereof;

(B) a unit of local government;

(C) a Tribal Government;

(D) a metropolitan planning organization; or

(E) a consortia of more than 1 of the entities described in subparagraphs (A) through (D).

(7) PROJECT.—The term ''project'' means a project for the inspection, operation, maintenance, repair, modernization, or construction of an element of critical infrastructure, including mitigating environmental hazards to such infrastructure.

(8) SMALL UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ''small unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given such terms in section 44801 of title 49, United States Code.

SEC. 621. DRONE EDUCATION AND WORKFORCE TRAINING GRANT PROGRAM.

(a) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a drone education and training grant program to make grants to educational institutions for workforce training for eligible small unmanned aircraft system technology.

(b) USE OF GRANT AMOUNTS.—Amounts from a grant under this section shall be used in furtherance of activities authorized under sections 631 and 632 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note).

(c) ELIGIBILITY.—To be eligible to receive a grant under this section, an educational institution shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

(d) AUTHORIZATION OF APPROPRIATIONS.—Out of amounts authorized to be appropriated under section 106(k) of title 49, United States Code, the Secretary shall make available to carry out this section—

(1) $2,000,000 for fiscal year 2024;

(2) $12,000,000 for fiscal year 2025;

(3) $12,000,000 for fiscal year 2026;

(4) $12,000,000 for fiscal year 2027; and

(5) $12,000,000 for fiscal year 2028.

(e) DEFINITIONS.—In this section:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity—

(A) included on the Consolidated Screening List or Entity List as designated by the Secretary of Commerce;

(B) domiciled in the People's Republic of China or the Russian Federation;

(C) subject to influence or control by the government of the People's Republic of China or by the Russian Federation; or

(D) is a subsidiary or affiliate of an entity described in subparagraphs (A) through (C).

(2) EDUCATIONAL INSTITUTION.—The term ''educational institution'' means an institution of higher education (as defined in section 101 of the High Education Act of 1965 (20 U.S.C. 1001)) that participates in a program authorized under sections 631 and 632 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note).

(3) ELIGIBLE SMALL UNMANNED AIRCRAFT SYSTEM.—The term ''eligible small unmanned aircraft system'' means a small unmanned aircraft system manufactured or assembled by a company that is domiciled in the United States and is not a covered foreign entity.

(4) SMALL UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ''small unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given such terms in section 44801 of title 49, United States Code.

SEC. 622. DRONE WORKFORCE TRAINING PROGRAM STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study of the effectiveness of the Collegiate Training Initiative Program for Unmanned Aircraft Systems, established pursuant to section 632 of the FAA Reauthorization Act 2018 (49 U.S.C. 40101 note).

(b) REPORT.—Upon completion of the study under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

(1) the findings of the study; and

(2) any recommendations to improve and expand the Collegiate Training Initiative Program for Unmanned Aircraft Systems.

SEC. 623. UAS INTEGRATION OFFICE.

The Executive Director of the UAS Integration Office of the Federal Aviation Administration shall—

(1) support, and provide substantive recommendations for, rulemaking proceedings, in coordination with other relevant services and offices and the Assistant Administrator of Rulemaking and Regulatory Improvement, regarding the integration of unmanned aircraft systems into the national airspace system;

(2) support, and make substantive recommendations to inform, the review and adjudication of submissions under the processes established under section 44807 of title 49, United States Code, as amended by section 605;

(3) support, and make substantive recommendations to inform, the development, modification, and acceptance or approval of relevant consensus standards, means of compliance, and declarations of compliance related to unmanned aircraft systems;

(4) ensure the timely consideration of airworthiness and operational determinations related to unmanned aircraft systems by relevant offices of the Administration;

(5) consult, advise, coordinate with, and make substantive recommendations to relevant lines of business and staff offices of the Administration to support the activities of the Administration and efficiently carry out the duties described in this section;

(6) hire full-time equivalent employees, as necessary, to build expertise within the UAS Integration Office to assess unmanned aviation technologies and related operational risk mitigation; and

(7) engage in any other activities determined necessary by the Executive Director or the Administrator of the Federal Aviation Administration, to fulfill the duties described in this section.

SEC. 624. TERMINATION OF ADVANCED AVIATION ADVISORY COMMITTEE.

The Secretary of Transportation may not renew the charter of the Advanced Aviation Advisory Committee (chartered by the Secretary on June 10, 2022).

SEC. 625. UNMANNED AND AUTONOMOUS FLIGHT ADVISORY COMMITTEE.

(a) IN GENERAL.—Not later than 1 year after the termination of the Advanced Aviation Advisory Committee pursuant to section 624, the Administrator of the Federal Aviation Administration shall establish an Unmanned and Autonomous Flight Advisory Committee (in this section referred to as the ''Advisory Committee'').

(b) DUTIES.—The Advisory Committee shall provide the Administrator advice on policy- and technical-level issues related to unmanned and autonomous aviation operations and activities, including, at a minimum, the following:

(1) The safe integration of unmanned aircraft systems and autonomous flight operations into the national airspace system, including feedback on—

(A) the certification and operational standards of highly automated aircraft, unmanned aircraft, and associated elements of such aircraft;

(B) coordination of procedures for operations in controlled airspace; and

(C) communication protocols.

(2) The use cases of unmanned aircraft systems, including evaluating and assessing the potential benefits of using unmanned aircraft systems.

(3) The development of processes and methodologies to address safety concerns related to the operation of unmanned aircraft systems, including risk assessments and mitigation strategies.

(4) Unmanned aircraft system training, education, and workforce development programs, including evaluating aeronautical knowledge gaps in the unmanned aircraft system workforce, assessing the workforce needs of unmanned aircraft system operations, and establishing a strong pipeline to ensure a robust unmanned aircraft system workforce.

(5) The analysis of unmanned aircraft system data and trends.

(6) Unmanned aircraft system infrastructure, including the use of existing aviation infrastructure and the development of necessary infrastructure.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be composed of not more than 12 members.

(2) REPRESENTATIVES.—The Advisory Committee shall include at least 1 representative of each of the following:

(A) Small unmanned aircraft system commercial operators.

(B) Small unmanned aircraft system manufacturers.

(C) Manufacturers of unmanned aircraft weighing 55 pounds or more pursuing or holding a certificate for design or production of such unmanned aircraft.

(D) Counter-unmanned aircraft system manufacturers.

(E) Federal Aviation Administration approved unmanned aircraft system service suppliers.

(F) Unmanned aircraft system test sites under section 44803 of title 49, United States Code.

(G) An unmanned aircraft system physical infrastructure network provider.

(H) Community advocates.

(I) Certified labor organizations representing commercial airline pilots, air traffic control specialists employed by the Administration, certified aircraft maintenance technicians, certified aircraft dispatchers, and aviation safety inspectors.

(d) REPORTING.—

(1) IN GENERAL.—The Advisory Committee shall submit to the Secretary an annual report of the activities, findings, and recommendations of the Committee.

(2) CONGRESSIONAL REPORTING.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the reports required under paragraph (1).

(e) DEFINITION OF UNMANNED AIRCRAFT.—In this section, the term ''unmanned aircraft'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. 626. NEXTGEN ADVISORY COMMITTEE MEMBERSHIP EXPANSION.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall take such actions as may be necessary to expand the membership of the NextGen Advisory Committee chartered by the Secretary on June 15, 2022, and any subsequent chartered committees, to include a representative from the unmanned aircraft system industry and a representative from the powered-lift industry.

(b) QUALIFICATIONS.—The representatives required under subsection (a) shall have the following qualifications, as applicable:

(1) Demonstrated expertise in the design, manufacture, and operation of unmanned aircraft systems.

(2) Demonstrated experience in the development or implementation of unmanned aircraft systems policies and procedures.

(3) Demonstrated commitment to advancing the safe integration of unmanned aircraft systems into the national airspace system.

SEC. 627. TEMPORARY FLIGHT RESTRICTION INTEGRITY.

(a) IN GENERAL.—Section 40103(b) of title 49, United States Code, is amended by adding at the end the following:

''(5)(A) In issuing a temporary flight restriction, the Administrator shall—

''(i) ensure there is a specific and articulable safety or security basis for the size, scope, and duration of such restriction;

''(ii) immediately distribute a notice of the temporary flight restriction via the Notice to Air Missions system; and

''(iii) detail in the notice required under clause (ii)—

''(I) the safety basis for the restriction; and

''(II) how a covered person may lawfully and expeditiously operate an aircraft within the restriction.

''(B) In this paragraph, the term 'covered person' means—

''(i) a public safety agency;

''(ii) a first responder;

''(iii) an accredited news representative; or

''(iv) any other person as determined appropriate by the Administrator.''.

SEC. 628. INTERAGENCY COORDINATION.

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

(1) the purpose of the joint Department of Defense-Federal Aviation Administration executive committee (referred to in this subsection as ''Executive Committee'') on conflict and dispute resolution as described in Section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) is to resolve disputes on the matters of policy and procedures between the Department of Defense and the Federal Aviation Administration relating to airspace, aircraft certifications, aircrew training, and other issues, including the access of unmanned aerial systems of the Department of Defense to the national airspace system;

(2) by mutual agreement of Executive Committee leadership, operating with the best of intentions, the current scope of activities and membership of the Executive Committee has exceeded the original intent of, and tasking to, the Executive Committee; and

(3) the expansion described in paragraph (2) has resulted in an imbalance in the oversight of certain Federal entities in matters concerning civil aviation safety and security.

(b) IN GENERAL.—

(1) CHARTER REVISION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to revise the charter of the Executive Committee to reflect the scope, objectives, membership, and activities described in such section 1036(b) in order to achieve the increasing, and ultimately routine, access of unmanned aircraft systems (as defined in section 44801 of title 49, United States Code) into the national airspace system.

(2) SUNSET.—Not earlier than 2 years after the date of enactment of this Act, the Administrator shall seek to sunset Executive Committee activities by joint agreement of the Administrator and the Secretary of Defense.

SEC. 629. REVIEW OF REGULATIONS TO ENABLE UNESCORTED UAS OPERATIONS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, in coordination with the Secretary of Defense, conduct a review of requirements necessary to permit an unmanned aircraft systems (excluding small unmanned aircraft systems) operated by a Federal agency or an armed service to be operated in the national airspace system, including outside of restricted airspace, without being escorted by a manned aircraft.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review, including findings and recommendations on regulatory and statutory changes that can be made to enable the operations described under subsection (a).

(c) DEFINITIONS.—The definitions under section 44801 of title 49, United States Code, shall apply to this section.

SEC. 630. UAS OPERATIONS OVER HIGH SEAS.

(a) IN GENERAL.—An unmanned aircraft system operation that begins and ends within the United States or the territorial waters of the United States, shall not be considered international flight regardless of whether the unmanned aircraft system enters international airspace.

(b) DEFINITION OF UNMANNED AIRCRAFT SYSTEM.—In this section, the term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. 631. BEYOND BEYOND.

(a) FAA BEYOND PROGRAM EXTENSION.—The Administrator of the Federal Aviation Administration shall extend the BEYOND program of the Administration as in effect on the day before the date of enactment of this Act (referred to in this section as the ''Program'') and the existing agreements with State, local, and Tribal governments entered into under the Program until such date, as specified in subsection (b).

(b) FAA BEYOND PROGRAM EXPANSION.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall expand the Program to additional locations and test the use of new and emerging aviation concepts and technologies, including concepts and technologies unrelated to unmanned aircraft systems, to evaluate and inform Administration policies, rulemaking, and guidance related to the safe integration of such concepts and technologies into the national airspace system.

(2) SCOPE.—In expanding the Program under this subsection, the Administrator shall address additional factors, including—

(A) increasing automation in civil aircraft, including unmanned aircraft systems and new or emerging aviation technologies;

(B) operations of such systems and technologies, including beyond visual line of sight; and

(C) the social and economic impacts of such operations.

(3) CONTINUATION.—The Administrator shall carry out the expanded Program required under this subsection until such time that the Administrator determines the Program is no longer necessary or useful.

SEC. 632. UAS INTEGRATION STRATEGY.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall implement the recommendations made by—

(1) the Comptroller General of the United States to the Secretary of Transportation contained in the report titled ''Drones: FAA Should Improve Its Approach to Integrating Drones into the National Airspace System'' issued in January 2023 (GAO–23–105189); and

(2) the inspector general of the Department of Transportation to the Administrator contained in the audit report titled ''FAA Made Progress Through Its UAS Integration Pilot Program, but FAA and Industry Challenges Remain To Achieve Full UAS Integration'' issued in April 2022 (Project ID: AV2022027).

(b) BRIEFING.—Not later than 12 months after the date of enactment of this Act, the Administrator shall provide a briefing to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on

Commerce, Science, and Transportation of the Senate annually on the status of the activities described in subsection (a).

SEC. 633. AUTHORIZATION OF APPROPRIATIONS FOR KNOW BEFORE YOU FLY CAMPAIGN.

There is authorized to be appropriated to the Administrator $1,000,000 for each of fiscal years 2024 through 2028, out of funds made available under section 106(k) of title 49, United States Code, for the Know Before You Fly educational campaign or similar public informational efforts intended to broaden unmanned aircraft systems safety awareness.

SEC. 634. PUBLIC AIRCRAFT DEFINITION.

Section 40125(a)(2) of title 49, United States Code, is amended—

(1) by striking the first instance of ''or''; and

(2) by inserting ''(including data collection on civil aviation systems undergoing research, development, test, or evaluation at a test range (as such term is defined in section 44801)), infrastructure inspections, or any other activity undertaken by a governmental entity that the Administrator determines is inherently governmental'' after ''biological or geological resource management''.

Subtitle B—Advanced Air Mobility

SEC. 651. DEFINITION.

In this subtitle, the term ''powered-lift aircraft'' has the meaning given the term ''powered-lift'' in section 1.1 of title 14, Code of Federal Regulations.

SEC. 652. POWERED-LIFT AIRCRAFT RULEMAKINGS.

(a) FINAL RULEMAKING.—Not later than 13 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a final rule for a special Federal aviation regulation establishing procedures for certifying powered-lift pilots and providing operational rules for powered-lift aircraft.

(b) FUTURE RULEMAKING.—Not later than 5 years after the date of enactment of this Act, the Administrator shall initiate a rulemaking activity providing for a permanent pathway for the—

(1) performance-based certification of powered-lift aircraft;

(2) certification of powered-lift airmen; and

(3) operation of powered-lift aircraft in commercial service and air transportation.

(c) RULEMAKING CONSIDERATIONS.—

(1) CONTENTS OF RULEMAKINGS.—In the development of the rulemakings required under subsections (a) and (b), the Administrator shall—

(A) provide for any aircraft type certificated by the Administrator—

(i) a practical pathway for pilot qualification and operations; and

(ii) performance-based requirements for energy reserves and other range- and endurance-related requirements that reflect the capabilities and intended operations of the aircraft;

(B) provide for a combination of pilot training requirements, including simulators, to ensure the safe operation of powered-lift aircraft;

(C) grant an individual with an existing commercial airplane (single- or multi-engine) or helicopter pilot certificate the authority to serve as pilot-in-command of a powered-lift aircraft in commercial operation following the completion of a Federal Aviation Administration-approved pilot type rating for such type of aircraft;

(D) to the maximum extent practicable, align powered-lift pilot qualifications with section 2.1.1.4 of the International Civil Aviation Organization's Annex 1; and

(E) consider the adoption of the recommendations contained in document 10103 of the International Civil Aviation Organization for powered-lift operations, as appropriate.

(2) CONSIDERATIONS FOR FUTURE RULEMAKINGS.—In the development of the rulemakings required under subsection (b), the Administrator shall—

(A) consider and plan for unmanned and remotely piloted powered-lift aircraft systems, and the associated elements of such aircraft, through the promulgation of performance-based regulations;

(B) consider and plan for alternative fuel types and propulsion methods, including reviewing the performance-based nature of parts 33 and 35 of title 14, Code of Federal Regulations; and

(C) work to harmonize the certification and operational requirements of the Federal Aviation Administration with the certification and operational requirements of civil aviation authorities with bilateral safety agreements in place with the United States, to the extent harmonization does not negatively impact domestic manufacturers and operators.

(d) INTERIM APPLICATION OF RULES AND PRIVILEGES IN LIEU OF RULEMAKING.—Beginning 21 months after the date of enactment of this Act, if a final rule has not been published pursuant to subsection (a)—

(1) rules in effect on such date that apply to the operation and the operator of rotorcraft or fixed-wing aircraft under subchapters F, G, H, and I of chapter 1 of title 14, Code of Federal Regulations, shall be—

(A) deemed to apply to—

(i) the operation of a powered-lift aircraft in the national airspace system; and

(ii) the operator of such a powered-lift aircraft; and

(B) applicable as determined by the operator of an airworthy powered-lift aircraft in consultation with the Administrator and consistent with sections 91.3 and 91.13 of title 14, Code of Federal Regulations; and

(2) upon the completion of a type rating for a specific powered-lift aircraft, airmen that hold a pilot or instructor certification with airplane category ratings in any class or rotorcraft category ratings in the helicopter class shall be deemed to have privileges of a powered-lift rating for that aircraft.

(e) TERMINATION OF INTERIM RULES AND PRIVILEGES.—Subsection (d) shall cease to have effect 1 month after the effective date of a final rule issued pursuant to subsection (a).

SEC. 653. POWERED-LIFT AIRCRAFT ENTRY INTO SERVICE.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall, in consultation with exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code, take such actions as may be necessary to safely integrate powered-lift aircraft into the national airspace system, including in controlled airspace, and learn from any efforts to adopt and update related policy and guidance.

(b) AIR TRAFFIC POLICIES FOR ENTRY INTO SERVICE.—Not later than 24 months after the date of enactment of this Act, the Administrator shall update air traffic orders and policies, to the extent necessary, and address air traffic control system challenges in order to allow for—

(1) the use of existing air traffic procedures, where safe, by powered-lift aircraft; and

(2) the approval of letters of agreement between air traffic control system facilities and powered-lift operators and infrastructure operators to minimize the amount of active coordination required for safe recurring powered-lift aircraft operations.

(c) LONG-TERM AIR TRAFFIC POLICIES.—Based on the implementation of subsection (b), the Administrator shall—

(1) continue to update air traffic orders and policies;

(2) to the extent necessary, develop powered-lift specific procedures for airports, heliports, and vertiports;

(3) evaluate the human factors impacts on controllers associated with managing powered-lift aircraft operations, consider the impact of additional operations on air traffic controller staffing, and make necessary changes to staffing, procedures, regulations, and orders; and

(4) consider the use of third-party service providers to manage increased operations in controlled airspace to support and supplement the work of air traffic controllers.

SEC. 654. SENSE OF CONGRESS ON PREPARATION FOR ENTRY INTO SERVICE OF POWERED-LIFT AIRCRAFT.

It is the sense of Congress that the Administrator of the Federal Aviation Administration should work with manufacturers, prospective operators of powered-lift aircraft, and other stakeholders, to enable the safe entry of such aircraft into commercial service following the publication of the final special Federal Aviation Administration rulemaking titled ''Integration of Powered-Lift: Pilot Certification and Operations; Miscellaneous Amendments Related to Rotorcraft and Airplanes'', including by reviewing and providing feedback to such manufacturers and operators on draft pilot training, operations, and maintenance manuals after the publication of the draft special Federal Aviation Administration rulemaking and prior to the publication of a final rule, as appropriate.

SEC. 655. INFRASTRUCTURE SUPPORTING VERTICAL FLIGHT.

(a) UPDATES TO REGULATIONS FOR CONSISTENCY.—The Administrator of the Federal Aviation Administration shall update part 1 and part 157 of title 14, Code of Federal Regulations, and other regulations as necessary to implement the amendments made by section 401.

(b) UPDATE TO HELIPORT DESIGN STANDARDS.—The Administrator shall update the version of Advisory Circular 150/5390–2, titled ''Heliport Design'' in effect on the date of enactment of this Act, to—

(1) increase the inclusion of performance-based guidance, including around aircraft fuel type and propulsion method;

(2) update guidance to consider risk mitigations and hazards associated with different aircraft fuel types and propulsion methods;

(3) affirm the general permissibility of any vertical takeoff and landing capable aircraft to use heliports that can safely accommodate the physical and operating characteristics of such aircraft; and

(4) include vertiport as a subclass of heliport.

(c) ENGINEERING BRIEF ON VERTIPORT DESIGN.—The Administrator may update the version of Engineering Brief 105, titled ''Vertiport Design'' in effect on the date of enactment of this Act, prior to issuing an update to Advisory Circular 150/5390–2, as required under subsection (b).

(d) ENGINEERING BRIEF SUNSET.—The Administrator shall revoke Engineering Brief 105, titled ''Vertiport Design'', on the earlier of—

(1) the date on which Advisory Circular 150/5390–2 is updated under subsection (b); or

(2) 5 years after the date of enactment of this Act.

(e) GUIDANCE, FORMS, AND PLANNING.—The Administrator shall—

(1) ensure airport district offices of the Administration have sufficient guidance and policy direction regarding the Administration's heliport and vertiport design guidance not later than 18 months after the date of enactment of this Act and update such guidance routinely;

(2) determine if updates to Administration Form 7460 and Form 7480 are necessary and take such actions, as appropriate; and

(3) ensure that the methodology and underlying data sources of the Administration's Terminal Area Forecast include commercial operations conducted by aircraft regardless of propulsion type or fuel type.

SEC. 656. CHARTING OF AVIATION INFRASTRUCTURE.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall increase efforts to update and keep current the Airport Master Record of the Administration, including by establishing a streamlined process by which the owners and operators of public and private

aviation facilities with nontemporary, nonintermittent operations are encouraged to keep the information on such facilities current.

(b) BRIEFING.—The Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the plans of the Administrator to update and keep current the Airport Master Record for private and public airports, heliports, and vertiports.

SEC. 657. ADVANCED AIR MOBILITY WORKING GROUP.

Section 2 of the Advanced Air Mobility Coordination and Leadership Act (49 U.S.C. 40101 note) is amended—

(1) in subsection (b) by striking '', particularly passenger-carrying aircraft,'';

(2) in subsection (d)(1) by striking subparagraph (D) and inserting the following:

''(D) operators of airports, heliports, and vertiports, and fixed-base operators;'';

(3) in subsection (e)—

(A) in the matter preceding paragraph (1) by striking ''1 year'' and inserting ''18 months'';

(B) in paragraph (3) by inserting ''or that may impede maturation'' after ''AAM industry'';

(C) in paragraph (7) by striking ''and'' at the end;

(D) in paragraph (8) by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(9) processes and programs that can be leveraged to improve the efficiency of Federal reviews required for infrastructure development, including for electrical capacity projects.'';

(4) in subsection (f)(1) by striking ''necessary to support the evolution of early'' and inserting the following: ''that would allow for—

''(A) the timely entry into service of AAM after aircraft and operator certification; and

''(B) the evolution of early'';

(5) in subsection (g)—

(A) in the matter preceding paragraph (1) by striking ''working group'' and inserting ''Secretary of Transportation'';

(B) in paragraph (1) by striking ''and'' at the end;

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

''(2) summarizing any dissenting views and opinions of a participant of the working group described in subsection (c)(3); and'';

(6) in subsection (i)—

(A) in paragraph (1) by striking ''that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft,'' and inserting ''comprised of urban air mobility and regional air mobility using manned or unmanned aircraft'';

(B) by redesignating paragraph (5) as paragraph (7);

(C) by redesignating paragraph (6) as paragraph (9);

(D) by inserting after paragraph (4) the following:

''(5) POWERED-LIFT AIRCRAFT.—The term 'powered-lift aircraft' has the meaning given the term 'powered-lift' in section 1.1 of title 14, Code of Federal Regulations.

''(6) REGIONAL AIR MOBILITY.—The term 'regional air mobility' means the movement of people or property by air between 2 points using an airworthy aircraft that—

''(A) has advanced technologies, such as distributed propulsion, vertical take-off and landing, powered-lift, non-traditional power systems, or autonomous technologies;

''(B) has a maximum takeoff weight of greater than 1,320 pounds; and

''(C) is not urban air mobility.'';

(E) by inserting after paragraph (7), as so redesignated, the following:

''(8) URBAN AIR MOBILITY.—The term 'urban air mobility' means the movement of people or property by air between 2 intracity or intercity points using an airworthy aircraft that—

''(A) advanced technologies, such as distributed propulsion, vertical take-off and landing, powered-lift, nontraditional power systems, or autonomous technologies; and

''(B) a maximum takeoff weight of greater than 1,320 pounds.''; and

(F) by adding at the end the following:

''(10) VERTIPORT.—The term 'vertiport' has the meaning given such term in section 47102 of title 49, United States Code.'';

(7) by redesignating subsection (i) as subsection (j); and

(8) by inserting after subsection (h) the following:

''(i) CONSIDERATIONS FOR TERMINATION OF WORKING GROUP.—In deciding whether to terminate the working group under subsection (h), the Secretary and the Administrator of the Federal Aviation Administration shall consider other interagency coordination activities associated with AAM, or other new or novel users of the national airspace system, that could benefit from continued wider interagency coordination.''.

SEC. 658. ADVANCED AIR MOBILITY INFRASTRUCTURE PILOT PROGRAM EXTENSION.

Section 101 of division Q of the Consolidated Appropriations Act, 2023 (49 U.S.C. 40101 note) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A) by inserting '', as well as the use of existing airport and heliport infrastructure that may require modifications to safely accommodate AAM operations,'' after ''vertiport infrastructure''; and

(ii) in subparagraph (B)—

(I) in clause (iii) by striking ''vertiport'' and inserting ''locations for'';

(II) in clause (iv) by inserting ''and guidance'' after ''any standards'';

(III) in clause (v) by striking ''vertiport infrastructure'' and inserting ''urban air mobility and regional air mobility operations''; and

(IV) in clause (x) by inserting ''or the modification of existing aviation infrastructure'' after ''operation of a vertiport''; and

(B) in paragraph (6)(B)—

(i) in clause (i) by striking ''and'' at the end;

(ii) in clause (ii) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) a description of—

''(I) initial community engagement efforts and responses from the public on the planning and development efforts of eligible entities related to urban air mobility and regional air mobility operations;

''(II) how eligible entities are planning for and encouraging early adoption of urban air mobility and regional air mobility operations;

''(III) what role each level of government plays in the process; and

''(IV) whether such entities recommend specific regulatory or guidance actions be taken by the Secretary of Transportation or other Federal agencies in order to support such early adoption.'';

(2) in subsection (c)(1)—

(A) by striking ''years 2023 and 2024'' and inserting ''years 2023 through 2026''; and

(B) by inserting before the period ''out of funds made available under section 106(k) of title 49, United States Code'';

(3) in subsection (d) by striking ''2024'' and inserting ''2026'' each place it appears; and

(4) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

''(1) ADVANCED AIR MOBILITY; AAM; REGIONAL AIR MOBILITY; URBAN AIR MOBILITY; VERTIPORT.—The terms 'advanced air mobility', 'AAM', 'regional air mobility', 'urban air mobility', and 'vertiport' have the meaning given such terms in section 2(j) of the Advanced Air Mobility Coordination and Leadership Act (49 U.S.C. 40101 note).''; and

(B) by striking paragraphs (9) and (10).

Subtitle C—Other Provisions

SEC. 681. REPORT ON NATIONAL SPACEPORTS POLICY.

Section 580(c)(3) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended by striking ''2024'' and inserting ''2028''.

SEC. 682. INTERMODAL TRANSPORTATION INFRASTRUCTURE IMPROVEMENT PILOT PROGRAM.

(a) IN GENERAL.—The Secretary may establish a pilot program to issue grants to operators of launch and reentry sites for projects to construct, repair, maintain, or improve transportation infrastructure and facilities at such sites.

(b) PILOT PROGRAM QUALIFICATIONS.—The Secretary may enter into agreements under this section to issue a grant to an operator only if the operator—

(1) has submitted an application to the Secretary in such form, at such time, and containing such information as prescribed by the Secretary;

(2) demonstrates to the Secretary's satisfaction that the project for which the application has been submitted is for an eligible purpose under subsection (c); and

(3) agrees to maintain such records relating to the grant as the Secretary may require and to make such records available to the Secretary or the Comptroller General of the United States upon request.

(c) PERMITTED USE OF PILOT PROGRAM GRANTS.—An operator may use a grant provided under this subsection for a project to construct, repair, maintain, or improve infrastructure and facilities that—

(1) are located at, or adjacent to, a launch or reentry site; and

(2) directly enable or support transportation safety or covered transportation activities.

(d) PILOT PROGRAM GRANTS.—

(1) GRANT FORMULA.—At the beginning of each fiscal year after fiscal year 2024, the Secretary shall issue a grant to an operator that qualifies for the pilot program under subsection (b) an amount equal to the sum of—

(A) $250,000 for each licensed launch or reentry operation conducted from the applicable launch or reentry site or at any adjacent Federal launch range in the previous fiscal year; and

(B) $100,000 for each launch or reentry operation conducted under a permit from the applicable launch or reentry site or at any adjacent Federal launch range in the previous fiscal year.

(2) MAXIMUM GRANT.—Except as provided in subsection (e)(5), a grant issued to an operator under this subsection shall not exceed $2,500,000 for a fiscal year.

(3) ADJACENCY.—

(A) IN GENERAL.—In issuing a grant to an operator under paragraph (1), the Secretary shall determine whether a launch or reentry site is adjacent to a Federal launch range.

(B) LIMITATION.—Only 1 operator may receive an amount under paragraph (1) for each licensed or permitted launch or reentry operation described in such subparagraph.

(C) MULTIPLE LAUNCH OR REENTRY SITES OPERATED BY 1 OPERATOR.—If an operator holds a license to operate more than 1 launch site or more than 1 reentry site that are adjacent to a Federal launch range, the Secretary shall consider such launch or reentry sites as 1 launch or reentry site for purposes of subparagraph (A).

(e) SUPPLEMENTAL GRANTS IN SUPPORT OF STATE, LOCAL, OR PRIVATE MATCHING.—

(1) IN GENERAL.—The Secretary may issue a supplemental grant to an operator, subject to the requirements of this paragraph.

(2) DOLLAR-FOR-DOLLAR MATCHING.—If a qualified entity provides an operator an amount

equal to or greater than the amount of a grant provided in a fiscal year under subsection (d) (for the explicit purpose of matching such grant), the Secretary may issue a supplemental grant to the operator that is equal to 25 percent of such grant in the following fiscal year.

(3) ADDITIONAL NON-FEDERAL MATCHING.—If a qualified entity provides an operator an amount equal to or greater than two times the amount of a grant provided in a fiscal year to the operator under subsection (d) (for the explicit purpose of matching such grant), the Secretary may issue a supplemental grant to the operator that is equal to 50 percent of such grant in the following fiscal year.

(4) SUPPLEMENTAL GRANT LIMITATIONS.—

(A) MATCH TIMING.—The Secretary may issue a supplemental grant under paragraph (2) or (3) only if an amount provided by a qualified entity is provided to the operator in the same fiscal year as the grant issued under subsection (d).

(B) NON-DUPLICATION OF MATCHING GRANTS.—If the Secretary issues a supplemental grant to the operator of a launch site under paragraph (3), the Secretary may not issue a supplemental grant under paragraph (2) to the same operator in the same fiscal year.

(5) NON-APPLICATION OF GRANT CEILING.—The limitation on a grant amount under subsection (d)(2) shall not apply to supplemental grants issued under this subsection.

(f) FUNDING.—

(1) PILOT PROGRAM GRANT FUNDS.—The grants issued under this section shall be issued from funds made available out of amounts available under section 106(k) of title 49, United States Code.

(2) MAXIMUM ANNUAL LIMIT ON PILOT PROGRAM.—

(A) IN GENERAL.—The total amount of all grants issued under this section shall not exceed $20,000,000 in any fiscal year.

(B) GRANT REDUCTION.—In complying with subparagraph (A), the Secretary—

(i) may proportionally reduce the amount of, or decline to issue, a supplemental grant under subsection (e); and

(ii) if the reduction under clause (i) is insufficient, shall proportionally reduce grants issued under subsection (d).

(g) DEFINITIONS.—In this section:

(1) COVERED TRANSPORTATION ACTIVITY.—The term ''covered transportation activity'' means the movement of people or property to, from, or within a launch site and the necessary or incidental activities associated with such movement through the use of—

(A) a vehicle (as defined in section 4 of title 1, United States Code);

(B) a vessel (as defined in section 3 of title 1, United States Code);

(C) a railroad (as defined in section 20102 of title 49, United States Code);

(D) an aircraft (as defined in section 40102 of title 49, United States Code); or

(E) a pipeline facility (as defined in section 60101 of title 49, United States Code).

(2) LAUNCH; LAUNCH SITE; LAUNCH VEHICLE; REENTRY SITE; REENTRY VEHICLE.—The terms ''launch'', ''launch site'', ''launch vehicle'', ''reentry site'', and ''reentry vehicle'' have the meanings given those terms in section 50902 of title 51, United States Code.

(3) OPERATOR.—The term ''operator'' means a person licensed by the Secretary to operate a launch or reentry site.

(4) QUALIFIED ENTITY.—The term ''qualified entity'' means a State, local, territorial, or Tribal government or private sector entity, or any combination thereof.

(h) PILOT PROGRAM SUNSET.—This section shall cease to be effective on October 1, 2028.

SEC. 683. AIRSPACE ACCESS FOR HIGH-SPEED AIRCRAFT.

(a) HIGH-SPEED AIRCRAFT TESTING.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with any other Federal agency the Administrator determines appropriate, shall ensure that there is a process in which manufacturers and operators of high-speed aircraft can engage in flight testing of such high-speed aircraft, which may include the establishment of high speed testing corridors in the national airspace system.

(b) STUDY ON HIGH-SPEED AIRCRAFT OPERATIONS.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall, after consultation with aircraft manufacturers, institutions of higher learning, the Administrator of the National Aeronautics and Space Administration, the Secretary of Defense, and any other agencies the Administrator determines appropriate, conduct a study to assess actions necessary to facilitate the safe operation and integration of high-speed aircraft into the national airspace system.

(2) CONTENTS.—In carrying out the study under paragraph (1), the Administrator shall—

(A) assess various altitudes and operating conditions of high-speed aircraft in Class E airspace above the upper boundary of Class A airspace and the resulting aircraft noise levels at the surface;

(B) include the development of a framework and timeline to establish the appropriate regulatory requirements to conducting high-speed aircraft flights;

(C) identify the data required to develop certification, flight standards, and air traffic requirements for the deployment and integration of high-speed aircraft;

(D) assess cross-agency equities related to high-speed aircraft technologies and flight; and

(E) survey global high-speed aircraft-related regulatory and testing developments or activities.

(3) RECOMMENDATIONS.—As part of the study under paragraph (1), the Administrator shall issue recommendations to update, if feasible, regulations for certification, flight standards and air traffic management.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a), including the recommendations under subsection (b)(3), to facilitate the safe operation and integration of high-speed aircraft in the national airspace system.

(d) STUDY AND RULEMAKING ON HIGH ALTITUDE CLASS E AIRSPACE FLIGHT OPERATIONS.—

(1) CONSULTATION.—Not later than 12 months after the date of enactment of this Act, the Administrator, in consultation with the Administrator of the National Aeronautics and Space Administration and relevant stakeholders, including industry and academia, shall identify the minimum altitude above the upper boundary of Class A airspace at or above which flights operating with speeds above Mach 1 generate sonic booms that are inaudible at the surface under prevailing atmospheric conditions.

(2) RULEMAKING.—Not later than 2 years after the date on which the Administrator identifies the minimum altitude described in paragraph (1), the Administrator shall publish in the Federal Register a notice of proposed rulemaking to amend sections 91.817 and 91.818 of title 14, Code of Federal Regulations, and such other regulations as appropriate, to permit flight operations with speeds above Mach 1 at or above the minimum altitude identified under paragraph (1) without specific authorizations, provided that such flight operations—

(A) show compliance with airworthiness requirements;

(B) do not cause a measurable sonic boom over pressure to reach the surface; and

(C) have ordinary instrument flight rules clearances necessary to operate in controlled airspace.

(e) DEFINITION.—In this section, the term ''high-speed aircraft'' means an aircraft operating at speeds in excess of Mach 1, which shall include supersonic and hypersonic aircraft.

SEC. 684. ICAO ACTIVITIES ON NEW TECHNOLOGIES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall prioritize engagement with the International Civil Aviation Organization and contribute to or lead the development of international standards and recommended practices to improve aviation safety and support the entry-into-service of new forms of aviation.

(b) PARTICULAR ACTIVITIES.—In carrying out subsection (a), the Administrator shall contribute to or lead International Civil Aviation Organization efforts with respect to the development of landing and take-off noise standards for supersonic aircraft.

SEC. 685. AIP ELIGIBILITY FOR CERTAIN SPACEPORT INFRASTRUCTURE.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation may make a grant under subchapter I of chapter 471 of title 49, United States Code, to an airport sponsor to reconstruct, repave, or rehabilitate the full length and width of a runway existing on the date of enactment of this Act if—

(1) the runway is at an airport that is also a launch site or reentry site operated by a person certified under section 50905 of title 51, United States Code;

(2) the runway is greater than 12,000 feet long and not less than 200 feet wide; and

(3) the airport sponsor certifies to the Secretary that the full length and width of the runway is required to support activities at the launch site.

(b) SUNSET.—This section shall cease to be effective on September 30, 2028.

SEC. 686. COMMERCIAL SPACE LAUNCH AND REENTRY STATISTICS.

Section 329(b) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking ''aeronautical'' and inserting ''aerospace'';

(2) in paragraph (3) by striking ''civil aeronautics'' and inserting ''civil aerospace'';

(3) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(4) by inserting after paragraph (1) the following:

''(2) collect and disseminate information on commercial space launch and reentry operations (other than that collected and disseminated by the National Transportation Safety Board under chapter 11) including, at a minimum, information on the number of launches or reentries licensed by the Secretary, the number of space flight participants, the number of payloads, and the mass of payloads, organized by class of orbit;''.

SEC. 687. REPORT ON CERTAIN INFRASTRUCTURE NEEDS.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the infrastructure needs at Federal Aviation Administration-licensed horizontal and vertical launch sites located in rural communities.

SEC. 688. AIRSPACE INTEGRATION FOR SPACE LAUNCH AND REENTRY.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) a safe and efficient national airspace system that successfully supports existing users and integrates new entrants is of the utmost importance;

(2) both commercial aviation and space launch and reentry operations are vital to United States global leadership, national security, and economic opportunity;

(3) aircraft hazard areas are necessary during space launch and reentry operations to ensure public safety; and

(4) the Administrator of Federal Aviation Administration should prioritize the development and deployment of technologies to improve visibility of space launch and reentry operations within Administration computer systems and minimize operational workload to air traffic controllers associated with routing traffic during spaceflight launch and reentry operations.

(b) SPACE LAUNCH AND REENTRY AIRSPACE INTEGRATION TECHNOLOGY.—There is authorized to be appropriated $10,000,000 for each of the fiscal years 2024 through 2028, or until such time as the Administrator determines that the project has reached an operational status, for the Administrator to expedite the development, acquisition, and deployment of technologies or capabilities to aid in space launch and reentry integration, which may include technologies recommended by the Airspace Access Priorities Aviation Rulemaking Committee in 2019, systems to enable the integration of launch and reentry data directly onto air traffic controller displays, and automated systems to enable near real-time planning and dynamic rerouting of commercial aircraft during and following commercial space launch and reentry operations, with the objective of operational readiness not later than December 31, 2026.

TITLE VII—PASSENGER EXPERIENCE IMPROVEMENTS

Subtitle A—General Provisions

SEC. 701. ADVERTISEMENTS AND SOLICITATIONS FOR PASSENGER AIR TRANSPORTATION.

(a) FULL FARE ADVERTISING.—Section 41712 of title 49, United States Code, is further amended by adding at the end the following:

''(e) FULL FARE ADVERTISING.—

''(1) IN GENERAL.—It shall not be an unfair or deceptive practice under subsection (a) for a covered entity to state in an advertisement or solicitation for passenger air transportation the base airfare for such air transportation if the covered entity clearly and separately discloses—

''(A) the government-imposed taxes and fees associated with the air transportation; and

''(B) the total cost of the air transportation.

''(2) FORM OF DISCLOSURE.—

''(A) IN GENERAL.—For purposes of paragraph (1), the information described in paragraphs (1)(A) and (1)(B) shall be disclosed in the advertisement or solicitation in a manner that clearly presents the information to the consumer.

''(B) INTERNET ADVERTISEMENTS AND SOLICITATIONS.—For purposes of paragraph (1), with respect to an advertisement or solicitation for passenger air transportation that appears on a website, the information described in paragraphs (1)(A) and (1)(B) may be disclosed through a link or pop-up, as such terms may be defined by the Secretary, in a manner that is easily accessible and viewable by the consumer.

''(3) DEFINITIONS.—In this subsection:

''(A) BASE AIRFARE.—The term 'base airfare' means the cost of passenger air transportation, excluding government-imposed taxes and fees.

''(B) COVERED ENTITY.—The term 'covered entity' means an air carrier, including an indirect air carrier, foreign carrier, ticket agent, or other person offering to sell tickets for passenger air transportation or a tour, or tour component, that must be purchased with air transportation.''.

(b) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in the amendment made by subsection (b) may be construed to affect any obligation of a person that sells passenger air transportation to disclose the total cost of such air transportation, including government-imposed taxes and fees, prior to purchase of such air transportation.

(c) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue final regulations to carry out the amendment made by subsection (a).

(d) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to limit or otherwise affect the authority of the Secretary to regulate the disclosure of air carrier-imposed fees, or alter the requirements under part 399 of title 14, Code of Federal Regulations, as such part relates to air carrier-imposed fees.

(e) EFFECTIVE DATE.—This section, and the amendment made by this section, shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 702. MODERNIZATION OF CONSUMER COMPLAINT SUBMISSIONS.

Section 42302 of title 49, United States Code, is amended to read as follows:

''§ 42302. Consumer complaints

''(a) IN GENERAL.—The Secretary of Transportation shall—

''(1) maintain an accessible website through the Office of Aviation Consumer Protection to accept the submission of complaints from airline passengers regarding air travel service problems; and

''(2) take appropriate actions to notify the public of such accessible website.

''(b) NOTICE TO PASSENGERS ON THE INTERNET.—An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats shall include on the accessible website of the carrier—

''(1) the accessible website, e-mail address, or telephone number of the air carrier for the submission of complaints by passengers about air travel service problems; and

''(2) the accessible website maintained pursuant to subsection (a).

''(c) USE OF ADDITIONAL OR ALTERNATIVE TECHNOLOGIES.—The Secretary shall periodically evaluate the benefits of using mobile phone applications or other widely used technologies to—

''(1) provide additional or alternative means for air passengers to submit complaints; and

''(2) provide such additional or alternative means as the Secretary determines appropriate.

''(d) AIR AMBULANCE PROVIDERS.—Each air ambulance provider shall include the accessible website, or a link to such accessible website, maintained pursuant to subsection (a) and the contact information for the Aviation Consumer Advocate established by section 424 of the FAA Reauthorization Act of 2018 (49 U.S.C. 42302 note) on—

''(1) any invoice, bill, or other communication provided to a passenger or customer of such provider; and

''(2) the accessible website and any related mobile device application of such provider.''.

SEC. 703. CODIFICATION OF CONSUMER PROTECTION PROVISIONS.

(a) PASSENGER RIGHTS.—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end the following:

''§ 41727. Passenger rights

''(a) GUIDELINES.—The Secretary of Transportation shall require each air carrier and foreign air carrier to submit a summarized 1-page document that describes the rights of passengers in air transportation, including guidelines for the following:

''(1) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight delays of various lengths.

''(2) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight diversions.

''(3) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight cancellations.

''(4) Compensation for mishandled baggage, wheelchairs, mobility aids and other assistive devices, including delayed, damaged, pilfered, or lost baggage, wheelchairs, mobility aids and other assistive devices.

''(5) Voluntary relinquishment of a ticketed seat due to overbooking or priority of other passengers.

''(6) Involuntary denial of boarding and forced removal for whatever reason, including for safety and security reasons.

''(b) FILING OF SUMMARIZED GUIDELINES.—Not later than 90 days after each air carrier and foreign air carrier submits the 1-page document to the Secretary under subsection (a), each such air carrier and foreign air carrier shall make available such 1-page document in a prominent location on its website.''.

(b) AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.—Subchapter I of chapter 417 of title 49, United States Code, is further amended by adding at the end the following:

''§ 41728. Airline passengers with disabilities bill of rights

''(a) AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.—The Secretary of Transportation shall develop a document, to be known as the 'Airline Passengers with Disabilities Bill of Rights', using plain language to describe the basic protections and responsibilities of air carriers and foreign air carriers, their employees and contractors, and people with disabilities under section 41705.

''(b) CONTENT.—In developing the Airline Passengers with Disabilities Bill of Rights under subsection (a), the Secretary shall include, at a minimum, plain language descriptions of protections and responsibilities provided in law related to the following:

''(1) The right of passengers with disabilities to be treated with dignity and respect.

''(2) The right of passengers with disabilities to receive timely assistance, if requested, from properly trained air carrier, foreign air carrier, and contractor personnel.

''(3) The right of passengers with disabilities to travel with wheelchairs, mobility aids, and other assistive devices, including necessary medications and medical supplies, including stowage of such wheelchairs, aids, and devices.

''(4) The right of passengers with disabilities to receive seating accommodations, if requested, to accommodate a disability

''(5) The right of passengers with disabilities to receive announcements in an accessible format.

''(6) The right of passengers with disabilities to speak with a complaint resolution officer or to file a complaint with an air carrier, a foreign air carrier, or the Department of Transportation.

''(c) RULE OF CONSTRUCTION.—The development of the Airline Passengers with Disabilities Bill of Rights under subsections (a) and (b) shall not be construed as expanding or restricting the rights available to passengers with disabilities on the day before the date of the enactment of the FAA Reauthorization Act of 2018 (Public Law 115–254) pursuant to any statute or regulation.

''(d) CONSULTATIONS.—In developing the Airline Passengers with Disabilities Bill of Rights under subsection (a), the Secretary shall consult with stakeholders, including disability organizations and air carriers, foreign air carriers, and their contractors.

''(e) DISPLAY.—Each air carrier and foreign air carrier shall include the Airline Passengers with Disabilities Bill of Rights—

''(1) on a publicly available internet website of the carrier; and

''(2) in any pre-flight notifications or communications provided to passengers who alert the carrier in advance of the need for accommodations relating to a disability.

''(f) TRAINING.—

''(1) IN GENERAL.—Air carriers, foreign air carriers, and contractors of such carriers shall submit to the Secretary plans that ensure that employees of such carriers and their contractors

receive training on the protections and responsibilities described in the Airline Passengers with Disabilities Bill of Rights.

''(2) REVIEW.—The Secretary shall review such plans to ensure the plans address the matters described in subsection (b).''.

(c) CONFORMING AMENDMENTS.—The analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41726 the following:

''41727. Passenger rights.
''41728. Airline passengers with disabilities bill of rights.''.

(d) CONFORMING REPEALS.—Sections 429 and 434 of the FAA Reauthorization Act of 2018 (49 U.S.C. 42301 note; 41705 note) and the item relating to such sections in the table of contents in section 1(b) of such Act are repealed.

SEC. 704. EXTENSION OF AVIATION CONSUMER PROTECTION ADVISORY COMMITTEE.

Section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 note) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

''(3) ticket agents and travel management companies;''; and

(2) in subsection (h) by striking ''2023'' and inserting ''2028''; and

SEC. 705. REMOVAL OF OUTDATED REFERENCES TO PASSENGERS WITH DISABILITIES.

(a) SOVEREIGNTY AND USE OF AIRSPACE.—Section 40103(a)(2) of title 49, United States Code, is amended by striking ''handicapped individuals'' and inserting ''individuals with disabilities''.

(b) SPECIAL PRICES FOR FOREIGN AIR TRANSPORTATION.—Section 41511(b)(4) of title 49, United States Code, is amended by striking ''handicap'' and inserting ''disability''.

(c) DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES.—Section 41705 of title 49, United States Code, is amended in the heading by striking ''***handicapped individuals***'' and inserting ''***individuals with disabilities***''.

(d) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is amended by striking the item relating to section 41705 and inserting the following:

''41705. Discrimination against individuals with disabilities.''.

SEC. 706. EXTENSION OF AVIATION CONSUMER ADVOCATE REPORTING REQUIREMENT.

Section 424(e) of the FAA Reauthorization Act of 2018 (49 U.S.C. 42302 note) is amended by striking ''2023'' and inserting ''2028''.

SEC. 707. AIR CARRIER ACCESS ACT ADVISORY COMMITTEE.

(a) IN GENERAL.—Section 439 of the FAA Reauthorization Act of 2018 (49 U.S.C. 41705 note) is amended—

(1) in the section heading by striking ''**ADVISORY COMMITTEE ON THE AIR TRAVEL NEEDS OF PASSENGERS WITH DISABILITIES**'' and inserting ''**AIR CARRIER ACCESS ACT ADVISORY COMMITTEE**'';

(2) in subsection (c)(1) by striking subparagraph (G) and inserting the following:

''(G) Manufacturers of wheelchairs, including powered wheelchairs, and other mobility aids.''; and

(3) in subsection (g) by striking ''2023'' and inserting ''2028''.

(b) CONFORMING AMENDMENT.—Section 1(b) of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended by striking the item relating to section 439 and inserting the following:

''Sec. 439. Air Carrier Access Act advisory committee.''.

SEC. 708. PASSENGER EXPERIENCE ADVISORY COMMITTEE.

(a) IN GENERAL.—The Secretary of Transportation shall establish an advisory committee to advise the Secretary and the Administrator of the Federal Aviation Administration in carrying out activities relating to the improvement of the passenger experience in air transportation customer service.

(b) MEMBERSHIP.—The Secretary shall appoint the members of the advisory committee, which shall be comprised of at least 1 representative of each of—

(1) mainline air carriers;

(2) air carriers with a low-cost or ultra-low-cost business model;

(3) regional air carriers;

(4) large hub airport sponsors and operators;

(5) medium hub airport sponsors and operators;

(6) small hub airport sponsors and operators;

(7) nonhub airport sponsors and operators;

(8) ticket agents;

(9) representatives of intermodal transportation companies that operate at airports;

(10) airport concessionaires;

(11) nonprofit public interest groups with expertise in consumer protection matters;

(12) senior managers of the Administration's Air Traffic Organization;

(13) aircraft manufacturers;

(14) entities representing individuals with disabilities;

(15) certified labor organizations representing aviation workers, including—

(A) Federal Aviation Administration employees;

(B) airline pilots working for air carriers operating under part 121 of title 14, Code of Federal Regulations;

(C) flight attendants working for air carriers operating under part 121 of title 14, Code of Federal Regulations; and

(D) other customer facing airline and airport workers;

(16) other organizations or industry segments as determined by the Secretary; and

(17) other Federal agencies that directly interface with passengers at airports.

(c) VACANCIES.—A vacancy in the advisory committee under this section shall be filled in a manner consistent with subsection (b).

(d) TRAVEL EXPENSES.—Members of the advisory committee under this section shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(e) CHAIR.—The Secretary shall designate an individual among the individuals appointed under subsection (b) to serve as Chair of the advisory committee.

(f) DUTIES.—The duties of the advisory committee shall include—

(1) evaluating ways to improve the comprehensive passenger experience, including—

(A) transportation between airport terminals and facilities;

(B) baggage handling;

(C) wayfinding;

(D) the security screening process; and

(E) the communication of flight delays and cancellations;

(2) evaluating ways to improve efficiency in the national airspace system affecting passengers;

(3) evaluating ways to improve the cooperation and coordination between the Department of Transportation and other Federal agencies that directly interface with aviation passengers at airports;

(4) responding to other taskings determined by the Secretary; and

(5) providing recommendations to the Secretary and the Administrator, if determined necessary during the evaluations considered in paragraphs (1) through (4).

(g) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall submit to Congress a report containing—

(1) consensus recommendations made by the advisory committee since such date of enactment or the previous report, as appropriate; and

(2) an explanation of how the Secretary has implemented such recommendations and, for such recommendations not implemented, the Secretary's reason for not implementing such recommendation.

(h) DEFINITION.—The definitions in section 40102 of title 49, United States Code, shall apply to this section.

(i) SUNSET.—This section shall cease to be effective on October 1, 2028.

(j) TERMINATION OF DOT ACCESS ADVISORY COMMITTEE.—The ACCESS Advisory Committee of the Department of Transportation shall terminate on the date of enactment of this Act.

SEC. 709. STREAMLINING OF OFFLINE TICKET DISCLOSURES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall take such action as may be necessary to update the process by which an air carrier or ticket agent is required to fulfill disclosure obligations in ticketing transactions for air transportation not completed through a website.

(b) REQUIREMENTS.—The process updated under subsection (a) shall—

(1) include means of referral to the applicable air carrier website with respect to disclosures related to air carrier optional fees and policies;

(2) include a means of referral to the website of the Department of Transportation with respect to any other required disclosures to air transportation passengers;

(3) make no changes to air carrier or ticket agent obligations with respect to—

(A) section 41712(c) of title 49, United States Code; or

(B) subsections (a) and (b) of section 399.84 of title 14, Code of Federal Regulations (or any successor regulations); and

(4) require disclosures referred to in paragraphs (1) and (2) to be made in the manner existing prior to the date of enactment of this Act upon passenger request.

(c) AIR CARRIER DEFINED.—In this section, the term ''air carrier'' has the meaning given such term in section 40102(a) of title 49, United States Code.

SEC. 710. TICKET AGENT REFUND OBLIGATIONS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule to revise section 399.80 of title 14, Code of Federal Regulations, to clarify the refund obligations of ticket agents.

(b) CONDITIONS.—In issuing the final rule under subsection (a), the Secretary shall clarify that a ticket agent shall provide a refund only when such ticket agent possesses, or has access to, the funds of a passenger.

(c) DEFINITIONS.—In this section, the term ''ticket agent'' has the meaning given such term in section 40102(a) of title 49, United States Code.

SEC. 711. UPDATING PASSENGER INFORMATION REQUIREMENT REGULATIONS.

(a) ARAC TASKING.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall task the Aviation Rulemaking Advisory Committee with—

(1) reviewing passenger information requirement regulations under section 121.317 of title 14, Code of Federal Regulation, and such other related regulations as the Administrator determines appropriate; and

(2) making recommendations to update and improve such regulations.

(b) FINAL REGULATION.—Not later than 6 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final regulation revising section 121.317 of title 14, Code of Federal Regulations, and such other related regulations as the Administrator determines appropriate, to—

(1) update such section and regulations to incorporate exemptions commonly issued by the Administrator;

(2) reflect civil penalty inflation adjustments; and

(3) incorporate such updates and improvements recommended by the Aviation Rulemaking Advisory Committee that the Administrator determines appropriate.

SEC. 712. MOBILITY AIDS ON BOARD IMPROVE LIVES AND EMPOWER ALL.

(a) PUBLICATION OF CARGO HOLD DIMENSIONS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall require air carriers to publish on a prominent and easily accessible place on the public website of the air carrier, information describing the relevant dimensions and other characteristics of the cargo holds of all aircraft types operated by the air carrier, including the dimensions of the cargo hold entry, that would limit the size, weight, and allowable type of cargo available.

(2) PROPRIETARY INFORMATION.—The Secretary shall allow an air carrier to protect the confidentiality of any trade secret or proprietary information submitted in accordance with paragraph (1), as appropriate.

(b) REFUND REQUIRED FOR INDIVIDUAL TRAVELING WITH WHEELCHAIR.—In the case of a qualified individual with a disability traveling with a wheelchair who has purchased a ticket for a flight from an air carrier, but who cannot travel on the aircraft for such flight because the wheelchair of such qualified individual cannot be physically accommodated in the cargo hold of the aircraft, the Secretary shall require such air carrier to offer a refund to such qualified individual of any previously paid fares, fees, and taxes applicable to such flight.

(c) EVALUATION OF DATA REGARDING DAMAGED WHEELCHAIRS.—Not later than 12 months after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(1) evaluate data regarding the type and frequency of incidents of the mishandling of wheelchairs on aircraft and delineate such data by—

(A) types of wheelchairs involved in such incidents; and

(B) the ways in which wheelchairs are mishandled, including the type of damage to wheelchairs (such as broken drive wheels or casters, bent or broken frames, damage to electrical connectors or wires, control input devices, joysticks, upholstery or other components, loss, or delay of return);

(2) determine whether there are trends with respect to the data evaluated under paragraph (1); and

(3) make available on the public website of the Department of Transportation, in an accessible manner, a report containing the results of the evaluation of data and determination made under paragraphs (1) and (2) and a description of how the Secretary plans to address such results.

(d) FEASIBILITY OF IN-CABIN WHEELCHAIR RESTRAINT SYSTEMS.—

(1) ROADMAP.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a publicly available strategic roadmap that describes how the Department of Transportation and the United States Access Board, respectively, shall, in accordance with the recommendations from the National Academies of Science, Engineering, and Mathematics Transportation Research Board Special Report 341—

(A) establish a program of research, in collaboration with the Rehabilitation Engineering and Assistive Technology Society of North America, the assistive technology industry, air carriers, original equipment manufacturers, national disability and disabled veterans organizations, and any other relevant stakeholders, to test and evaluate an appropriate selection of WC19-compliant wheelchairs and accessories in accordance with applicable Federal Aviation Administration crashworthiness and safety performance criteria, including the issues and considerations set forth in such Special Report 341; and

(B) sponsor studies that assess issues and considerations, including those set forth in such Special Report 341, such as—

(i) the likely demand for air travel by individuals who are nonambulatory if such individuals could remain seated in their personal wheelchairs in flight; and

(ii) the feasibility of implementing seating arrangements that would accommodate passengers in wheelchairs in the main cabin in flight.

(2) STUDY.—If determined to be technically feasible by the Secretary, not later than 2 years after making such determination, the Secretary shall commence a study to assess the economic and financial feasibility of air carriers and foreign air carriers implementing seating arrangements that accommodate passengers with wheelchairs (including power wheelchairs, manual wheelchairs, and scooters) in the main cabin during flight. Such study shall include an assessment of—

(A) the cost of such seating arrangements, equipment, and installation;

(B) the demand for such seating arrangements;

(C) the impact of such seating arrangements on passenger seating and safety on aircraft;

(D) the impact of such seating arrangements on the cost of operations and airfare; and

(E) any other information determined appropriate by the Secretary.

(3) REPORT.—Not later than 1 year after the date on which the study under paragraph (2) is completed, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a publicly available report describing the results of the study conducted under paragraph (2), together with any recommendations the Secretary determines appropriate.

(e) DEFINITIONS.—In this section:

(1) AIR CARRIER.—The term ''air carrier'' has the meaning given such term in section 40102 of title 49, United States Code.

(2) DISABILITY; QUALIFIED INDIVIDUAL WITH A DISABILITY.—The terms ''disability'' and ''qualified individual with a disability'' have the meanings given such terms in section 382.3 of title 14, Code of Federal Regulations (as in effect on date of enactment of this Act).

(3) WHEELCHAIR.—The term ''wheelchair'' has the meaning given such term in section 37.3 of title 49, Code of Federal Regulations (as in effect on date of enactment of this Act), including power wheelchairs, manual wheelchairs, and scooters.

SEC. 713. PRIORITIZING ACCOUNTABILITY AND ACCESSIBILITY FOR AVIATION CONSUMERS.

(a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Transportation shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on disability-related aviation consumer complaints filed with the Department of Transportation, and shall make each annual report publicly available.

(b) SCOPE OF REPORT.—In each report required under subsection (a), the Secretary shall include, at minimum, a description of the following:

(1) The number of disability-related aviation consumer complaints filed with the Department of Transportation during the calendar year preceding the year in which such report is submitted.

(2) The nature of such complaints, such as reported issues with—

(A) an air carrier;

(B) mishandling of passengers with a disability, including mishandling of a wheelchair, mobility aid, or other accessibility equipment of a passenger by an air carrier;

(C) the condition or availability of accessibility equipment or materials operated by an air carrier;

(D) the accessibility of in-flight services, including accessing and utilizing onboard lavatories, for passengers with a disability;

(E) difficulties experienced by passengers with a disability in communicating with an air carrier employee;

(F) difficulties experienced by passengers with a disability in being moved, handled, or otherwise assisted;

(G) an air carrier changing the flight itinerary of a passenger with a disability without the consent of such passenger;

(H) difficulties experienced by passengers with a disability traveling with a service animal; and

(I) any other issues the Secretary of Transportation determines appropriate.

(3) The review process for such complaints.

(4) The average amount of days before the Department initiated a formal review of such complaints.

(5) The average amount of days until such complaints were resolved by the Department.

(6) The number of such complaints that resulted in dismissal, a civil monetary penalty, or other injunctive relief.

(7) Of the complaints that were found to violate section 41705 of title 49, United States Code—

(A) the number of such complaints for which a formal enforcement order was issued; and

(B) the number of such complaints for which a formal enforcement order was not issued.

(8) The number of disability-related aviation consumer complaints filed with the Department of Transportation involving airport staff or other matters under the jurisdiction of the Federal Aviation Administration that were referred to the Federal Aviation Administration.

(9) The number of disability-related aviation consumer complaints filed with the Department of Transportation involving Transportation Security Administration staff that were referred to the Transportation Security Administration or the Department of Homeland Security.

(c) REPORT TO CONGRESS.—The Secretary shall submit annually to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report required under subsection (a).

(d) DEFINITIONS.—In this section:

(1) IN GENERAL.—Except as otherwise provided, the terms used in this section have the meanings given such terms in section 40102 of title 49, United States Code, or section 382.3 of title 14, Code of Federal Regulations, as applicable.

(2) AIR CARRIER.—The term ''air carrier'' means an air carrier conducting passenger operations under part 121 of title 14, Code of Federal Regulations.

(3) PASSENGER WITH A DISABILITY.—The term ''passenger with a disability'' has the meaning given the term ''qualified individual with a disability'' in section 382.3 of title 14, Code of Federal Regulations.

SEC. 714. AIRCRAFT ACCESSIBILITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a program to study and evaluate improvements to transport category aircraft accessibility, including—

(1) determining whether and, if so, how personal wheelchairs, including manual and powered wheelchairs, can be safely secured in the passenger seating areas of an aircraft certificated under part 25 of title 14, Code of Federal Regulations;

(2) considering the safe evacuation processes for such aircraft, including individuals who use manual and powered wheelchairs; and

(3) determining how various types or aircraft described in paragraph (1) can safely and efficiently be retrofit for accessible lavatories.

(b) REPORT AND RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study and evaluation described in subsection (a) and recommendations to address the findings of such study and evaluation.

SEC. 715. ACCESSIBILITY OF WEBSITES, SOFTWARE APPLICATIONS, AND KIOSKS FOR INDIVIDUALS WITH DISABILITIES.

Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall, in direct consultation with the United States Architectural and Transportation Barriers Compliance Board, prescribe regulations setting forth minimum standards to ensure that individuals with disabilities are able to access kiosks, software applications, and websites in a manner that is equally as effective as individuals without disabilities, with a substantially equivalent ease of use. Such standards shall be consistent with the standards set forth in the Web Content Accessibility Guidelines 2.1 Level AA of the Web Accessibility Initiative of the World Wide Web Consortium or any subsequent version.

SEC. 716. REVIEW OF METHODS TO REPORT FLIGHT DELAY AND CANCELLATION STATISTICS.

(a) IN GENERAL.—No later than 1 year after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Administrator of the Federal Aviation Administration, shall conduct a review of the means of reporting flight delay and cancellation statistics to the Secretary and the accuracy of such data.

(b) COORDINATION REQUIREMENT.—In conducting the review required in paragraph (1), the Secretary shall coordinate and collaborate with air carriers (as such term is defined in section 40102 of title 49, United States Code) to assist in conducting the review and providing recommendations on improving the means of reporting flight delay and cancellation statistics to the Secretary and the accuracy of such data.

SEC. 717. REIMBURSEMENT FOR INCURRED COSTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall direct all air carriers providing scheduled passenger interstate or intrastate air transportation to establish policies regarding reimbursement for lodging, transportation between such lodging and the airport, and meal costs incurred due to a flight cancellation or significant delay directly attributable to the air carrier.

(b) DEFINITION OF SIGNIFICANTLY DELAYED.—In this section, the term ''significantly delayed'' means, with respect to air transportation, the departure or arrival at the originally ticketed destination associated with such transportation has changed—

(1) in the case of air transportation within the United States, by 3 or more hours; or

(2) in the case of air transportation to or from a location outside the United States, by 6 or more hours.

SEC. 718. AIRLINE OPERATIONAL RESILIENCY PLANS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall require a covered carrier to develop and regularly update an operational resiliency strategy to prevent or limit the impact of future flight disruptions on passengers.

(b) OPERATIONAL RESILIENCY STRATEGY.—In each operational resiliency strategy developed under subsection (a), a covered carrier shall include a description of—

(1) the potential impact of severe weather and other reasonably anticipated disruptive events on the operations of the carrier and how the carrier seeks to prevent or limit the impact of such events on passengers;

(2) the potential impact of severe weather events and other reasonably anticipated disruptive events on—

(A) staffing models and the preparedness of the current workforce of the carrier to address such conditions; and

(B) the current information and technology systems of the carrier, including crew scheduling systems, and the preparedness of such systems to continue operations after such an event or disruption;

(3) the preparedness of the carrier to maintain operations and limit or prevent the impact of other potential disruptive events identified by the carrier;

(4) the extent to which the carrier addresses known cybersecurity risks to prevent potential flight disruptions; and

(5) any other issues the Secretary determines appropriate to protect consumers and maintain the operational stability of the airline industry.

(c) PROPRIETARY INFORMATION.—The Secretary shall develop a method to protect the confidentiality of any trade secret or proprietary information submitted in an operational resiliency strategy under subsection (b).

(d) EVALUATION.—

(1) AUDIT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall initiate an audit to evaluate the effectiveness of the operational resiliency strategies developed under this section by covered air carriers.

(2) REPORT.—Not later than 1 year after completion of the audit conducted under paragraph (1), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the audit.

(e) COVERED CARRIER.—In this section, the term ''covered carrier'' has the meaning given such term in section 259.3 of title 14, Code of Federal Regulations (or successor regulations).

SEC. 719. FAMILY SEATING.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue a notice of proposed rulemaking to establish a policy directing air carriers that assign seats, or allow individuals to select seats in advance of the date of departure of a flight, to sit each young child adjacent to an accompanying adult, to the greatest extent practicable, if adjacent seat assignments are available at any time after the ticket is issued for each young child and before the first passenger boards the flight.

(b) PROHIBITION ON FEES.—The notice of proposed rulemaking described in subsection (a) shall include a provision that prohibits an air carrier from charging a fee, or imposing an additional cost beyond the ticket price of the additional seat, to seat each young child adjacent to an accompanying adult within the same class of service.

(c) RULE OF CONSTRUCTION.—Notwithstanding the requirement in subsection (a), nothing in this section may be construed to allow the Secretary to impose a change in the overall seating or boarding policy of an air carrier that has an open or flexible seating policy in place that generally allows adjacent family seating as described under this section.

(d) YOUNG CHILD.—In this section, the term ''young child'' means an individual who has not attained 14 years of age.

SEC. 720. SEAT DIMENSIONS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) initiate a rulemaking activity based on the regulation described in section 577 of the FAA Reauthorization Act of 2018 (49 U.S.C. 42301 note); and

(2) if the Administrator decides not to pursue the rulemaking described in paragraph (1), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the justification of such decision.

SEC. 721. IMPROVED TRAINING STANDARDS FOR ASSISTING PASSENGERS WHO USE WHEELCHAIRS.

(a) RULEMAKING.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall issue a notice of proposed rulemaking to develop requirements for minimum training standards for airline personnel or contractors who assist wheelchair users who must board or deplane using an aisle chair or other boarding device.

(b) REQUIREMENTS.—The training standards developed under subsection (a) shall require, at a minimum, that airline personnel or contractors who assist passengers who use wheelchairs who must board or deplane using an aisle chair or other boarding device—

(1) complete refresher training within 18 months and be recertified on the job within 18 months by a superior in order to remain qualified for providing aisle chair assistance; and

(2) be able to successfully demonstrate each of following skills in hands-on training sessions before being allowed to board or deplane a passenger using an aisle chair or other boarding device:

(A) How to safely use the aisle chair, or other boarding device, including the use of all straps, brakes, and other safety features.

(B) How to assist in the transfer of passengers to and from their wheelchair, the aisle chair, and the aircraft's passenger seat, either by physically lifting the passenger or deploying a mechanical device for the lift or transfer.

(C) How to effectively communicate with, and take instruction from, the passenger.

(c) CONSIDERATIONS.—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum—

(1) whether to require air carriers and foreign air carriers to partner with national disability organizations and disabled veterans organizations representing individuals with disabilities who use wheelchairs and scooters in developing and reviewing training; and

(2) whether individuals able to provide boarding and deplaning assistance for passengers with limited or no mobility should receive training incorporating procedures from medical professionals on how to properly lift these passengers.

(d) FINAL RULE.—Not later than 12 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section.

(e) PENALTIES.—The Secretary may assess a civil penalty in accordance with section 46301 of title 49, United States Code, to any air carrier or foreign air carrier who fails to meet the requirements established under the final rule under subsection (d).

SEC. 722. TRAINING STANDARDS FOR STOWAGE OF WHEELCHAIRS AND SCOOTERS.

(a) RULEMAKING.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall issue a notice of proposed rulemaking to develop minimum training standards related to stowage of wheelchairs and scooters used by passengers with disabilities on aircraft.

(b) REQUIREMENTS.—The training standards developed under subsection (a) shall require, at a minimum, that personnel and contractors of air carriers and foreign air carriers who stow wheelchairs and scooters on aircraft—

(1) complete refresher training within 18 months and be recertified on the job within 18

months by a superior in order to remain qualified for handling and stowing wheelchairs and scooters; and

(2) be able to successfully demonstrate the each of following skills in hands-on training sessions before being allowed to handle or stow a wheelchair or scooter:

(A) How to properly handle and configure, at a minimum on a common design for power and manual wheelchairs and scooters for stowage on each aircraft type operated by the air carrier or foreign air carrier.

(B) How to properly review any wheelchair or scooter information provided by the passenger or the wheelchair or scooter manufacturer.

(C) How to properly load, secure, and unload wheelchairs and scooters, including how to use any specialized equipment for loading or unloading, on each aircraft type operated by the air carrier or foreign air carrier.

(c) CONSIDERATIONS.—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum whether to require air carriers and foreign air carriers to partner with wheelchair or scooter manufacturers, national disability and disabled veterans organizations representing individuals who use wheelchairs and scooters, and aircraft manufacturers, in developing training.

(d) FINAL RULE.—Not later than 12 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section.

(e) PENALTIES.—The Secretary may assess a civil penalty in accordance with section 46301 of title 49, United States Code, to any air carrier or foreign air carrier who fails to meet the requirements established under the final rule under subsection (d).

SEC. 723. INVESTIGATION OF COMPLAINTS.

Section 41705(c) of title 49, United States Code, is amended by striking paragraph (1), and inserting the following:

''(1) IN GENERAL.—The Secretary shall—

''(A) not later than 120 days after the receipt of any complaint of a violation of this section or a regulation prescribed under this section, investigate such complaint; and

''(B) provide, in writing, to the individual that filed the complaint and the air carrier or foreign air carrier alleged to have violated this section or a regulation prescribed under this section, the determination of the Secretary with respect to—

''(i) whether the air carrier or foreign air carrier violated this section or a regulation prescribed under this section;

''(ii) the facts underlying the complaint; and

''(iii) any action the Secretary is taking in response to the complaint.''.

SEC. 724. STANDARDS.

(a) AIRCRAFT ACCESS STANDARDS.—

(1) STANDARDS.—

(A) ADVANCE NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue an advanced notice of proposed rulemaking regarding standards to ensure that the aircraft boarding and deplaning process is accessible, in terms of design for, transportation of, and communication with, individuals with disabilities, including individuals who use wheelchairs.

(B) NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the date on which the advanced notice of proposed rulemaking under subparagraph (A) is completed, the Secretary shall issue a notice of proposed rulemaking regarding standards addressed in subparagraph (A).

(C) FINAL RULE.—Not later than 1 year after the date on which the notice of proposed rulemaking under subparagraph (B) is completed, the Secretary shall issue a final rule.

(2) COVERED AIRPORT, EQUIPMENT, AND FEATURES.—The standards prescribed under paragraph (1)(A) shall address, at a minimum—

(A) boarding and deplaning equipment;

(B) improved procedures to ensure the priority cabin stowage for manual assistive devices pursuant to section 382.67 of title 14, Code of Federal Regulations; and

(C) improved cargo hold storage to prevent damage to assistive devices.

(3) CONSULTATION.—For purposes of the rulemaking under this subsection, the Secretary shall consult with the Access Board and any other relevant department or agency to determine appropriate accessibility standards.

(b) IN-FLIGHT ENTERTAINMENT RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall issue a notice of proposed rulemaking in accordance with the November 22, 2016, resolution of the Department of Transportation ACCESS Committee and the consensus recommendation set forth in the Term Sheet Reflecting Agreement of the Access Committee Regarding In-Flight Entertainment.

(c) NEGOTIATED RULEMAKING ON IN-CABIN WHEELCHAIR RESTRAINT SYSTEMS AND ENPLANING AND DEPLANING STANDARDS.—

(1) TIMING.—

(A) IN GENERAL.—Not later than 1 year after completion of the report required by section 712(d)(3), and if such report finds economic and financial feasibility of air carriers and foreign air carriers implementing seating arrangements that accommodate individuals with disabilities using wheelchairs (including power wheelchairs, manual wheelchairs, and scooters) in the main cabin during flight, the Secretary shall conduct a negotiated rulemaking on new type certificated aircraft standards for seating arrangements that accommodate such individuals in the main cabin during flight or an accessible route to a minimum of 2 aircraft passenger seats for passengers to access from personal assistive devices of such individuals.

(B) REQUIREMENT.—The negotiated rulemaking under subparagraph (A) shall include participation of representatives of—

(i) air carriers;

(ii) aircraft manufacturers;

(iii) national disability organizations;

(iv) aviation safety experts; and

(v) mobility aid manufacturers.

(2) NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the completion of the negotiated rulemaking required under paragraph (1), the Secretary shall issue a notice of proposed rulemaking regarding the standards described in paragraph (1).

(3) FINAL RULE.—Not later than 1 year after the date on which the notice of proposed rulemaking under paragraph (2) is completed, the Secretary shall issue a final rule regarding the standards described in paragraph (1).

(4) CONSIDERATIONS.—In the negotiated rulemaking and rulemaking required under this subsection, the Secretary shall consider—

(A) a reasonable period for the design, certification, and construction of aircraft that meet the requirements;

(B) the safety of all persons on-board the aircraft, including necessary wheelchair standards and wheelchair compliance with Federal Aviation Administration crashworthiness and safety performance criteria; and

(C) the costs of design, installation, equipage, and aircraft capacity impacts, including partial fleet equipage and fare impacts.

(d) VISUAL AND TACTILELY ACCESSIBLE ANNOUNCEMENTS.—The Advisory Committee established under section 439(g) of the FAA Reauthorization Act of 2018 (49 U.S.C. 41705 note) shall examine technical solutions and the feasibility of visually and tactilely accessible announcements on-board aircraft.

(e) AIRPORT FACILITIES.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, in direct consultation with the Access Board, prescribe regulations setting forth minimum standards under section 41705 of title 49, United States Code, that ensure all gates (including counters), ticketing areas, and customer service desks covered under such section at airports are accessible to and usable by all individuals with disabilities, including through the provision of visually and tactilely accessible announcements and full and equal access to aural communications.

(f) DEFINITIONS.—In this section:

(1) ACCESS BOARD.—The term ''Access board'' means the Architectural and Transportation Barriers Compliance Board.

(2) AIR CARRIER.—The term ''air carrier'' has the meaning given such term in section 40102 of title 49, United States Code.

(3) INDIVIDUAL WITH A DISABILITY.—The term ''individual with a disability'' has the meaning given such term in section 382.3 of title 14, Code of Federal Regulations.

(4) FOREIGN AIR CARRIER.—The term ''foreign air carrier'' has the meaning given such term in section 40102 of title 49, United States Code.

Subtitle B—Air Traffic

SEC. 741. TRANSFERS OF AIR TRAFFIC SYSTEMS ACQUIRED WITH AIP.

Section 44502(e) of title 49, United States Code, is amended—

(1) in paragraph (1) by inserting ''in a noncontiguous State'' after ''An airport'';

(2) in paragraph (3)—

(A) in subparagraph (B) by striking ''or'' at the end;

(B) in subparagraph (C) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(D) a Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights.''; and

(3) by adding at the end the following:

''(4) EXCEPTION.—The requirement under paragraph (1) that an eligible air traffic system or equipment be purchased in part using a Government airport aid program, airport development aid program, or airport improvement project grant shall not apply if the system or equipment is installed at an airport that is categorized as a basic or local general aviation airport under the most recently published national plan of integrated airport systems under section 47103.''.

SEC. 742. NEXTGEN PROGRAMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and periodically thereafter as the Administrator of the Federal Aviation Administration determines appropriate, the Administrator shall convene Administration officials to evaluate and expedite the implementation of NextGen programs and capabilities.

(b) NEXTGEN PROGRAM PRIORITIZATION.—In allocating amounts appropriated pursuant to section 48101(a) of title 49, United States Code, the Secretary of Transportation shall give priority to the following activities:

(1) Performance-based navigation.

(2) Data communications.

(3) Terminal flight data manager.

(4) Aeronautical information management.

(c) PERFORMANCE-BASED NAVIGATION.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator shall fully implement performance-based navigation procedures for all terminal and enroute routes, including approach and departure procedures for covered airports.

(2) SPECIFIC PROCEDURES.—Pursuant to paragraph (1), the Administrator shall prioritize the following performance-based navigation procedures:

(A) Trajectory-based operations.

(B) Optimized profile descents.

(C) Multiple airport route separation.

(D) Established on required navigation performance.

(E) Converging runway display aids.

(3) PERFORMANCE-BASED NAVIGATION BASELINE EQUIPAGE REQUIREMENTS.—In carrying out paragraph (1), the Administrator shall issue such regulations as may be required, and publish applicable advisory circulars, to establish

the equipage baseline appropriate for aircraft to safely use performance-based navigation procedures.

(d) DATA COMMUNICATIONS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall fully implement the use of data communications.

(2) SPECIFIC CAPABILITIES.—In carrying out subsection (a) and this subsection, the Administrator shall prioritize the following data communications capabilities:

(A) Ground-to-ground message exchange for surface aircraft operations and runway safety at airports.

(B) Automated message generation and receipt.

(C) Message routing and transmission.

(D) Direct communications with aircraft avionics.

(E) Implementation of data communications at all Air Route Traffic Control Centers.

(F) The Future Air Navigation System.

(e) TERMINAL FLIGHT DATA MANAGER.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Administrator shall replace the traffic flow management system with the flow data management system at covered airports.

(2) ELECTRONIC FLIGHT STRIPS.—In carrying out paragraph (1), the Administrator shall implement electronic flight strips, at a minimum, at the air traffic control towers of covered airports and all terminal radar approach control and air route traffic control centers.

(f) AERONAUTICAL INFORMATION MANAGEMENT SYSTEMS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator shall fully modernize the aeronautical information management systems of the Federal Aviation Administration to improve the functionality, useability, durability, and reliability of such systems used in the national airspace system.

(2) REQUIREMENTS.—In carrying out paragraph (1), the Administrator shall—

(A) improve the distribution of critical safety information to pilots, air traffic control, and other relevant aviation stakeholders;

(B) fully develop and implement the Enterprise Information Display System; and

(C) notwithstanding a centralized aeronautical information management system, restructure the back-up systems of aeronautical information management systems to be independent and self-sufficient from one another.

(g) EFFECT OF FAILURE TO MEET DEADLINE.—

(1) NOTIFICATION OF CONGRESS.—If the Administrator determines that the Administration has not or will not meet a deadline established under subsection (a), (c), (d), or (e), the Administrator shall, not later than 30 days after such determination, notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate about the failure to meet the target deadlines.

(2) CONTENTS OF NOTIFICATION.—A notification under paragraph (1) shall be accompanied by the following:

(A) An explanation as to why the agency will not or did not meet the target deadlines described in such paragraph.

(B) A description of the actions the Administration plans to take to meet the target deadlines described in such paragraph.

(3) BRIEFING.—If the Administrator is required to provide notice under paragraph (1), the Administrator shall provide the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate bimonthly, in-person briefings as to the progress made by the Administration regarding implementation under the respective subsection for which the target deadline will not or was not met until such time as the Administrator has completed the required work under such subsection.

(h) NEXTGEN ADVISORY COMMITTEE CONSULTATION.—

(1) IN GENERAL.—The Administrator shall consult and task the NextGen Advisory Committee with providing recommendations on ways to expedite, prioritize, and fully implement NextGen programs to realize the operational benefits of such programs.

(2) CONSIDERATIONS.—In providing recommendations under paragraph (1), the NextGen Advisory Committee shall consider—

(A) air traffic throughput of the national airspace system;

(B) daily operational performance, including delays and cancellations; and

(C) the potential need for performance-based operational metrics related to NextGen programs.

(i) SUNSET OF NEXTGEN BRAND.—

(1) IN GENERAL.— Not later than 3 years after the date of enactment of this Act, the Administrator shall terminate the use of the term ''Next Generation Air Transportation System'' or ''NextGen'' to describe any air traffic control modernization program of the Administration.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) terminate any program of the Administration, including a program that has previously been represented as being a component of the Next Generation Air Transportation System or NextGen in budgetary submission or document of the Administration; or

(B) prohibit the Administrator from maintaining materials that relate to or reference programs that have previously been represented as being a component of the Next Generation Air Transportation System or NextGen.

(j) COVERED AIRPORTS DEFINED.—In this section, the term ''covered airports'' means the 40 airports in the United States with the highest number of annual aircraft operations, as of the date of enactment of this Act.

SEC. 743. AIRSPACE ACCESS.

(a) COALESCING AIRSPACE.—

(1) REVIEW OF NATIONAL AIRSPACE SYSTEM.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Defense, shall conduct a comprehensive review of the airspace of the national airspace system, including special use airspace.

(2) STREAMLINING AND EXPEDITING ACCESS.—In carrying out paragraph (1), the Administrator shall identify methods to streamline, expedite, and provide greater flexibility of access to certain categories of airspace for users of the national airspace system who may not regularly have access to such airspace.

(b) REPORT.—

(1) IN GENERAL.—Not later than 3 months after the completion of review the under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the findings of such review and any recommendations and proposed actions to improve access to airspace of the national airspace system for the users of such system.

(2) CONTENTS.—In the report submitted under paragraph (1), the Administrator shall include, at a minimum, the following:

(A) An identification of current challenges and barriers faced by airspace users in accessing certain categories of airspace, including special use airspace.

(B) An evaluation of existing procedures, regulations, and requirements that may impede or delay access to certain categories of airspace for certain users of the national airspace system.

(C) Recommendations for streamlining and expediting the airspace access process, including potential regulatory changes, technological advancements, and enhanced coordination among relevant stakeholders and Federal agencies.

(D) A proposal for implementing a flexible framework that allows for temporary access to certain categories of airspace, including special use airspace, by users of the national airspace system who do not have regular access to such airspace.

(E) An assessment of the impact airspace access improvements may have on safety, efficiency, and economic opportunities for airspace users, including—

(i) military operators;

(ii) commercial operators; and

(iii) general aviation operators.

(3) IMPLEMENTATION AND FOLLOW-UP.—

(A) ACTION PLAN.—Based on the findings, recommendations, and proposals submitted in the report under this subsection, the Administrator shall develop an action plan for implementing any recommendations and proposals necessary to improve airspace access.

(B) COORDINATION AND COLLABORATION.—In developing the action plan under subparagraph (A), the Administrator shall coordinate with relevant stakeholders, including airspace users and the Secretary of Defense, to ensure—

(i) effective implementation of the action plan; and

(ii) ongoing collaboration in addressing airspace access challenges.

(C) PROGRESS REPORTS.—The Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate periodic progress reports in the form of briefings on the implementation of the action plan developed under this paragraph, including updates on the adoption of streamlined procedures, technological enhancements, and any regulatory changes necessary to improve airspace access and flexibility.

SEC. 744. AIRSPACE TRANSITION COMPLETION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall ensure that responsibility for the Newark, New Jersey radar sector is moved to the Philadelphia terminal radar approach control facility.

(b) STAFFING.—In carrying out subsection (a), the Administrator may not—

(1) require the temporary or permanent movement of any personnel from the New York terminal radar approach control facility to the Philadelphia terminal radar approach control facility, but may solicit such personnel to volunteer to temporarily or permanently facilitate the move required under subsection (a); or

(2) reduce the target staffing level of the New York terminal radar approach control facility.

(c) CONGRESSIONAL BRIEFINGS.—Not later than 180 days after the date of enactment of this Act and every 60 days thereafter, the Administrator and the head of the collective bargaining unit representing air traffic controllers shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the move required under subsection (a) until such time as the Newark, New Jersey radar sector is under the full responsibility of the Philadelphia terminal radar approach control facility.

SEC. 745. FAA CONTRACT TOWERS.

(a) OPERATIONAL READINESS INSPECTIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall update applicable regulations, standards, and guidance on operational readiness inspections related to the Federal Aviation Administration Contract Tower program to provide airport sponsors acting in good faith with 7 years to complete such

inspections after receiving a benefit-to-cost ratio of air traffic control services for an airport.

(b) FCT CONTROLLER AIRSPACE AWARENESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall authorize the use of advanced technology at Federal Aviation Administration contract towers to enhance air traffic controller situational awareness.

(2) EQUIPMENT STANDARDS.—In carrying out paragraph (1), the Administrator shall establish standards and criteria identical to such standards and criteria applicable to Federal Aviation Administration air traffic controllers for the use of advanced technology in air traffic control towers.

(3) RECURRENCY TRAINING.—In carrying out this subsection, the Administrator, in coordination with Federal Aviation Administration contract tower contractors, shall establish an appropriate training program to periodically train air traffic controllers employed by such contractors to ensure proper integration and use of advanced technologies at Federal Aviation Administration contract towers.

(c) LIABILITY INSURANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, in consultation with industry experts including Federal Aviation Administration contract tower contractors and aviation insurance providers, shall—

(1) assess existing liability limits for contract tower contractors established by the Secretary; and

(2) determine whether such limits should be updated.

SEC. 746. FAA CONTRACT TOWER WORKFORCE AUDIT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate an audit of the workforce needs of the Federal Aviation Administration Contract Tower Program.

(b) CONTENTS.—In conducting the audit required under subsection (a), the inspector general shall, at a minimum—

(1) review the assumptions and methodologies used in assessing the source of Federal Aviation Administration contract towers staffing to determine the adequacy of staffing levels at such towers;

(2) determine whether there is a need to establish an air traffic controller training program to allow Federal Aviation Administration contract tower contractors to conduct—

(A) initial training of air traffic controllers employed by such contractors; or

(B) on-the-job training of such controllers; and

(3) assess whether establishing pathways to allow Federal Aviation Administration contract tower contractors to use the air traffic technical training academy of the Federal Aviation Administration, or other means such as higher educational institutions, to provide initial technical training for air traffic controllers employed by such contractors could help address the workforce needs of the FAA contract tower program.

(c) REPORT.—Not later than 90 days after the completion of the audit under subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of such audit and any recommendations as a result of such audit.

SEC. 747. AVIATION INFRASTRUCTURE SUSTAINMENT.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop performance metrics with which the Administrator can assess the operation of safety-critical communication, navigation, and surveillance aviation infrastructure within the national airspace system.

(b) PERFORMANCE METRICS NECESSARY TO REMAIN IN SERVICE.—

(1) IN GENERAL.—After developing the performance metrics under subsection (a), the Administrator shall carry out an assessment to determine which applicable aviation infrastructure are to remain in operational service.

(2) CONSIDERATIONS.—In making an assessment under paragraph (1), the Administrator shall take into consideration the following:

(A) The expected lifespan of such aviation infrastructure.

(B) The number and type of mechanical failures of such aviation infrastructure.

(C) The average annual costs of maintaining such aviation infrastructure over a 5-year timespan and whether such costs exceed the amount to replace such aviation infrastructure.

(D) The availability of replacement parts or labor capable of maintaining such aviation infrastructure.

(E) Any other factors the Administrator determines are necessary.

(c) PUBLICATION.—The Administrator shall make the performance metrics established under subsection (b) available to the public through the website of the Administration, or other appropriate methods of publication, and shall ensure that any information made available to the public under this subsection is made available in a manner that—

(1) does not provide identifying information regarding an individual or entity;

(2) prevents inappropriate disclosure of proprietary information; and

(3) does not disclose information that may pose a cybersecurity risk.

SEC. 748. AIR TRAFFIC CONTROL TOWER SAFETY.

In designing, adopting a design, or constructing an air traffic control tower based on a previously adopted design, the Administrator of the Federal Aviation Administration shall ensure that the safety of the national airspace system, the safety of employees of the Administration, the operational reliability of air traffic control towers, and the costs of such towers are the primary consideration in such design, adoption, or construction.

SEC. 749. AIR TRAFFIC SERVICES DATA REPORTS.

Section 45303(g)(2)(A) of title 49, United States Code, is amended by striking ''8 years'' and inserting ''14 years''.

SEC. 750. CONSIDERATION OF SMALL HUB CONTROL TOWERS.

In selecting projects for the replacement of federally owned air traffic control towers from funds made available pursuant to title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) under the heading ''Federal Aviation Administration—Facilities and Equipment'', the Administrator of the Federal Aviation Administration shall consider selecting projects at small hub commercial service airports with control towers that are at least 50 years old.

SEC. 751. AIR TRAFFIC CONTROL TOWER REPLACEMENT PROCESS REPORT.

(a) REPORT REQUIRED.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to Congress a report on the process by which air traffic control tower facilities are chosen for replacement.

(b) CONTENTS.—The report required under subsection (a) shall contain—

(1) the process by which air traffic control tower facilities are chosen for replacement, including which divisions of the Administration control or are involved in the replacement decision making process;

(2) the criteria the Administrator uses to determine which air traffic control tower facilities to replace, including—

(A) the relative importance of each such criteria;

(B) why the Administrator uses each such criteria; and

(C) the reasons for the relative importance of each such criteria;

(3) what types of investigation the Administrator carries out to determine if an air traffic control tower facility should be replaced;

(4) a timeline of the replacement process for an individual air traffic control tower facility replacement;

(5) the list of facilities established under subsection (c), including the reason for selecting each such facility; and

(6) any other information the Administrator considers relevant.

(c) LIST OF REPLACED AIR TRAFFIC CONTROL TOWER FACILITIES.—The Administrator shall establish, maintain, and publish on the website of the Federal Aviation Administration a list of the following:

(1) All air traffic control tower facilities replaced within the previous 10-year period.

(2) Any such facilities in the process of being replaced.

SEC. 752. FAA CONTRACT TOWER PILOT PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a pilot program to convert up to 3 high-activity contract towers under the Federal Aviation Administration Contract Tower Program under section 47124 of title 49, United States Code, to visual flight rule towers staffed by the Administration.

(b) PRIORITY.—In selecting facilities to participate in the pilot program under subsection (a), the Administrator shall give priority to towers that—

(1) had over 200,000 in annual tower operations in calendar year 2022 or a small hub airport with more than 900,000 passenger enplanements in calendar year 2021;

(2) have controls towers that are either owned by the Administration or are constructed to Administration standards; and

(3) operate within a complex air space, including space used by air carriers, for general aviation, and by military aircraft.

(c) CONTROLLER RETENTION.—The Administrator shall appoint to the position of air traffic controller all air traffic controllers employed as a Federal contract tower operator and assigned to the air traffic control tower pilot program as of the date of enactment of this Act so long as such operator—

(1) meets the qualifications contained in section 44506(f)(1)(A) of title 49, United States Code; and

(2) has all other pre-employment qualifications required by law.

Subtitle C—Small Community Air Service

SEC. 771. ESSENTIAL AIR SERVICE REFORMS.

(a) REDUCTION IN SUBSIDY CAP.—Section 41731(a)(1)(C) of title 49, United States Code, is amended to read as follows:

''(C) had an average subsidy per passenger—

''(i) of less than $1,000 during the most recent fiscal year beginning before October 1, 2026, as determined in subparagraph (D) by the Secretary; or

''(ii) of $500 or less during the most recent fiscal year beginning on or after October 1, 2026; and''.

(b) RESTRICTION ON LENGTH OF ROUTES.—

(1) IN GENERAL.—Section 41732(a)(1) of title 49, United States Code, is amended by inserting ''less than 650 miles from an eligible place (unless such airport or eligible place are located in a non-contiguous State)'' after ''hub airport''.

(2) EXCEPTION.—The amendment made by paragraph (1) shall not apply to any contract or renewal of such contract with an air carrier for essential air service compensation under subchapter II of chapter 417 of title 49, that was—

(A) entered into before the date of enactment of this Act; and

(B) still in effect on the date of enactment of this Act.

(3) SUNSET.—Paragraph (2) shall cease to have effect after September 30, 2028.

(c) APPLICANT SELECTION CONSIDERATIONS.—Section 41733(c)(1) of title 49, United States Code, is amended—

(1) by striking ''giving substantial weight to'' and inserting ''including'';

(2) in subparagraph (E) by striking ''and'' at the end;

(3) in subparagraph (F) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(G) the total compensation proposed by the air carrier for providing scheduled air service under this section.''.

(d) COST SHARE.—

(1) SECTION 41737.—Section 41737(a)(1) of title 49, United States Code, is amended—

(A) in subparagraph (D) by striking ''and'' at the end;

(B) in subparagraph (E) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) require that, for a contract to provide air service that is entered into or renewed under this subchapter after September 30, 2026, the Government's share of the compensation is 95 percent.''.

(2) SECTION 41731.—Section 41731 of title 49, United States Code, is amended—

(A) in subsection (c) by inserting ''and section 41737(a)(1)(F)'' after ''subsection (a)(1)''; and

(B) in subsection (d) by inserting ''and section 41737(a)(1)(F)'' after ''Subsection (a)(1)(B)''.

SEC. 772. ESSENTIAL AIR SERVICE AUTHORIZATION.

Section 41742(a)(2) of title 49, United States Code, is amended by striking ''$155,000,000 for fiscal year 2018'' an all that follows through ''$172,000,000 for fiscal year 2023'' and inserting ''$332,000,000 for fiscal year 2024, $312,000,000 for fiscal year 2025, $300,000,000 for fiscal year 2026, $265,000,000 for fiscal year 2027, and $252,000,000 for fiscal year 2028''.

SEC. 773. SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM REFORM AND AUTHORIZATION.

(a) SAME PROJECTS LIMIT.—Section 41743(c)(4)(B) of title 49, United States Code, is amended by striking ''10-year'' and inserting ''6-year''.

(b) PRIORITIES.—Section 41743(c)(5) of title 49, United States Code, is amended—

(1) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively; and

(2) by adding after subparagraph (A) the following—

''(B) the community has demonstrated support from at least 1 air carrier to provide service;''.

(c) AUTHORIZATION.—Section 41743(e)(2) of title 49, United States Code, is amended by striking ''2023'' and inserting ''2028''.

SEC. 774. GAO STUDY ON INCREASED COSTS OF ESSENTIAL AIR SERVICE.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the change in costs of the essential air service program under sections 41731 through 41742 of title 49, United States Code.

(b) CONTENTS.—In conducting the study required under subsection (a), the Comptroller General shall—

(1) assess trends in costs of the essential air service program under sections 41731 through 41742 of title 49, United States Code, over the 10-year period ending on the date of enactment of this Act;

(2) review potential causes for the increased cost of the essential air service program, including—

(A) labor costs;

(B) fuel costs;

(C) aging aircraft costs;

(D) air carrier opportunity costs; and

(E) airport costs; and

(3) assess the effects of the COVID–19 pandemic on the costs of the essential air service program under sections 41731 through 41742 of title 49, United States Code.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a).

TITLE VIII—MISCELLANEOUS

SEC. 801. DIGITALIZATION OF FAA PROCESSES.

(a) IDENTIFICATION.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall identify and catalog programs, activities, or processes that require paper-based information exchange between—

(1) external entities and the Administration; or

(2) offices within the Administration.

(b) DIGITALIZATION.—On an ongoing basis, and as appropriate, the Administrator shall transition the paper-based processes identified under subsection (a) to processes that support secure digital information submission, exchange, collaboration, and approval.

(c) BRIEFING.—Not later than 60 days after completing the required identification and catalog in subsection (a), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the programs, activities, and processes identified under subsection (a) and such programs, activities, and processes that have been identified for transition under subsection (b).

SEC. 802. FAA TELEWORK.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration—

(1) may establish telework policies for employees that allow for the Administration to reduce the office footprint and associated expenses of the Administration, increase workforce retention, and provide flexibilities that the Administrator believes increases efficiency and effectiveness of the Administration, while requiring that any such policy—

(A) does not adversely impact the mission of the Administration;

(B) does not reduce the safety and efficiency of the national airspace system;

(C) for any employee that is designated as an officer or executive in the Federal Aviation Administration Executive System or a political appointee (as such term is defined in section 106 of title 49, United States Code)—

(i) maximizes time at a duty station for such employee, excluding official travel; and

(ii) may include telework provisions as determined appropriate by the Administrator, commensurate with official duties for such employee;

(D) provides for on-the-job training opportunities for Administration personnel that are not less than such opportunities available in 2019;

(E) reflects the appropriate work status of employees based on the job functions of such employee;

(F) optimizes the work status of inspectors, investigators, and other personnel performing safety-related functions to ensure timely completion of safety oversight activities;

(G) provides for personnel, including such personnel performing work related to aircraft certification and flight standards, who are responsible for actively working with regulated entities, external stakeholders, or other members of the public to be—

(i) routinely available on a predictable basis for in-person and virtual communications with external persons; and

(ii) not hindered from meeting with, visiting, auditing, or inspecting facilities or projects of regulated persons due to any telework policy; and

(H) provides offices of the Administration opportunities for in-person dialogue, collaboration, and ideation for all employees;

(2) ensures that locality pay for an employee of the Administrator accurately reflects the telework status and duty station of such employee;

(3) may not establish a telework policy for an employee of the Administration unless such employee will be provided with secure network capacity, communications tools, necessary and secure access to appropriate agency data assets and Federal records, and equipment sufficient to enable such employee to be fully productive; and

(4) not later than 2 years after the date of enactment of this Act, shall evaluate and address any telework policies in effect on the day before such date of enactment to ensure that such policies meet the requirements of paragraph (1).

(b) CONGRESSIONAL UPDATE.—Not later than 1 year after the date of enactment of this Act, and 1 year thereafter, the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on any telework policies currently in place, the implementation of such policies, and the benefits of such policies.

(c) CONSULTATION.—If the Administrator determines that telework agreements must be updated to implement the requirements of subsection (a), the Administrator shall, prior to updating such agreements, consult with—

(1) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code; and

(2) labor organizations certified under such section as the exclusive bargaining representative of airway transportation systems specialists and aviation safety inspectors of the Federal Aviation Administration.

SEC. 803. REVIEW OF OFFICE SPACE.

(a) FAA REVIEW.—

(1) INITIATION OF REVIEW.—Not later than 30 months after the date of enactment of this Act, the Secretary of Transportation shall initiate an inventory review of the domestic office footprint of the Department of Transportation.

(2) COMPLETION OF REVIEW.—Not later than 40 months after the date of enactment of this Act, the Secretary shall complete the inventory review required under paragraph (1).

(b) CONTENTS OF REVIEW.—In completing the review under subsection (a), the Secretary shall—

(1) delineate the domestic office footprint into units of property, as determined appropriate by the Secretary;

(2) determine unit adequacy related to—

(A) the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and the corresponding accessibility guidelines established under part 1191 of title 36, Code of Federal Regulations; and

(B) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(3) determine the feasible occupancy of each such unit, and provide the methodology used to make the determination;

(4) determine the number of individuals who are full-time equivalent employees, other employees, or contractors that have each such unit as a duty station and determine how telework policies will impact the usage of each such unit;

(5) calculate the amount of available, unused, or underutilized space in each such unit;

(6) consider any lease terms for leased units contained in the domestic office footprint, including cost and effective dates for each such leased unit; and

(7) based on the findings in paragraphs (2) through (6), and any other metrics the Secretary determines relevant, provide recommendations for optimizing the use of units of property across

the Department in consultation with appropriate employee labor representatives.

(c) REPORT.—Not later than 2 months after completing the review under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a final report that proposes opportunities to optimize the domestic office footprint of the Administration (and associated costs). In compiling such final report, the Secretary shall describe opportunities for—

(1) consolidation of offices within a reasonable distance from one another;

(2) the collocation of regional or satellite offices of separate modes of the Department, including the cost benefits of shared amenities; and

(3) the use of coworking spaces instead of permanent offices.

(d) DEFINITION OF DOMESTIC OFFICE FOOTPRINT.—In this section, the term ''domestic office footprint'' means buildings, offices, facilities, and other real property rented, owned, or occupied by the Administration or Department—

(1) in which employees report for permanent or temporary duty that are not being used for active operations of the air traffic control system; and

(2) which are located within the United States.

SEC. 804. AIRCRAFT WEIGHT REDUCTION TASK FORCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a task force to identify ways to safely reduce covered aircraft weight for purposes of reducing fuel burn.

(b) COMPOSITION.—The task force established under subsection (a) shall consist of not more than 20 individuals and shall include representatives of—

(1) the Federal Aviation Administration;

(2) other Federal agencies as the Administrator determines appropriate;

(3) air carriers;

(4) certified labor organizations representing flight attendants at air carriers operating under part 121 of title 14, Code of Federal Regulations;

(5) certified labor organizations representing aircraft maintenance technicians;

(6) certified labor organizations representing other aviation workers, as appropriate; and

(7) aerospace manufacturers.

(c) REVIEW.—The task force established under subsection (a) shall review and evaluate—

(1) regulations, requirements, advisory circulars, orders, or other such directives of the Administration related to covered aircraft or covered aircraft operations that may inhibit certification of new materials, manufacturing processes, components, or technologies that could reduce aircraft weight or increase fuel efficiency without decreasing safety;

(2) aspects of covered aircraft design that are outdated or underutilized on the date of enactment of this Act that may unnecessarily increase covered aircraft weight or reduce aircraft fuel efficiency that are not necessary for the safe operation of such aircraft;

(3) novel technologies and manufacturing processes, including the use of advanced materials, that can safely be used in the construction or modification of covered aircraft, including a component or the interior of such aircraft, to reduce weight or improve fuel efficiency; and

(4) nonproprietary methods that air carriers have used to safely decrease covered aircraft weight or improve fuel efficiency.

(d) REPORT.—

(1) TASK FORCE REPORT.—

(A) IN GENERAL.—Not later than 3 years after the establishment of the task force under subsection (a), the task force shall submit a report on the findings and results of the review and evaluation conducted under subsection (c) to the Administrator.

(B) RECOMMENDATIONS.—In submitting the report required under subparagraph (A), the task force shall include recommendations—

(i) on actions the Administrator may take to updated regulations, processes, advisory circulars, orders, or other such directions of the Administration to enable the certification of new materials, components, manufacturing processes, or technologies that may allow for the safe reduction of covered aircraft weight or the improvement of fuel efficiency; and

(ii) on best practices for air carriers and aerospace manufacturers to certify such materials, components, manufacturing processes, or technologies.

(C) APPROXIMATION OF BENEFITS.—For each recommendation made under subparagraph (B), the task force shall approximate the fuel savings that could be expected if such recommendation was adopted.

(D) SUBMISSION TO CONGRESS.—Not later than 3 days after receipt of the report required under subparagraph (A), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the report and recommendations.

(2) FAA REPORT.—Not later than 120 days after submission of the report under paragraph (1), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report—

(A) describing the recommendations of the task force with which the Administrator fully concurs, partially concurs, or does not concur;

(B) detailing, for the recommendations with which the Administrator fully or partially concurs—

(i) a timeline for implementing such recommendations; and

(ii) possible benefits of using new materials, manufacturing processes, components, or technologies, including fuel savings, increased capacity, or other benefits as determined reasonable by the task force; and

(C) explaining, for the recommendations with which the Administrator does not concur, the reason for which the Administrator will not implement such recommendations.

(e) SUNSET.—

(1) IN GENERAL.—The task force established under subsection (a) shall terminate upon submission of the report required under subsection (d)(1)(A).

(2) EXCEPTION.—The Administrator may choose to extend such task force after the submission of the report required under subsection (d)(1)(A), if the Administrator determines that such an extension would be in the public interest.

(f) DEFINITION.—In this section:

(1) AIR CARRIER.—The term ''air carrier'' means an air carrier (as such term is defined in section 40102 of title 49, United States Code) that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

(2) AIRCRAFT WEIGHT.—The term ''aircraft weight'' means the gross weight of a covered aircraft in operation.

(3) COVERED AIRCRAFT.—The term ''covered aircraft'' means an aircraft that is operated by an air carrier that is operating pursuant to a certificate issued under part 121 of title 14, Code of Federal Regulations.

SEC. 805. AUDIT OF TECHNICAL WRITING RESOURCES AND CAPABILITIES.

(a) AUDIT BY INSPECTOR GENERAL.—Not later than 90 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate an audit of the technical writing resources and capabilities of the Federal Aviation Administration as such resources and capabilities relate to producing rulemaking, policy, and guidance, to—

(1) determine if such resources and capabilities are adequate; and

(2) make recommendations for improvement of such resources and capabilities.

(b) REVIEW.—In conducting the review required under subsection (a), the inspector general shall evaluate the technical writing resources and capabilities of the Administration in each line of business of the Administration, the Office of Policy, International Affairs, and Environment, and the Office of the Chief Counsel, including by reviewing—

(1) the process and resources required to produce initial drafts of rulemaking, policy, and guidance documents;

(2) the quality of such initial drafts;

(3) the amount of edits that are required throughout the production of rulemaking, policy, and guidance documents;

(4) writing support and education tools provided to engineers, managers, and other technical staff of the Administration involved in writing or editing such documents; and

(5) whether—

(A) the Administration has and adheres to best practices for the drafting of rulemaking, policy, and guidance documents; and

(B) such best practices are—

(i) easily accessible and understandable by employees of the Administration; and

(ii) reflect modern writing conventions.

(c) RECOMMENDATIONS.—In making the recommendations required under subsection (a)(2), the inspector general shall make recommendations to the Administrator of the Federal Aviation Administration on how to improve the quality of written rulemaking, policy, and guidance documents and the speed at which such documents can be produced, internally reviewed, and approved.

(d) DECONFLICTING SCOPE.—The inspector general shall ensure that the audit required under subsection (a) does not duplicate the evaluation required under section 125, except to the extent that duplication is necessary to fully evaluate the technical writing resources and capabilities of the Administration.

(e) REPORT.—Not later than 1 year after the inspector general initiates the audit under subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the audit, including findings and recommendations.

SEC. 806. FAA PARTICIPATION IN INDUSTRY STANDARDS ORGANIZATIONS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall ensure the participation of employees of the Administration in the activities of recognized industry standards organizations to advance the adoption, reference, and acceptance rate of standards and means of compliance developed by such organizations by the Administrator.

(b) PARTICIPATION.—An employee directed by the Administrator to participate in a working group, task group, committee, or similar body of a recognized industry standards organization shall—

(1) actively participate in the discussions and work of such organization;

(2) accurately represent the position of the Administration on the subject matter of such discussions and work;

(3) contribute to the development of work products of such organization, unless determined to be inappropriate by such organization;

(4) make reasonable efforts to identify and make any concerns of the Administration relating to such work products known to such organization, including through providing formal comments, as may be allowed for under the procedures of such organization;

(5) provide regular updates to other Administration employees and management on the progress of such work products; and

(6) seek advice and input from other Administration employees and management, as needed.

(c) INVITATIONS.—

(1) IN GENERAL.—The Administrator may accept an invitation to participate in and contribute to the work of a recognized industry standards organization as described in subsection (b).

(2) DECLINATION OF INVITATION.—If the Administrator declines an invitation described in paragraph (1), the Administrator shall provide—

(A) the recognized industry standards organization a written response to the invitation that articulates the reasons for declining the invitation; and

(B) a copy of such written response to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 5 days after providing the response to such organization under subparagraph (A).

(d) RECOGNIZED INDUSTRY STANDARDS ORGANIZATION DEFINED.—In this section, the term ''recognized industry standards organization'' means a domestic or international organization that—

(1) uses agreed upon procedures to develop aviation-related industry standards or means of compliance, particularly standards or means of compliance that satisfy Administration requirements or guidance;

(2) is comprised of members of the public, including subject matter experts, industry representatives, academics and researchers, and government employees; and

(3) has had at least one standard or means of compliance accepted by the Administrator or referenced in guidance material or a regulation issued by the Federal Aviation Administration after the date of enactment of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176).

SEC. 807. SENSE OF CONGRESS ON USE OF VOLUNTARY CONSENSUS STANDARDS.

It is the sense of Congress that the Administrator of the Federal Aviation Administration should make every effort to abide by the policies set forth in the Office of Management and Budget Circular A–119, titled ''Federal Participation in the Development and Use of Voluntary Consensus Standards and Conformity Assessment Activities''.

SEC. 808. REQUIRED DESIGNATION.

The Administrator of the Federal Aviation Administration shall designate any aviation rulemaking committee convened under this Act pursuant to section 106(p)(5) of title 49, United States Code.

SEC. 809. SENSITIVE SECURITY INFORMATION.

(a) IN GENERAL.—Chapter 401 of title 49, United States Code, is amended by inserting after section 40118 the following:

''§ 40119. Sensitive security information

''(a) IN GENERAL.—Notwithstanding section 552 of title 5, the Secretary of Transportation shall issue regulations prohibiting the disclosure of information obtained or developed in the process of ensuring security under this title if the Secretary determines that disclosing the information would—

''(1) be an unwarranted invasion of personal privacy;

''(2) reveal a trade secret or privileged or confidential commercial or financial information; or

''(3) be detrimental to transportation safety.

''(b) WITHHELD INFORMATION.—In carrying out subsection (a), the Secretary shall ensure that the prohibitions described in such subsection do not apply to any information provided to a committee of Congress authorized to have such information, including the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(c) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to authorize the designation of information as sensitive security information (as defined in section 15.5 of title 49, Code of Federal Regulations) to—

''(1) conceal—

''(A) a violation of law;

''(B) inefficiency; or

''(C) an administrative error;

''(2) prevent embarrassment to a person, organization, or governmental agency;

''(3) restrain competition; or

''(4) prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.

''(d) NONDISCLOSURE.—Section 552a of title 5 shall not apply to disclosures that the Administrator of the Federal Aviation Administration may make from the systems of records of the Administration to any Federal law enforcement, intelligence, protective service, immigration, or national security official in order to assist the official receiving the information in the performance of official duties.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 401 of title 49, United States Code, is amended by striking the item related to section 40119 and inserting the following:

''40119. Sensitive security information.''.

SEC. 810. PRESERVING OPEN SKIES WHILE ENSURING FAIR SKIES.

(a) ADDITION OF LABOR STANDARDS.—Section 40101 of title 49, United States Code, is amended—

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

''(17) preventing the undermining of labor standards.''; and

(2) in subsection (e) by adding at the end the following:

''(11) preventing the undermining of labor standards.''.

(b) UPDATE TO FOREIGN AIR CARRIER PERMITS.—Section 41302(2)(B) of title 49, United States Code, is amended by striking ''the foreign air transportation'' and inserting ''after considering the totality of the circumstances, including the matters described in section 40101(a), the foreign air transportation''.

(c) SAVINGS CLAUSE.—Nothing in this section, or the amendments made by this section, shall be construed to affect the validity of a foreign air carrier permit held, or air transport agreement in place, on the date of enactment of this Act.

SEC. 811. COMMERCIAL PREFERENCE.

Section 40110(d) of title 49, United States Code, is further amended—

(1) in paragraph (1) by striking ''and implement'' and inserting '', implement, and periodically update'';

(2) in paragraph (2) by striking ''the new acquisition management system developed and implemented'' and inserting ''the acquisition management system developed, implemented, and periodically updated'' each place it appears;

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''new''; and

(ii) by striking ''and implemented'' and inserting '', implemented, and periodically updated''; and

(B) in subparagraph (B) by striking ''Within'' and all that follows through ''the Administrator'' and inserting ''The Administrator'';

(4) by redesignating paragraph (4) as paragraph (5); and

(5) by inserting after paragraph (3) the following:

''(4) COMMERCIAL PRODUCTS AND SERVICES.—In implementing and updating the acquisition management system pursuant to paragraph (1), the Administrator shall, whenever possible—

''(A) describe the requirements with respect to a solicitation for the procurement of supplies or services in terms of—

''(i) functions to be performed;

''(ii) performance required; or

''(iii) essential physical and system characteristics;

''(B) ensure that commercial services or commercial products may be procured to fulfill such solicitation, or to the extent that commercial products suitable to meet the needs of the Administration are not available, ensure that nondevelopmental items other than commercial products may be procured to fulfill such solicitation;

''(C) provide offerors of commercial services, commercial products, and nondevelopmental items other than commercial products an opportunity to compete in any solicitation for the procurement of supplies or services;

''(D) revise the procurement policies, practices, and procedures of the Administration to reduce any impediments to the acquisition of commercial products and commercial services; and

''(E) ensure that procurement officials—

''(i) acquire commercial services, commercial products, or nondevelopmental items other than commercial products to meet the needs of the Administration;

''(ii) in a solicitation for the procurement of supplies or services, state the specifications for such supplies or services in terms that enable and encourage bidders and offerors to supply commercial services or commercial products, or to the extent that commercial products suitable to meet the needs of the Administration are not available, to supply nondevelopmental items other than commercial products;

''(iii) require that prime contractors and subcontractors at all levels under contracts with the Administration incorporate commercial services, commercial products, or nondevelopmental items other than commercial products as components of items supplied to the Administration;

''(iv) modify procurement requirements in appropriate circumstances to ensure that such requirements can be met by commercial services or commercial products, or to the extent that commercial products suitable to meet the needs of the Administration are not available, nondevelopmental items other than commercial products; and

''(v) require training of appropriate personnel in the acquisition of commercial products and commercial services.''.

SEC. 812. CONSIDERATION OF THIRD-PARTY SERVICES.

(a) PLANS AND POLICY.—Section 44501 of title 49, United States Code, is amended—

(1) in subsection (a) by striking ''development and location of air navigation facilities'' and inserting ''development of air navigation facilities and services''; and

(2) in subsection (b)—

(A) by striking ''and development'' and inserting ''procurement, and development'' each place it appears;

(B) by striking ''facilities and equipment'' and inserting ''facilities, services, and equipment'';

(C) by striking ''first and 2d years'' and inserting ''first and second years'';

(D) by striking ''subclauses (A) and (B) of this clause'' and inserting ''subparagraphs (A) and (B)'';

(E) by striking ''the 3d, 4th, and 5th'' and inserting ''the third, fourth, and fifth'';

(F) by striking ''systems and facilities'' and inserting ''systems, services, and facilities''; and

(G) by striking ''growth of aviation'' and inserting ''growth of the aerospace industry''.

(b) SYSTEMS, PROCEDURES, FACILITIES, AND DEVICES.—Section 44505 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''develop, alter'' and inserting ''develop when necessary, alter''; and

(B) by striking ''and devices'' and inserting ''services, and devices'' each place it appears; and

(2) in subsection (b) by striking ''develop dynamic simulation models'' and inserting ''develop or procure dynamic simulation models and tools'' each place it appears.

SEC. 813. CERTIFICATES OF AUTHORIZATION OR WAIVER.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration, may issue a certificate of authorization or waiver to a person to operate an aircraft within an area covered by a temporary flight restriction under such conditions as the Administrator may prescribe, except for airspace that is subject to a permanent, continuous flight restriction, unless the authorization or waiver is issued to, or with the concurrence of, the entity for which the flight restriction was created.

(b) SPECIAL CONSIDERATIONS.—If a temporary flight restriction is related to a sporting event and issued pursuant to section 352 of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7), the conditions prescribed by the Administrator under subsection (a) shall include the following:

(1) A minimum distance from the center of the temporary flight restriction, which shall not be greater than 0.75 nautical miles, unless the Administrator determines, on a case by case basis, that such mileage is insufficient to maintain public safety.

(2) The person may not operate an aircraft (except for a purpose described under section 352(a)(3) of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7)) for a purpose that the Secretary determines is directly related to the event for which the temporary flight restriction is active.

(c) EXCEPTION.—Subsection (b)(1) shall not apply to aircraft operations associated with an aviation event or airshow for which the Administrator has granted a certificate of authorization or waiver.

(d) BRIEFING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the implementation of this section, including the number and nature of certificates of authorization or waiver that have been issued under subsection (a) subject to restrictions under subsection (b).

(e) OPERATIONAL PURPOSES.—Section 352(a)(3)(B) of Consolidated Appropriations Resolution, 2003 (Public Law 108–7) is amended by inserting ''(or attendees approved by)'' after ''guests''.

(f) SUNSET.—Subsection (b) shall cease to have effect on October 1, 2028.

SEC. 814. WING-IN-GROUND-EFFECT CRAFT.

(a) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration and the Commandant of the Coast Guard shall execute a memorandum of understanding governing the specific roles, delineations of responsibilities, resources, and commitments of the Federal Aviation Administration and the Coast Guard, respectively, pertaining to wing-in-ground-effect craft that are—

(A) only capable of operating either in water or in ground effect over water; and

(B) operated exclusively over waters subject to the jurisdiction of the United States.

(2) CONTENTS.—The memorandum of understanding described in paragraph (1) shall—

(A) cover the processes the Federal Aviation Administration and the United States Coast Guard will follow to promote communications, efficiency, and nonduplication of effort in carrying out such memorandum of understanding;

(B) account for the special rule in accordance with subsection (b); and

(C) provide procedures for, at a minimum, the following:

(i) Approval of wing-in-ground-effect craft designs.

(ii) Operations of wing-in-ground-effect craft.

(iii) Pilotage of wing-in-ground-effect craft.

(iv) Inspections of wing-in-ground-effect craft.

(v) Maintenance of wing-in-ground-effect craft.

(b) SPECIAL RULE PROHIBITING SECRETARY FROM REGULATING CERTAIN WIG CRAFT OPERATORS AS AIR CARRIERS.—Notwithstanding any other provision of law or regulation, the Secretary of Transportation may not regulate an operator of a wing-in-ground-effect craft as an air carrier (as such term is defined in section 40102(a) of title 49, United States Code).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) limit the authority of the Secretary or the Administrator to regulate aircraft that are not wing-in-ground-effect craft, including aircraft that are—

(A) capable of the operations described in subsection (d); and

(B) capable of sustained flight out of ground effect;

(2) confer upon the Commandant the authority to determine the impact of any civil aircraft operation on the safety or efficiency of the National Airspace System; or

(3) confer upon the Administrator the authority to issue a certificate of documentation, with or without a registry, fishery or coastwise endorsement, for, or inspect any vessel as that term is defined in section 115 of title 46, United States Code.

(d) WING-IN-GROUND-EFFECT CRAFT DEFINED.—In this section, the term ''wing-in-ground-effect craft'' means a craft that is capable of operating completely above the surface of the water on a dynamic air cushion created by aerodynamic lift due to the ground effect between the craft and the surface of the water.

SEC. 815. QUASQUICENTENNIAL OF AVIATION.

(a) FINDINGS.—Congress finds the following:

(1) December 17, 2028, is the 125th anniversary of the first successful manned, free, controlled, and sustained flight by an aircraft.

(2) The first flight by Orville and Wilbur Wright in Kitty Hawk, North Carolina, is a defining moment in the history of the United States and the world.

(3) The Wright brothers' achievement is a testament to their ingenuity, perseverance, and commitment to innovation, which has inspired generations of aviators and scientists alike.

(4) The advent of aviation and the air transportation industry has fundamentally transformed the United States and the world for the better.

(5) The 125th anniversary of the Wright brothers' first flight is worthy of recognition and celebration to honor their legacy and to inspire a new generation of Americans as aviation reaches an inflection point of innovation and change.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the heads of other appropriate Federal agencies should facilitate and participate in local, national, and international observances and activities that commemorate and celebrate the 125th anniversary of powered flight.

SEC. 816. FEDERAL CONTRACT TOWER WAGE DETERMINATIONS AND POSITIONS.

The Secretary of Transportation shall request that the Secretary of Labor—

(1) review and update, as necessary, including to account for cost-of-living adjustments, the basis for the wage determination for air traffic controllers who are employed at air traffic control towers operated under the Contract Tower Program established under section 47124 of title 49, United States Code;

(2) create a new wage determination category or occupation code for managers of air traffic controllers who are employed at air traffic control towers in the Contract Tower Program; and

(3) consult with the Administrator of the Federal Aviation Administration in carrying out the requirements of paragraphs (1) and (2).

SEC. 817. INTERNAL PROCESS IMPROVEMENTS REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall review the coordination and approval processes of non-regulatory materials produced by the Federal Aviation Administration to improve the timeliness, transparency, development, and issuance of such materials.

(b) CONTENTS OF REVIEW.—In conducting the review under subsection (a), the inspector general shall—

(1) provide recommendations for improving processes and eliminating nonvalue-added reviews of non-regulatory materials within the Federal Aviation Administration and Department of Transportation, in consideration of the authority of the Administrator under section 106 of title 49, United States Code, and other applicable laws;

(2) consider, with respect to each office within the Federal Aviation Administration and the Department of Transportation that reviews non-regulatory materials—

(A) the timeline assigned to each such office to complete the review of such materials;

(B) the actual time spent for such review; and

(C) opportunities to reduce the actual time spent for such review;

(3) describe any organizational changes and additional resources that the Administration needs, if necessary, to reduce delays in the development and publication of proposed non-regulatory materials;

(4) consider to what extent reporting mechanisms and templates could be used to provide the public with more consistent information on the development status of non-regulatory materials;

(5) consider changes to the application of rules governing ex parte communications by the Administrator to provide flexibility for employees of the Administration to discuss non-regulatory materials with aviation stakeholders and foreign aviation authorities to promote United States aviation leadership;

(6) recommend methods by which the Administration can incorporate standards set by recognized industry standards organizations, as such term is defined in section 806, into non-regulatory materials to keep pace with rapid changes in aerospace technology and processes; and

(7) evaluate the processes and best practices other civil aviation authorities and other Federal departments and agencies use to produce non-regulatory materials, particularly the processes of entities that produce such materials in an expedited fashion to respond to safety risks, incidents, or new technology adoption.

(c) CONSULTATION.—In conducting the review under subsection (a), the inspector general may, as appropriate, consult with industry stakeholders, academia, and other individuals with relevant background or expertise in improving the efficiency of Federal non-regulatory material production.

(d) REPORT.—Not later than 1 year after the inspector general initiates the review under subsection (a), the inspector general shall submit to the Administrator a report on such review.

(e) ACTION PLAN.—

(1) IN GENERAL.—The Administrator shall develop an action plan to implement the recommendations contained in the report submitted under subsection (d).

(2) BRIEFING.—Not later than 90 days after receiving the report under subsection (d), the Administrator shall brief the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House

of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on such plan.

(f) NON-REGULATORY MATERIALS DEFINED.—In this section, the term ''non-regulatory materials'' means orders, advisory circulars, statements of policy, guidance, technical standards, and other materials related to aviation safety, training, and operation of aeronautical products.

SEC. 818. ACCEPTANCE OF DIGITAL DRIVER'S LICENSE AND IDENTIFICATION CARDS.

The Administrator of the Federal Aviation Administration shall take such actions as may be necessary to accept, in any instance where an individual is required to submit government-issued identification to the Administrator, a digital or mobile driver's license or identification card issued to such individual by a State.

SEC. 819. BUCKEYE 940 RELEASE OF DEED RESTRICTIONS.

(a) PURPOSE.—The purpose of this section is to authorize the Secretary to issue a Deed of Release from all terms, conditions, reservations, restrictions, and obligations contained in the Quitclaim Deed and permit the State of Arizona to deposit all proceeds of the disposition of Buckeye 940 in the appropriate fund for the benefit of the beneficiaries of the Arizona State Land Trust.

(b) DEFINITIONS.—In this section:

(1) BUCKEYE 940.—The term ''Buckeye 940'' means all of section 12, T.1 N., R.3 W. and all of adjoining fractional section 7, T.1 N., R.2 W., Gila and Salt River Meridian, Arizona, which property was the subject of the Quitclaim Deed between the United States and the State of Arizona, dated July 11, 1949, and which is currently owned by the State of Arizona and held in trust for the beneficiaries of the Arizona State Land Trust.

(2) QUITCLAIM DEED.—The term ''Quitclaim Deed'' means the Quitclaim Deed between the United States and the State of Arizona, dated July 11, 1949.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(c) RELEASE OF ANY AND ALL INTEREST IN BUCKEYE 940.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the United States, acting through the Secretary, shall issue to the State of Arizona a Deed of Release to release all terms, conditions, reservations, restrictions, and obligations contained in the Quitclaim Deed, including any and all reversionary interest of the United States in Buckeye 940.

(2) TERMS AND CONDITIONS.—The Deed of Release described in paragraph (1) shall be subject to such additional terms and conditions, consistent with such paragraph, as the Secretary considers appropriate to protect the interests of the United States.

(3) NO RESTRICTION ON USE OF PROCEEDS.—Notwithstanding any other provision of law, the State of Arizona may dispose of Buckeye 940 and any proceeds thereof, including proceeds already collected by the State and held in a suspense account, without regard to any restriction imposed by the Quitclaim Deed or by section 155.7 of title 14, Code of Federal Regulations.

(4) MINERAL RESERVATION.—The Deed of Release described in paragraph (1) shall include the release of all interests of the United States to the mineral rights on Buckeye 940 included in the Quitclaim Deed.

SEC. 820. FEDERAL AVIATION ADMINISTRATION INFORMATION TECHNOLOGY SYSTEM INTEGRITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a review to identify and address aging information technology systems within the Administration.

(b) CONTENTS.—The review required under subsection (a) shall—

(1) identify and inventory critical software and hardware systems of the Administration;

(2) assess the vulnerabilities of such systems to degradation, errors (including human errors), and malicious attacks (including cyber attacks); and

(3) identify upgrades to, or replacements for, such systems that are necessary to mitigate such vulnerabilities.

(c) MITIGATION.—The Administrator shall take such action as may be necessary to mitigate the vulnerabilities identified under the review conducted under subsection (a).

(d) LEVERAGING EXTERNAL EXPERTISE.—To the maximum extent practicable, the actions carried out pursuant to this section shall—

(1) be consistent with the acquisition management system established and updated pursuant to section 40110(d) of title 49, United States Code;

(2) incorporate input from industry, academia, or other external experts on information technology; and

(3) identify technologies in existence or in development that, with or without adaptation, are expected to be suitable to meet the technical information technology needs of the Administration.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of the review required under subsection (a).

(f) INSPECTOR GENERAL REVIEW.—

(1) IN GENERAL.—After the Administrator completes the review under subsection (a), the inspector general of the Department of Transportation shall conduct an audit of the integrity of the information technology systems of the Administration and assess the efforts of the Administration to address the Administration's aging information technology systems.

(2) REPORT.—The inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the audit carried out under this subsection.

SEC. 821. BRIEFING ON RADIO COMMUNICATIONS COVERAGE AROUND MOUNTAINOUS TERRAIN.

(a) BRIEFING REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the radio communications coverage within the airspace surrounding the Mena Intermountain Municipal Airport in Mena, Arkansas.

(b) BRIEFING CONTENTS.—The briefing required under subsection (a) shall include the following:

(1) The radio communications coverage within the airspace surrounding the Mena Intermountain Municipal Airport with the applicable Air Route Traffic Control Center.

(2) The altitudes at which radio communications capabilities are lost within such airspace.

(3) Recommendations on changes that may increase radio communications coverage below 4,000 feet above ground level within such airspace.

SEC. 822. STUDY ON CONGESTED AIRSPACE.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on the efficiency and efficacy of scheduled commercial air service transiting congested airspace.

(b) CONTENTS.—In carrying out the study required under subsection (a), the Comptroller General shall examine—

(1) various regions of congested airspace and the differing factors of such regions;

(2) commercial air service;

(3) military flight activity;

(4) emergency response activity;

(5) commercial space launch and reentry activities;

(6) weather; and

(7) air traffic controller staffing.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study and recommendations to reduce the impacts to scheduled air service transiting congested airspace.

SEC. 823. ADMINISTRATIVE SERVICES FRANCHISE FUND.

Title I of the Department of Transportation and Related Agencies Appropriations Act, 1997 (49 U.S.C. 40113 note) is amended under the heading ''Administrative Services Franchise Fund'' by striking ''shall be paid in advance'' and inserting ''may be reimbursed after performance or paid in advance''.

SEC. 824. USE OF BIOGRAPHICAL ASSESSMENTS.

Section 44506(f)(2)(A) of title 49, United States Code, is amended by striking ''paragraph (1)(B)(ii)'' and inserting ''paragraph (1)(B)''.

SEC. 825. WHISTLEBLOWER PROTECTION ENFORCEMENT.

Section 42121(b)(5) of title 49, United States Code, is amended to read as follows:

''(5) ENFORCEMENT OF ORDER.—Whenever any person has failed to comply with an order issued under paragraph (3), the Secretary of Labor and the Administrator of the Federal Aviation Administration shall consult with each other to determine the most appropriate action to be taken, in which—

''(A) the Secretary of Labor may file a civil action in the United States district court for the district in which the violation was found to occur to enforce such order, for which, in actions brought under this paragraph, the district courts shall have jurisdiction to grant all appropriate relief including, injunctive relief and compensatory damages; and

''(B) the Administrator of the Federal Aviation Administration may assess a civil penalty pursuant to section 46301.''.

SEC. 826. FINAL RULEMAKING ON CERTAIN MANUFACTURING STANDARDS.

Not later than December 16, 2023, the Administrator of the Federal Aviation Administration shall issue a final rule for the notice of proposed rulemaking titled ''Airplane Fuel Efficiency Certification'' and published June 15, 2022 (RIN 2120–AL54).

SEC. 827. REMOTE DISPATCH.

(a) IN GENERAL.—Section 44711(a) of title 49, United States Code, is amended—

(1) in paragraph (9) by striking ''or'' at the end;

(2) in paragraph (10) by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(11) work as an aircraft dispatcher outside of a physical location designated as a dispatching center or flight following center of an air carrier, except as provided under section 44747.''.

(b) AIRCRAFT DISPATCHING.—Chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

''§ 44747. Aircraft dispatching

''(a) AIRCRAFT DISPATCHING CERTIFICATE.—No person may serve as an aircraft dispatcher for an air carrier unless that person holds the appropriate aircraft dispatcher certificate issued by the Administrator of the Federal Aviation Administration.

''(b) PROOF OF CERTIFICATE.—Upon the request of the Administrator or an authorized representative of the National Transportation Safety Board, or other appropriate Federal agency,

a person who holds such a certificate, and is performing dispatching shall present the certificate for inspection.

''(c) DISPATCH CENTERS AND FLIGHT FOLLOWING CENTERS.—

''(1) ESTABLISHMENT.—Air carriers shall establish and maintain sufficient dispatch centers and flight following centers necessary to maintain operational control of each flight at all times.

''(2) REQUIREMENTS.—Air carrier dispatch centers and flight following centers shall—

''(A) have a sufficient number of aircraft dispatchers at dispatch centers and flight following centers to ensure proper operational control of each flight at all times;

''(B) have the equipment necessary and in good repair to maintain proper operational control of each flight at all times; and

''(C) include appropriate physical and cybersecurity protections, as determined by the Administrator.

''(3) LOCATION LIMITATION.—No air carrier may dispatch aircraft from any location other than the designated dispatch centers or flight following centers of such air carrier.

''(d) EMERGENCY AUTHORITY FOR REMOTE DISPATCHING.—Notwithstanding subsection (c), an air carrier may dispatch aircraft from locations other than from designated dispatch centers or flight following centers for a limited period of time in the event of an emergency or other event that renders a center inoperable. An air carrier may not dispatch aircraft under the emergency authority under this subsection for longer than 30 consecutive days without the approval of the Administrator.''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

''44747. Aircraft dispatching.''.

SEC. 828. EMPLOYEE ASSAULT PREVENTION AND RESPONSE PLANS AMENDMENT.

Section 551 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44903 note) is amended—

(1) in subsection (a)—

(A) by striking ''Not later than 90 days after the date of enactment of this Act,'' and inserting ''The Administrator shall require''; and

(B) by striking ''shall submit to the Administrator'' and inserting ''to submit''; and

(2) in subsection (c) by striking ''A part 121 air carrier shall'' and inserting ''The Administrator shall require a part 121 air carrier to''.

SEC. 829. CREW MEMBER SELF-DEFENSE TRAINING.

Section 44918(b) of title 49, United States Code, is amended—

(1) in paragraph (4) by striking ''Neither'' and inserting ''Except as provided in paragraph (8), neither''; and

(2) by adding at the end the following:

''(8) AIR CARRIER ACCOMMODATION.—An air carrier with a crew member participating in the training program under this subsection shall provide a process through which each such crew member may obtain reasonable accommodations.''.

SEC. 830. FORMAL SEXUAL ASSAULT AND HARASSMENT POLICIES ON AIR CARRIERS AND FOREIGN AIR CARRIERS.

(a) IN GENERAL.—Chapter 417 of title 49, United States Code, is further amended by adding at the end the following:

''§ 41729. Formal sexual assault and harassment policies

''(a) REQUIREMENT.—Not later than 180 days after the date of enactment of this section, each air carrier and foreign air carrier transporting passengers for compensation shall issue, in consultation with labor unions representing personnel of the air carrier or foreign air carrier, a formal policy with respect to transportation sexual assault or harassment incidents.

''(b) CONTENTS.—The policy required under subsection (a) shall include—

''(1) a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance;

''(2) procedures that facilitate the reporting of a transportation sexual assault or harassment incident, including—

''(A) appropriate public outreach activities; and

''(B) confidential phone and internet-based opportunities for reporting;

''(3) procedures that personnel should follow upon the reporting of a transportation sexual assault or harassment incident, including actions to protect affected individuals from continued sexual assault or harassment and to notify law enforcement when appropriate;

''(4) procedures that may limit or prohibit, to the extent practicable, future travel with the air carrier or foreign air carrier by any passenger who causes a transportation sexual assault or harassment incident; and

''(5) training that is required for all appropriate personnel with respect to the policy required under subsection (a), including—

''(A) specific training for personnel who may receive reports of transportation sexual assault or harassment incidents; and

''(B) recognizing and responding to potential human trafficking victims, in the same manner as required under section 44734(a)(4).

''(c) PASSENGER INFORMATION.—An air carrier or foreign air carrier described in subsection (a) shall prominently display, on the internet website of the air carrier or foreign air carrier and through the use of appropriate signage, a written statement that informs passengers and personnel of the procedure for reporting a transportation sexual assault or harassment incident.

''(d) STANDARD OF CARE.—Compliance with the requirements of this section, and any policy issued thereunder, shall not determine whether the air carrier or foreign air carrier described in subsection (a) has acted with any requisite standard of care.

''(e) DEFINITIONS.—In this section:

''(1) PERSONNEL.—The term 'personnel' means an employee or contractor of an air carrier or foreign air carrier.

''(2) SEXUAL ASSAULT.—The term 'sexual assault' means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

''(3) TRANSPORTATION SEXUAL ASSAULT OR HARASSMENT INCIDENT.—The term 'transportation sexual assault or harassment incident' means the occurrence, or reasonably suspected occurrence, of an act that—

''(A) constitutes sexual assault or sexual harassment; and

''(B) is committed—

''(i) by a passenger or member of personnel of an air carrier or foreign air carrier against another passenger or member of personnel of an air carrier or foreign air carrier; and

''(ii) within an aircraft or in an area in which passengers are entering or exiting an aircraft.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is further amended by adding at the end the following:

''41729. Formal sexual assault and harassment policies.''.

SEC. 831. INTERFERENCE WITH SECURITY SCREENING PERSONNEL.

Section 46503 of title 49, United States Code, is amended—

(1) by striking ''An individual'' and inserting the following:

''(a) IN GENERAL.—An individual''; and

(2) by adding at the end the following:

''(b) AIRPORT AND AIR CARRIER EMPLOYEES.—For purposes of this section, an airport or air carrier employee who has security duties within the airport includes an airport or air carrier employee performing ticketing, check-in, baggage claim, or boarding functions.''.

SEC. 832. MECHANISMS TO REDUCE HELICOPTER NOISE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study to examine ways in which a State, territorial, or local government may mitigate the negative impacts of commercial helicopter noise.

(b) CONSIDERATIONS.—In conducting the study under subsection (a), the Comptroller General shall consider—

(1) the varying degree of commercial helicopter operations in different communities; and

(2) actions that State, and local governments have taken, and authorities such governments have used, to reduce the impact of commercial helicopter noise and the success of such actions.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall provide to the Administrator of the Federal Aviation Administration, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study conducted under subsection (a).

SEC. 833. TECHNICAL CORRECTIONS.

(a) TITLE 49 ANALYSIS.—The analysis for title 49, United States Code, is amended by striking the item relating to subtitle IX and inserting the following:

''IX. MULTIMODAL FREIGHT TRANSPORTATION..... 70101''.

(b) SUBTITLE I ANALYSIS.—The analysis for subtitle I of title 49, United States Code, is amended by striking the item relating to chapter 7.

(c) SUBTITLE VII ANALYSIS.—The analysis for subtitle VII of title 49, United States Code, is amended by striking the item relating to chapter 448 and inserting the following:

''448. Unmanned Aircraft Systems..... 44801''.

(d) AUTHORITY TO EXEMPT.—Section 40109(b) of title 49, United States Code, is amended by striking ''sections 40103(b)(1) and (2) of this title'' and inserting ''paragraphs (1) and (2) of section 40103(b)''.

(e) GENERAL PROCUREMENT AUTHORITY.—Section 40110(d)(3) of title 49, United States Code, is further amended—

(1) in subparagraph (B) by inserting '', as in effect on October 9, 1996'' after ''Policy Act'';

(2) in subparagraph (C) by striking ''the Office of Federal Procurement Policy Act'' and inserting ''division B of subtitle I of title 41''; and

(3) in subparagraph (D) by striking ''section 27(e)(3)(A)(iv) of the Office of Federal Procurement Policy Act'' and inserting ''section 2105(c)(1)(D) of title 41''.

(f) GOVERNMENT-FINANCED AIR TRANSPORTATION.—Section 40118(g)(1) of title 49, United States Code, is amended by striking ''detection and reporting of potential human trafficking (as described in paragraphs (9) and (10)'' and inserting ''detection and reporting of potential severe forms of trafficking in persons and sex trafficking (as such terms are defined in paragraphs (11) and (12)''.

(g) FAA AUTHORITY TO CONDUCT CRIMINAL HISTORY RECORD CHECKS.—Section 40130(a)(1)(A) of title 49, United States Code, is amended by striking ''(42 U.S.C. 14616)'' and inserting ''(34 U.S.C. 40316)''.

(h) SUBMISSIONS OF PLANS.—Section 41313(c)(16) of title 49, United States Code, is amended by striking ''will consult'' and inserting ''the foreign air carrier shall consult''.

(i) PLANS AND POLICY.—Section 44501(c) of title 49, United States Code, is amended—

(1) in paragraph (2)(B)(i), by striking ''40119,''; and

(2) in paragraph (3) by striking ''Subject to section 40119(b) of this title and regulations prescribed under section 40119(b),'' and inserting

''Subject to section 44912(d)(2) and regulations prescribed under such section,''.

(j) USE AND LIMITATION OF AMOUNTS.—Section 44508 of title 49, United States Code, is amended by striking ''40119,'' each place it appears.

(k) STRUCTURES INTERFERING WITH AIR COMMERCE OR NATIONAL SECURITY.—Section 44718(h) of title 49, United States Code, is amended to read as follows:

''(h) DEFINITIONS.—In this section, the terms 'adverse impact on military operations and readiness' and 'unacceptable risk to the national security of the United States' have the meaning given those terms in section 183a(h) of title 10.''.

(l) METEOROLOGICAL SERVICES.—Section 44720(b)(2) of title 49, United States Code, is amended—

(1) by striking ''the Administrator to persons'' and inserting ''the Administrator, to persons''; and

(2) by striking ''the Administrator and to'' and inserting ''the Administrator, and to''.

(m) AERONAUTICAL CHARTS.—Section 44721(c)(1) of title 49, United States Code, is amended by striking ''1947,'' and inserting ''1947''.

(n) FLIGHT ATTENDANT CERTIFICATION.—Section 44728(c) of title 49, United States Code, is amended by striking ''Regulation,'' and inserting ''Regulations,''.

(o) MANUAL SURCHARGE.—The analysis for chapter 453 of title 49, United States Code, is amended by adding at the end the following:

''45306. Manual surcharge.''.

(p) SCHEDULE OF FEES.—Section 45301(a) of title 49, United States Code, is amended by striking ''The Administrator shall establish'' and inserting ''The Administrator of the Federal Aviation Administration shall establish''.

(q) JUDICIAL REVIEW.—Section 46110(a) of title 49, United States Code, is amended by striking ''subsection (l) or (s) of section 114'' and inserting ''subsection (l) or (r) of section 114''.

(r) CIVIL PENALTIES.—Section 46301(a) of title 49, United States Code, is amended—

(1) in the heading for paragraph (6), by striking ''FAILURE TO COLLECT AIRPORT SECURITY BADGES'' and inserting ''FAILURE TO COLLECT AIRPORT SECURITY BADGES''; and

(2) in paragraph (7), by striking ''PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES'' in the paragraph heading and inserting ''PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES''.

(s) PAYMENTS UNDER PROJECT GRANT AGREEMENTS.—Section 47111(e) of title 49, United States Code, is amended by striking ''fee'' and inserting ''charge''.

(t) AGREEMENTS FOR STATE AND LOCAL OPERATION OF AIRPORT FACILITIES.—Section 47124(b)(1)(B)(ii) of title 49, United States Code, is amended by striking the second period at the end.

(u) USE OF FUNDS FOR REPAIRS FOR RUNWAY SAFETY REPAIRS.—Section 47144(b)(4) of title 49, United States Code, is amended by striking ''(42 U.S.C. 4121 et seq.)'' and inserting ''(42 U.S.C. 5121 et seq.)''.

(v) METROPOLITAN WASHINGTON AIRPORTS AUTHORITY.—Section 49106 of title 49, United States Code, is amended—

(1) in subsection (a)(1)(B) by striking ''and section 49108 of this title''; and

(2) in subsection (c)(6)(C) by inserting ''the'' before ''jurisdiction''.

(w) SEPARABILITY AND EFFECT OF JUDICIAL ORDER.—Section 49112(b) of title 49, United States Code, is amended—

(1) by striking paragraph (1); and

(2) by striking ''(2) Any action'' and inserting ''Any action''.

SEC. 834. TRANSPORTATION OF ORGANS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Administrator of the Federal Aviation Administration, shall convene a working group (in this section referred to as the ''working group'') to assist in developing best practices for transportation of an organ in the cabin of an aircraft operating under part 121 of title 14, Code of Federal Regulations, and to identify regulations that hinder such transportation, if applicable.

(b) COMPOSITION.—The working group shall be comprised of representatives from the following:

(1) Air carriers operating under part 121 of title 14, Code of Federal Regulations.

(2) Organ procurement organizations.

(3) Organ transplant hospitals.

(4) Flight attendants.

(5) Other relevant Federal agencies involved in organ transportation or air travel.

(c) CONSIDERATIONS.—In establishing the best practices described in subsection (a), the working group shall consider—

(1) a safe, standardized process for acceptance, handling, management, and transportation of an organ in the cabin of such aircraft; and

(2) protocols to ensure the safe and timely transport of an organ in the cabin of such aircraft, including through connecting flights.

(d) RECOMMENDATIONS.—Not later than 1 year after the convening of the working group, such working group shall submit to the Secretary a report containing recommendations for the best practices described in subsection (a).

(e) DEFINITION OF ORGAN.—In this section, the term ''organ''—

(1) has the meaning given such term in section 121.2 of title 42, Code of Federal Regulations; and

(2) includes organ-related tissue.

SEC. 835. REPORT ON APPLICATION APPROVAL TIMING.

Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the amount of time the application approval process takes for agricultural aircraft operations under part 137 of title 14, Code of Federal Regulations.

SEC. 836. STUDY ON AIR CARGO OPERATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on the sustainability of air cargo operations.

(b) CONTENTS.—In conducting the study required under subsection (a), the Comptroller General shall address the following:

(1) Airport and cargo development strategies, including the pursuit of new air carriers and plans for physical expansion.

(2) Key historical statistics for passenger, cargo volumes, including freight, express, and mail cargo, and operations, including statistics distinguishing between passenger and freight operations.

(3) A description of air cargo facilities, including the age and condition of such facilities and the square footage and configuration of the landside and airside infrastructure of such facilities, and cargo buildings.

(4) The projected square footage deficit of the cargo facilities and infrastructure described in paragraph (3).

(5) The projected requirements and square footage deficit for air cargo support facilities.

(6) The general physical and operating issues and constraints associated with air cargo operations.

(7) A description of delays in truck bays associated with the infrastructure and critical landside issues, including truck maneuvering and queuing and parking for employees and customers.

(8) The estimated cost of developing new cargo facilities and infrastructure, including the identification of percentages for development with a return on investment and without a return on investment.

(9) The projected leasing costs to tenants per square foot with and without Federal funding of the non-return on investment allocation.

(10) A description of customs and general staffing issues associated with air cargo operations and the impacts of such issues on service.

(11) An assessment of the impact, cost, and estimated cost savings of using modern comprehensive communications and technology systems in air cargo operations.

(12) A description of the impact of Federal regulations and local enforcement of interdiction and facilitation policies on throughput.

(c) REPORT.—The Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the results of the study carried out under this section.

SEC. 837. NEXT GENERATION RADIO ALTIMETERS.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with industry and other relevant government stakeholders, shall carry out an accelerated program to assist with the development, testing, and certification of the standards and technology necessary to ensure industry and the Administration can certify, produce and meet the installation requirements for next generation radio altimeters across all necessary aircraft by January 1, 2028.

(b) GRANT PROGRAM.—The Administrator may award grants for the purposes of research and development, testing, and other activities necessary to ensure that next generation radio altimeter technology is developed, tested, certified, and installed on necessary aircraft by 2028, including through public-private partnership grants (which shall include protections for necessary intellectual property with respect to any private sector entity testing, certifying, or producing next generation radio altimeters under the program carried out under this section) with industry to ensure the accelerated production and installation by January 1, 2028.

(c) REVIEW AND REPORT.—Not later than 180 days after the enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the steps the Administrator has taken as of the date on which such report is submitted and any actions the Administrator plans to take, including as part of the program carried out under this section, to ensure that next generation radio altimeter technology is developed, tested, certified, and installed by 2028.

SEC. 838. SENSE OF CONGRESS REGARDING SAFETY AND SECURITY OF AVIATION INFRASTRUCTURE.

It is the sense of Congress that aviation provides essential services critical to the United States economy and that it is important to ensure the safety and security of aviation infrastructure and protect such infrastructure from unlawful breaches with appropriate legal safeguards.

SEC. 839. RESTRICTED CATEGORY AIRCRAFT MAINTENANCE AND OPERATIONS.

Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall have sole jurisdiction over the maintenance and operations of aircraft owned by civilian operators and type-certificated in the restricted category under section 21.25 of title 14, Code of Federal Regulations.

SEC. 840. REPORT ON TELEWORK.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to the Committee on

Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Appropriations of the Senate and the House of Representatives a detailed report on any direct and indirect costs and inefficiencies associated with COVID-era telework policies at the Federal Aviation Administration.

SEC. 841. CREWMEMBER PUMPING GUIDANCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue guidance to part 121 air carriers relating to the expression of milk by crewmembers on an aircraft during noncritical phases of flight, consistent with the performance of the crewmember's duties aboard the aircraft. The guidance shall be equally applicable to any lactating crewmember. In developing the guidance, the Administrator shall—

(1) consider multiple methods of expressing breast milk that could be used by crewmembers, including the use of wearable lactation technology; and

(2) ensure the guidance will not require an air carrier or foreign air carrier to incur significant expense, such as through—

(A) the addition of an extra crewmember in response to providing a break;

(B) removal or retrofitting of seats on the aircraft; or

(C) modification or retrofitting of an aircraft.

(b) DEFINITIONS.—In this section:

(1) CREWMEMBER.—The term ''crewmember'' has the meaning given such term in section 1.1 of title 14, Code of Federal Regulations.

(2) CRITICAL PHASES OF FLIGHT.—The term ''critical phases of flight'' has the meaning given such term in section 121.542 of title 14, Code of Federal Regulations.

(3) PART 121.—The term ''part 121'' means part 121 of title 14, Code of Federal Regulations.

(c) AVIATION SAFETY.—Nothing in this section shall limit the authority of the Administrator relating to aviation safety under subtitle VII of title 49, United States Code.

SEC. 842. AIRCRAFT INTERCHANGE AGREEMENT LIMITATIONS.

(a) STUDY.—Not later than 90 days after the date of enactment of this Act, the Administrator of Federal Aviation Administration shall conduct a study of foreign interchange agreements.

(b) CONTENTS.—In carrying out the study required under subsection (a), the Administrator shall address the following:

(1) Methods for updating regulations under part 121.569 of title 14, Code of Federal Regulations, for foreign interchange agreements.

(2) Time limits for foreign aircraft interchange agreements.

(3) Minimum breaks between foreign aircraft interchange agreements.

(4) Limits for no more than 1 foreign aircraft interchange agreement between 2 airlines.

(5) Limits for no more than 2 foreign aircraft on the interchange agreement.

SEC. 843. FEDERAL AVIATION ADMINISTRATION ACADEMY AND FACILITY EXPANSION PLAN.

(a) PLAN.—

(1) IN GENERAL.—No later than 90 days after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall initiate the development of a plan to—

(A) expand overall Federal Aviation Administration capacity relating to facilities, instruction, equipment, and training resources to grow the number of developmental air traffic controllers enrolled per fiscal year and support increases in FAA air controller staffing to advance the safety of the national airspace system; and

(B) establish a second FAA Academy.

(2) CONSIDERATIONS.—In developing the plan under paragraph (1), the Administrator shall consider—

(A) the resources needed to support an increase in the total number of developmental air traffic controllers enrolled at the FAA Academies;

(B) the resources needed to lessen FAA Academy attrition per fiscal year;

(C) how to modernize the education and training of developmental air traffic controllers, including through the use of new techniques and technologies to support instruction, and whether field training can be administered more flexibly, such as at other Federal Aviation Administration locations across the country;

(D) the equipment needed to support expanded instruction, including air traffic control simulation systems, virtual reality, and other virtual training platforms;

(E) projected staffing needs associated with FAA Academy expansion and the operation of virtual education platforms, including the number of on-the-job instructors needed to educate and train additional developmental air traffic controllers;

(F) the use of existing Federal Aviation Administration-owned facilities and classroom space and identifying potential opportunities for new construction;

(G) the costs of—

(i) expanding Federal Aviation Administration capacity (as described in paragraph (1)(A)); and

(ii) establishing a second FAA Academy (as described in paragraph (1)(B));

(H) soliciting input from, and coordinating with, relevant stakeholders as appropriate, including the exclusive bargaining representative of air traffic control specialists of the Federal Aviation Administration certified under section 7111 of title 5, United States Code; and

(I) other logistical and financial considerations as determined by appropriate the Administrator.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the plan developed under subsection (a).

(c) BRIEFING.—Not later than 180 days after the submission of the plan under subsection (b), the Administrator shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the plan, including the implementation of the plan.

TITLE IX—NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS ACT OF 2023

SEC. 901. SHORT TITLE.

This title may be cited as the ''National Transportation Safety Board Amendments Act of 2023''.

SEC. 902. AUTHORIZATION OF APPROPRIATIONS.

Section 1118(a) of title 49, United States Code, is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated for the purposes of this chapter $142,000,000 for fiscal year 2024, $145,000,000 for fiscal year 2025, $150,000,000 for fiscal year 2026, $155,000,000 for fiscal year 2027, and $161,000,000 for fiscal year 2028. Such sums shall remain available until expended.''.

SEC. 903. CLARIFICATION OF TREATMENT OF TERRITORIES.

Section 1101 of title 49, United States Code, is amended to read as follows:

''§ 1101. Definitions

''(a) IN GENERAL.—In this chapter:

''(1) ACCIDENT.—The term 'accident' includes damage to or destruction of vehicles in surface or air transportation or pipelines, regardless of whether the initiating event is accidental or otherwise.

''(2) STATE.—The term 'State' means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, the Northern Mariana Islands, and Guam.

''(b) APPLICABILITY OF OTHER DEFINITIONS.—Section 2101(23) of title 46 and section 40102(a) shall apply to this chapter.''.

SEC. 904. ADDITIONAL WORKFORCE TRAINING.

(a) TRAINING ON EMERGING TRANSPORTATION TECHNOLOGIES.—Section 1113(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (I) by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (J) by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(K) notwithstanding section 3301 of title 41, acquire training on emerging transportation technologies.''.

(b) ADDITIONAL TRAINING NEEDS.—Section 1115(d) of title 49, United States Code, is amended by inserting ''and in those subjects furthering the personnel and workforce development needs set forth in the strategic workforce plan of the Board as required under section 1113(h)'' after ''of accident investigation''.

SEC. 905. ACQUIRING MISSION-ESSENTIAL KNOWLEDGE AND SKILLS.

Section 1113(b) of title 49, United States Code, is amended by adding at the end the following:

''(3) DIRECT HIRE AUTHORITY.—

''(A) IN GENERAL.—Notwithstanding section 3304 and sections 3309 through 3318 of title 5, the Chairman may, on a determination that there is a severe shortage of candidates or a critical hiring need for particular positions, recruit and directly appoint into the competitive service highly qualified personnel with specialized knowledge important to the function of the Board.

''(B) LIMITATION.—The authority granted under subparagraph (A) shall terminate on the date that is 5 years after the date of the enactment of this paragraph.

''(C) EXCEPTION.—The authority granted under subparagraph (A) shall not apply to positions in the excepted service or the Senior Executive Service.

''(D) REQUIREMENTS.—In exercising the authority granted under subparagraph (A), the Board shall ensure that any action taken by the Board—

''(i) is consistent with the merit principles of section 2301 of title 5; and

''(ii) complies with the public notice requirements of section 3327 of title 5.''.

SEC. 906. OVERTIME ANNUAL REPORT TERMINATION.

Section 1113(g)(5) of title 49, United States Code, is repealed.

SEC. 907. STRATEGIC WORKFORCE PLAN.

Section 1113 of title 49, United States Code, is amended by adding at the end the following:

''(h) STRATEGIC WORKFORCE PLAN.—

''(1) IN GENERAL.—The Board shall develop a strategic workforce plan that addresses the immediate and long-term workforce needs of the Board with respect to carrying out the authorities and duties of the Board under this chapter.

''(2) ALIGNING THE WORKFORCE TO STRATEGIC GOALS.—In developing the strategic workforce plan under paragraph (1), the Board shall take into consideration—

''(A) the current state and capabilities of the Board, including a high-level review of mission requirements, structure, workforce, and performance of the Board;

''(B) the significant workforce trends, needs, issues, and challenges with respect to the Board and the transportation industry;

''(C) the workforce policies, strategies, performance measures, and interventions to mitigate succession risks that guide the workforce investment decisions of the Board;

''(D) a workforce planning strategy that identifies workforce needs, including the knowledge, skills, and abilities needed to recruit and retain skilled employees at the Board;

''(E) a workforce management strategy that is aligned with the mission, goals, and organizational objectives of the Board;

''(F) an implementation system for workforce goals focused on addressing continuity of leadership and knowledge sharing across the Board;

''(G) an implementation system that addresses workforce competency gaps, particularly in mission-critical occupations; and

''(H) a system for analyzing and evaluating the performance of the Board's workforce management policies, programs, and activities.

''(3) PLANNING PERIOD.—The strategic workforce plan developed under paragraph (1) shall address a 5-year forecast period, but may include planning for longer periods based on information about trends in the transportation sector.

''(4) PLAN UPDATES.—The Board shall update the strategic workforce plan developed under paragraph (1) not less than once every 5 years.

''(5) RELATIONSHIP TO STRATEGIC PLAN.—The strategic workforce plan developed under paragraph (1) may be developed separately from, or incorporated into, the strategic plan required under section 306 of title 5.

''(6) AVAILABILITY.—The strategic workforce plan under paragraph (1) and the strategic plan required under section 306 of title 5 shall be—

''(A) submitted to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate; and

''(B) made available to the public on a website of the Board.''.

SEC. 908. TRAVEL BUDGETS.

(a) IN GENERAL.—Section 1113 of title 49, United States Code, is further amended by adding at the end the following:

''(i) NONACCIDENT RELATED TRAVEL BUDGET.—

''(1) IN GENERAL.—The Board shall establish annual fiscal year budgets for non accident-related travel expenditures for each Board member which shall be incorporated into the annual budget request of the Board.

''(2) NOTIFICATION.—The Board shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of any non accident-related travel budget overrun for any Board member not later than 30 days of such overrun becoming known to the Board.''.

(b) CONFORMING AMENDMENT.—Section 9 of the National Transportation Safety Board Amendments Act of 2000 (49 U.S.C. 1113 note) is repealed.

SEC. 909. RETENTION OF RECORDS.

Section 1113 of title 49, United States Code, is further amended by adding at the end the following:

''(j) RETENTION OF RECORDS.—Notwithstanding chapters 21, 29, 31, and 33 of title 44, the Board may retain investigative records for such periods as determined by the Board.''.

SEC. 910. NONDISCLOSURE OF INTERVIEW RECORDINGS.

(a) IN GENERAL.—Section 1114 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in the subsection heading by striking ''TRADE SECRETS'' and inserting ''CERTAIN CONFIDENTIAL INFORMATION''; and

(B) in paragraph (1)—

(i) by striking ''The Board'' and inserting ''IN GENERAL.—The Board''; and

(ii) by striking ''information related to a trade secret referred to in section 1905 of title 18'' and inserting ''confidential information described in section 1905 of title 18, including trade secrets,''; and

(2) by adding at the end the following:

''(h) INTERVIEW RECORDINGS.—

''(1) IN GENERAL.—The Board may not publicly disclose any part of any audio or video recording of an interview of participants in, or witnesses to, an accident or incident investigated by the Board.

''(2) SAVINGS PROVISION.—Paragraph (1) shall not be construed to apply to transcripts or summaries of such interviews.''.

(b) AVIATION ENFORCEMENT.—Section 1151 of title 49, United States Code, is amended by adding at the end the following:

''(d) NOTIFICATION TO CONGRESS.—If the Board or Attorney General carry out such civil actions described in subsection (a) or (b) of this section against an airman employed at the time of the accident or incident by an air carrier operating under part 121 of title 14, Code of Federal Regulations, the Board shall immediately notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of such civil actions, including—

''(1) the labor union representing the airman involved, if applicable;

''(2) the air carrier at which the airman is employed;

''(3) the docket information of the incident or accident in which the airman was involved;

''(4) the date of such civil actions taken by the Board or Attorney General; and

''(5) a description of why such civil actions were taken by the Board or Attorney General.

''(e) SUBSEQUENT NOTIFICATION TO CONGRESS.—Not later than 15 days after the notification described in subsection (d), the Board shall submit a report to or brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the status of compliance with the civil actions taken.''.

SEC. 911. CLOSED UNACCEPTABLE RECOMMENDATIONS.

Section 1116(c) of title 49, United States Code, is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

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

''(3) a list of each recommendation made by the Board to the Secretary of Transportation or the Commandant of the Coast Guard that was closed in an unacceptable status in the preceding 12 months;''.

SEC. 912. ESTABLISHMENT OF OFFICE OF OVERSIGHT, ACCOUNTABILITY, AND QUALITY ASSURANCE.

(a) IN GENERAL.—Subchapter II of chapter 11 of title 49, United States Code, is amended by adding at the end the following:

''§ 1120. Office of Oversight, Accountability, and Quality Assurance

''(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Board shall establish in the National Transportation Safety Board an Office of Oversight, Accountability, and Quality Assurance to provide oversight of the duties and responsibilities of the Board.

''(b) DIRECTOR.—

''(1) APPOINTMENT.—The head of the Office of Oversight, Accountability, and Quality Assurance shall be the Director, who shall be appointed by the Chairman of the Board and shall be approved by the Board.

''(2) QUALIFICATIONS.—The Director shall have demonstrated ability in investigations.

''(3) TERM.—The Director shall be appointed for a term of 5 years.

''(4) VACANCIES.—Any individual approved to fill a vacancy in the position of the Director occurring before the expiration of the term for which the predecessor of the individual was approved shall be approved for the remainder of the term or for a new term.

''(c) DUTIES.—The Director shall—

''(1) establish and ensure policies that promote integrity, efficiency, and effectiveness;

''(2) prevent and detect waste, fraud, and abuse in programs and operations;

''(3) provide policy direction related to the conduct, supervision, and coordination of audits and investigations relating to the activities of the Board;

''(4) identify trends and systemic issues within the agency and create strategies and recommendations to address such issues;

''(5) conduct impartial information gathering about complaints or concerns, and ensure the Board is meeting any quality and timeliness standards; and

''(6) not conduct any of the duties under this subsection in a manner that interferes with an ongoing safety investigation of the Board.

''(d) REPORTING CRIMINAL VIOLATIONS TO DEPARTMENT OF JUSTICE.—If the Director has reasonable grounds to believe that there has been a violation of Federal criminal law, the Director shall refer the matter to the Department of Justice.

''(e) SAVINGS CLAUSE.—Nothing in this section shall be construed to interfere or give the Office jurisdiction over any active investigation by the Board or the content of products approved by a vote of the Board.

''(f) ANNUAL REPORT.—

''(1) IN GENERAL.—The Director shall submit to the Board, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual report on the activities, investigations, findings, and recommendations of the Director.

''(2) SUNSET.—This subsection shall cease to have effect on October 1, 2028.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 49, United States Code, is amended by adding after the item relating to section 1119 the following:

''1120. Office of Oversight, Accountability, and Quality Assurance.''.

(c) PEER REVIEW.—Not earlier than 3 years after the date of enactment of this Act and not later than 5 years after the date of enactment of this Act, the Director of the Office of Oversight, Accountability, and Quality Assurance of the National Transportation Safety Board shall enter into the necessary arrangements with an inspector general, or similar Federal entity, to perform a peer review of the Office.

SEC. 913. MISCELLANEOUS INVESTIGATIVE AUTHORITIES.

(a) HIGHWAY INVESTIGATIONS.—Section 1131(a)(1)(B) of title 49, United States Code, is amended by striking ''selects in cooperation with a State'' and inserting ''selects, concurrent with any State investigation''.

(b) RAIL INVESTIGATIONS.—Section 1131(a)(1)(C) of title 49, United States Code, is amended by striking ''accident in which there is a fatality or substantial property damage, or that involves a passenger train'' and inserting ''accident, including a railroad grade crossing or trespasser accident that the Board selects, or in which there is otherwise a fatality or substantial property damage, or that involves a passenger train''.

SEC. 914. PUBLIC AVAILABILITY OF ACCIDENT REPORTS.

Section 1131(e) of title 49, United States Code, is amended by striking ''public at reasonable cost.'' and inserting the following: ''public

''(1) in printed form at reasonable cost; and

''(2) in electronic form at no cost in a publicly accessible database on a website of the Board.''.

SEC. 915. ENSURING ACCOUNTABILITY FOR TIMELINESS OF REPORTS.

Section 1131 of title 49, United States Code, is amended by adding at the end the following:

''(f) TIMELINESS OF REPORTS.—If any accident report under subsection (e) is not completed within 2 years from the date of the accident, the Board shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report identifying such accident report and the reasons for which such report has not been completed. The Board shall report progress toward completion of the accident report to each such Committees every 90 days thereafter, until such time as the accident report is completed.''.

SEC. 916. ENSURING ACCESS TO DATA.

Section 1134 of title 49, United States Code, is amended by adding at the end the following:

''(g) RECORDERS AND DATA.—In investigating an accident under this chapter, the Board may—

''(1) obtain any recorder or recorded information pertinent to the accident;

''(2) require a manufacturer or the vendors, suppliers, or affiliates of such manufacturer, to provide to the Board, without delay, information the Board determines necessary to enable the Board to read and interpret any recording device or recorded information pertinent to the accident; and

''(3) require a manufacturer or the vendors, suppliers, or affiliates of such manufacturer, to provide to the Board, without delay, data and other intellectual property the Board determines necessary to enable the Board to perform independent physics-based simulations and analyses of the accident situation.''.

SEC. 917. PUBLIC AVAILABILITY OF SAFETY RECOMMENDATIONS.

Section 1135(c) of title 49, United States Code, is amended by striking ''public at reasonable cost.'' and inserting the following: ''public—

''(1) in printed form at reasonable cost; and

''(2) in electronic form in a publicly accessible database on a website of the Board at no cost.''.

SEC. 918. IMPROVING DELIVERY OF FAMILY ASSISTANCE.

(a) AIRCRAFT ACCIDENTS.—Section 1136 of title 49, United States Code, is amended—

(1) in the heading by striking ''***to families of passengers involved in aircraft accidents***'' and inserting ''***to passengers involved in aircraft accidents and families of such passengers***'';

(2) in subsection (a)—

(A) by inserting ''within United States airspace or airspace delegated to the United States'' after ''aircraft accident'';

(B) by striking ''National Transportation Safety Board shall'' and inserting ''Board shall''; and

(C) in paragraph (2)—

(i) by striking ''emotional care and support'' and inserting ''emotional, psychological, and spiritual care and support services''; and

(ii) by striking ''the families of passengers involved in the accident'' and inserting ''passengers involved in the accident and the families of such passengers'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''the families of passengers involved in the accident'' and inserting ''passengers involved in the accident and the families of such passengers'';

(B) in paragraph (1) by striking ''mental health and counseling services'' and inserting ''emotional, psychological, and spiritual care and support services'';

(C) in paragraph (3)—

(i) by striking ''the families who have traveled to the location of the accident'' and inserting ''passengers involved in the accident and the families of such passengers who have traveled to the location of the accident''; and

(ii) by inserting ''passengers and'' before ''affected families''; and

(D) in paragraph (4), by inserting ''passengers and'' before ''families'';

(4) by amending subsection (d) to read as follows:

''(d) PASSENGER LISTS.—

''(1) REQUESTS FOR PASSENGER LISTS BY THE DIRECTOR OF FAMILY SERVICES.—

''(A) REQUESTS BY DIRECTOR OF FAMILY SUPPORT SERVICES.—It shall be the responsibility of the director of family support services designated for an accident under subsection (a)(1) to request, as soon as practicable, from the air carrier or foreign air carrier involved in the accident a passenger list, which is based on the best available information at the time of the request.

''(B) USE OF INFORMATION.—The director of family support services may not release to any person information on a list obtained under subparagraph (A), except that the director may, to the extent the director considers appropriate, provide information on the list about a passenger to—

''(i) the family of the passenger; or

''(ii) a local, State, or Federal agency responsible for determining the whereabouts or welfare of a passenger.

''(2) REQUESTS FOR PASSENGER LISTS BY DESIGNATED ORGANIZATION.—

''(A) REQUESTS BY DESIGNATED ORGANIZATION.—The organization designated for an accident under subsection (a)(2) may request from the air carrier or foreign air carrier involved in the accident a passenger list.

''(B) USE OF INFORMATION.—The designated organization may not release to any person information on a passenger list but may provide information on the list about a passenger to the family of the passenger to the extent the organization considers appropriate.'';

(5) in subsection (g)(1) by striking ''the families of passengers involved in the accident'' and inserting ''passengers involved in the accident and the families of such passengers'';

(6) in subsection (g)(3)—

(A) in the paragraph heading by striking ''PREVENT MENTAL HEALTH AND COUNSELING'' and inserting ''PREVENT CERTAIN CARE AND SUPPORT'';

(B) by striking ''providing mental health and counseling services'' and inserting ''providing emotional, psychological, and spiritual care and support''; and

(C) by inserting ''passengers and'' before ''families'';

(7) in subsection (h)—

(A) by striking ''National Transportation Safety''; and

(B) by adding at the end the following:

''(3) PASSENGER LIST.—The term 'passenger list' means a list based on the best available information at the time of a request, of the name of each passenger aboard the aircraft involved in the accident.''; and

(8) in subsection (i) by striking ''the families of passengers involved in an aircraft accident'' and inserting ''passengers involved in the aircraft accident and the families of such passengers''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 49, United States Code, is further amended by striking the item relating to section 1136 and inserting the following:

''1136. Assistance to passengers involved in aircraft accidents and families of such passengers.''.

(c) RAIL ACCIDENTS.—Section 1139 of title 49, United States Code, is amended—

(1) in the heading by striking ''***to families of passengers involved in rail passenger accidents***'' and inserting ''***to passengers involved in rail passenger accidents and families of such passengers***'';

(2) in subsection (a) by striking ''National Transportation Safety Board shall'' and inserting ''Board shall'';

(3) in subsection (a)(2)—

(A) by striking ''emotional care and support'' and inserting ''emotional, psychological and spiritual care and support services''; and

(B) by striking ''the families of passengers involved in the accident'' and inserting ''passengers involved in the accident and the families of such passengers'';

(4) in subsection (c)—

(A) in the matter preceding paragraph (1) by striking ''the families of passengers involved in the accident'' and inserting ''passengers involved in the accident and the families of such passengers'';

(B) in paragraph (1) by striking ''mental health and counseling services'' and inserting ''emotional, psychological, and spiritual care and support services'';

(C) in paragraph (3)—

(i) by striking ''the families who have traveled to the location of the accident'' and inserting ''passengers involved in the accident and the families of such passengers who have traveled to the location of the accident''; and

(ii) by inserting ''passengers and'' before ''affected families''; and

(D) in paragraph (4), by inserting ''passengers and'' before ''families'';

(5) by amending subsection (d) to read as follows:

''(d) PASSENGER LISTS.—

''(1) REQUESTS FOR PASSENGER LISTS BY THE DIRECTOR OF FAMILY SERVICES.—

''(A) REQUESTS BY DIRECTOR OF FAMILY SUPPORT SERVICES.—It shall be the responsibility of the director of family support services designated for an accident under subsection (a)(1) to request, as soon as practicable, from the rail passenger carrier involved in the accident a passenger list, which is based on the best available information at the time of the request.

''(B) USE OF INFORMATION.—The director of family support services may not release to any person information on a list obtained under subparagraph (A), except that the director may, to the extent the director considers appropriate, provide information on the list about a passenger to—

''(i) the family of the passenger; or

''(ii) a local, State, or Federal agency responsible for determining the whereabouts or welfare of a passenger.

''(2) REQUESTS FOR PASSENGER LISTS BY DESIGNATED ORGANIZATION.—

''(A) REQUESTS BY DESIGNATED ORGANIZATION.—The organization designated for an accident under subsection (a)(2) may request from the rail passenger carrier involved in the accident a passenger list.

''(B) USE OF INFORMATION.—The designated organization may not release to any person information on a passenger list but may provide information on the list about a passenger to the family of the passenger to the extent the organization considers appropriate.'';

(6) in subsection (g)(1), by striking ''the families of passengers involved in the accident'' and inserting ''passengers involved in the accident and the families of such passengers'';

(7) in subsection (g)(3)—

(A) in the paragraph heading, by striking ''PREVENT MENTAL HEALTH AND COUNSELING'' and inserting ''PREVENT CERTAIN CARE AND SUPPORT'';

(B) by striking ''providing mental health and counseling services'' and inserting ''providing emotional, psychological, and spiritual care and support''; and

(C) by inserting ''passengers and'' before ''families''; and

(8) in subsection (h)—

(A) by striking ''National Transportation Safety''; and

(B) by adding at the end the following:

''(4) PASSENGER LIST.—The term 'passenger list' means a list based on the best available information at the time of the request, of the name of each passenger aboard the rail passenger carrier's train involved in the accident. A rail passenger carrier shall use reasonable efforts, with respect to its unreserved trains, and passengers not holding reservations on its other trains, to ascertain the names of passengers aboard a train involved in an accident.''.

(d) PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 24316(a) of title 49, United States Code, is amended by striking ''a major'' and inserting ''any''.

(e) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 49, United States Code, is further amended by striking the item relating to section 1139 and inserting the following:

''1139. Assistance to passengers involved in rail passenger accidents and families of such passengers.''.

SEC. 919. UPDATING CIVIL PENALTY AUTHORITY.

Section 1155 of title 49, United States Code, is amended—

*(1) in the heading, by striking ''**Aviation penalties**'' and inserting ''**Penalties**''; and*

(2) in subsection (a), by striking ''or section 1136(g) (related to an aircraft accident)'' and inserting ''section 1136(g), or 1139(g)''.

SEC. 920. ELECTRONIC AVAILABILITY OF PUBLIC DOCKET RECORDS.

(a) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, the National Transportation Safety Board shall make all records included in the public docket of an accident or incident investigation conducted by the Board (or the public docket of a study, report, or other product issued by the Board) electronically available in a publicly accessible database on a website of the Board, regardless of the date on which such public docket or record was created.

(b) DATABASE.—In carrying out subsection (a), the Board may utilize the multimodal accident database management system established pursuant to section 1108 of the FAA Reauthorization Act of 2018 (49 U.S.C. 1119 note) or such other publicly available database as the Board determines appropriate.

(c) BRIEFINGS.—The Board shall provide the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual briefing on the implementation of this section until requirements of subsection (a) are fulfilled. Such briefings shall include—

(1) the number of public dockets that have been made electronically available pursuant to this section; and

(2) the number of public dockets that were unable to be made electronically available, including all reasons for such inability.

(d) DEFINITIONS.—In this section, the terms ''public docket'' and ''record'' have the same meanings given such terms in section 801.3 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

SEC. 921. DRUG-FREE WORKPLACE.

Not later than 12 months after the date of enactment of this Act, the National Transportation Safety Board shall implement a drug testing program applicable to Board employees, including employees in safety or security sensitive positions, in accordance with Executive Order 12564 (51 Fed. Reg. 32889).

SEC. 922. ACCESSIBILITY IN WORKPLACE.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the National Transportation Safety Board shall conduct an assessment of the headquarters and regional offices of the Board to determine barriers to accessibility to facilities.

(b) CONTENTS.—In conducting the assessment under subsection (a), the Board shall consider—

(1) compliance with—

(A) the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and the corresponding accessibility guidelines established under part 1191 of title 36, Code of Federal Regulations; and

(B) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(2) the best accessibility practices that exceed the requirements and recommendations of the Acts and guidelines described in paragraph (1).

SEC. 923. MOST WANTED LIST.

(a) TERMINATION OF PUBLICATION.—Not later than 90 days after the date of enactment of this Act, the Chairman of the National Transportation Safety Board shall terminate publication of the Most Wanted List and any activities associated with production of any future Most Wanted List.

(b) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Board from—

(1) conducting advocacy activities unrelated to the Most Wanted List that the Board had the authority to conduct prior to the date of enactment of this Act; and

(2) maintaining materials related to previously issued Most Wanted Lists.

(c) MOST WANTED LIST DEFINED.—In this section, the term ''Most Wanted List'' has the meaning given such term in section 1102 of the FAA Reauthorization Act of 2018 (49 U.S.C. 1101 note).

SEC. 924. TECHNICAL CORRECTIONS.

(a) EVALUATION AND AUDIT OF NATIONAL TRANSPORTATION SAFETY BOARD.—Section 1138(a) of title 49, United States Code, is amended by striking ''expenditures of the National Transportation Safety'' and inserting ''expenditures of the''.

(b) ORGANIZATION AND ADMINISTRATIVE.—The analysis for chapter 11 of title 49, United States Code, is further amended—

(1) by striking the items relating to sections 117 and 1117; and

(2) by inserting after the item relating to section 1116 the following:

''1117. Methodology.''.

(c) SURFACE TRANSPORTATION BOARD.—The analysis for subtitle II of title 49, United States Code, is amended by inserting after the item relating to chapter 11 the following:

''13. Surface Transportation Board.''.

TITLE X—FREEDOM TO FLY ACT OF 2023

SECTION 1001. SHORT TITLE.

This title may be cited as the ''Freedom to Fly Act of 2023''.

SEC. 1002. PROHIBITION ON IMPLEMENTATION OF VACCINATION MANDATE.

The Administrator may not implement or enforce any requirement that employees of air carriers be vaccinated against COVID–19.

SEC. 1003. PROHIBITION ON VACCINATION REQUIREMENTS FOR FAA CONTRACTORS.

The Administrator may not require any contractor to mandate that employees of such contractor obtain a COVID–19 vaccine or enforce any condition regarding COVID–19 vaccination status of employees of a contractor.

SEC. 1004. PROHIBITION ON VACCINE MANDATE FOR FAA EMPLOYEES.

The Administrator may not implement or enforce any requirement that employees of the Administration be vaccinated against COVID–19.

SEC. 1005. PROHIBITION ON VACCINE MANDATE FOR PASSENGERS OF AIR CARRIERS.

The Administrator may not implement or enforce any requirement that passengers of air carriers be vaccinated against COVID–19.

SEC. 1006. PROHIBITION ON IMPLEMENTATION OF A MASK MANDATE.

The Administrator may not implement or enforce any requirement that employee of air carriers wear a mask.

SEC. 1007. PROHIBITION ON MASK MANDATES FOR FAA CONTRACTORS.

The Administrator may not require any contractor to mandate that employees of such contractor wear a mask.

SEC. 1008. PROHIBITION ON MASK MANDATE FOR FAA EMPLOYEES.

The Administrator may not implement or enforce any requirement that employees of the Administration wear a mask.

SEC. 1009. PROHIBITION ON MASK MANDATE FOR PASSENGERS OF AIR CARRIERS.

The Administrator may not implement or enforce any requirement that passengers of air carriers wear a mask.

SEC. 1010. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administration'' means the Administrator of the Federal Aviation Administration.

(2) AIR CARRIER.—The term ''air carrier'' has the meaning given such term in section 40102 of title 49, United States Code.

TITLE XI—FAA RESEARCH AND DEVELOPMENT

SEC. 1101. SHORT TITLE.

This title may be cited as the ''FAA Research and Development Act of 2023''.

SEC. 1102. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(3) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(4) NASA.—The term ''NASA'' means the National Aeronautics and Space Administration.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

Subtitle A—Authorization of Appropriations

SEC. 1111. AUTHORIZATION OF APPROPRIATIONS.

Subsection (a) of section 48102 of title 49, United States Code, is amended—

(1) in paragraph (14), by striking ''and'';

(2) in paragraph (15) by striking the period at the end and inserting a semicolon; and

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

''(16) $255,130,000; for fiscal year 2024;

''(17) $261,000,000 for fiscal year 2025;

''(18) $267,000,000 for fiscal year 2026;

''(19) $273,000,000 for fiscal year 2027; and

''(20) $279,000,000 for fiscal year 2028.''.

Subtitle B—FAA Research and Development Organization

SEC. 1121. REPORT ON IMPLEMENTATION; FUNDING FOR SAFETY RESEARCH AND DEVELOPMENT.

Not later than one year after the date of the enactment of this title, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the allocation of funding pursuant to section 48102 of title 49, United States Code, to the Secretary of Transportation to conduct civil aviation research and development and to assess the implementation of section 48102(b)(2) of such title.

Subtitle C—FAA Research and Development Activities

SEC. 1131. AVIATION FUEL RESEARCH, DEVELOPMENT, AND USAGE.

(a) ROADMAP.—Not later than nine months after the date of the enactment of this title, the Secretary of Transportation shall coordinate with the Administrator of NASA, the Secretary of Energy, and the Administrator of the Environmental Protection Agency, and consult relevant stakeholders, including those in industry and academia, to prepare and submit to the appropriate committees of Congress a coordinated research and development roadmap to safely eliminate the use of leaded aviation fuel in existing and future certified piston-engine aircraft. Such roadmap shall—

(1) identify activities to accelerate the development, testing, and certification of safe and lead-free fuel for use in general aviation aircraft, including requisite airport refueling infrastructure; and

(2) consider the feasibility of widespread use of such safe and lead-free aviation fuel by not later than 2028.

(b) PARTNERSHIP WITH PRIVATE INDUSTRY.—The Administrator shall coordinate with industry and pilot operators regarding research programs for mass production and distribution of unleaded aviation gasoline for market viability engine safety, and define criteria to explore incentive programs to reduce lead emissions for communities in need.

SEC. 1132. CONTINUOUS LOWER ENERGY, EMISSION, AND NOISE (CLEEN).

The Administrator shall consider expanding the CLEEN program under section 47511 of title

49, United States Code, and broadening eligibility for the CLEEN program to new entrants to the aviation system.

SEC. 1133. STRATEGY ON HYDROGEN AVIATION RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Administrator, in consultation with the Administrator of NASA and the heads of other relevant Federal agencies, shall lead the development of a research and development strategy on the safe use of hydrogen as part of a sustainable future for aviation. Such strategy shall consider the following:

(1) The feasibility, opportunities, challenges, and pathways toward the potential and safe uses of hydrogen in aviation.

(2) The use of hydrogen in addition to research and development efforts, including electrification, operational efficiencies and other alternatives to traditional aviation fuel.

(b) TRANSMITTAL.—Not later than one year after the date of the enactment of the Act, the Administrator shall transmit to the appropriate committees of Congress the research and development strategy required under subsection (a).

(c) RESEARCH AND DEVELOPMENT.—Based on the results of the research and development strategy under subsection (a), the Administrator, in coordination with the Administrator of NASA, may conduct research and development activities into the following:

(1) The qualification of hydrogen aviation fuel.

(2) The safe transition to such fuel for aircraft.

(3) The advancement of certification efforts for such fuel.

(4) Risk mitigation measures for the use of such fuel in aircraft systems, including propulsion and storage systems.

SEC. 1134. REPORT ON FUTURE ELECTRIC GRID RESILIENCY.

Not later than two years after the date of the enactment of this title, the Administrator, in coordination with the Secretary of Energy, shall submit to the appropriate committees of Congress a report on the model use of the electrical grid to support future electric advanced air mobility, including cost, challenges, and opportunities for clean generation of electricity relating to such support.

SEC. 1135. AIR TRAFFIC SURVEILLANCE OVER OCEANS AND OTHER REMOTE LOCATIONS.

(a) AIR TRAFFIC SURVEILLANCE OVER OCEANS.—Subject to the availability of appropriations for such purpose, the Administrator, in consultation with the Administrator of NASA and the heads of other relevant Federal agencies, shall carry out research, development, demonstration, and testing on civilian air traffic surveillance over oceans and other remote locations.

(b) REQUIREMENTS.—In carrying out the research, development, demonstration, and testing under subsection (a), the Administrator shall—

(1) consider the need for international interoperability of technologies, data, operations, and air traffic control systems;

(2) examine the status of using air traffic surveillance technologies, including space-based Automatic Dependent Surveillance-Broadcast, to facilitate the implementation of minimal separation standards over United States-controlled oceanic airspace;

(3) identify mitigating approaches to reducing any operational challenges, associated costs, or workload impacts; and

(4) use testing, data collection, evaluation, and analysis on the use of air traffic surveillance technologies, including space-based Automatic Dependent Surveillance-Broadcast, to support the activities described in paragraphs (1) through (3).

(c) PILOT PROGRAM.—The Administrator may carry out a pilot program to test and evaluate air traffic surveillance equipment over United States-controlled oceanic airspace and other remote locations.

(d) REPORT.—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report on the activities carried out under this section.

SEC. 1136. UTILIZATION OF SPACE-BASED ASSETS TO IMPROVE AIR TRAFFIC CONTROL AND AVIATION SAFETY.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Administrator, in coordination with the Administrator of NASA, and in consultation with industry stakeholders, shall carry out research, development, and testing of the use of air traffic Space-Based Automatic Dependent Surveillance-Broadcast (ADS-B) data.

(b) RESEARCH ACTIVITIES.—In carrying out the research, development, and testing under subsection (a) the Administrator shall focus on the following:

(1) Monitoring and automatically reporting air turbulence events.

(2) Providing space-based multilateration surveillance.

(3) Identifying global positioning system (GPS) and global navigation satellite system (GNSS) disruptions affecting air traffic services and assessing the impact of such events on the safety of air traffic and the National Airspace System.

(4) Evaluating the feasibility of implementing and using aviation safety technologies and systems using space-based Automatic Dependent Surveillance-Broadcast data.

(c) REPORT.—Not later than 180 days after the date of the enactment of this title, the Administrator shall provide to the appropriate committees of Congress a report on the research and development under subsection (a) and the activities researched pursuant to subsection (b).

SEC. 1137. AVIATION WEATHER TECHNOLOGY REVIEW.

(a) REVIEW.—The Administrator, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall conduct a review of current and planned research, modeling, and technology capabilities that have the potential to more accurately detect and predict weather impacts to aviation, including for unmanned aircraft systems and advanced air mobility operations, inform how advanced predictive models can enhance aviation operations, and increase national airspace system safety and efficiency.

(b) REPORT.—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the review conducted under subsection (a).

SEC. 1138. AIR TRAFFIC SURFACE OPERATIONS SAFETY.

(a) RESEARCH.—Subject to the availability of appropriations for such purpose, the Administrator, in consultation with the Administrator of NASA and the heads of other appropriate Federal agencies, shall continue to carry out research on technologies and operations to enhance air traffic surface operations safety.

(b) REQUIREMENTS.—The research program under subsection (a) shall examine the following:

(1) The safety of current air traffic control operations related to air traffic surface operations.

(2) Emerging in-cockpit technologies to enhance ground situational awareness.

(3) Emerging technologies to enhance air traffic control situational awareness.

(4) Air traffic surface operations safety for diverse advanced air mobility operations.

(5) Safety and operational data needed to inform current and future safety programs on advanced air mobility vehicles.

(6) Economic benefits of utilizing existing airport infrastructure for use in advanced air mobility operations.

(c) REPORT.—Not later than 18 months after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report on the research carried out under this section, including regarding the transition into operational use of such research.

SEC. 1139. AIRPORT AND AIRFIELD PAVEMENT TECHNOLOGY RESEARCH PROGRAM.

Section 744 of the FAA Reauthorization Act of 2018 (Public Law 115–254; 49 U.S.C. 44505 note) is amended—

(1) in paragraph (3), by striking ''and'';

(2) in paragraph (4), by striking ''durable airfield pavements.'' and inserting ''resilient and sustainable airfield and vertiport pavements; and''; and

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

''(5) develop sustainability and resiliency guidelines to improve long-term pavement performance and reduce carbon emissions.''.

SEC. 1140. TECHNOLOGY REVIEW OF ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.

(a) REVIEW.—The Administrator shall conduct a review of current and planned artificial intelligence and machine learning technologies to improve airport efficiency and safety.

(b) SUMMARIES.—The review conducted under subsection (a) shall include examination of the application of artificial intelligence and machine learning technologies to the following:

(1) Jet bridges.

(2) Airport service vehicles on airport movement areas.

(3) Aircraft taxi.

(4) Any other areas the Administrator determines necessary to help improve airport efficiency and safety.

(c) REPORT.—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the review conducted under subsection (a). The report shall also include an examination of China's domestic application of artificial intelligence and machine learning technologies identified under subsection (b).

SEC. 1141. RESEARCH PLAN FOR COMMERCIAL SUPERSONIC RESEARCH.

Not later than one year after the date of the enactment of this title, the Administrator, in consultation with the Administrator of NASA and industry, shall submit to the appropriate committees of Congress a comprehensive research plan to build on existing research and development activities and identify any further research and development needed to inform the development of Federal and international policies, regulations, standards, and recommended practices relating to the certification and safe and efficient operation of civil supersonic aircraft and supersonic overland flight.

SEC. 1142. ELECTROMAGNETIC SPECTRUM RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Administrator shall conduct research, engineering, and development related to the effective and efficient use and management of radio frequency spectrum in the civil aviation domain, including for aircraft, unmanned aircraft systems, and advanced air mobility. Such research, engineering, and development shall, at a minimum, address the following:

(1) How reallocation or repurposing of radio frequency spectrum adjacent to spectrum allocated for communication, navigation, and surveillance may impact the safety of civil aviation.

(2) The effectiveness of measures to identify risks, protect, and mitigate against spectrum interference in frequency bands used in civil and commercial aviation operations to ensure public safety.

(b) REPORT.—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the research, engineering, and development conducted under subsection (a).

SEC. 1143. AVIATION STRUCTURES, MATERIALS, AND ADVANCED MANUFACTURING RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Using the amounts available under section 48102(a) of title 49, United States Code, the Administrator, in coordination with the Director of the National Institute of Standards and Technology, shall carry out a research and development program for advancing aviation structures, materials, and manufacturing for the safe use in and on aircraft.

(b) INCLUSION.—The program under subsection (a) shall, to the extent practicable, include research and development relating to the following:

(1) Metallic and non-metallic based additive materials and processes, composites, and other advanced materials.

(2) Process development for the development of design and manufacturing standards for aviation structures, materials, and additive manufacturing.

(3) Improving certification efficiency of aviation structures, materials, and additively manufactured aviation products and components.

(4) Evaluating long-term material and structural behavior and associated maintenance, including support for fatigue life determination, structural changes related to fatigue, thermal, corrosive environments, and expected maintenance of such materials, including recommended repair techniques.

(5) Partnering with commercial entities to mature and certify, as appropriate, the following capabilities for use in aircraft manufacturing:

(A) Additive manufacturing, including large-scale additive manufacturing.

(B) Aviation structures.

(C) Advanced materials capabilities, including the development and qualification of new material chemistries.

(6) Inspection and quality assurance technologies for use with complex geometries enabled by advanced manufacturing methods.

(c) REPORT.—Not later than 180 days after the date of the enactment of this title, the Administrator shall provide to the appropriate committees of Congress a report on the findings of the research under subsection (a).

SEC. 1144. RESEARCH PLAN ON THE REMOTE TOWER PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a comprehensive plan for research, development, testing, and evaluation needed to mature remote tower technology and provide a strategic roadmap to support standards development, validation, and operational certification of such technology.

(b) CONSIDERATIONS.—As part of the plan required under subsection (a), the Administrator should consider the use of remote tower technologies for advanced air mobility operations.

SEC. 1145. AIR TRAFFIC CONTROL TRAINING.

(a) RESEARCH.—Subject to the availability of appropriations for such purpose, the Administrator shall carry out a research program to evaluate opportunities to modernize, enhance, and streamline training time to become a Certified Professional Controller.

(b) REQUIREMENTS.—The research under subsection (a) shall—

(1) assess the use of advanced technologies, such as artificial intelligence, machine learning, adaptive computer-based simulation, virtual reality, or augmented reality, to enhance controller knowledge retention, improve performance, and improve the effectiveness of training time;

(2) develop a timeline to deploy proven advanced technologies and associated processes for accreditation in training programs and training facilities within the national airspace system; and

(3) include collaboration with labor organizations and other stakeholders.

(c) REPORT.—Not later than one year after the date of the enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report on the findings of the research under subsection (a).

SEC. 1146. REPORT ON AVIATION CYBERSECURITY DIRECTIVES.

Not later than 180 days after the date of enactment of this title, the Administrator shall submit to the appropriate committees of Congress a report on the status of the FAA's implementation of section 2111 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 49 U.S.C. 44903 note; relating to the development of a comprehensive and strategic aviation cybersecurity framework and establishment of a research and development plan to mitigate cybersecurity risks in the National Airspace System). The report, at minimum, shall include the following:

(1) A description of the FAA's progress in developing, implementing, and updating such framework.

(2) A description of prioritized research and development activities for the most needed improvements, with target dates, to safeguard the National Airspace System.

(3) An explanation for any delays or challenges in so implementing such section.

SEC. 1147. RULE OF CONSTRUCTION REGARDING COLLABORATIONS.

Nothing in this title may be construed as modifying or limiting existing collaborations, or limiting potential engagement on future collaborations, between the Administrator, stakeholders, and labor organizations, including the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, pertaining to Federal Aviation Administration research, development, demonstration, and testing activities.

SEC. 1148. TURBULENCE RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Administrator, in collaboration with the Administrator of the National Oceanic and Atmospheric Administration, and in consultation with the Administrator of NASA, shall carry out applied research and development to—

(1) enhance the monitoring and understanding of severe turbulence, including clear-air turbulence; and

(2) inform the development of measures to mitigate safety impacts on crew and the flying public that may result from severe turbulence.

(b) RESEARCH AND DEVELOPMENT ACTIVITIES.—In conducting the research and development on severe turbulence in accordance with subsection (a), the Administrator shall—

(1) establish processes and procedures for comprehensive and systematic data collection through both instrumentation and pilot reporting, of severe turbulence, including clear-air turbulence;

(2) establish measures for storing and managing such data collection;

(3) support measures for monitoring and characterizing incidents of severe turbulence;

(4) consider relevant existing research and development from other entities, including Federal departments and agencies, academia, and the private sector; and

(5) carry out research and development—

(A) to understand the impacts of climate change and other factors on the nature of turbulence, including severe turbulence and clear-air turbulence;

(B) to enhance turbulence forecasts for flight planning and execution, seasonal predictions for schedule and route-planning, and long-term projections of severe turbulence, including clear-air turbulence; and

(C) on other subject matters areas related to severe turbulence, as determined by the Administrator; and

(6) support the effective transition of the results of research and development to operations, where appropriate.

(c) NO DUPLICATION.—The Administrator shall ensure that research and development activities under this section do not duplicate other Federal programs relating to turbulence.

(d) TURBULENCE DATA.—

(1) COMMERCIAL PROVIDERS.—In conducting research and development activities under subsection (b), the Administrator may enter into agreements with commercial providers for the following:

(A) The purchase of turbulence data.

(B) The placement on aircraft of instruments relevant to understanding and monitoring turbulence.

(2) DATA ACCESS.—The Administrator shall make the data collected pursuant to subsection (b) widely available and accessible to the scientific research, user, and stakeholder communities, including the Administrator of the National Oceanic and Atmospheric Administration, to the greatest extent practicable and in accordance with Federal Aviation Administration data management policies.

(e) REPORT ON TURBULENCE RESEARCH.—Not later than 15 months after the date of the enactment of this title, the Administrator, in collaboration with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the appropriate committees of Congress a report that—

(1) details the activities conducted under this section, including how the research and development activities under subsection (b) have contributed to the goals specified in subsection (a);

(2) assesses the current state of scientific understanding of the causes, occurrence rates, and past and projected future trends in occurrence rates of severe turbulence, including clear-air turbulence;

(3) describes the processes and procedures for collecting, storing, and managing, data in pursuant to subsection (b);

(4) assesses—

(A) the use of commercial providers pursuant to subsection (d)(1); and

(B) the need for any future Federal Government collection or procurement of data and instruments related to turbulence, including an assessment of costs;

(5) describes how such data will be made available to the scientific research, user, and stakeholder communities; and

(6) identifies future research and development needed to inform the development of measures to predict and mitigate the safety impacts that may result from severe turbulence, including clear-air turbulence.

SEC. 1149. RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAMS.

(a) IN GENERAL.—The Administrator shall carry out research, development, testing, evaluation, and demonstration programs for low-carbon alternative aviation fuels, which may include next-generation feedstocks, biofuels, and bioderived chemicals.

(b) COLLABORATION.—The Administrator shall collaborate with Federal agencies, industry stakeholders, research institutions, and other relevant stakeholders, to accelerate the research, development, testing, evaluation, and demonstrations programs described in subsection (a) and facilitate United States sustainability and competitiveness in aviation.

SEC. 1150. LIMITATION.

None of the funds authorized in this title may be used to conduct research, develop, design, plan, promulgate, implement, or execute a policy, program, order, or contract of any kind with the Chinese Communist Party or any Chinese-owned entity unless such activities are specifically authorized by a law enacted after the date of enactment of this title.

TITLE XII—AVIATION REVENUE PROVISIONS

SEC. 1201. AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Section 9502(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in the matter preceding subparagraph (A) by striking ''October 1, 2023'' and inserting ''October 1, 2028''; and

(2) in subparagraph (A) by striking the semicolon at the end and inserting ''or the Securing Growth and Robust Leadership in American Aviation Act;''.

(b) CONFORMING AMENDMENT.—Section 9502(e)(2) of such Code is amended by striking ''October 1, 2023'' and inserting ''October 1, 2028''.

SEC. 1202. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

(b) TICKET TAXES.—

(1) PERSONS.—Section 4261(k)(1)(A)(ii) of such Code is amended by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

(2) PROPERTY.—Section 4271(d)(1)(A)(ii) of such Code is amended by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

(c) FRACTIONAL OWNERSHIP PROGRAMS.—

(1) FUEL TAX.—Section 4043(d) of such Code is amended by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

(2) TREATMENT AS NONCOMMERCIAL AVIATION.—Section 4083(b) of such Code is amended by striking ''October 1, 2023'' and inserting ''October 1, 2028''.

(3) EXEMPTION FROM TICKET TAX.—Section 4261(j) of such Code is amended by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

SEC. 1203. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.

(a) IN GENERAL.—The President shall—

(1) pursuant to the Act of August 1, 1914 (38 Stat. 623, chapter 223; 19 U.S.C. 2), designate each airport described in subsection (b) as a port of entry; and

(2) terminate the application of the user fee requirement under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b) with respect to the airport.

(b) AIRPORTS DESCRIBED.—An airport described in this subsection is an airport that—

(1) is a primary airport (as defined in section 47102 of title 49, United States Code);

(2) is located not more than 30 miles from the northern or southern international land border of the United States;

(3) is associated, through a formal, legal instrument, including a valid contract or governmental ordinance, with a land border crossing or a seaport not more than 30 miles from the airport; and

(4) through such association, meets the numerical criteria considered by U.S. Customs and Border Protection for establishing a port of entry, as set forth in—

(A) Treasury Decision 82–37 (47 Fed. Reg. 10137; relating to revision of customs criteria for establishing ports of entry and stations), as revised by Treasury Decisions 86–14 (51 Fed. Reg. 4559) and 87–65 (52 Fed. Reg. 16328); or

(B) any successor guidance or regulation.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 118–147 and amendments en bloc described in section 3 of House Resolution 597.

Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for the division of the question.

It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the committee or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GRAVES OF MISSOURI

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 118–147.

Mr. GRAVES of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 2, strike ''and''.

Page 21, after line 2, insert the following (and redesignate the subsequent clause accordingly):

(iii) coordinate the safe integration of new entrants and technologies into the national airspace system; and

Page 31, strike lines 22 through page 32, line 11 and insert the following:

(i) by striking ''In the performance'' and inserting the following:

''(i) ISSUANCE OF REGULATIONS.—In the performance'';

(ii) by striking ''The Administrator shall act'' and inserting the following:

''(ii) PETITIONS FOR RULEMAKING.—The Administrator shall act'';

(iii) by striking ''The Administrator shall issue'' and inserting the following:

''(iii) RULEMAKING TIMELINE.—The Administrator shall issue''; and

(iv) by striking ''On February 1'' and inserting the following:

''(iv) REPORTING REQUIREMENT.—On February 1''; and

Page 59, strike lines 24 through 25 and insert the following:

(1) by transferring paragraph (8) of subsection (p) to subsection (r) and redesignating such paragraph as paragraph (7); and

Page 80, line 13, strike ''and''.

Page 80, line 17, strike the period and insert ''; and''.

Page 80, after line 17, insert the following:

(C) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3) (and adjusting the margins accordingly).

Page 81, strike lines 17 and 18 and insert the following:

(A) by striking ''(B) WORKLOAD OF SYSTEMS SPECIALISTS.—''; and

Page 81, line 21, insert ''and header casing'' after ''margins''.

Page 153, line 24, insert ''(including in any headings)'' before the semicolon.

Page 173, after line 24, insert the following (and redesignate the subsequent subparagraphs accordingly):

''(C) to establish or improve apprenticeship, internship, or scholarship programs for individuals pursuing employment as an aviation pilot;''.

Page 197, line 19, insert '', including veterans of the Armed Forces,'' after ''professionals''.

Page 200, line 2, strike ''or''.

Page 200, line 13, strike the period and insert ''; or''.

Page 200, after line 13, insert the following:

''(10) a non-profit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under 501(a) of such Code that assists veterans of the Armed Forces seeking to transition to careers in civil aviation.

Page 201, line 8, strike ''and''.

Page 201, line 13, strike the period and insert ''; and''.

Page 201, after line 13, insert the following:

''(4) a review of how many recipients engaged veteran populations and how many veterans were recruited and retrained as part of the aviation workforce.

Page 247, line 13, strike ''and''.

Page 247, line 16, strike the period and insert ''; and''.

Page 247, after line 16, insert the following:

(15) assess and evaluate the user interface and information-sharing capabilities of any online medical portal administered by the Federal Aviation Administration.

Page 257, line 2, insert ''for airport airside and landside activities'' after ''demand''.

Page 260, line 2, insert ''and section 47133,'' after ''(c),''.

Page 262, beginning on line 20, strike ''December 30, 1987'' and insert ''January 1, 1989''.

Page 262, beginning on line 23, strike ''used as a recreational and public park since January 1, 1995'' and insert ''leased or licensed through a written agreement with a governmental entity or non-profit entity for recreational or public park uses since July 1, 2003''.

Page 263, line 3, insert ''recreational and public use does not impact the aeronautical use of the airport and that the'' before ''property''.

Page 263, strike lines 10 through 12 (and redesignate the subsequent clauses accordingly).

Page 263, line 14, insert ''to the Administrator'' after ''certification''.

Page 263, line 20, insert ''and'' after the semicolon.

Page 263, strike line 21 and all that follows through page 264, line 6 and insert the following:

''(vi) if the airport sponsor will—

''(I) lease the property to a local government entity or non-profit entity to operate and maintain the property at no cost to the airport sponsor; or

''(II) sell the property to a local government entity or non-profit entity subject to a permanent deed restriction ensuring compatible airport use under regulations issued pursuant to section 47502.

Page 264, line 9, insert ''leasing or'' before ''selling''.

Page 264, line 11, strike ''(2)(B)(viii)(II)'' and insert ''(2)(B)(vi)''.

Page 264, line 12, insert ''lease or'' before ''sell''.

Page 264, line 15, insert ''lease or'' before ''sale''.

Page 264, line 21, strike the closing quotation marks and the second period.

Page 264, after line 21, insert the following:

''(5) AERONAUTICAL USE; AERONAUTICAL PURPOSE DEFINED.—In this subsection, the terms 'aeronautical use' and 'aeronautical purpose'—

''(A) mean all activities that involve or are directly related to the operation of aircraft, including activities that make the operation of aircraft possible and safe;

''(B) include services located on an airport that are directly and substantially related to the movement of passengers, baggage, mail, and cargo; and

''(C) do not include any uses of an airport that are not described in subparagraph (A) or (B), including any aviation-related uses that do not need to be located on an airport, such

as flight kitchens and airline reservation centers.

''(6) ADMINISTRATOR REVIEW AND APPROVAL.—

''(A) IN GENERAL.—Notwithstanding any other provision of law and subject to the sponsor providing any written statements or certifications to the Administrator required under this subsection, no actions of or requirements on the sponsor under this subsection shall require the review or approval of the Secretary of Transportation or Administrator.

''(B) BURDEN OF DEMONSTRATION.—The Secretary shall have the burden of demonstrating that a sponsor does not meet the requirements or restrictions of this subsection.''.

Page 281, line 5, strike ''and''.

Page 281, after line 5, insert the following (and redesignate the subsequent subparagraph accordingly):

(B) in subparagraph (A) by striking ''50 percent'' and inserting ''40 percent'' each place it appears; and

Page 287, strike lines 4 through 7 and insert ''paragraph (1)(A) from apportionment funds made available under section 47114 that are not required during the fiscal year pursuant to subsection (b)(1) in an amount that is not less than—''.

Page 287, line 14, strike ''section 47116(a)(2)'' and insert ''section 47116(b)(2)''.

Page 296, line 5, insert ''through alternative project delivery methods, including construction manager-at-risk and progressive design build'' after ''by a contractor''.

Page 309, line 4, insert ''(including a leaded or unleaded gasoline)'' after ''1986''.

Page 309, line 7, insert ''under an investigation initiated by the Administrator under part 13 or 16 of title 14, Code of Federal Regulations, relating to the availability of aviation gasoline'' after ''airport sponsor''.

Page 309, line 10, insert ''or'' after the semicolon.

Page 309, strike lines 11 through 14 (and redesignate the subsequent paragraph accordingly).

Page 327, line 3, strike ''**ELECTRICAL**'' and insert ''**ENERGY**'' (and adjust the table of contents for the bill accordingly).

Page 327, line 6, strike ''**electrical**'' and insert ''**energy**''.

Page 327, line 15, strike ''electrical'' and insert ''energy''.

Page 327, beginning on line 18, strike '', including'' and insert ''and''.

Page 327, line 20, strike ''and''.

Page 327, after line 22, insert the following:

''(V) vehicles and equipment used to transport passengers and employees between the airport and—

''(aa) nearby facilities owned or controlled by the airport or which otherwise directly support the functions or services provided by the airport; or

''(bb) an intermodal surface transportation facility adjacent to the airport; and

Page 327, line 23, strike ''electrical'' and insert ''energy''.

Page 328, line 17, strike the closing quotation marks and the period.

Page 328, after line 17, insert the following:

''(c) APPLICATION.—To be eligible for a grant under paragraph (1), the sponsor of a public-use airport shall submit an application, including a certification that no safety projects are being deferred by requesting a grant under this section, to the Secretary at such time, in such manner, and containing such information as the Secretary may require.''.

Page 328, line 21 in the quoted material, strike ''electrical'' and insert ''energy''.

Page 328, strike line 10 and insert the following (and adjust the margin of the subsequent text accordingly):

''(b) GRANTS.—

''(1) IN GENERAL.—The Secretary shall make grants from

Page 328, line 14, redesignate paragraph (1) as subparagraph (A) (and adjust the margins of the text accordingly).

Page 328, line 16, redesignate paragraph (2) as subparagraph (B) (and adjust the margins of the text accordingly).

Page 330, after line 16, insert the following:

SEC. 447. NOTICE OF FUNDING OPPORTUNITY.

Notwithstanding part 200 of title 2, Code of Federal Regulations, or any other provision of law, funds made available as part of the airport improvement program under subchapter I of chapter 471 or chapter 475 of title 49, United States Code, shall not be subject to any public notice of funding opportunity requirement.

SEC. 448. SPECIAL CARRYOVER ASSUMPTION RULE.

Section 47115 of title 49, United States Code, is amended by adding at the end the following:

''(l) SPECIAL CARRYOVER ASSUMPTION RULE.—In addition to amounts made available under paragraphs (1) and (2) of subsection (a), the Secretary may add to the discretionary fund an amount equal to one-third of the apportionment funds made available under section 47114 that were not required during the previous fiscal year pursuant to section 47117(b)(1) out of the anticipated amount of apportionment funds made available under section 47114 that will not be required during the current fiscal year pursuant to section 47117(b)(1).''.

Page 403, line 19, strike ''paragraph (1)'' and insert ''paragraph (2)''.

Page 403, beginning on line 19, strike ''Comptroller General'' and insert ''inspector general''.

Page 413, line 9, strike ''(3)'' and insert ''(4)''.

Page 422, beginning on line 16, strike ''**AUTHORITY**'' and inserting ''**AUTHORIZATION**'' (and adjust the table of contents for the bill accordingly).

Page 427, line 13, strike the period.

Page 453, line 3, insert ''that are not also type certificate holders as included under paragraph (1), production certificate holders as included under paragraph (2), or aircraft operators as included under paragraph (5) (or associated with any such entities)'' before the semicolon.

Page 453, line 5, insert ''and engineers'' after ''inspectors''.

Page 453, line 13, insert ''described in paragraph (6)'' before the semicolon.

Page 469, after line 16, insert the following:

(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to permit the public disclosure of information submitted under a voluntary safety reporting program or that is otherwise protected under section 44735 of title 49, United States Code.

Page 470, line 14, insert ''prospective'' after ''flightcrew''.

Page 471, after line 6, insert the following:

(d) ORGAN TRANSPORTATION FLIGHTS.—In updating guidance and policy pursuant to subsection (b), the Administrator shall consider and allow for appropriate accommodations, including accommodations related to subsections (b)(2) and (b)(4) for operators—

(1) performing organ transportation operations; and

(2) who have in place a means by which to identify and mitigate risks associated with flightcrew duty and rest.

Page 471, line 7, strike ''**AND VIDEO**'' (and adjust the table of contents for the bill accordingly).

Page 490, beginning on line 26, strike ''have on the'' and all that follows through ''in a timely manner'' and insert ''have on the national airspace system in a timely manner''.

Page 521, line 2, insert ''design'' before ''change''.

Page 521, line 2, strike ''and'' at the end.

Page 521, strike line 3 and insert the following:

''(B) improve the overall safety of the aircraft;

''(C) not decrease the level of safety of other components or systems on the aircraft;

''(D) be in the public interest;

''(E) not include any substantial changes;

''(F) be recorded on a type certificate data sheet or other public instrument that notifies the public of such design changes; and

''(G) be considered through a process that applies appropriate requirements as determined by the Administrator.

Page 521, line 7, strike the closing quotation marks and the second period.

Page 521, after line 7, insert the following:

''(4) DEADLINE.—In issuing an approval under this subsection, the Administrator shall impose a deadline by which all noncompliant conditions related to the design change shall be addressed.

''(5) SAFETY-RELATED DESIGN CHANGE DEFINED.—In this subsection, the term 'safety-related design change' means a design change that has any effect on the safety of the aircraft.''.

SEC. 548. VOLUNTARY REPORTING PROTECTIONS.

(a) IN GENERAL.—Section 40123(a) of title 49, United States Code, is amended in the matter preceding paragraph (1) by inserting ''or third party'' after ''nor any agency''.

(b) PROTECTED INFORMATION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall promulgate regulations to amend part 193 of title 14, Code of Federal Regulations, to designate and protect from disclosure information or data submitted, collected, or contained by the Administrator under voluntary safety programs, including the following:

(1) Aviation Safety Action Program.

(2) Flight Operational Quality Assurance.

(3) Line Operations Safety Assessments.

(4) Air Traffic Safety Action Program.

(5) Technical Operations Safety Action Program.

(6) Such other voluntarily submitted information or programs as the Administrator determines appropriate.

Page 551, line 2, insert ''designation and'' before ''heading''.

Page 553, strike lines 12 through 14 and insert the following:

(a) IN GENERAL.—Section 44810(c) of title 49, United States Code, is amended by inserting '',and any other location the Administrator determines appropriate'' after ''Data''.

(b) APPLICATIONS FOR DESIGNATION.—Section 2209 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44802 note) is further amended—

Page 553, line 13, strike ''(Public Law 114–190)'' and insert ''(49 U.S.C. 44802 note)''.

Page 553, line 13, strike ''further''.

Page 553, strike lines 15 through 19 and insert the following:

(1) in subsection (a) by inserting '', including temporarily,'' after ''restrict'';

Page 553, strike line 20 and all that follows through page 554, line 13 and insert the following:

(2) in subsection (b)(1)(C)(iv) by striking ''Other locations that warrant such restrictions'' and inserting ''State correctional facilities''; and

(3) by adding at the end the following:

Page 578, line 15, strike ''Administrator'' and insert ''Secretary''.

Page 593, strike lines 14 through 21 (and redesignate the subsequent paragraphs accordingly).

Page 595, line 2, strike ''system technology'' and insert ''systems''.

Page 611, after line 16, insert the following:

SEC. 635. PROTECTION OF PUBLIC GATHERINGS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a process to allow applicants to request temporary prohibitions of unmanned aircraft operations in close proximity to an eligible large public gathering for a specified period of time.

(b) APPLICATION PROCEDURES.—

(1) IN GENERAL.—In making a determination whether to grant or deny an application for a designation, the Administrator shall consider—

(A) aviation safety;

(B) protection of persons and property on the ground;

(C) national security; or

(D) homeland security.

(2) REQUIREMENTS.—The application procedures under this section shall allow eligible petitions to apply for a prohibition individually or collectively.

(3) ELIGIBLE LARGE GATHERINGS.—Large public gatherings eligible for application under this section shall—

(A) have an estimated attendance of greater than 20,000 people;

(B) be primarily outdoors;

(C) have defined and static geographical boundaries; and

(D) be advertised in the public domain.

(4) ELIGIBLE PETITIONERS.—Applicants eligible to submit petitions for consideration in subsection (a) shall be a credentialed law enforcement organization or public safety organization otherwise recognized by a Federal, State, local, Tribal, or territorial governmental entity.

(c) REVIEW PROCESS.—

(1) IN GENERAL.—The Administrator shall provide for a timely determination on an application submitted under subsection (a) to allow for the public to be notified of a prohibition in advance of the public gathering.

(2) ADDITIONAL REQUIREMENT.—The Administrator shall make every practicable effort to make a determination on an application submitted under subsection (a) not later than 7 days before the expected start date of the large public gathering.

(d) PUBLIC INFORMATION.—Temporary prohibition designated under subsection (a) shall be published by the Federal Aviation Administration in a publicly accessible manner, in English and other non-English languages, at least 2 days before the large public gathering.

(e) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Administrator from authorizing operation of an aircraft, including an unmanned aircraft system, over, under, or within a specified distance from that large public gathering designated under subsection (b).

(f) DEFINITIONS.—In this section, the terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given such terms in section 44801 of title 49, United States Code.

Page 614, line 8, strike ''and''.

Page 616, line 16, insert '', as appropriate'' after ''operations''.

Page 614, line 16, strike the period and insert ''; and''.

Page 614, after line 16, insert the following:

(D) inform such rulemakings based on operations and efforts that occur as a result of the special Federal aviation regulation pursuant to subsection (b).

Page 618, line 12, strike ''version of''.

Page 618, beginning on line 13, strike ''in effect on the date of enactment of this Act,''.

Page 618, strike lines 21 through 24 and insert the following:

(3) affirm the general permissibility of vertical takeoff and landing capable aircraft to use a heliport when such heliport can safely accommodate the physical and operating characteristics of such aircraft; and

Page 621, strike line 21 through page 622, line 1 (and redesignate the subsequent paragraphs accordingly).

Page 629, line 12, strike ''At'' and insert ''Subject to the availability of appropriations, at''.

Page 688, after line 10, insert the following:

SEC. 725. SEATING ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—

(1) ADVANCED NOTICE OF PROPOSED RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Secretary of Transportation shall issue an advanced notice of proposed rulemaking regarding seating accommodations for any qualified individual with a disability.

(2) NOTICE OF PROPOSED RULEMAKING.—Not later than 2 years after the date on which the advanced notice of proposed rulemaking under paragraph (1) is completed, the Secretary shall issue a notice of proposed rulemaking regarding seating accommodations for any qualified individual with a disability.

(b) CONSIDERATIONS.—In carrying out the advanced notice of proposed rulemaking required in subsection (a)(1), the Secretary shall consider the following:

(1) The scope and anticipated number of qualified individuals with a disability who—

(A) may need to be seated with a companion to receive assistance during a flight; or

(B) should be afforded bulkhead seats or other seating considerations.

(2) The types of disabilities that may need seating accommodations.

(3) Whether such qualified individuals with a disability are unable to obtain, or have difficulty obtaining, such a seat.

(4) The scope and anticipated number of individuals assisting a qualified individual with a disability who should be afforded an adjoining seat pursuant to section 382.81 of title 14, Code of Federal Regulations.

(5) Any notification given to qualified individuals with a disability regarding available seating accommodations.

(6) Any method that is adequate to identify fraudulent claims for seating accommodations.

(7) Any other information determined appropriate by the Secretary.

(c) ACCREDITED SERVICE ANIMAL TRAINING PROGRAMS AND AUTHORIZED REGISTRARS.—Not later than 6 months after the date of enactment of this section, the Secretary shall publish on the website of the Department of Transportation and maintain a list of—

(1) accredited programs that train service animals; and

(2) authorized registrars that evaluate service animals.

(d) REPORT TO CONGRESS ON SERVICE ANIMAL REQUESTS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on requests for air travel with service animals, including—

(1) during the reporting period, how many requests to board an aircraft with a service animal were made; and

(2) the number and percentage of such requests, categorized by type of request, that were reported by air carriers or foreign air carriers as—

(A) granted;

(B) denied; or

(C) fraudulent.

(e) TRAINING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall, in consultation with the Air Carrier Access Act Advisory Committee, issue guidance regarding improvements to training for airline personnel (including contractors) in recognizing when a qualified individual with a disability is traveling with a service animal.

(2) REQUIREMENTS.—The guidance issued under paragraph (1) shall—

(A) take into account respectful engagement with and assistance for individuals with a wide range of visible and non-visible disabilities;

(B) provide information on—

(i) service animal behavior and whether the service animal is appropriately harnessed, leashed, or otherwise tethered; and

(ii) the various types of service animals, such as guide dogs, hearing or signal dogs, psychiatric service dogs, sensory or social signal dogs, and seizure response dogs; and

(C) outline the rights and responsibilities of the handler of the service animal.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) AIR CARRIER.—The term ''air carrier'' has the meaning given that term in section 40102 of title 49, United States Code.

(2) FOREIGN AIR CARRIER.—The term ''foreign air carrier'' has the meaning given that term in section 40102 of title 49, United States Code.

(3) QUALIFIED INDIVIDUAL WITH A DISABILITY.—The term ''qualified individual with a disability'' has the meaning given that term in section 382.3 of title 14, Code of Federal Regulations.

(4) SERVICE ANIMAL.—The term ''service animal'' has the meaning given that term in section 382.3 of title 14, Code of Federal Regulations.

Page 703, strike line 8.

Page 703, line 17, strike the period and insert ''; and''.

Page 703, after line 17, insert the following:

(4) consult with the exclusive bargaining representative of the air traffic controllers certified under section 7111 of title 5, United States Code.

Page 710, strike lines 16 through 24 and insert the following:

(2) EXCEPTION.—The amendment made by paragraph (1) shall not apply to an eligible place that is served by an air carrier selected to receive essential air service compensation under subchapter II of chapter 417 of title 49, if—

(A) such service is in effect upon the date of enactment of this Act; and

(B) such service is provided by the same air carrier that provided service on the date of enactment of this Act.

Page 719, line 7, insert ''and engineers'' after ''inspectors''.

Page 742, beginning on line 3, strike '', or with the concurrence of,''.

Page 742, strike lines 8 and 9 and insert ''pursuant to section 541 of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 40103 note), the conditions''.

Page 742, beginning on line 19, strike ''section 352(a)(3) of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7))'' and insert ''section 521 of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 40103 note))''.

Page 742, strike line 24 and all that follows through page 743, line 2 and insert the following:

(c) REQUIRED COORDINATION.—

(1) IN GENERAL.—On an annual basis, the Administrator shall convene a meeting with representatives of Administration-approved air shows, the general aviation community,

stadiums and other large outdoor events and venues or organizations that run such events, the Department of Homeland Security, and the Department of Justice—

(A) to identify scheduling conflicts between Administration-approved air shows and large outdoor events and venues where—

(i) flight restrictions will be imposed pursuant to section 521 of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 40103 note); or

(ii) any other restriction will be imposed pursuant to Federal Aviation Administration Flight Data Center Notice to Airmen 4/3621 (or any successor notice to airmen); and

(B) in instances where a scheduling conflict between events is identified or is found to be likely to occur, develop appropriate operational and communication procedures to ensure for the safety and security of both events, pursuant to the authority prescribed in subsection (a).

(2) SCHEDULING CONFLICT.—If the Administrator or any other stakeholder party to the required annual coordination required in paragraph (1) identifies a scheduling conflict outside of the annual meeting at any point prior to the scheduling conflict, the Administrator shall work with impacted stakeholders to develop appropriate operational and communication procedures to ensure for the safety and security of both events, pursuant to the authority prescribed in subsection (a).

(3) NOTICE.—Prior to issuing a certificate of authorization or waiver pursuant to subsection (a), the Administrator shall give appropriate due notice to impacted stakeholders and develop appropriate operational and communication procedures to ensure for the safety and security of all impacted events, pursuant to the authority prescribed in subsection (a).

Page 743, beginning on line 12, strike ''Section 352(a)(3)(B) of the Consolidated Appropriations Resolution, 2003 (Public Law 109–7)'' and insert ''Section 521(a)(2)(B)(ii) of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 40103 note)''.

Page 743, strike lines 16 and 17.

Page 775, line 21, insert ''economic'' after ''study on the''.

Page 785, after line 11, insert the following:

SEC. 844. LIMITATIONS FOR CERTAIN CARGO AIRCRAFT.

(a) IN GENERAL.—The standards adopted by the Administrator of the Environmental Protection Agency in part 1030 of title 40, Code of Federal Regulations, and the requirements finalized by the Administrator of the Federal Aviation Administration from the notice of proposed rulemaking titled ''Airplane Fuel Efficiency Certification'', and published on June 15, 2022 (RIN2120-AL54) in part 38 of title 14, Code of Federal Regulations, shall not apply to any covered airplane before the date that is 5 years after January 1, 2028.

(b) OPERATIONAL LIMITATION.—The Administrator of the Federal Aviation Administration shall limit the operation of any covered airplane to domestic use or international operations, consistent with relevant international agreements and standards, that—

(1) does not meet the standards and requirements described in subsection (a); and

(2) received an original certificate of airworthiness issued by the Administrator of the Federal Aviation Administration on or after January 1, 2028.

(c) DEFINITIONS.—In this section:

(1) COVERED AIRPLANE.—The term ''covered airplane'' means an airplane that—

(A) is a subsonic jet that is a purpose-built freighter;

(B) has a maximum takeoff mass greater than 180,000 kilograms but not greater than 240,000 kilograms; and

(C) has a type design certificated prior to January 1, 2023.

(2) PURPOSE-BUILT FREIGHTER.—The term ''purpose-built freighter'' means any airplane that—

(A) was configured to carry cargo rather than passengers prior to receiving an original certificate of airworthiness; and

(B) is configured to carry cargo rather than passengers.

SEC. 845. COPYRIGHT PROTECTION FOR ORIGINAL DESIGNS OF AIRCRAFT FLOATS.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall, as appropriate, coordinate with the Register of Copyrights to help, to the extent feasible, aircraft float manufacturers receive design protections provided under section 1301 of title 17, United States Code.

(b) AIRCRAFT FLOAT DEFINED.—In this section, the term ''aircraft float'' means a device suitable for use on an airplane that meets the standards set forth in the technical standard order related to Twin Seaplane Floats issued by the Federal Aviation Administration on July 31, 2018 (TSO-C27a), or any successor standard.

Page 791, beginning on line 18, strike ''which shall be incorporated into the annual budget request of the Board''.

Page 814, after line 14, insert the following:

SEC. 925. AIR SAFETY INVESTIGATORS.

(a) REMOVAL OF FAA MEDICAL CERTIFICATE REQUIREMENT.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with the Administrator of the Federal Aviation Administration and the Chairman of the National Transportation Safety Board, shall take such actions as may be necessary to revise the eligibility requirements for the Air Safety Investigating Series 1815 occupational series (and any similar occupational series relating to transportation accident investigating) to remove any requirement that an individual hold a current medical certificate issued by Administrator.

(b) UPDATES TO OTHER REQUIREMENTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Director, in coordination with the with the Administrator and Chairman, shall take such actions as may be necessary to update and revise experiential, educational, and other eligibility requirements for the Air Safety Investigating Series 1815 occupational series (and any similar occupational series relating to transportation accident investigating).

(2) CONSIDERATIONS.—In updating the requirements under paragraph (1), the Director shall consider—

(A) the direct relationship between any requirement and the duties expected to be performed by the position;

(B) changes in the skills and tools necessary to perform transportation accident investigations; and

(C) such other considerations as the Director, Administrator, or Chairman determines appropriate.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Missouri (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of the Graves-Larsen amendment. This amendment makes several technical conforming and clarifying changes throughout the underlying bill.

Furthermore, the amendment includes provisions that were the result of bipartisan negotiations on several policy issues.

These provisions include additional requirements for FAA to further coordinate the safe integration of new entrants into the National Airspace System, adding pilot apprenticeship, internship, or scholarship programs or veteran career transition nonprofits as an eligible grant recipient under the aviation workforce development program, protections on voluntary safety information disclosures, and several other provisions that reflect the bipartisan work with our colleagues across the aisle.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. LARSEN of Washington. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, this amendment reflects bipartisan agreement on a variety of technical fixes and good policy worthy of inclusion in this bill.

It includes language from Representative SCHRIER of Washington State to focus FAA's aviation workforce development efforts on transitioning veterans to the civilian workforce, an amendment that the committee worked together on with Representative GOODEN to make happen.

It requires the FAA to develop a process to restrict drones from flying over large outdoor gatherings. It clears unnecessary red tape for the FAA to issue airport improvement grants and ensures our air traffic controllers are consulted on major policy changes, protects information or data reported by pilots or engineers through voluntary safety reporting requirements, and includes language from Representative STANTON of Arizona to require the Secretary of Transportation to propose a rulemaking to improve seating accommodations for individuals with disabilities.

Finally, it expands FAA's counter-UAS testing authorities to consider the impacts to the safety of the National Airspace System beyond the airport environment.

Mr. Chair, I urge all Members to vote in favor of this amendment, and I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I would urge my colleagues to support this important amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. GRAVES).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. GRAVES OF MISSOURI

Mr. GRAVES of Missouri. Mr. Chair, pursuant to House Resolution 597, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 2, 5, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, and 25 printed in part A of House Report 118–147, offered by Mr. GRAVES of Missouri.

AMENDMENT NO. 2 OFFERED BY MR. BEAN OF FLORIDA

Page 639, line 3, insert ", including connecting taxiways, if the runway is" before "existing".

Page 639, line 11, strike "runway is" and insert "runways and taxiways are".

AMENDMENT NO. 5 OFFERED BY MS. BROWN OF OHIO

At the end of subtitle A of title VII, add the following:

SEC. ___. PROVISION OF DRINKING WATER TO PASSENGERS.

The Administrator of the Federal Aviation Administration shall issue such regulations as are necessary to require air carriers and foreign air carriers to provide complementary drinking water to passengers on all domestic and international flights with a scheduled duration of 1 hour or more.

AMENDMENT NO. 8 OFFERED BY MRS. CAMMACK OF FLORIDA

Page 256, strike lines 24 through 25 and insert the following:

(3) in paragraph (5)—

(A) in subparagraph (A) by inserting "and catchment area analyses" after "planning";

(B) in subparagraph (B) by striking "and" at the end;

(C) in subsection (C) by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

AMENDMENT NO. 9 OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the end of title VIII, add the following:

SEC. ___. DELIVERY OF CLEARANCE TO PILOTS VIA INTERNET PROTOCOL.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct testing and an evaluation to determine the feasibility of the use, in air traffic control towers, technology for delivering clearances via internet protocol to enable mobile device access for general aviation and on-demand Part 135 air carriers at airports that do not have Towered Data Link Services.

(b) AIRPORT SELECTION.—The Administrator shall designate five airports for participation in the initial airport pilot program after consultation with the exclusive representatives of air traffic controllers certified under section 7111 of title 5, United States Code, airport sponsors, aircraft and avionics manufacturers, MITRE, and aircraft operators and the designation should include airports of different size and complexity.

(c) PROGRAM OBJECTIVE.—The program shall address and include safety, security, and operational requirements for mobile clearance delivery at airports and heliports across the United States.

(d) DEFINITIONS.—In this section:

(1) MOBILE CLEARANCE DELIVERY.—The term "mobile clearance delivery" means providing access to departure clearance and clearance cancellation via Internet Protocol via applications to pilots while aircraft are on the ground where traditional data link installations are not feasible or possible.

(2) PART 135.—The term "Part 135" means part 135 of title 14, Code of Federal Regulations.

(3) TOWER DATA LINK SERVICES.—The term "tower data link services" means communications between controllers and pilots using controller-pilot data link communications.

(4) SUITABLE AIRPORT.—The term "suitable airport" shall include towered airports, nontowered airports, and heliports.

(e) REPORT.—Not later than 1 year after the date on which the mobile clearance delivery program becoming operational, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the safety, security, and operational performance of the mobile clearance services at airports pursuant to this section and recommendations on how best to improve the program.

AMENDMENT NO. 11 OFFERED BY MR. CASE OF HAWAII

At the end of title VIII, add the following:

SEC. ___. REPORT ON INDO-PACIFIC AIRPORTS.

The Administrator of the Federal Aviation Administration, in consultation with the Secretary of State, shall submit to Congress a report on airports of strategic importance in the Indo-Pacific region that includes each of the following:

(1) An identification of airports and air routes critical to national security, defense operations, emergency response, and continuity of government activities.

(2) An assessment of the economic impact and contribution of airports and air routes to national and regional economies.

(3) An evaluation of the connectivity and accessibility of airports and air routes, including their importance in supporting domestic and international travel, trade, and tourism.

(4) An analysis of infrastructure and technological requirements necessary to maintain and enhance the strategic importance of identified airports and air routes.

(5) An identification of potential vulnerabilities, risks, and challenges faced by airports and air routes of strategic importance, including cybersecurity threats and physical infrastructure vulnerabilities.

(6) Any recommendations for improving the security, resilience, and efficiency of the identified airports and air routes, including potential infrastructure investments and policy changes.

AMENDMENT NO. 12 OFFERED BY MR. CASE OF HAWAII

At the end of title VIII, add the following:

SEC. ___. GAO STUDY ON THE IMPLEMENTATION OF GRANTS AT AIRPORTS.

The Comptroller General of the United States shall conduct a study on the implementation of grants provided to airports located in the Freely Associated States under section 47115(i) of title 49, United States Code.

AMENDMENT NO. 13 OFFERED BY MR. CASTRO OF TEXAS

At the end of title VIII, add the following:

SECTION ____. MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.

Section 157(b)(2) of the FAA Reauthorization Act of 2018 (49 U.S.C. 47113 note) is amended by adding at the end the following:

"(D) PUBLISHING DATA.—The Secretary of Transportation shall report on a publicly accessible website the uniform report of DBE awards—commitments and payments specified in part 26 of title 49, Code of Federal Regulations, and the uniform report of ACDBE Participation for non-car rental and car rental concessions, for each airport sponsor beginning with fiscal year 2024.".

AMENDMENT NO. 14 OFFERED BY MR. CISCOMANI OF ARIZONA

At the end of subtitle A of title IV, add the following:

SEC. ____. RUNWAY SAFETY PROJECTS.

In awarding grants under section 47115 of title 49, United States Code, for runway safety projects, the Administrator of the Federal Aviation Administration shall, to the maximum extent practicable—

(1) reduce unnecessary or undesirable project segmentation; and

(2) complete the entire project in an expeditious manner.

AMENDMENT NO. 15 OFFERED BY MR. CISCOMANI OF ARIZONA

At the end of subtitle B of title VII, add the following:

SEC. ____. AGREEMENTS FOR STATE AND LOCAL OPERATION OF AIRPORT FACILITIES.

Section 47124(b)(3)(C) of title 49, United States Code, is amended by adding at the end the following:

"(viii) Air traffic control towers at airports with safety or operational problems related to the lack of an existing tower.

"(ix) Air traffic control towers at airports with projected commercial and military increases in aircraft or flight operations.

"(x) Air traffic control towers at airports with a variety of aircraft operations, including a variety of commercial and military flight operations".

AMENDMENT NO. 16 OFFERED BY MR. CLOUD OF TEXAS

At the end of title VIII, add the following:

SEC. ____. STRUCTURES INTERFERING WITH AIR COMMERCE OR NATIONAL SECURITY.

Section 44718 of title 49, United States Code, is amended—

(1) in subsection (a) by inserting "on a publicly available website" after "public notice";

(2) by redesignating subsection (h) as subsection (i);

(3) in subsection (i) (as so redesignated) by adding at the end the following:

"(3) ENERGY PROJECT.—The term 'energy project' has the meaning given such term in section 183a(h) of title 10.

"(4) FOREIGN PRINCIPAL; AGENT OF A FOREIGN PRINCIPAL.—The terms 'foreign principal' and 'agent of a foreign principal' have the meaning given such terms in section 1 of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611).''; and

(4) by inserting after subsection (g) the following:

"(h) SPECIAL RULE FOR ENERGY PROJECTS.—

"(1) IN GENERAL.—Any person who is required to submit an application for an energy project under this section shall include in such application a disclosure of any relationship such person has with a foreign principal or with an agent of a foreign principal.

"(2) INACCURATE DISCLOSURE OF RELATIONSHIP WITH FOREIGN PRINCIPAL.—

"(A) IN GENERAL.—The Secretary of Transportation, in consultation with the Attorney General of the United States and the head of any other relevant Federal agency, shall establish a process to evaluate the accuracy of a disclosure made under paragraph (1) and determine whether a person has violated such paragraph.

"(B) INITIAL PENALTY FOR INACCURATE DISCLOSURE.—If the Secretary determines that a person has knowingly violated paragraph (1), such person shall be prohibited from submitting an application for an energy project under this section during the period beginning on the date on which the Secretary made the determination under subparagraph

(A) and ending on the date that is 2 years after such determination.

''(C) PENALTIES FOR SUBSEQUENT INACCURATE DISCLOSURES.—If the Secretary determines that a person knowingly violates paragraph (1) after an initial violation under subparagraph (B), such person shall be permanently prohibited from submitting an application for an energy project under this section.''.

AMENDMENT NO. 17 OFFERED BY MS. DAVIDS OF KANSAS

Page 424, line 24, strike ''30'' and insert ''60''.

AMENDMENT NO. 18 OFFERED BY MS. DELBENE OF WASHINGTON

At the end of subtitle C of title XI, add the following:

SEC. ___. CENTER OF EXCELLENCE FOR ALTERNATIVE JET FUELS AND ENVIRONMENT (ASCENT).

The Center of Excellence for Alternative Jet Fuels and Environment (ASCENT) shall subject to the availability of appropriations for such purpose and consistent with the research and development strategy in section 1133, conduct research on hydrogen to increase aviation decarbonization. Such research shall be in addition to any other research authorized to be carried out by the Center, including other research relating to hydrogen.

AMENDMENT NO. 19 OFFERED BY DELUZIO OF PENNSYLVANIA

At the end of title VIII, add the following:

SEC. ___. EFFECT OF AIRLINE MERGERS FOR CONSUMERS.

(a) IN GENERAL.—The Comptroller General of the United States shall submit a report to Congress on the effect of airline mergers for consumers, including passenger fares (including add-on fees), the number of routes, the number of nonstop routes eliminated, and the number of flight delays and cancellations.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit a report on the results of the study conducted under subsection (a) to the following congressional committees:

(1) the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives; and

(2) the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate.

AMENDMENT NO. 20 OFFERED BY DESAULNIER OF CALIFORNIA

At the end of title VIII, add the following:

SEC. ___. TASK FORCE ON HUMAN FACTORS IN AVIATION SAFETY.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene a task force on human factors in aviation safety (in this section referred to as the ''Task Force'').

(b) COMPOSITION.—The Task Force shall consist of members appointed by the Administrator and having expertise in an operational or academic discipline that is relevant to the analysis of human errors in aviation. The number of members shall be determined by the Administrator to ensure sufficient representation of relevant operational and academic disciplines.

(c) DURATION.—

(1) IN GENERAL.—Members of the Task Force shall be appointed for the length of the existence of the Task Force.

(2) LENGTH OF EXISTENCE.—

(A) IN GENERAL.—The Task Force shall have an initial length of existence of 2 years.

(B) OPTION.—The Administrator may exercise an option to lengthen the duration of the existence of the Task Force for a period of 2 years.

(d) DISCIPLINES.—For purposes of subsection (b), disciplines may include air carrier operations, line pilot expertise, air traffic control, technical operations, aeronautical information, aircraft maintenance and mechanics psychology, linguistics, human-machine integration, general aviation operations, and organizational behavior and culture.

(e) EXPERTISE.—

(1) IN GENERAL.—No less than half of the members shall have expertise in aviation.

(2) ADDITIONAL EXPERTISE.—The Task Force shall include members with expertise on human factors but whose experience and training are not in aviation specifically and who have not previously been engaged in work related to the Federal Aviation Administration or the aviation industry. The Task Force shall also include pilot labor organization, certificated mechanic labor organizations, and at least one member from an air traffic controller labor organization.

(f) FEDERAL AVIATION ADMINISTRATION MEMBERS.—

(1) IN GENERAL.—Not more than 4 members may be employees of the Federal Aviation Administration and National Transportation Safety Board, excluding representatives of the labor representatives of employees of the air traffic control system. Not more than 2 members may be employees of the National Transportation Safety Board. The Federal Aviation Administration and the National Transportation Safety Board members shall be non-voting.

(2) FEDERAL AVIATION ADMINISTRATION EMPLOYEES.—Any member who is an Federal Aviation Administration employee shall have expertise in safety.

(g) DUTIES.—In coordination with the Research, Engineering, and Development Advisory Committee established under section 44508 of title 49, United States Code, the Task Force shall—

(1) not later than the date on which the Task Force is no longer in existence, produce a written report that—

(A) to the greatest extent possible, identifies the most significant human factors and the relative contribution of such factors to aviation safety risk;

(B) identifies new research priorities for research in human factors in aviation safety;

(C) reviews existing products by other working groups related to human factors in aviation safety including the Commercial Aviation Safety Team (CAST)'s work pertaining to flight crew responses to abnormal events;

(D) provides recommendations on potential revisions to any Federal Aviation Administration regulations and guidance pertaining to the certification of aircraft under part 25 of title 14, Code of Federal Regulations, including sections related to presumed pilot response times and assumptions about the reliability of pilot performance during unexpected, stressful events;

(E) reviews rules, regulations, or standards regarding flight crew rest and fatigue, as well as maintenance personnel rest and fatigue, that are used by a sample of international air carriers, including those deemed to be more stringent and less stringent than the current standards pertaining to United States air carriers, and identify risks to the National Airspace System from any such variation in standards across countries;

(F) reviews pilot training requirements and recommend any revisions necessary to ensure adequate understanding of automated systems on aircraft;

(G) reviews approach and landing misalignment and make any recommendations for improving these events;

(H) identifies ways to enhance instrument landing system maintenance schedules; determines how a real-time smart system should be developed that informs the Air Traffic Control System, Airlines, and Airports about any changes in the state of runway and taxiway lights; and identifies how this system could be connected to the Federal Aviation Administration's maintenance system;

(I) analyzes, with respect to human errors related to aviation safety of part 121 air carriers—

(i) fatigue and distraction during critical phases of work among pilots or other aviation personnel;

(ii) tasks and workload;

(iii) organizational culture;

(iv) communication among personnel;

(v) adherence to safety procedures;

(vi) mental state of personnel; and

(vii) any other relevant factors that are the cause or potential cause of human error related to aviation safety;

(J) includes a tabulation of the number of accidents, incidents, or aviation safety database entries received in which an item identified under subparagraph (I) was a cause or potential cause of human error related to aviation safety; and

(K) includes a list of causes or potential causes of human error related to aviation safety about which the Administrator believes additional information is needed; and

(2) if the Secretary exercises the option described in subsection (c)(2)(B), not later than the date that is 2 years after the date of establishment of the Task Force, produce an interim report containing the information described in paragraph (1).

(h) METHODOLOGY.—To complete the report under subparagraphs (I) through (K) of subsection (g)(1), the Task Force shall consult with the National Transportation Safety Board and use all available data compiled and analysis conducted on safety incidents and irregularities collected during the relevant fiscal year from the following:

(1) Flight Operations Quality Assurance.

(2) Aviation Safety Action Program.

(3) Aviation Safety Information Analysis and Sharing.

(4) The Aviation Safety Reporting System.

(5) Aviation safety recommendations and investigation findings of the National Transportation Safety Board.

(6) Other relevant programs or sources.

(i) APPLICABLE LAW.—Section 1013 of title 5, United States Code, shall not apply to the Task Force.

AMENDMENT NO. 21 OFFERED BY MR. DONALDS OF FLORIDA

At the end of title VIII, add the following:

SEC. ___. SENSE OF CONGRESS ENCOURAGING THE FAA TO WELCOME THE USE OF UNMANNED AERIAL VEHICLES.

It is the sense of Congress that Congress encourages the Federal Aviation Administration to welcome the use of unmanned aerial vehicles, such as drones, to bolster and augment traditional manual inspection, survey, and maintenance operations, including operations that relate to electric transmission infrastructure, water quality and the presence of harmful algal blooms, transportation infrastructure, national parks, and telecommunications infrastructure.

AMENDMENT NO. 22 OFFERED BY MR. DONALDS OF FLORIDA

At the end of title VIII, add the following:

SEC. ___. EVALUATION OF EMERGENCY RESPONSE PLANS.

(a) IN GENERAL.—The Comptroller General of the United States shall, in consultation with industry stakeholders and the owners

or operators of airports certified by the Administrator of the Federal Aviation Administration, conduct an evaluation of a representative sample of the emergency plans in place at such airports.

(b) CONTENTS.—In conducting the evaluation under subsection (a), the Comptroller General shall assess, with respect to such airports, the following:

(1) Electricity supply on normal operating procedures.

(2) Resiliency plans for maintaining appropriate electricity supply to continue airport operations in the case a natural disaster disrupts the airport's primary power source.

(3) Backup electricity plans in the event a natural disaster disrupts, partially or completely, the airport's primary power source.

(4) A comparison of previous versions of the airport's emergency response plans and how current and future airport emergency response plans may be similar or different than the emergency response plans of the past.

(5) The overall impact of an airport losing its primary power source on communities surrounding the airport and any public health and safety risks that may result.

(c) SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the evaluation conducted under subsection (a).

AMENDMENT NO. 24 OFFERED BY MS. ESHOO OF CALIFORNIA

Page 380, line 11, strike ''and'' and insert a comma.

Page 380, line 13, insert '', and recommendations solicited from individuals and local government officials in communities adversely impacted by aircraft noise'' after ''community engagement''.

AMENDMENT NO. 25 OFFERED BY MR. ESPAILLAT OF NEW YORK

Page 526, line 14, strike ''and''.

Page 526, after line 14, insert the following (and redesignate accordingly):

(8) conduct a review of potential vulnerabilities in inflight Wi-Fi service that may put the data of passengers at risk; and

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 10 minutes.

The Chair recognizes the gentleman from Missouri.

□ 1345

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of en bloc No. 1, containing 18 amendments from my colleagues on both sides of the aisle. This en bloc contains a number of important amendments that address issues of national importance as well as issues that are impacting individual districts.

This package allows airports to use their Federal dollars to better understand the communities which they serve and the length people travel in order to take a flight.

It will instruct the FAA to test and evaluate means by which general and business aviation can utilize technology to receive flight clearances as opposed to using antiquated systems.

It also instructs the FAA to stand up a multidisciplinary task force to review the impact that human factors have on aviation safety and to make related recommendations.

In addition, this package instructs the Government Accountability Office to consult with airports to review emergency response plans and assess electrical resiliency for the safe operations of an airport during emergency scenarios.

This en bloc includes a number of provisions from members of the T&I Committee that were raised at markup but that we didn't have time to resolve. I am very glad that we were able to work together to resolve the few issues and support changes on a bipartisan basis.

Mr. Chair, I urge support of this bipartisan en bloc package and reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in support of this en bloc.

It includes a number of provisions that will improve the bill overall, including:

A proposal from Representative BROWN of Ohio to ensure passengers on air carriers and foreign air carriers have the right to free drinking water on any flight longer than an hour;

A proposal from Representatives CARBAJAL, YAKYM, and DAVIDS directing the FAA to test the use of mobile technologies to deliver air traffic control clearances to general aviation pilots and part 135 operators;

A proposal from Representatives CISCOMANI and STANTON to prioritize air traffic control staffing at towers with strategic traffic and safety considerations;

A proposal from Representative DELBENE to expand the FAA's Center of Excellence for Alternative Jet Fuels and Environment to conduct research on hydrogen, supporting increasing efforts to decarbonize the aviation sector;

A proposal from Representative DESAULNIER to create a task force on human factors safety to harmonize disparate human factors work being done currently across the aviation community;

A proposal from Representative DONALDS encouraging the FAA to embrace the use of drones for helping workers to conduct safer, more efficient infrastructure inspections; and

A proposal from Representative ESHOO to ensure community voices are heard on aircraft noise issues.

Mr. Chair, I support this en bloc, and I encourage my colleagues to do the same.

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

Mr. GRAVES of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. YAKYM).

Mr. YAKYM. Mr. Chairman, let me begin by thanking Chairman GRAVES as well as Ranking Member LARSEN for the great work that they both did on this FAA reauthorization.

I rise in support of this en bloc, which includes Carbajal amendment No. 9, of which I am a cosponsor. I thank both the chairman and the ranking member for including this amendment in the en bloc.

This amendment creates a pilot program at five airports to deliver mobile clearances for general aviation and part 135 air carriers. Early FAA trials of this technology have shown promise, and thus it seems worthwhile to continue development and testing in hopes of being able to deploy it more widely.

As a pilot myself, I am excited about something like this down the road. Voice-based clearances can be difficult to understand, which leads to delays and misunderstandings. For airports without Towered Data Link Services, voice-based clearances can take 30 to 40 minutes. Trials of mobile deliveries have reduced that to 2 minutes.

I thank Mr. CARBAJAL and Ms. DAVIDS for their partnership on this amendment, and I thank the chairman and ranking member for their support.

Mr. LARSEN of Washington. Mr. Chair, I have no other speakers on the en bloc, so I will close by asking Members to please support the amendment. I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I urge my colleagues to support this en bloc amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc No. 1 offered by the gentleman from Missouri (Mr. GRAVES).

The en bloc amendments were agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 118–147.

It is now in order to consider amendment No. 4 printed in part A of House Report 118–147.

The Chair understands that amendment No. 6 will not be offered.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. GRAVES OF MISSOURI

Mr. GRAVES of Missouri. Mr. Chair, pursuant to House Resolution 597, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2, consisting of amendment Nos. 26, 28, 30, 31, 32, 34, 37, 38, 39, 40, 41, 42, 43, 45, 49, 51, 52, 55, 57, and 58 printed in part A of House Report 118–147, offered by Mr. GRAVES of Missouri:

AMENDMENT NO. 26 OFFERED BY MR. FEENSTRA OF IOWA

At the end of subtitle C of title VII, add the following:

SEC. ___. RESPONSE TIME FOR APPLICATIONS TO PROVIDE ESSENTIAL AIR SERVICE.

The Secretary of Transportation shall take such actions as are necessary to respond with an approval or denial of any application filed by an applicant to provide essential air service under subchapter II of chapter 417 of title 49, United States Code, to the greatest extent practicable no later than 6 months after receiving such application.

AMENDMENT NO. 28 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 462, line 3, insert ''commercial passenger'' after ''barrier on''.

Page 462, line 7, insert ''chair and'' after ''shall''.

Page 462, line 10, strike ''each of'' and insert ''from the constituencies of''.

Page 462, strike line 13.

Page 462, line 14, strike ''(4)'' and insert ''(3)''.

Page 462, strike lines 15 through 17 and insert the following:

(4) passenger aircraft pilots represented by a labor group;

(5) flight attendants represented by a labor group;

(6) airline passengers; and

Page 463, beginning on line 17, strike ''18 months'' and insert ''12 months''.

AMENDMENT NO. 30 OFFERED BY MR. ROBERT GARCIA OF CALIFORNIA

Page 472, line 1, insert ''or where crew would reasonably believe an aircraft lined up on an incorrect runway or incorrect taxiway, the aircraft landing at the wrong airport, the aircraft significantly overpassed the destination airport, or the crew have been alerted of a possible pilot deviation'' after ''Regulations,''.

Page 473, line 11, strike the closing quotation mark and final period.

Page 473, after line 11, insert the following:

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect—

''(1) the confidentiality of recordings and transcripts under section 1114(c);

''(2) the ban on recordings for civil penalty or certificate action under section 121.359(h) of title 14, Code of Federal Regulations; or

''(3) the prohibition against use of data from flight operational quality assurance programs for enforcement purposes under section 13.401 of 14, Code of Federal Regulations.''.

AMENDMENT NO. 31 OFFERED BY MRS. GONZÁLEZ-COLÓN OF PUERTO RICO

At the end of title VIII, add the following:

SEC. ___. STUDY ON AIR CARGO OPERATIONS IN PUERTO RICO.

(a) IN GENERAL.—No later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on air cargo operations in Puerto Rico.

(b) CONTENTS.—In conducting the study required under subsection (a), the Comptroller General shall address the following:

(1) The economic impact of waivers authorized by the Secretary of the Department of Transportation related to air cargo operations in Puerto Rico.

(2) Recommendations for security measures that may be necessary to support increased air cargo operations in Puerto Rico.

(3) Potential need for additional staff to safely accommodate additional air cargo operations.

(4) Airport infrastructure improvements that may be needed in the 3 international airports located in Puerto Rico to support increased air cargo operations.

(5) Alternatives to increase private stakeholder engagement and use of the 3 international airports in Puerto Rico to attract increased air cargo operations.

(6) Possible national benefits of increasing air cargo operations in Puerto Rico.

(c) REPORT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit to the appropriate Committees of Congress a report on the results of the study described in subsection (a).

AMENDMENT NO. 32 OFFERED BY MR. GOODEN OF TEXAS

At the end of title VIII, insert the following:

SEC. 8___. PROHIBITION ON OPERATION OF AIRCRAFT OVER RUSSIAN AIRSPACE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of State and other relevant Federal officials, shall—

(1) amend NOTAM KICZ NOTAM A0005/22-Security, titled ''United States of America Prohibition Against Certain Flights in specified areas of the Moscow (UUWV), Samara (UWWW) and Rostov-Na Donu (URRV) Flight Information Regions (FIR))'' to apply the prohibitions equally to air carriers and foreign air carriers landing in or taking off from an airport in the United States;

(2) take other actions within the authorities of the Secretary to apply to foreign air carriers landing in, or taking off from, an airport in the United States prohibitions consistent with the prohibitions in the NOTAM referred to in paragraph (1); or

(3) provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a briefing, in a classified or unclassified setting, if the Secretary finds that the implementation of paragraph (1) or (2) is—

(A) unnecessary;

(B) not in the public interest; or

(C) not consistent with the foreign policy priorities of the United States.

(b) SUNSET.—Any prohibition implemented pursuant to subsection (a) shall terminate on the date on which the NOTAM referred to in subsection (a) is rescinded.

(c) SAVINGS CLAUSE.—Nothing in this section shall be construed as putting any limitation on the authority of the Secretary of Transportation to implement any prohibition in addition or subsequent to a prohibition implemented under subsection (a).

(d) DEFINITIONS.—Each of the terms used in this section shall have the meanings given such terms in section 40102(a) of title 49, United States Code.

AMENDMENT NO. 34 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of title VII, add the following:

SEC. _____. GAO STUDY ON CERTAIN AIRPORT DELAYS.

The Comptroller General of the United States shall conduct a study on flight delays in the States of New York, New Jersey, and Connecticut and the possible causes of such delays.

AMENDMENT NO. 37 OFFERED BY MS. HAGEMAN OF WYOMING

Page 738, after line 17, insert the following (and redesignate the subsequent subparagraph accordingly):

''(E) ensure that any procurement of new equipment takes into account the life cycle, reliability, performance, service support, and costs to guarantee the acquisition of equipment that is of high quality and reliability resulting in greater performance and cost-related benefits for airports;

AMENDMENT NO. 38 OFFERED BY MS. HAGEMAN OF WYOMING

At the end of subtitle A of title V, add the following:

SEC. _____. PROVIDING NON-FEDERAL WEATHER OBSERVER TRAINING TO AIRPORT PERSONNEL.

The Administrator of the Federal Aviation Administration shall take such actions as are necessary to provide training that is easily accessible and streamlined for airport personnel to become certified as non-Federal weather observers so that such personnel can manually provide weather observations when automated surface observing systems and automated weather observing systems experience outages and errors in order to ensure operational safety at airports.

AMENDMENT NO. 39 OFFERED BY MS. HAGEMAN OF WYOMING

At the end of title VIII, add the following:

SEC. _____. GAO STUDY ON AVIATION WORKFORCE.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on methods related to the recruitment, retention, employment, education, training, and well-being of the aviation workforce specifically within rural communities.

(b) COLLABORATION.—In conducting the study under subsection (a), the Comptroller General shall collaborate with industry stakeholders and rural aviation facilities to ascertain the best policies for increasing participating in the aviation workforce community from individuals from rural communities.

(c) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Comptroller General shall submit the results of the study under subsection (a) to the appropriate congressional committees.

(d) ADMINISTRATIVE ACTIONS.—The Administrator of the Federal Aviation Administration shall take such actions as are reasonable to implement the recommendations made by the Comptroller General from the study conducted under subsection (a).

AMENDMENT NO. 40 OFFERED BY MR. HIGGINS OF LOUISIANA

Add at the end of title VIII the following:

SEC. 844. ASSESSMENT BY INSPECTOR GENERAL OF THE DEPARTMENT OF TRANSPORTATION OF COUNTER-UAS SYSTEM OPERATIONS.

(a) ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall assess all actions taken by the Federal Aviation Administration affecting the ability of U.S. Customs and Border Protection to conduct counter-UAS system operations at the southern border of the United States from January 1, 2021, to such date of enactment.

(b) CONSIDERATIONS.—The assessment under subsection (a) shall consider the following impacts:

(1) Operational capabilities of U.S. Customs and Border Protection in detecting and mitigating unauthorized unmanned aircraft systems.

(2) Coordination efforts and information sharing between the Federal Aviation Administration and U.S. Customs and Border Protection regarding counter-UAS system operations.

(3) Any other impacts or considerations the Inspector General of the Department of Transportation determines relevant.

(c) REPORT.—Not later than 90 days after the completion of the assessment under subsection (a), the Inspector General of the Department of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the findings of such assessment.

(d) DEFINITIONS.—In this section:

(1) COUNTER-UAS SYSTEM.—The term ''counter-UAS system'' has the meaning given such term in section 44801 of title 49, United States Code.

(2) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

AMENDMENT NO. 41 OFFERED BY MR. HILL OF ARKANSAS

At the end of title VIII, add the following:

SEC. ___. BRIEFING ON LIT VORTAC PROJECT.

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

Administrator of the Federal Aviation Administration shall provide a briefing on the Little Rock Port Authority Very High Frequency Omni-Directional Radio Range Tactical Air Navigation Aid Project (LIT VORTAC) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) BRIEFING CONTENTS.—The briefing required under subsection (a) shall include the following:

(1) (1) The status of the efforts by the Federal Aviation Administration to relocate the LIT VORTAC.

(2) The status of new flight planning of the relocated VORTAC.

(3) A description of and timeline for each remaining phase of the relocation project.

AMENDMENT NO. 42 OFFERED BY MR. HOULAHAN OF PENNSYLVANIA

At the end of title VIII, add the following:

SEC. ___. REIMBURSEMENT FOR FINANCIAL LOSSES DUE TO CERTAIN AIRPORT CLOSURES.

(a) NOTIFICATION REQUIRED.—Not later than 30 days after the date on which a President takes office, the Administrator of the Federal Aviation Administration shall provide notification to specified aviation entities located at any airports that may be expected to close at any point during the term of such President due to temporary flight restrictions related to any residence of the President that is designated or identified to be secured by the United States Secret Service.

(b) REIMBURSEMENT REQUIRED.—Subject to the availability of appropriations, the Administrator shall provide financial reimbursement to specified aviation entities in an amount equal to the direct and incremental financial losses incurred while an airport, or portion thereof, is closed solely due to the actions of the Federal Government as described in subsection (a). The Administrator shall provide reimbursement for such losses.

(c) AUDIT REQUIRED.—The Administrator may not obligate or distribute reimbursement funding described in subsection (b) until an audit of the financial losses incurred by a specified aviation entity is completed by the Administrator. The Administrator may request that specified aviation entities provide documentation which the Administrator determines is necessary to complete such audit.

(d) INELIGIBLE COSTS.—In carrying out this section, the Administrator shall ensure that any loss incurred as a result of a violation of law, or through fault or negligence, of a specified aviation entity are not eligible for reimbursements

(e) GOVERNMENT RELEASE FROM LIABILITY.—The United States Government shall not be liable for claims for financial losses resulting from airport closures described in subsection (a).

(f) SPECIFIED AVIATION ENTITY DEFINED.—In this section, the term ''specified aviation entity'' means—

(1) an airport sponsor that does not provide gateway operations;

(2) a provider of general aviation ground support services; or

(3) an impacted aviation tenant.

AMENDMENT NO. 43 OFFERED BY MR. HOYLE OF OREGON

Page 494, after line 12, insert the following:

(d) TRAINING MATERIALS.—Not later than 6 months after the completion of the safety review required under subsection (a), the Administrator shall develop and publish training and related educational materials about aircraft engine ingestion and jet blast hazards for ground crews (including supervisory employees) that includes information on—

(1) the specific dangers and consequences of entering engine ingestion or jet blast zones;

(2) proper protocols to avoid entering an engine ingestion or jet blast zone; and

(3) on-the-job, instructor-led training to physically demonstrate the engine ingestion zone boundaries and jet blast zones for each kind of aircraft the ground crew may encounter.

AMENDMENT NO. 45 OFFERED BY MR. HUIZENGA OF MICHIGAN

At the end of title VIII, add the following:

SEC. ___. PROHIBITION ON CERTAIN RUNWAY LENGTH REQUIREMENTS.

Notwithstanding any other provision of law, the Secretary of Transportation may not require an airport to shorten the length or width of the airport's runway, apron, or taxiway as a condition for the receipt of federal financial assistance if the airport directly supports a base of the United States Air Force or the Air National Guard at the airport, regardless of the stationing of military aircraft.

AMENDMENT NO. 49 OFFERED BY MR. JOHNSON OF SOUTH DAKOTA

Page 337, after line 25, insert the following:

''(B) CLOUD-BASED, INTERACTIVE DIGITAL PLATFORMS.—The Administrator is encouraged to utilize cloud-based, interactive digital platforms to meet community engagement and agency coordination requirements under subparagraph (A).''.

AMENDMENT NO. 51 OFFERED BY MR. KEAN OF NEW JERSEY

Page 613, line 15, strike ''and''.

Page 613, line 19, strike the period and insert ''; and''.

Page 613, after line 19, insert the following:

(F) consult with the Secretary of Defense with regard to—

(i) the U.S. Air Force Agility Prime Program and powered-lift aircraft evaluated and deployed for military purposes, including the F35B program;

(ii) the commonalities and differences between powered-lift aircraft types and the handling qualities of such aircraft; and

(iii) the pathways for pilots to gain proficiency and earn the necessary ratings required to act as a pilot in command of powered-lift aircraft.

AMENDMENT NO. 52 OFFERED BY MR. KILMER OF WASHINGTON

Page 256, beginning on line 9, strike ''an improvement of any runway, taxiway, or apron'' and insert ''improvements, or planning for improvements,''.

Page 256, beginning on line 12, strike ''under visual flight rules''.

Page 256, line 13, insert ''(defined as an earthquake, flooding, high water, wildfires, hurricane, storm surge, tidal wave, tornado, tsunami, wind driven water, sea level rise, tropical storm, cyclone, land instability, or winter storm)'' after ''natural disaster''.

Page 256, line 17, insert ''or Incident support base'' after ''staging area''.

AMENDMENT NO. 55 OFFERED BY MS. LEE OF NEVADA

Page 555, line 16, insert ''including research'' after ''agricultural purposes''.

Page 581, line 15, insert ''research,'' before ''wildfire detection, mitigation, and suppression''.

AMENDMENT NO. 57 OFFERED BY MR. LYNCH OF MASSACHUSETTS

Page 374, strike lines 6 through 8 and insert the following:

(i) multiple airport communities and communities in the vicinity of airports;

AMENDMENT NO. 58 OFFERED BY MR. LYNCH OF MASSACHUSETTS

Page 382, line 20, strike ''and''.

Page 382, after line 20, insert the following:

(H) ensuring engagement with local community groups as appropriate in conducting the other responsibilities described in this section; and

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 15 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of en bloc No. 2, containing 20 amendments from my colleagues on both sides of the aisle. This en bloc reflects the bipartisan work of our committee, which has done what we have done to address Members' priorities.

This includes bipartisan agreements on several amendments that we considered during our markup, including requiring the FAA to develop training materials to improve safety for airport ramp workers, and it requires the GAO to conduct a study on air cargo operations in Puerto Rico.

Furthermore, the en bloc package includes amendments to ensure the Secretary responds to essential air service contracts in a timely manner, allowing the FAA to provide weather observer training to airport personnel and ensures that United States passengers on foreign air carriers are protected in the same manner as they would be on United States air carriers by avoiding Russian airspace.

Mr. Chair, I urge my colleagues to support this bipartisan en bloc package, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in support of this en bloc. It includes several provisions that will improve the bill overall, including amendments from Representatives LEE, HOYLE, GOTTHEIMER, LYNCH, and others.

I support this en bloc and encourage my colleagues to do the same. I have no other speakers on amendments en bloc No. 2, so I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I don't have any speakers, so I am prepared to close. I urge my colleagues to support these amendments en bloc, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc No. 2, offered by the gentleman from Missouri (Mr. GRAVES).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. GRAVES OF MISSOURI

Mr. GRAVES of Missouri. Mr. Chair, pursuant to House Resolution 597, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 54, 56, 59, 63, 66, 72, 78, 79, 80, 81, 82, 83, 84, 86, 95, 96, and 97 printed in part A of House Report number 118–147 offered by Mr. GRAVES of Missouri.

AMENDMENT NO. 54 OFFERED BY MR. LAWLER OF NEW YORK

At the end of title VIII, add the following:

SEC. __. STUDY ON PILOT SUPPLY ISSUES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the shortage of pilots faced by air carriers.

(b) CONTENTS.—In conducting the study under subsection (a), the Comptroller General shall address ways to overcome challenges to the pilot workforce.

AMENDMENT NO. 56 OFFERED BY MR. LUCAS OF OKLAHOMA

Page 782, beginning on line 18, strike ''a plan to'' and all that follows through ''expand overall'' and insert ''a plan to expand overall''.

Page 783, line 2, strike ''; and'' and insert a period.

Page 783, strike line 3.

Page 783, beginning on line 9, strike ''Academies'' and insert ''Academy''.

Page 783, beginning on line 16, strike '', and whether field training can be administered more flexibly, such as at other Federal Aviation Administration locations across the country''.

Page 784, line 1, strike ''virtual''.

Page 784, strike lines 5 through 8.

Page 784, beginning on line 9, strike ''costs of'' and all that follows through ''expanding Federal'' and insert ''costs of expanding Federal''.

Page 784, line 11 insert ''at the existing air traffic control academy'' after ''capacity''.

Page 784, line 12, strike ''; and'' and insert a period.

Page 784, strike lines 13 through 14.

AMENDMENT NO. 59 OFFERED BY MR. MAGAZINER OF RHODE ISLAND

Page 256, after line 19, insert the following (and redesignate the subsequent subparagraph accordingly):

(V) a project to comply with rulemakings and recommendations on cybersecurity standards from the rulemaking committee convened under section 574 of the Securing Growth and Robust Leadership in American Aviation Act.

AMENDMENT NO. 63 OFFERED BY MS. MENG OF NEW YORK

Page 362, line 1, insert ''and in overflight communities'' after ''in the vicinity of airports''.

Page 362, after line 11, insert the following:

(e) OVERFLIGHT COMMUNITY DEFINED.—In this section, the term ''overflight community'' means an area—

(1) located under the flight paths of aircraft;

(2) that experiences noise annoyance from such aircraft or airports; and

(3) that is located in an area that experiences a day-night average sound level lower than the threshold of significant noise exposure established by the Administrator of the Federal Aviation Administration.

AMENDMENT NO. 66 OFFERED BY MR. NEGUSE OF COLORADO

Page 380, beginning on line 11, insert ''interviews with impacted residents,'' after ''other Federal agencies,''.

AMENDMENT NO. 72 OFFERED BY MRS. PELTOLA OF ALASKA

Page 438, line 11, strike ''reconstructing and rehabilitating'' and insert ''rehabilitating, reconstructing, or extending''.

AMENDMENT NO. 78 OFFERED BY MS. PETTERSEN OF COLORADO

Page 67, line 6, strike ''in decision making processes''.

AMENDMENT NO. 79 OFFERED BY MS. PETTERSEN OF COLORADO

Page 476, line 4, strike ''and''.

Page 476, line 13, strike the period and insert ''; and''.

Page 476, after line 13, insert the following:

(3) what contents of the emergency medical kits should be readily available, to the extent practicable, for use by flight crews without prior approval by a medical professional.

AMENDMENT NO. 80 OFFERED BY MS. PETTERSEN OF COLORADO

Page 247, line 8, insert '', including antidepressants'' before the semicolon.

AMENDMENT NO. 81 OFFERED BY MS. PETTERSEN OF COLORADO

Page 248, line 14, strike ''and'' at the end.

Page 248, after line 14, insert the following (and redesignate accordingly):

(C) consider implementing the final recommendations report issue by the Office of the inspector general of the Department of Transportation titled, ''FAA Conduct Comprehensive Evaluations of Pilots With Mental Health Challenges, but Opportunities Exist to Further Mitigate Safety Risks'' and published on July 12, 2023; and

AMENDMENT NO. 82 OFFERED BY MR. PFLUGER OF TEXAS

Page 712, after line 10, insert the following:

(e) SENSE OF CONGRESS.—It is the sense of Congress that route structures to rural airports serve a critical function to our Nation by connecting many of our military installations to major regional airline hubs.

AMENDMENT NO. 83 OFFERED BY MR. PORTER OF CALIFORNIA

At the end of title VIII, add the following:

SEC. ___. GAO STUDY ON FAA RESPONSIVENESS TO CONGRESS.

(a) GAO STUDY.—The Comptroller General of the United States shall conduct a study on—

(1) the level of responsiveness of the Administrator of the Federal Aviation Administration to a request for information from a Member of Congress, including a written congressional inquiry and staffing a meeting at the request of such a Member; and

(2) the average timeframe responses are provided to the requests described in paragraph (1).

(b) ANNUAL BRIEFING TO CONGRESS.—Section 106 of title 49, United States Code, is amended by adding at the end the following:

''(u) ANNUAL BRIEFING TO CONGRESS.—The Administrator shall annually brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on—

''(1) the efforts, activities, objectives, and plans of the Administration; and

''(2) the efforts of the Administration to engage with Congress and the public.''.

AMENDMENT NO. 84 OFFERED BY MR. PRESSLEY OF MASSACHUSETTS

At the end of title VIII, add the following:

SEC. _____. GAO STUDY ON TRANSIT ACCESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study, and make the results of such study publicly accessible, on transit access to airports.

(b) CONTENTS.—In carrying out the study under subsection (a), the Comptroller General shall review public transportation access to commercial service airports throughout the United States, including cost, disability accessibility, and other potential barriers for individuals.

AMENDMENT NO. 86 OFFERED BY MR. ROSE OF TENNESSEE

At the end of subtitle A of title VII, add the following:

SEC. _____. GAO REPORT ON MASS FLIGHT CANCELLATION EVENT.

(a) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the actions of the Department of Transportation during the period beginning 2 weeks before July 4th, 2023, and ending two weeks after July 4th, 2023, that resulted in substantial flight calculations during such period.

(b) EXAMINATION.—In developing the report under subsection (a), the Comptroller general shall examine—

(1) all actions the Secretary of Transportation and the Administrator of the Federal Aviation Administration took to mitigate flight disruptions and flight cancellations during such period; and

(2) any actions not taken by the Secretary or the Administrator that may have mitigated flight disruptions and cancellations during such period.

AMENDMENT NO. 95 OFFERED BY MR. VAN DREW OF NEW JERSEY

Page 602, after line 15, insert the following:

(J) Operators pursuing or holding a certificate for the operation of an unmanned aircraft weighing 55 pounds or more.

AMENDMENT NO. 96 OFFERED BY MR. WESTERMAN OF ARKANSAS

Strike section 204 of the bill and insert the following:

SEC. 204. DATA PRIVACY.

(a) IN GENERAL.—Chapter 441 of title 49, United States Code, is amended by adding at the end the following:

''§ 44114. Privacy

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall establish and continuously improve a process by which, upon request of a private aircraft owner or operator, the Administrator blocks the registration number and other similar identifiable data or information, except for physical markings required by law, of the aircraft of the owner or operator from any public dissemination or display (except in furnished data or information made available to or from a Government agency pursuant to a government contract, subcontract, or agreement) for the noncommercial flights of the owner or operator.

''(b) WITHHOLDING PERSONALLY IDENTIFIABLE INFORMATION ON THE AIRCRAFT REGISTRY.—Not later than 1 year after the enactment of this Act and notwithstanding any other provision of law, the Administrator shall establish a procedure by which, upon request of a private aircraft owner or operator, the Administrator shall withhold from public disclosure (except in furnished data or information made available to or from a Government agency pursuant to a government contract, subcontract, or agreement, including that for traffic management purposes) the personally identifiable information of such individual, including on FAA websites.

''(c) ICAO AIRCRAFT IDENTIFICATION CODE.—

''(1) IN GENERAL.—The Administrator shall establish a program for aircraft owners and operators to apply for a new ICAO aircraft identification code.

''(2) LIMITATIONS.—In carrying out the program described in paragraph (1), the Administrator shall require—

''(A) each applicant to attest to a safety or security need in applying for a new ICAO aircraft identification code; and

''(B) each approved applicant who obtains a new ICAO aircraft identification code to comply with all applicable aspects of, or related to, part 45 of title 14, Code of Federal Regulations, including updating an aircraft's registration number and N–Number to reflect such aircraft's new ICAO aircraft identification code.

''(d) DECOUPLING MODE S CODES.—The Administrator shall develop a plan for which the Administrator could allow for a process to disassociate an assigned Mode S code with the number assigned to an aircraft that is registered pursuant to section 44103.

''(e) DEFINITIONS.—In this section:

''(1) ADS–B.—The term 'ADS–B' means automatic dependent surveillance-broadcast.

''(2) ICAO.—The term 'ICAO' means the International Civil Aviation Organization.

''(3) PERSONALLY IDENTIFIABLE INFORMATION.—The term 'personally identifiable information' means—

''(A) the mailing address or registration address of an individual;

''(B) an electronic address (including an email address) of an individual; or

''(C) the telephone number of an individual.

''(D) the names of the aircraft owner or operator.''.

(b) STUDY ON ENCRYPTING ADS–B.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall seek to enter into an agreement with a qualified organization to conduct a study assessing the technical challenges, impact to international aviation operations, benefits, and costs of encrypting ADS–B signals to provide for a safer and more secure environment for national airspace system users.

(2) CONSULTATION.—In carrying out the study under paragraph (1), a qualified organization shall consult with representatives of—

(A) air carriers;

(B) collective bargaining representatives of the Federal Aviation Administration aero3 nautical information specialists;

(C) original equipment manufacturers of ADS–B equipment;

(D) general aviation;

(E) business aviation; and

(F) aviation safety experts with specific knowledge of aircraft cybersecurity.

(3) CONSIDERATIONS.—In carrying out the study under paragraph (1), a qualified organization shall consider—

(A) the technical requirements for encrypting ADS–B signals for both the 978 Mhz and 1090 Mhz frequencies;

(B) the advantages of encrypting ADS–B signals for both the 978 Mhz and 1090 Mhz frequencies, including those related to cybersecurity protections, safety, and privacy of national airspace system users;

(C) the disadvantages of encrypting ADS–B signals for both the 978 Mhz and 1090 Mhz frequencies, including those related to cybersecurity protections, safety, and privacy of national airspace system users;

(D) the challenges of encrypting ADS–B signals for both the 978 Mhz and 1090 Mhz frequencies, including coordination considerations with the International Civil Aviation Organization and foreign civil aviation authorities;

(E) potential new aircraft equipage requirements and estimated costs;

(F) the impact to nongovernmental third party users of ADS–B data;

(G) the estimated costs to—

(i) the Federal Aviation Administration;

(ii) aircraft owners required to equip with ADS–B equipment for aviation operations; and

(iii) other relevant persons the Administrator determines necessary; and

(H) the impact to national airspace system operations during implementation and post-implementation.

(4) REPORT.—In any agreement entered into under paragraph (1), the Administrator shall ensure that, not later than 1 year after the completion of the study required under paragraph (1), the qualified organization that has entered into such agreement shall submit to the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study described in paragraph (1), including the findings and recommendations related to each item specified under paragraph (3).

(5) DEFINITION OF QUALIFIED ORGANIZATION.—In this subsection, the term ''qualified organization'' means an independent nonprofit organization, described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(c) CLERICAL AMENDMENT.—The analysis for chapter 441 of title 49, United States Code, is amended by adding at the end the following:

''44114. Privacy.''.

(d) CONFORMING AMENDMENT.—Section 566 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44103 note) and the item relating to such section in the table of contents under section 1(b) of that Act are repealed.

AMENDMENT NO. 97 OFFERED BY MR. WESTERMAN OF ARKANSAS

In section 609(b)(3), strike ''and'' after the semicolon.

In section 609(b)(4), strike the period and insert ''; and''.

In section 609(b), add at the end the following:

(5) ensure the safety of manned aircraft operating in the national airspace system.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 15 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this en bloc, which contains 17 amendments to H.R. 3935 offered by my colleagues on both sides of the aisle.

This en bloc package includes amendments that seek to require the Government Accountability Office to study the pilot shortage, require community feedback regarding aircraft noise matters, improve emergency medical kits on board aircraft, require an audit of recent flight cancellations that continue to plague passengers and travelers, as well as many more things in this en bloc.

I urge support of this en bloc package and encourage a ''yes'' vote by all Members.

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

Mr. LARSEN of Washington. Mr. Chair, I rise in support of this en bloc. It includes several amendments that strengthen the bill, including:

A proposal from Representative MAGAZINER to ensure AIP funding can be used for cybersecurity projects;

An amendment from Representatives MENG, NORTON, JOHNSON, NADLER, and RASKIN to ensure overflight community feedback is considered as the FAA updates its aircraft noise policies;

A proposal from Representative NEGUSE of Colorado to ensure the FAA directly interviews residents from communities impacted by aircraft noise as part of its community engagement efforts;

Several proposals from Representative PETTERSEN of Colorado to address community noise concerns, in-flight emergency medical kits, and pilot mental health;

A bipartisan proposal from Representatives PORTER and WESTERMAN to audit and improve the FAA's responsiveness to congressional requests—I just can't imagine who couldn't support that; and

A proposal from Representative PRESSLEY to study transit access to airports.

Mr. Chair, I urge all Members to support en bloc No. 3, and I yield back the balance of my time.

□ 1400

Mr. GRAVES of Missouri. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. ROSE).

Mr. ROSE. Mr. Chair, I rise in support of my amendment, which requires a GAO report on the recent mass flight cancellations and delays that crippled our Nation surrounding the Fourth of July holiday.

Mr. Chair, listen to these headlines:

From Newsweek: ''July 4th Travel Chaos as Thousands of Airline Passengers Face Cancellations.''

From the Associated Press: ''Travelers endure another day of airport agony.''

From the Insider news site: ''Get ready for a flightmare: What to expect if you are one of the 4 million Americans flying this Independence Day weekend.''

Mr. Chair, I include in the RECORD each of these articles.

[From Newsweek.com, June 29, 2023]

JULY 4TH TRAVEL CHAOS AS THOUSANDS OF AIRLINE PASSENGERS FACE CANCELLATIONS

(By Khaleda Rahman)

Hundreds of flights in the U.S. have been canceled Thursday, a worrying indication of the chaos summer travelers could endure as they prepare to fly during the busy July 4 weekend.

Airline passengers suffered through yet another day of delayed and canceled flights on Wednesday, with the East Coast continuing to be the hardest hit as storms pummel the region.

Around 1,200 U.S. flights were canceled on Wednesday, while nearly 7,000 were delayed, according to flight-tracking website FlightAware.

By early Thursday, 344 flights within, into and out of the U.S. had been canceled and at least 500 more were delayed. Of the cancelled flights, 78 had been scheduled to fly in or out

of New Jersey's Newark Liberty Airport, 74 were at Denver airport, and 62 at Houston's George Bush Intercontinental Airport.

The Federal Aviation Administration expects Thursday to be the busiest travel day of the long weekend, with more than 52,500 total flights.

United Airlines, which uses Newark airport as its New York area hub, canceled 263 flights on Thursday, the most among U.S. airlines for a sixth straight day.

''We're beginning to see improvement across our operation. We expect to cancel far fewer seats today compared to yesterday and our baggage backlog at Newark has dropped more than 30 percent since Tuesday, and off-duty flight attendants are calling in from across the country to staff open trips,'' United said in a statement to Newsweek on Wednesday night.

''It's all-hands-on-deck as our pilots get aircraft moving, contact center teams work overtime to take care of our customers, and our airport customer service staff works tirelessly to deliver bags and board flights. As our operation improves in the days ahead, we will be on track to restore our operation for the holiday weekend.''

Many passengers who were left stranded have taken to social media to express their anger, with some saying they were forced to sleep in airport terminals.

''My wife & 2 toddlers are sleeping in an airport terminal tonight because @united bumped the flight three times, put on standby for a midnight flight, then bumped again until tomorrow morning,'' a Twitter user named John wrote.

''On hold w a rep since 3 pm today. Nobody at counters. They don't care.''

Some, including Margo Osborne, said they would never fly with certain airlines again.

''Will never fly @united again!'' Osborne tweeted. ''1000s stranded at Newark, after countless flights canceled. No one allowed to retrieve checked bag, even if u have medical equip packed inside. Customer service was worst I've seen.''

United Airlines CEO Scott Kirby has blamed a shortage of federal air traffic controllers for massive disruptions at its Newark hub last weekend.

Over 150,000 customers in the New York City area were impacted because of Federal Aviation Administration (FAA) ''staffing issues and their ability to manage traffic,'' Kirby wrote in a memo to employees on Monday night, according to Fox Business. ''The FAA frankly failed us this weekend.''

''We will always collaborate with anyone seriously willing to join us to solve a problem,'' an FAA spokesperson told Newsweek.

The spokesperson said the FAA is ''working closely with airlines to keep aircraft moving safely and efficiently over the Fourth of July travel period.''

They also pointed to weekly updates on the FAA's website with preliminary data on the causes of delays.

''Current delay data shows the vast majority are due to weather and volume,'' the spokesperson said.

Transportation Secretary Pete Buttigieg, whose department includes the FAA, took to social media on Wednesday to reassure travelers that the FAA is working to ''find solutions.''

''We are closely watching air travel this week. Weather has been rough, especially in the last four or five days, it's caused a lot of cancellations and delays for many passengers around the country,'' he said in a video posted on Twitter.

''We've known that summer is going to be a stress test on the system. The good news is we've seen a lot of progress this year through Memorial Day and also a major improvement to passenger rights compared to a year ago . . . FAA is continuing to work around the clock with airlines and within FAA's own operations to find solutions, get creative, make sure the system is as resilient as possible.''

Last week, Buttigieg issued a new warning to airlines, telling them that flights could be disrupted because some planes lack updated equipment to prevent interference from new 5G wireless service. He said only planes retrofitted with the right equipment will be allowed to land when visibility is poor, such as during bad weather.

[From apnews.com, June 27, 2023]

TRAVELERS ENDURE ANOTHER DAY OF AIRPORT AGONY. ONE AIRLINE HAS BY FAR THE MOST CANCELLATIONS

(By David Koenig)

DALLAS (AP).—Air travelers endured another wave of flight disruptions Thursday despite better weather along much of the East Coast, while United Airlines continued to account for the majority of canceled flights nationwide.

United vowed to get back on track over the July 4 holiday weekend, when the number of air travelers could set a pandemic-era record.

Hundreds of thousands of people have had travel plans thrown in the air after a wave of storms raked the Northeast over the past few days and frustrations are running high.

Airports in Chicago, Denver and Newark, New Jersey—all hubs for United—were seeing the most delays on Thursday, according to FlightAware.

By early evening on the East Coast, United had canceled more than 400 flights, the bulk of the 600-plus cancellations toted up by FlightAware. The Chicago carrier was poised to lead all U.S. airlines in cancellations for a sixth straight day.

United CEO Scott Kirby has blamed the airline's struggles in Newark on a shortage of air traffic controllers in the New York City area. Transportation Secretary Pete Buttigieg pushed back against the criticism while conceding that a key Federal Aviation Administration facility in New York is severely understaffed.

''United Airlines has some internal issues they need to work through. They have really been struggling this week, even relative to other U.S. airlines,'' Buttigieg told CNN. ''But where we do agree is that there need to be more resources for air traffic control.''

The FAA plans to hire 3,300 controllers over two years, but they won't be ready to help this summer, much less this weekend.

The leader of United's union pilots—who are locked in difficult contract negotiations—blamed management for the disruptions, saying the company failed to upgrade a crewscheduling system.

''While Scott Kirby attempts to deflect blame on the FAA, weather and everything in between, further flight delays are a direct result of poor planning by United Airlines executives,'' Garth Thompson said.

United is offering triple pay to flight attendants who are scheduled off this weekend but agree to pick up extra flights, according to their union. The Association of Flight Attendants also said crews calling in for assignments have been put on hold for three hours or longer.

''The airline actually 'lost' crews in the system for days on end because there was such a significant breakdown in running the operation,'' said Ken Diaz, president of the flight attendants' group at United. He said the company scheduled summer flights ''to the max'' even knowing about air traffic control limits in the Northeast.

United said it was getting a handle on its problems.

''We're seeing continued meaningful improvement today after an overnight effort to further repair schedules and match separated crews with aircraft,'' the airline said in a midday statement. ''As the recovery progresses, delays and cancellations will continue to decline as we head into what we expect to be a very busy holiday weekend.''

Because planes are packed for the summer, it is hard for airlines to rebook customers when flights are canceled—there aren't many empty seats.

Ariana Duran of Orlando, Florida, said JetBlue rebooked her for seven days later when her flight home from Newark was canceled this week. So she got creative.

Her boyfriend spotted a $1,200 seat on another airline, but it was gone before they could buy it. She looked into Amtrak. Duran, who does marketing for an insurance company, wound up paying about $640 for a one-way ticket to Orlando—with a stop in the Florida Keys—on United Express and Silver Airways.

Duran didn't care when they told her it would be a very small plane. ''Just put me on a boat at this point,'' she said.

Sonia Hendrix, who runs a public-relations firm in New York, took four days to get home from a business trip to Colorado. She was stranded one night in Atlanta and two in Orlando, when connecting flights were canceled. She woke up some mornings not knowing where she was.

Hendrix said a Delta agent threatened to cancel her reservation when she complained about being offered only a $50 voucher for her trip troubles. On the other hand, her pilot, ''Captain Dan,'' waited in the airport and helped passengers after the flight was canceled.

''This is not all Delta's fault. Their pilots and flight crews were working very hard,'' she said. ''I blame the FAA. I blame Buttigieg for sitting on his hands'' and not staffing up air traffic control centers sooner.

Hendrix said she lost working time and spent $700 out of pocket. She is so worried it could happen again that she is reconsidering a business trip next month to Los Angeles.

The FAA said Thursday would be the busiest day of the holiday stretch by number of flights. The Transportation Security Administration said it expected to screen the most travelers on Friday—a predicted 2.82 million people.

Scattered showers and thunderstorms may arrive later Thursday in the Northeast, and storms were also forecast farther south along the East Coast through Saturday. The West is under threat of unstable weather for the next several days.

Along with big crowds and storms, a technology issue could add to travelers' difficulties. Federal officials say some airline planes may be unable to fly in bad weather starting Saturday because of possible interference from new 5G wireless service.

American, United, Southwest, Alaska and Frontier say all their planes have been retrofitted with new radio altimeters—those are devices that measure the plane's height above the ground—and they do not expect disruptions due to 5G service.

However, Delta Air Lines has about 190 planes in its fleet of more than 900 that have not been updated because it can't get enough altimeters from its supplier. Delta says it will schedule those planes to avoid landing in poor visibility while it works to upgrade them through the summer.

The issue affects several types of single-aisle planes that Delta uses on routes within the United States, including all its Airbus A220s and most of its Airbus A319 and A320 jets.

Smaller airlines that operate regional flights could also be affected by the radio interference issue, as could flights operated to the United States by foreign carriers.

By early evening in the East, about 5,300 flights had been delayed, down from an average of 8,000 a day over the first three days of the week.

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[From insider.com]

GET READY FOR A 'FLIGHTMARE' IF YOU'RE FLYING THIS JULY 4 HOLIDAY

(By Hannah Towey and Pete Syme)

Imagine the entire population of Los Angeles heading to an airport—and then throw in Cincinnati, just for fun.

That's how many Americans are expected to fly over this Independence Day weekend, which travel organization AAA predicts will break records for car and air travel.

And the Transportation Security Administration says 17.7 million people will travel across the country from Thursday through July 5.

It expects Friday to be the busiest day, projecting 2.82 million people will pass through TSA checkpoints—which would beat its all-time single-day record of 2.8 million on June 16.

It's a huge test for the country's strained aviation system, and the results aren't inspiring much confidence so far.

Hundreds of thousands of people have had travel plans thrown into chaos after a wave of storms raked the Northeast in the last week of June and frustrations are running high, with some stranded passengers resorting to sleeping on tables and luggage carts.

One United passenger told Insider they were stuck in Newark Liberty International Airport for two-and-a-half days waiting for their flight to South Africa, ultimately causing them to cancel their trip. Another United passenger said she had to drive hundreds of miles and take another flight to meet up with her bags—and she still couldn't get a hold of her luggage.

On Thursday—which the Federal Aviation Administration predicted to be the busiest day—7,845 flights within, into, or out of the US were delayed or canceled, according to flight tracker FlightAware.

Scattered showers and thunderstorms may arrive in the Northeast, and storms were also forecast farther south along the East Coast through Saturday. The West is also under threat of unstable weather for the next several days.

''Storms are hitting the East Coast at the worst time: right as the July 4th travel weekend begins to takeoff,'' Scott Keyes, the founder and chief flight expert of Going.com, told Travel + Leisure magazine.

''Expect long lines, few empty seats, and lengthy hold times to get ahold of customer service phone agents,'' he added.

Chris Citrola, an FAA spokesman, said storms on the East Coast had ''positioned themselves in the perfect spot.''

''What happens is a domino effect of issues,'' he added. ''We have crews that can't get to where they need to, we can't get crews out of where they need to go to, and that starts turning into a lot of issues at the airport itself.''

Along with big crowds and storms, a technology issue could add to travelers' difficulties.

Federal officials say some airline planes may be unable to fly in bad weather starting Saturday because of possible interference from new 5G wireless service.

There's concern that boosted 5G signals could interfere with radar altimeters—sensors which measures how high an aircraft is above the ground, and are essential for flying in low-visibility conditions.

Buttigieg warned of ''a real risk of delays or cancellations,'' because hundreds of planes have yet to be retrofitted with updated sensors.

American, United, Southwest, Alaska and Frontier say all their planes have been updated, and they do not expect disruptions due to 5G service.

However, Delta Air Lines has about 190 planes in its fleet of more than 900 that have not been updated because it can't get enough altimeters from its supplier. Delta says it will schedule those planes to avoid landing in poor visibility while it works to upgrade them through the summer.

The issue affects several types of single-aisle planes that Delta uses on routes within the United States, including all its Airbus A220s and most of its A319 and A320 jets.

And JetBlue said it expects its 17 A220 planes won't be upgraded until October, The Wall Street Journal reported.

Smaller airlines that operate regional flights could also be affected by the radio interference issue, as could flights operated to the United States by foreign carriers.

Buttigieg said that around 20 percent of domestic planes and 35% of international ones which fly to the US aren't yet fitted with the updated equipment, per the Journal.

Backups are easing thanks to a break in the weather, but United Airlines continues to bear the brunt of the disruptions. The airline accounted for approximately 69% of canceled flights in the US on Thursday, per FlightAware. The Chicago-based carrier is poised to lead all airlines in cancellations for a sixth straight day.

Airports in Chicago, Denver, and Newark, New Jersey—all hubs for United—were seeing the most delays on Thursday, according to FlightAware.

United CEO Scott Kirby blamed the airline's struggles in Newark on a shortage of air traffic controllers in the New York City area. Transportation Secretary Pete Buttigieg pushed back against the criticism while conceding that a key FM facility in New York is severely understaffed.

''United Airlines has some internal issues they need to work through. They have really been struggling this week, even relative to other U.S. airlines,'' Buttigieg told CNN. ''But where we do agree is that there need to be more resources for air traffic control.''

The FAA plans to hire 3,300 controllers over two years, but they won't be ready to help this summer, much less this weekend.

United is offering triple pay to flight attendants who are scheduled off this weekend but agree to pick up extra flights, according to their union. The Association of Flight Attendants also says crews calling in for assignments have been put on hold for three hours or longer.

A spokesperson for United Airlines told Insider that the carrier has seen ''meaningful improvement today after an overnight effort to further repair schedules and match separated crews with aircraft.''

''As the recovery progresses, delays and cancellations will continue to decline as we head into what we expect to be a very busy holiday weekend,'' the spokesperson added. ''We're closely watching the weather, especially in Denver and Chicago today, and are hopeful our customers will still see fewer last-minute cancellations—which will reduce lines at the airport.''

Mr. ROSE. Mr. Chair, with thousands of Fourth of July vacations lying in ruins, it is vitally important for accountability as to what went so catastrophically wrong with our Nation's aviation transportation system.

That is why I was proud to author my amendment to require the GAO to report to Congress on the actions of the Secretary of Transportation and the Administrator of the Federal Aviation Administration related to this travel nightmare.

Mr. GRAVES of Missouri. Mr. Chair, I have no further speakers at this time.

Mr. Chair, I urge my colleagues to support this en bloc amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Missouri (Mr. GRAVES).

The en bloc amendments were agreed to.

The Acting CHAIR (Mr. ROSE). It is now in order to consider amendment No. 7 printed in part A of House Report 118–147.

AMENDMENT NO. 10 OFFERED BY MR. LANGWORTHY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 118–147.

Mr. LANGWORTHY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 546 (and redesignate the subsequent section accordingly).

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from New York (Mr. LANGWORTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. LANGWORTHY. Mr. Chairman, I yield myself such time as I may consume.

In 2009, Colgan Air Flight 3407 crashed in Clarence, New York, a community in my district in western New York, killing 49 passengers and 1 person on the ground.

As a congressional staffer at the time, I was there on the ground at the crash site. I saw firsthand the sights and the sounds and the grief of the victims' families as they grappled with the reality that their loved ones were gone. The crash was ruled a result of pilot error.

A year later, those families successfully fought to implement a set of enhanced safety standards, including requiring pilots to obtain 1,500 hours of training. The results are indisputable. Since its enactment, domestic airline fatalities have dropped 99.8 percent. Simply put, they are working, and our skies are the safest they have ever been.

My amendment protects the integrity of the 1,500-hour flight training requirement in the face of efforts to lower pilot training standards and jeopardize the safety of passengers and crew alike.

As Captain Sully Sullenberger, the miracle on the Hudson pilot, has said, while simulators have their place for experienced pilots, they are not a replacement for in-the-sky training, and this requirement must be protected.

Our job as elected leaders is to protect public safety and to help ensure

that no other family suffers the heartbreak of losing a loved one to an avoidable air tragedy.

Mr. Chair, I urge my colleagues to support my amendment here today to maintain high-quality training standards for our commercial pilots, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I rise in opposition to amendment No. 10 offered by Mr. LANGWORTHY.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is hard to even know where to begin. The sad thing about it is that very few people have actually read the report on what happened to Flight 3407.

Starting out, I have to say that I don't question anybody's motives on whether they oppose or support, or whatever the case may be. The sad thing about it is the wrong questions are being asked.

Now, what we are trying to do does not in any way change or weaken the 1,500-hour rule. What we are trying to say is that simulator time—which you can simulate anything—should be used in training pilots.

I am an ATP, and I will kind of explain how that process works. You get your private pilot certificate, and then you move on to your commercial certificate. After an instrument rating, you get the single-engine commercial rating, the multiengine commercial rating, and then you move on to the ATP. It stands for airline transport pilot, and I have that rating. I have flown all the profiles that anybody would have to go through to achieve an ATP.

What is interesting in this whole process is that if you take a look at the recommendations that came out of the investigation when it comes to Flight 3407, the Buffalo accident, you have to wonder—again, this is where the wrong questions are being asked.

The pilot had 3,379 total hours before the accident. This pilot failed six checkrides, and not just checkrides that were recurrent. He failed his initial instrument checkride. He failed his commercial single-engine checkride. He failed his commercial multiengine checkride. He failed at the Gulfstream Academy when he was checking out in Gulfstreams. He failed his checkride in the Gulfstream. He failed his ATP checkride and had to do remedial training. Then, ultimately, when he was upgraded to the plane that was in the accident, he failed his sixth checkride.

He didn't fail some of his checkrides when he advanced from one rating to the next. He failed all of them and had to go to remedial training.

I ask whether you would get on an airline or a flight or put your family on a flight if you knew that the captain had failed all six checkrides as he advanced through his process. No, you wouldn't, not in a minute. Would you get on a flight if it was recommended that the pilot have remedial training?

Here we are with a simulator. You can simulate anything. I remember one of my simulator profiles, one of my simulator flights. We were coming in. I was doing an approach and lost my autopilot as a result, so I had to hand-fly the approach—zero visibility, 200-foot ceiling, which is at the minimum.

As I am on approach, I lose sight of the runway because the ceiling comes down. I have to execute a go-around to reestablish my approach. This is all being done in the simulator.

As I am executing my go-around, I lose an engine. I have to execute a go-around with one engine to minimums, and I have to get it on the ground in zero-zero visibility.

You can't simulate that in a real airplane. You can't simulate any of this, any emergency, in a real airplane.

First of all, in an airliner, that means the airplane is going to have to be taken down because it is going to have to be checked. If you do stalls in a full-blown airliner, you are going to have to take that aircraft down to have the airframe inspected because of the stress that is put on it.

Now, what I do want to point out is ALPA, the airline association that represented the pilots, I got on their website and found it fascinating. One of the things that they like to point out—I am glad they were part of the board that was the ARAC. That is the Aviation Rulemaking Advisory Committee, which is who we established to make recommendations on exactly how much simulator time we should add. They co-chaired the ARAC when it came to investigating this accident.

Do you know one of the things that they tout, one of the things that they are very proud of on their website that they push? When it comes to one of the recommendations made by the NTSB, additional training on upset prevention and recovery, a new certification training program course requirement. These new simulator-based training requirements also include performing manual controlled maneuvers, procedures, slow flight—all these things. They actually endorsed more simulator training because you can simulate anything.

Today's simulators, by the way, are far and above what they were just 10 years ago.

I also have the testimony that the NTSB gave in the Senate hearing. It is unfortunate, Mr. Chairman, because the testimony in the Senate hearing says it all.

Mr. Chairman, may I inquire how much time I have remaining.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GRAVES of Missouri. Mr. Chairman, I urge my colleagues not to support this amendment.

Mr. LANGWORTHY. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. BERGMAN), one of only two commercial airline pilots in Congress with more than 20,000 flight hours.

Mr. BERGMAN. Mr. Chairman, as a former commercial airline pilot with more flight hours than pretty much almost anyone in Congress, so I have been told, I value safety first, safety second, and safety third. I am proud to stand with Representative LANGWORTHY in support of his amendment.

The substitution of simulator time—while you could argue that simulators are better today, yes, they are—for a reduction in actual flight time provides no substantive benefit to a prospective pilot.

While some may say that pilots only build hours by spinning around in circles in the sky, I say that is patently false and portrays a pilot workforce that Congress relies on each and every day of the week in a very negative way.

Pilots have a variety of options when it comes to building hours, and we should not assume every pilot will always do the bare minimum. In fact, I have seen pilots always do the extra just to make sure they got it right.

Congress should not be reducing safety and statutory flight hour requirements under the assumption that somehow this will make pilots gravitate toward regional airlines for employment. It won't.

Mr. Chairman, I thank the gentleman, and I offer great support for his amendment.

Mr. LANGWORTHY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. HIGGINS), my friend and colleague.

Mr. HIGGINS of New York. Mr. Chairman, as the Congressman has said, prior to the crash in February 2009, we were of the belief that if the plane said Continental, it was operated by the national carrier. It wasn't true. It was operated by a regional carrier, and there were two levels of safety, the larger carrier's 1,500 hours for pilots, and the regional carrier's, in the case of this flight, 750 hours.

The National Transportation Safety Board did a thorough investigation of the crash site and the circumstances surrounding it and made an unequivocal conclusion that it was pilot error. The plane went into an aerodynamic stall. The pilot did exactly the opposite of what they should have done.

The plane pitched. It descended. As Mr. LANGWORTHY has said, 49 people died, including 1 individual on the ground.

Since that change was made, commercial aviation fatalities decreased by nearly 100 percent. We ask that the 1,500-hour pilot training rule be sustained in the FAA reauthorization.

□ 1415

Mr. LANGWORTHY. Mr. Chair, I yield 1 minute to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Chair, Americans do not expect to take their life into their own hands when they board a regional flight. They expect to be safe no matter where they travel in the air.

Since the 1,500-hour flight requirement was passed in response to the tragic 2009 Colgan Air Flight 3407 crash in Clarence, New York, the success of the policy speaks for itself.

American airspace is among the safest in the world, with a 99.8 percent reduction in passenger airline accident fatalities since 2010. This is why most pilot groups oppose any dilution of the flight-hour requirement.

It is vital that our pilots have full competence in the high-stakes environment of a cockpit in flight. I urge my colleagues to vote ''yes'' on Langworthy amendment No. 5 and stand with the flying public and the Colgan Air Flight families.

Mr. LANGWORTHY. Mr. Chair, we put our lives in the hands of our airline pilots, and we should apply the same standard of safety and training that Americans have come to trust and to expect.

I strongly urge my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. LANGWORTHY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. HIGGINS of New York. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. DONALDS

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part A of House Report 118–147.

Mr. DONALDS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:

SEC. ___. APPRENTICESHIP PROGRAM FOR PILOTS.

(a) DEFINITIONS.—In this section:

(1) APPRENTICE.—The term ''apprentice'' means a student enrolled at a flight school.

(2) FLIGHT SCHOOL.—The term ''flight school'' means a flight academy certified under part 141 of title 14, Code of Federal Regulations.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(b) ESTABLISHMENT.—The Secretary, in consultation with flight schools and other industry stakeholders, shall establish an apprenticeship program with flight schools to establish a pipeline of qualified and interested individuals to become commercial pilots.

(c) SELECTION.—Under the apprenticeship program established under subsection (b), each flight school participating in the apprenticeship program established under subsection (b) may select up to 8 applicants to flight school to serve as apprentices each academic year.

(d) CURRICULUM AND REQUIREMENTS.—

(1) IN GENERAL.—To graduate from an apprenticeship program established under subsection (b), an apprentice shall satisfy any relevant requirements and minimum curriculum under part 141 of title 14, Code of Federal Regulations (or successor regulations), including all curriculum under subpart C of such part.

(2) MINIMUM REQUIREMENTS.—Nothing in this Act prevents a flight school from imposing additional requirements, such as modifying the terms of service of the apprenticeship program, on an apprentice taking part in an apprenticeship program established pursuant to this section.

(e) OPTIONAL PROGRAM.—A flight school may choose not to participate in an apprenticeship program established under this section.

(f) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to implement this Act.

(g) INCENTIVIZING RETIRED PILOTS.—The Secretary shall take such actions as may be appropriate to develop methods to incentivize pilots, including retired military pilots, retiring airline pilots, and graduates of the apprenticeship program established under this section, to become instructors at flight schools, including through the development of pathway programs for such pilots to gain initial qualification or concurrent qualification as certified flight instructors under part 61 of title 14, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Florida (Mr. DONALDS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DONALDS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of my amendment, which establishes a voluntary pilot apprenticeship program for students at Part 141 flight schools.

Up front, I will stress that this amendment has wide bipartisan support, and providing yet another option to bolster the pilot pipeline shouldn't be a partisan issue. Specifically, for the proposed apprenticeship program, up to eight students enrolled at Part 141 flight schools would be eligible for a new apprenticeship program each academic year.

To emphasize, this is a voluntary program, meaning flight schools can choose to participate. Members might ask: Why establish an apprenticeship program at flight schools?

There are several reasons:

First, apprentices will receive an airline standard of training and will also be provided flexibility in pursuing career aviation opportunities.

Second, the bill will incentivize individuals that have an interest in aviation to attend their local flight schools, which in turn will provide a greater opportunity to bolster the pilot pipeline and a certified flight instructor pipeline simultaneously.

Third, this isn't a one-size-fits-all approach. The amendment provides flexibility to establish an apprenticeship program that fits the needs/curricula of the individual flight schools themselves. After all, a flight school in southwest Florida may have completely different operations compared to a flight school in Alaska.

Moreover, there are approximately 600 Part 141 flight schools in the United States today; however, only approximately 250 of these flight schools are active in a large way.

This amendment includes provisions to incentivize retired airline pilots and retired military pilots to give back, specifically by directing the Secretary of Transportation to develop methods to establish an expedited path that will allow retired pilots to become certified flight instructors. After all, the value of their decades' worth of experience speaks for itself.

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

Mr. LARSEN of Washington. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment would create an apprenticeship program for individuals seeking to become commercial pilots.

I do want to say I am very pleased to be able to support many of Representative DONALDS' amendments to the bill, working in a bipartisan manner.

This one I just couldn't come to a place where I am comfortable, but certainly as a long-time supporter of aviation and STEM-related apprenticeships, I do appreciate the intent of Representative DONALDS' amendment. However, it is duplicative of several provisions in the underlying bill that already bolster the pilot pipeline.

This authorization already triples the funding for FAA's Aviation Workforce Development Grant programs, which funds aviation apprenticeship programs. It creates the Willa Brown Aviation Education Program, which could fund apprenticeship programs focused on underrepresented communities and creates a National Center for the Advancement of Aerospace, an independently, federally chartered nonprofit entity to administer grants to establish apprenticeships for aviation careers and serve as a centralized resource to provide comprehensive information on aviation apprenticeship opportunities.

I earlier adopted an amendment in the en bloc amendment that was sponsored by Representatives SCHRIER and GOODEN to help veterans transition into the commercial pilot world. Apprenticeships are already well covered in this underlying bill.

Mr. Chair, I oppose the gentleman's amendment, and I reserve the balance of my time.

Mr. DONALDS. Mr. Chair, I yield 2 minutes to the gentleman from Texas (Mr. NEHLS).

Mr. NEHLS. Mr. Chair, let me start by saying, I commend Chairman GRAVES, Ranking Member LARSEN, and Ranking Member COHEN on a very successful bipartisan FAA reauthorization bill.

One of the issues that I feel very adamant about is addressing the pilot shortage, which is crippling the air industry. According to the Bureau of

Labor Statistics, it is projected that 14,500 pilots will be needed every year through the year 2030. Some other outlets have estimated the number to be even higher.

For this reason, I am proud to cosponsor the Pre-Pilot Pathway Act by my friend BYRON DONALDS. This commonsense amendment requires the Secretary of Transportation to establish a voluntary apprenticeship program at Part 141 flight schools around the country.

More importantly, this program incentivizes retired pilots, those who are often the most experienced—the guys with the gray hair around the temple—to remain involved in the industry and train the next generation of pilots.

Mr. Chair, I support the amendment, and I urge adoption as one of the critical ways to support our pilots and alleviate the pilot shortage.

Mr. LARSEN of Washington. Mr. Chair, I am prepared to close, and I reserve the balance of my time.

Mr. DONALDS. Mr. Chair, I am prepared to close.

Mr. Chair, this is a great amendment with strong bipartisan support. I ask Members to support this amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I ask my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DONALDS).

The amendment was agreed to.

AMENDMENT NO. 27 OFFERED BY MR. FEENSTRA

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part A of House Report 118–147.

Mr. FEENSTRA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 316, after line 3, insert the following:

(d) EXCEPTIONS.—The Administrator shall ensure that the requirements described in subsection (a) do not apply to nonhub airports, as such term is defined in section 40102 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Iowa (Mr. FEENSTRA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. FEENSTRA. Mr. Chair, I rise today in strong support of my amendment No. 27, which gives rural airports in my district the flexibility they need to serve their passengers, maintain their workforce, and remain solvent.

Our local airports in Sioux City, Iowa, Fort Dodge, Iowa, and many other locations connect Iowans to the rest of the country and to the world. We cannot allow government mandates to suffocate our rural communities and threaten the existence of our small airports.

Under current law, rural airports provide the staff they need to keep our passengers safe. Injecting the Federal Government into hiring decisions would only make rural communities harder to reach.

By giving our local airports breathing room to manage their budgets and their operations, they can better hire new employees and keep costs low for passengers.

Born and raised in rural Iowa, I know that our rural airports are important to our economic development across the Midwest.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in opposition to this amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, I oppose this amendment because it would create an exemption for nonhub airports from the requirement to have at least one individual who maintains certification as an emergency medical technician, or EMT, during carrier operations.

This amendment poses a safety risk that would be detrimental to passengers. Unlike what the proponent said about the Federal Government imposing an employment requirement on an airport, this is actually a single safety standard that applies to all airports, that there be a certified emergency technician to respond to emergencies at all airports.

It is, indeed, a national standard, but one done for safety, especially in support of passenger carrying air carrier operations.

In the event of a medical emergency that occurs at the airport or on a flight, passengers and airport workers should receive care as quickly as possible regardless of where they are flying to. Having an EMT available at the airport could mean the difference between life and death in the event of an emergency.

All passengers should be reassured that even if they are traveling out of or through a nonhub airport, they have the same safety precautions at that airport as they do at all airports in the United States.

Mr. Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. FEENSTRA. Mr. Chair, I am prepared to close. I urge my colleagues to think through this great amendment. Think about these small airports and the burden that this would project on each of these airports to have a special person that handles just the concerns of things that might happen once every 10 years or whatever it might be.

There are people that are already hired that can handle these situations. Again, these small rural airports cannot be like the large urban airports. It just doesn't work that way.

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

Mr. LARSEN of Washington. Mr. Chair, as a Member of Congress who represents several small rural airports, including ones that are isolated on islands, I appreciate the argument that the gentleman from Iowa has been making. Yet, given the fact that I have a district with some of the same circumstances, even airports that are isolated on islands, I still believe that there needs to be EMTs available in the event of emergencies at these nonhub airports. I want one safety standard for the country, and I urge my colleagues to oppose this amendment.

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

□ 1430

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. FEENSTRA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 29 OFFERED BY MR. FITZPATRICK

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part A of House Report 118–147.

Mr. FITZPATRICK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 464, after line 5, insert the following:

(e) INSTALLATION OF SECONDARY COCKPIT BARRIERS OF EXISTING AIRCRAFT.—Not later than 36 months after the date of the submission of the report of subsection (d), the Administrator of the Federal Aviation Administration shall, taking into consideration the final reported findings and recommendations of the aviation rulemaking committee, issue a final rule requiring installation of a secondary cockpit barrier on each commercial passenger aircraft operated under the provisions of part 121 of title 14, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Pennsylvania (Mr. FITZPATRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Chair, I rise today in favor of my amendment to H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act.

Mr. Chair, 22 years ago this fall, our Nation watched in horror as senseless acts of terror were committed on American soil. That tragic day, our vulnerabilities were exposed when terrorists forcefully took control of passenger airplanes and fatally turned them into guided missiles.

We lost 2,977 mothers and fathers, brothers and sisters, husbands and wives, on that day. Mr. Chair, we also lost one of my constituents, Captain Victor J. Saracini, who was the pilot of United Flight 175, which was hijacked. The entire world watched in horror as that plane flew into the South Tower.

We also lost our misguided sense of protection in an increasingly dangerous world, as well.

Our Nation and this Congress resolved that after September 11 that we would take every action necessary to remember those we lost and to fulfill our promise and our solemn pledge of ''never again.''

Since coming to Congress, I have fought nonstop for the installation of secondary cockpit barriers on all commercial passenger aircraft. Alongside my constituent and friend, Ellen Saracini, and countless Members of Congress from both Chambers and both sides of the aisle, we have raised awareness and advocated for this measure to make our skies and our passengers and flight crews much more safe.

In 2018, Congress took one step in the right direction and included a rulemaking requirement for secondary barriers on newly manufactured aircraft.

Mr. Chair, my amendment today builds on that effort by directing the FAA to issue a final rule extending the requirement for secondary cockpit barriers to all commercial passenger aircraft. This commonsense, low-cost safety measure will protect the integrity of the flight deck and prevent dangerous and hostile individuals from accessing the cockpit.

Mr. Chair, Congress has a solemn obligation not just to the victims and survivors of 9/11 but to our pilots, to our flight crews, and to our passengers and their families to implement this safety measure on all commercial passenger aircraft as soon as possible.

I am grateful to my bipartisan colleagues, as well as Chairman GRAVES, the committee, and the amazing staff that serve on it for their support of this critical national security issue.

Mr. Chair, I urge all my House colleagues to adopt my amendment, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I claim the time in opposition to the amendment, though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. LARSEN of Washington. Mr. Chair, the FAA recently issued a final rule on requiring secondary barriers to protect the flight deck in newly manufactured aircraft. The underlying text of this bill creates a rulemaking committee to consider how to apply this requirement to existing aircraft, and this amendment adds a rulemaking requirement to that text.

Secondary barriers are a critical tool to keeping our pilots and flight decks safe and secure in the event of a horrible, horrible intrusion.

Mr. Chair, therefore, I rise to support this amendment, and I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Chair, I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FITZPATRICK. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 33 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in part A of House Report 118–147.

Mr. GOSAR. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 261 and insert the following:

SEC. 261. AIR TOUR MANAGEMENT PLANS.

Section 40128(b) of title 49, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (A) by striking ''in whole or'';

(B) in subparagraph (E) by striking ''and'' at the end;

(C) in subparagraph (F) by striking ''through (E)'' and inserting ''through (F)'';

(D) by redesignating subparagraph (F) as subparagraph (G);

(E) by inserting after subparagraph (E) the following:

''(F) shall consider the economic viability of commercial air tour operations that would result from an air tour management plan; and'';

(2) in paragraph (4)—

(A) in subparagraph (C) by striking ''and'' at the end;

(B) in subparagraph (D) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(E) consult with the National Parks Overflights Advisory Group established pursuant to section 805 of the National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note).''; and

(3) by adding at the end the following:

''(8) EXISTING AIR TOUR OPERATORS.—Beginning on the effective date of a new air tour management plan, a commercial tour operator carrying out operations within the boundaries of a national park or tribal area as of such date may not be prohibited from operating pursuant to such plan.''.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I rise in support of my amendment No. 33, prohibiting changes to existing air tour management plans, or ATMPs.

This amendment would prohibit air tour management plans for national parks from completely banning air tour operations over the parks. Additionally, this amendment requires an air tour management plan to take into consideration the economic viability of commercial air tour operators.

While the ATMPs do real economic harm to the operators, it is also discriminatory against visitors who choose to experience the national parks by aerial sightseeing.

As we move past the pandemic years, many national parks saw their resources strained by the large number of visitors as the public began to travel again. Air tours are an important option for many visitors conducting a once-in-a-lifetime trip to see such famous landmarks.

Visitors taking advantage of air tours benefit by avoiding traffic, wait times, and walking trails that are inaccessible for the disabled or elderly, while reducing congestion and demand on park infrastructure.

The national parks should be available for all visitors to see. Limiting flights over the park unfairly limits the elderly, very young, disabled, and others to experience the park. Limiting flights over the parks is discriminating to those who might not have the resources, time, and physical ability to see them any other way.

Like ground-based tours, air tours are a valid part of our visitor experience, providing a unique window from which we can share our cultural, historical, and environmental sites with the world.

Air tours require no ground-based infrastructure at the park, which allows visitors accessibility without the need for roads, trails, signs, bathrooms, garbage cans, or other services.

By further restricting an already limited number of allowable air tours, we are reducing opportunities to access our parks in a way that leaves little to no environmental footprint or disturbance. Through carbon offset efforts and strict altitude requirements to control noise, just to name a few, air tour operators are working to ensure they have responsible stewardship of the Nation's parks.

Typically, operators pay a fee each time an air tour flies within the park boundary. The National Park Service collects hundreds of thousands of dollars in revenue each year from these air tour flights. Air tours require no infrastructure, leaving the bulk of overflight fees to go toward those supporting services that benefit the public.

If overflight access is removed completely, it removes the ability to use new technologies like electric aircraft.

Mr. Chair, I urge my colleagues to support amendment No. 33, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment requires the FAA to consider the economic viability of commercial air tours over national parks.

In 2022, the National Park Service recorded 312 million recreational visits to our national parks. This number reflects the overwhelming significance our parks have to the American public. They serve as a place of recreation, a place used to teach new generations about conservation and wildlife, and a place to admire the beauty of our great outdoors in the U.S.

National park air tour management plans are in place to help protect the sanctity of our parks from incessant helicopter overflights, which can disrupt both the wildlife and the natural beauty of the parks visitors enjoy.

Mr. Chair, I urge everyone to protect our parks from the noise and disturbance of increased helicopter tours by voting ''no'' on this amendment.

This amendment would require air tour management plans to consider profits in the development of those plans, which would undoubtedly increase the number of helicopters flying above our parks. This runs contrary to the original purpose of these management plans, which is to protect the integrity of the parks.

Helicopter tours are an incredible way to see national parks for the privileged few, but they simultaneously degrade the park experience for the vast majority of other park visitors.

Our national parks were created as a public good, to preserve our natural wonders for all Americans to enjoy. We must not erode that in favor of tour profits and those who can afford to pay.

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

Mr. GOSAR. Mr. Chair, I yield such time as he may consume to the gentleman from Texas (Mr. NEHLS).

Mr. NEHLS. Mr. Chair, every person should have an opportunity to view and experience our amazing national parks, whether it is Mount Rushmore, whether it is select areas in Hawaii, or whether it is the Grand Canyon.

I can't remember the last time somebody in this room or anybody has ever tried to walk it, if you have ever tried to walk it. I bet you there are people up in this gallery who have been to Las Vegas before, and they see these beautiful helicopters that give you an opportunity to view the beautiful Grand Canyon, that big hole in the ground. You can do it, and you can do it safely and effectively through a helicopter.

The ranking member just mentioned that it supports the privileged few. I would argue that for the disabled and elderly, how else are they going to get there? That is not the privileged few. It is right for grandma and grandpa that may want to go and view the Grand Canyon or Mount Rushmore. It makes no sense what we are trying to do here.

Air tours are often the only way that disabled and elderly are allowed to see our national parks. It is regulated by the FAA, and these operators have a great safety record.

Unfortunately, the Biden administration is attempting to limit the number of air tours at a number of our national parks, all at the request—go figure, no surprise—all at the request of certain environmental stakeholders. This is irresponsible. It is un-American.

Also, air tour operators oftentimes, in the off-season—don't forget what they do in the off-season—partner with Federal, State, and local governments to help fight wildfires.

They are great Americans. We need to continue to support them. I ask my colleagues to support Representative GOSAR's amendment.

Mr. LARSEN of Washington. Mr. Chair, before I yield to my good friend, Representative CASE from Hawaii, I would note that he is a great American, and I do think that the debates here on the floor of the House are a reflection of being great Americans as opposed to being un-American.

Mr. Chair, I yield 3 minutes to the gentleman from Hawaii (Mr. CASE).

Mr. CASE. Mr. Chair, our national parks are among our most universally supported and treasured institutions, and they cannot survive in an atmosphere of incredible popularity. We simply must find accommodations to protect the basic principles and qualities of those parks for which we treasure them so much.

One of the areas where we have significant problems is in overuse of our parks by commercial air tour operations, which severely degrade some of our parks and have the risk of degrading all of our parks for a number of different reasons, whether they be environmental, whether they be protection of our natural resources, or whether they be visitor enjoyment. Fundamentally, commercial air tours overflying a national park with noise and other disruption on the ground does degrade the park experience for the many who enjoy them in that way.

There is no right to overfly our parks. Now, I concede and agree that there is some reasonable area and use for commercial air tours. I certainly want those that cannot experience our parks to experience them in this way, and I certainly believe that they have a place in our parks, but not where they are today and not where they are going.

We recognized this challenge 23 years ago in this Congress by passing a law which essentially required air tour management plans, which accommodated all interests, and those plans are now coming to fruition. This amendment is on the floor because the sponsor and others do not like the results, which accommodate air tour operations in the vast majority of our parks.

□ 1445

This process has been a good one, a difficult one, one in which the operators have participated. They will continue to have a place under these plans, a reasoned place. The fact that some of them don't like the outcome does not mean that the process is not a valid process.

This process should be continued to its conclusion. It should be accommodated. It should be implemented in a way that is reasonable to all.

This amendment destroys that process and would degrade our parks to the detriment of the vast majority of the people who enjoy our parks.

Mr. Chair, I urge opposition to the amendment, and I yield back the balance of my time.

Mr. GOSAR. Mr. Chair, having had these tour operators in Arizona, they have moved technology to quiet air, and you can barely hear these planes. You can be right next to them, these quiet air turbines, and you don't even hear them.

To say that they are disrupting to the environment, that just does not happen. From that standpoint, I urge everybody to vote for this amendment. It is a smart idea, and this is the way to go.

Mr. Chair, I urge everybody to vote for my amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, there has been a good debate on this bill. Clearly, there is a difference of opinion, and clearly, there are experiences where helicopters and helicopter tours do disrupt the wildlife, other visitors, and the people around national parks.

Mr. Chair, I ask all the Americans in this body to vote ''no'' on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CASE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 35 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in part A of House Report 118–147.

Mrs. MILLER of Illinois. Mr. Chair, I rise as the designee for amendment No. 35.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, insert the following:

SEC. 8___. INSPECTOR GENERAL INVESTIGATION OF DECISION TO INCREASE THE PERMISSIBLE ELECTROCARDIOGRAM RANGE FOR AIRMEN TO FLY.

Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall

conduct an investigation into the decision of the Federal Aviation Administration to increase the permissible electrocardiogram (ECG/EKG) range for airmen to fly.

The Acting CHAIR. Pursuant to House Resolution 597, the gentlewoman from Illinois (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. MILLER of Illinois. Mr. Chair, this amendment requires the inspector general to investigate the FAA's decision to broaden the acceptable EKG range for pilots to fly.

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

Mr. LARSEN of Washington. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment would require the DOT inspector general to investigate the FAA's decision to increase the electrocardiogram, or EKG, range that is permissible for pilots.

This amendment follows a change made by the agency last October to increase the allowable range of an EKG result from 200 to 300 milliseconds without requiring further documentation from the pilot.

The FAA's change in the allowable EKG result range was based on scientific data from cardiovascular experts documented in the public domain. Such data shows that an EKG result under 300 milliseconds indicates that the pilot has no real risk of sudden heart failure if there are no other medical issues.

Medical standards and recommendations have always evolved over time as medicine becomes more advanced and health professionals learn new information. The FAA should take advantage of the latest guidance from medical experts to ensure these guidelines for pilots are as safe as possible.

Mr. Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mrs. MILLER of Illinois. Mr. Chair, I urge support of amendment No. 35, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, in closing, I will say that the FAA's action, despite some claims, was not taken in response to any change in pilot medical conditions or heart health due to having received the COVID vaccine. That has been a claim in less scientific circles. This decision was made based on science, using the experts, using science, and using data.

Mr. Chair, I ask my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

AMENDMENT NO. 36 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in part A of House Report 118–147.

Mrs. MILLER of Illinois. Mr. Chair, I rise as the designee for amendment No. 36.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title X, add at the end:

SEC. _____. REINSTATING PILOTS.

The Administrator of the Federal Aviation Administration shall take such actions as are necessary to require air carriers to reinstate any pilot who was fired or forced to resign because of a COVID–19 vaccine mandate.

The Acting CHAIR. Pursuant to House Resolution 597, the gentlewoman from Illinois (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. MILLER of Illinois. Mr. Chair, this amendment requires airlines to reinstate pilots who were fired or forced to resign because of vaccine mandates.

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

Mr. LARSEN of Washington. Mr. Chair, I claim time in opposition to the amendment.

The Acting Chair. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment would direct the FAA Administrator to require air carriers, airlines and others, to reinstate pilots that may have lost their jobs because of noncompliance with a COVID–19 vaccine mandate.

The FAA cannot direct air carriers on hiring decisions like this. It cannot require air carriers to hire specific individuals. This amendment simply is not implementable.

Is that where we are going with this bill, to let the FAA make hiring and firing decisions for these private aviation companies?

Furthermore, this amendment revives an unnecessary debate on COVID–19 vaccine mandates, one that we had 3 years ago. This is an unwelcome distraction from this very substantive reauthorization discussion on this bill that will enhance safety and the aviation workforce.

Mr. Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mrs. MILLER of Illinois. Mr. Chair, I urge the adoption of this amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, the FAA does not really have a role to play in telling air carriers to hire the folks back. It is not an amendment that is implementable. I am a little flummoxed by it myself. However, I encourage my colleagues to vote against this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

AMENDMENT NO. 44 OFFERED BY MR. HUIZENGA

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in part A of House Report 118–147.

Mr. HUIZENGA. Mr. Chairman, I have an amendment made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 626, line 2, strike ''and''.

Page 626, after line 2, insert the following (and redesignate accordingly):

(B) in paragraph (4)(B) by inserting ''the Department of Defense, the National Guard,'' before ''or''; and

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Michigan (Mr. HUIZENGA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HUIZENGA. Mr. Chairman, I rise in support of my amendment to better secure our advanced air mobility future.

The Advanced Air Mobility Infrastructure Pilot Program that is currently in law provides grants to airport sponsors, transit agencies, or other government subdivisions to develop comprehensive plans to advanced air mobility infrastructure.

Under current law, the Secretary of Transportation is required to prioritize awarding grants to eligible recipients that collaborate, with a few criteria. Here are those criteria: that they are a commercial advanced air mobility entity, that they are an institution of higher education, that they are a research institute, or that they are some other relevant stakeholder in this process.

Mr. Chair, my amendment is very simple. It adds the Department of Defense and the National Guard to this list of eligible recipients. There are many qualified airports throughout the Nation that already have a DOD or National Guard presence that are ready to innovate and help develop drone and related infrastructure.

This amendment is a small way to help ensure DOD and the National Guard have a voice in this important future-looking endeavor, especially given that our men and women in uniform likely have expertise in this area.

Not only will they help develop this technology with their expertise, but they will literally be on the front lines of utilizing this technology.

Mr. Chair, I am glad that the underlying legislation takes steps to extend this pilot program, and I urge my colleagues to support my amendment to add the Department of Defense and the National Guard to those lists of entities that are eligible.

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

Mr. LARSEN of Washington. Mr. Chairman, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, I am happy this amendment is coming up because I hope the gentleman from Michigan will vote against a further amendment that may come up later tonight that will get rid of this program altogether, this vertiport infrastructure grant program.

Mr. Chair, I am glad he likes it enough to add to it, and I hope others feel that way, too, so we can protect the basis of this program. I know all about it because I wrote the bill to actually create this program in the first place. It was done with a very specific purpose in mind, and the gentleman noted the criteria involved—to help State, local, and Tribal governments be part of the advanced air mobility future. We were very clear about that.

Another thing we were very clear about when we wrote that bill and got it into law was to ensure that it was as neutral as possible when it came to any number of the advanced air mobility companies that were seeking to develop and get certified by the FAA and operate within the United States.

Prioritizing the grants awarded under the AAM infrastructure program to entities that collaborate with the Department of Defense or the National Guard would actually put a thumb on the scale for the three companies that are actually involved with this effort with the DOD.

There are many other AAM companies that are not involved with the DOD, and this would put these companies sort of at a head start over these others.

Since its inception in 2019, as a for instance, the U.S. Air Force's Agility Prime program has focused on the potential defense applications of eVTOL aircraft, or electric vertical takeoff and landing aircraft, and what we call on the commercial side of things, AAM.

Through Agility Prime, the DOD partners with these industry leaders and key stakeholders to examine the airworthiness and military uses for AAM aircraft and necessary infrastructure to support strategic cargo and personnel transport. In fact, that program within the DOD has awarded over 20 contracts, totaling more than $100 million, to very innovative aviation companies to further develop their advanced aircraft as they work toward civil certifications and commercial operations, but doing that with the help of the Department of Defense.

Mr. Chair, I support fostering this U.S. innovation, but this amendment would prioritize the funding through the AAM Infrastructure Pilot program, which funds State and local government planning efforts for future civil AAM infrastructure and operations, to efforts that are being addressed under Agility Prime.

There is a place to do this. It is called DOD's military construction budget. We just passed an authorization of nearly $886 billion last week out of the House of Representatives. Surely, there are a few dollars in that budget for the DOD to use to improve the taxiways and the aprons at these joint sites that the National Guard and the Air Force use with civilian airports rather than go after the really fairly small amounts that are available in these transportation planning grants that we were able to get through the AAM infrastructure planning grant.

□ 1500

I would just tell folks there is a place for these companies to go. It should not be these planning grants. It should be the DOD construction budget.

Besides, if we do that, it will give these particular companies a head start over many other companies, and, frankly, in fact, the cities and counties [that are trying to access these grants already.

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

Mr. HUIZENGA. Will the gentleman yield for a question?

Mr. Chairman, I was trying to get the gentleman's attention to see if he would yield for a question about his opposition.

So would the gentleman care to answer a question?

Mr. LARSEN of Washington. Mr. Chairman, is it my time or his time he is going to use?

Mr. HUIZENGA. It is currently my time. I guess my question to the gentleman is—this is very short—it says—literally it is a sentence—''in paragraph 4(b) by inserting 'the Department of Defense and the National Guard' before 'or'''—I don't see anything in there in my amendment that will bias the Secretary of Transportation to only utilize fields that have a DOD or National Guard presence. In fact, the opposite could be argued, that those fields, because they have a DOD or a National Guard presence, would somehow be excluded from the gentleman's pilot program.

So, Mr. Chairman, I am happy to yield to him very briefly if he cares to answer what his opposition is.

He doesn't care to address that, which indicates to me that he is either unsure or doesn't know or that I might be right in that.

Anyway, I still do believe that if we are having a pilot program then it ought to be open to more of our fields and not fewer of those fields.

Mr. Chair, I am prepared to close, and I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I understand I have the right to close on this argument, and I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Michigan has 2 minutes remaining.

Mr. HUIZENGA. Mr. Chairman, I yield 1 minute to the gentlewoman from Puerto Rico (Mrs. GONZÁLEZ-COLÓN).

Mrs. GONZÁLEZ-COLÓN. Mr. Chairman, I rise in support of Mr. HUIZENGA's amendment. I think it is logical what he is saying.

I rise, again, in strong support of my amendment to this bill, as well, No. 31, to seek to identify ways in which Puerto Rico can further increase air cargo operations in our three international airports, and thus, better serve domestic and international stakeholders and consumers.

Specifically, this amendment authorizes a GAO report that will look at recommendations for security measures that may be necessary to support increased air cargo operations in Puerto Rico, airport infrastructure improvements that may be needed, alternatives to increase private stakeholder engagement, and the potential need for additional staff.

Airports are drivers of economic activity across our country. My amendment will support Puerto Rico and the Nation as we continue to find ways to generate greater opportunities for financial and infrastructure investments.

This section requires an assessment from the FAA on the resiliency of coastal airports, including those on our island.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. HUIZENGA. Mr. Chairman, I yield an additional 30 seconds to the gentlewoman from Puerto Rico.

Mrs. GONZÁLEZ-COLÓN. Mr. Chairman, I thank my colleagues for supporting en bloc No. 2, and I urge support for the underlying bill.

Mr. LARSEN of Washington. Mr. Chairman, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Chairman, in closing, I, again, appeal to my colleagues. I believe this is a commonsense amendment to a pilot program.

I can assure the gentleman that, yes, if my amendment is adopted on this then I will also be voting against an amendment that would end the underlying pilot program. I think he will have many others of us doing the exact same thing. So the gentleman can help himself, Mr. Chair, if he would be willing to accept my amendment, but that is up to those in opposition.

Mr. Chair, I appeal for approval of my amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, to close, I assure the gentleman that, first, I am 100 percent sure that his amendment will dilute the original grant program. I am 100 percent sure there are other ways to finance this, especially through a very large MilCon budget that passed as part of the defense bill. And I am 100 percent sure that I am correct in opposing this amendment having been the author of the original bill to establish the AAM Infrastructure Act.

Mr. Chair, I ask Members to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. HUIZENGA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

The Acting CHAIR. The Chair understands that amendment No. 46 will not be offered.

AMENDMENT NO. 47 OFFERED BY MR. ISSA

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in part A of House Report 118–147.

Mr. ISSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:

SEC. _____. INDEPENDENT REVIEW OF NOTAM REQUESTS BY FAA.

The Administrator of the Federal Aviation Administration shall make an objective, independent assessment for the necessity of each Notice to Air Missions request from an agency outside of the Administration.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from California (Mr. ISSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume. I have but 5 minutes to ensure that this goes by voice, so I will do my best.

Mr. Chairman, no one here doubts 100 percent of the time the responsible party from just above the ground to over 60,000 feet belongs to the FAA. Any decision about whether an aircraft can operate or cannot operate belongs exclusively to the FAA. For that reason, the FAA is an independent body that has a responsibility to take seriously the implementation of NOTAMs. These NOTAMs either caution pilots or prevent pilots from flying.

Recently, there have been a number of requests where the FAA has acted not on behalf of its own judgment but on behalf of a request by another agency. These agencies include CBP, the Department of Justice, FBI, FTC, and many others.

These come in regularly, and I have no objection. There are plenty of good reasons that an entity—we were just talking about a little while ago the Park Service might even have a request. Because the FAA has an obligation to make airspace available wherever possible and at the lowest level of regulation and the greatest freedom and safety for the pilots, and it does have the obligation—when, for safety and other reasons, there needs to be temporary or permanent prohibitions on flying—to implement them.

My amendment simply puts a requirement that when the FAA does so that they do so based on the FAA making an independent and objective judgment when it receives NOTAM requests from other agencies.

Mr. Chairman, I hope my 5 minutes has been well spent, and I reserve the balance of my time.

Mr. COHEN. Mr. Chair, I rise in opposition to the amendment filed by Mr. ISSA.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chair, I oppose this amendment which would require the FAA to make an independent assessment of each notice to air mission, or NOTAM, request from a non-Federal entity.

Many NOTAMs are simply for general awareness, a temporary crane has been erected in controlled airspace, or a runway at an airport with no traffic control tower being repaved.

Some NOTAMs increase airspace awareness for pilots in the area alerting them about drone operations or balloon flights—some of them from China.

Some of them result in actual flight restrictions, like over sports stadiums during NFL and MLB games or when a concert is going on.

Sometimes FAA requires an operator or an airport to file a NOTAM prior operation in order to provide safety information for other airspace users. These are submitted through a special controlled access system.

NOTAMs are issued for all kinds of reasons. As we all know from the NOTAM system outage earlier this year, there are many of them, which can be a blessing, and it can be a curse.

For example, French Valley Airport, which is a small county-owned public use general aviation airport in Riverside County, California, currently has 80 active NOTAMs within a 10-mile radius. There are tens of thousands of big, medium, and small airports and heliports all over the country—consider the magnitude of bureaucracy this amendment creates.

Requiring the FAA to independently verify every single NOTAM would bring an already cumbersome system to a complete standstill.

NOTAMs keep pilots safe. This amendment would create an enormously burdensome process to get NOTAMs issued.

Finally, this amendment will very likely conflict with recommendations from the NOTAM working group created by the NOTAM Improvement Act that this Congress passed 2 months ago.

Mr. Chair, I urge all Members to vote ''no,'' and I reserve the balance of my time.

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the gentleman's comments, and he is absolutely right. There are a great many NOTAMs. I remind everyone that the requirement in this amendment that it requires the FAA to make an independent and objective judgment does not mean that it must do independent research as to the validity of the request as far as background.

It can, in fact, take the word of an agency's statement of its reason, but it has to make an independent judgment as to the NOTAM.

Now, I am both a pilot of more than 40 years, and I am also a former Army officer, and I can tell you, Mr. Chairman, at the company, the battalion, and the brigade level every unit in the military has a staff duty officer who for the entire evening until morning and over weekends makes judgment on behalf of the commanding officer at that level.

Why do they have that?

It is because a level of review should always be available. It doesn't have to be extensive, but it does have to be sufficient that if it came through the FAA it would independently be looked at by the duty officer before it was put up as a NOTAM. The same is asked.

Nowhere in my amendment does it prohibit delegation all the way down to the lowest level. As a matter of fact, nowhere in this does it prohibit the use of AI and other tools to help them do it.

So I think this is not burdensome, and it is easily compliable. It does say that the FAA makes the decision, not an agency that plugs into a system who may not have the mandate, responsibility, or even the expertise to do so.

Periodic NOTAMs that have had to be pulled back when they have been submitted by other agencies are the reason for this amendment. We have actual examples where the FAA would not have done it had they made an independent decision.

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

Mr. COHEN. Mr. Chair, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Tennessee has 3½ minutes remaining. The gentleman from California has 1 minute remaining.

Mr. COHEN. Mr. Chair, I would just reiterate the fact that this will add additional burdens to the FAA. They would have to independently verify every single NOTAM. The FAA is already overburdened with work, and

they need more and more folks there to make our civil aeronautics system work properly.

The amendment would conflict with recommendations just passed a few months ago by the NOTAM working group for improvement of that act, and that was passed just 2 months ago. So I have to cite those same reasons for opposing the amendment.

Mr. Chair, I continue to oppose the amendment, and I reserve the balance of my time.

Mr. ISSA. Mr. Chair, briefly, in response to my colleague from Tennessee, the majority of FAA NOTAMs do not originate from outside agencies. This is a fraction of a fraction of all NOTAMs, and it is only those that will be affected by this amendment.

In closing, Mr. Chairman, this is not what some who oppose it would say. This is, in fact, a very minor one, but it comes with specific requirements that exist for a reason. Agencies have chosen and actually embarrass the FAA by asking for a closing of airspace only to find out in the light of day, in a matter of days that, in fact, it was a huge mistake—sometimes politically driven. It doesn't matter why. The FAA has the right and the responsibility, and all we ask for is when it comes from an outside agency that it, in fact, have a once-over before being codified.

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

Mr. COHEN. Mr. Chairman, Mr. ISSA is a worthy adversary, but it is still 40-love.

Mr. Chair, I ask everybody to vote ''no,'' and I yield back the balance of my time.

□ 1515

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. OBERNOLTE) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Deirdre Kelly, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT

The Committee resumed its sitting.

AMENDMENT NO. 48 OFFERED BY MR. JACKSON OF TEXAS

The Acting CHAIR (Mr. ROSE). It is now in order to consider amendment No. 48 printed in part A of House Report 118–147.

Mr. JACKSON of Texas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:

SEC. _____. DESIGNATIONS FOR MEAT AND FOOD PROCESSING FACILITIES.

Section 2209 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44802 note) is further amended—

(1) in subsection (b)(1)(C), by adding at the end the following:

''(v) A concentrated animal feeding operation.

''(vi) An eligible meat and food processing facility.''; and

(2) by adding at the end the following:

''(g) ELIGIBLE MEAT AND FOOD PROCESSING FACILITY DEFINED.—In this section, the term 'eligible meat and food processing facility' means a facility that—

''(1) is an establishment operated under Federal meat inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.), and—

''(A) with respect to cattle, has a slaughter capacity of greater than 500 animals per day; or

''(B) with respect to pork and sheep, has a slaughter capacity of greater than 1,000 animals per day;

''(2) is an official establishment operated under Federal poultry inspection pursuant to the Poultry Products Inspection Act (21 U.S.C. 453) and, with respect to poultry, has a slaughter capacity of greater than 10,000 animals per day;

''(3) is an official plant operated under Federal egg inspection pursuant to the Egg Products Inspection Act (21 U.S.C. 1033) with at least 500,000 laying hens;

''(4) is a facility that processes (e.g., washes, grades, packs) shell eggs for the table egg market with at least 500,000 laying hens; or

''(5) is a facility that manufactures or processes food located in any of the State or Territories and operated under section 415(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350d(c)).''.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Texas (Mr. JACKSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. JACKSON of Texas. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, my amendment will help to safeguard the privacy of America's farmers and ranchers that work day and night to produce the food the world relies on.

This amendment would give our agricultural producers and food processors the opportunity to impose unmanned aircraft restrictions around their operations upon a formal request to prevent drones unauthorized access to their land.

In 2016, Congress created a process by which critical infrastructure facilities can impose restrictions on drone flights around their operations.

The Cybersecurity and Infrastructure Security Agency designates the food and agriculture sector as a critical infrastructure sector, which is so vital to the United States that its success is imperative to our national security and our economic security.

In the event of an emergency situation or disaster, protection of our agricultural land across the country is going to be vital.

Intelligence officials have even gone so far to warn that America's agriculture industry has been targeted by suspicious drone activity, potentially by domestic terrorists or other bad actors.

Food security is national security, plain and simple.

This amendment would ensure that we give our farmers, ranchers, and food producers the same ability to restrict the use of drones around these facilities that we give to amusement parks, outdoor facilities, and a variety of other interests that do not have similar national security implications.

Mr. Chair, I urge every Member in this body to support my amendment, and I reserve the balance of my time.

Mr. COHEN. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chair, this amendment would add animal feeding operations and meat and food processing facilities to a growing list of sites over which the FAA will restrict drone flights.

These restrictions that currently exist are intended to be used for facilities where overhead drone activity would present a potential public safety and security concern—critical infrastructures like energy and oil facilities and State prisons.

There is no practical reason why animal agriculture facilities should qualify for this kind of restriction, particularly when having that restriction might endanger energy and oil facilities. These facilities do not involve sensitive or potentially hazardous operations as energy and oil facilities and State prisons do.

These restrictions already exist to ensure the safety of such facilities, facility workers, and the public.

The designation is not intended to be used to inhibit First Amendment rights, protect intellectual property, or help facilities avoid accountability.

Allowing such exceptions is a slippery slope in restricting First Amendment rights as the national airspace is public space.

This would delay FAA rulemaking to create these public safety restrictions by several months or years, sacrificing public safety to shield meat processing facilities and possibly endangering time that could better be spent with energy and oil facilities and State prisons.

I urge Members to side with public safety, energy and oil facilities, and

State prisons and vote ''no'' on this amendment.

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

Mr. JACKSON of Texas. Mr. Chair, I will point out that this amendment is structured and written in such a way that this does not apply to all agricultural and food production facilities. It only applies to the very few largest operations in the United States, the ones that, in fact, supply 80 percent of the food production in this country.

There is a national security risk here. We talk at length in this Chamber all the time about how agriculture is becoming a national security issue.

Mr. Chair, I encourage all of the Members in the House to vote for this amendment, and I yield back the balance of my time.

Mr. COHEN. Mr. Chair, I will close in reciting the previous argument that this is not about protecting public safety and that First Amendment rights would be violated.

I looked back to see my crowd here, to see how we would win this voice vote, and it looks very daunting. I feel a little bit like Davy Crockett at the Alamo. Nevertheless, I continue to voice my opposition, and I ask my colleagues who are here to vote ''no.''

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. JACKSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 50 OFFERED BY MR. KEAN OF NEW JERSEY

The Acting CHAIR. It is now in order to consider amendment No. 50 printed in part A of House Report 118–147.

Mr. KEAN of New Jersey. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:

SEC. _____. AIR STATISTIC REPORTS.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation shall ensure that the Bureau of Transportation Statistics revises and maintains Technical Reporting Directive No. 31 (14 C.F.R. Part 234) to provide that the following events are not included within the air carrier codes specified in such Directive:

(1) Aircraft cleaning necessitated by such incidents as the death of a passenger, excessive bleeding, service animal (SVAN) soiling, and extensive debris left by customers.

(2) Aircraft damage caused by extreme weather, bird strike, foreign object debris (FOD), sabotage, and other similar causes.

(3) Awaiting the arrival of connecting passengers or crew due to weather or local or National Airspace System logistics.

(4) Awaiting the results of an unexpected alcohol test of a crewmember caused by the suspicion or accusation of a customer.

(5) Awaiting gate space due to congestion not within the carrier's control, including the utilization of common gates or uncontrollable gate returns resulting from constraints of the National Airspace System.

(6) A baggage or cargo loading delay caused by an outage of a bag system not controlled by a carrier, including wind affecting ramp conditions, late connecting bags resulting from an air traffic controller delay, airport infrastructure failure, and similar causes.

(7) Cabin servicing or catering delays due to weather or wind.

(8) Vendor computer outages, cybersecurity attacks (provided that the carrier is in compliance with applicable cybersecurity regulations), or issues related to the use of airport-supplied communications equipment (such as common-use gates and terminals, power outage, and lighting).

(9) Availability of crew related to hours flown, rest periods, and on-duty times not caused by a carrier, including a delay of a crew replacement or reserve necessitated by a non-controllable event, and pilot or flight attendant rest related to weather, air traffic controller, or local logistics.

(10) An unscheduled engineering or safety inspection.

(11) Public health issues.

(12) Fueling delays related to weather or airport fueling infrastructure issues, including the inoperability of a fuel farm or unusable fuel which does not meet specified requirements at delivery to an airport due to contamination in the supply chain.

(13) Government systems that are inoperable or otherwise unable to receive forms which have been properly completed by an air carrier.

(14) Overheated brakes resulting from a safety incident, including those resulting from emergency procedures.

(15) Mail from the U.S. Postal Service that was delayed in arrival.

(16) Unscheduled maintenance, including airworthiness issues manifesting outside a scheduled maintenance program and that cannot be deferred or must be addressed before flight.

(17) A medical emergency.

(18) Positive passenger bag match flags that require removal of a bag in order to ensure security.

(19) The removal of an unruly passenger.

(20) Ramp service from a third-party contractor, including servicing of potable water, lavatory servicing, and shortage of third-party ramp equipment.

(21) Snow removal or aircraft de-icing due to the occurrence of extreme weather despite adequate carrier resources, or the removal of snow on ramps.

(22) An airport closure due to such factors as the presence of volcanic ash, wind or wind shear.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from New Jersey (Mr. KEAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. KEAN of New Jersey. Mr. Chair, today, pursuant to the authority from Congress, the Department of Transportation requires airlines to report delayed or canceled flights. The rules also require a cause to be listed for the cancellation and delay. Every cancellation or delay must fall into a category of causes, one of which is air carrier.

In practice, many causes of cancellations and delays outside an air carrier's control end up in this category. In effect, it has become a catchall category. This is a problem because without good data reflecting the causes of cancellations and delays, it is impossible to identify the root causes. If you can't identify the real problems, you can't, as a Member of Congress or a policymaker, craft a good policy solution.

This amendment would require the Secretary to refine the reporting directives to provide more detailed information about the cause of a cancellation or delay, rather than simply dumping them all into a catchall category.

It builds upon the committee's acknowledgment of this obvious problem in section 716 of the bill and is simply a more robust effort to address it.

Any event listed in this amendment such as weather damage, unscheduled safety inspections, volcanic ash, or public health issues would no longer be categorized as carrier-caused.

The mischaracterization of causes endemic to the current system is fixable, and we should take this opportunity to fix it.

If adopted, this amendment will result in greater transparency to the traveling public regarding the cause of a canceled or delayed flight. Better data will allow the Secretary and airlines to develop strategies to mitigate their true causes.

This amendment simply attempts to make sure the Department of Transportation and the FAA are gathering more accurate descriptions of the causes of a canceled or delayed flight, and in turn, will allow the FAA and the airlines to better inform their decisions moving forward.

Just today, the FAA's effort to explain the cause of major day-to-day issues in real time were reported in various news sources.

My amendment will support this goal by improving the data that goes into the system for explaining the causes of delays and cancellations.

I share the FAA's goal of providing better data and more transparency, and this amendment will help provide them with the data they need to identify and to fix the problems that we have all been experiencing through air travel.

Finally, I thank Representative CHAVEZ-DEREMER of Oregon and Representative LARSON of Connecticut for their bipartisan support and for joining me in offering this amendment.

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

Mr. COHEN. Mr. Chair, I claim the time in opposition to this amendment offered by Representative KEAN, not as an individual from District 9 but as the ranking member of the Aviation Subcommittee being given certain responsibilities for that position.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chair, I yield myself such time as I may consume.

Since the beginning of the pandemic, we have seen a spike in the number of

mass flight cancellations and significant delay events. Some of these events were not completely attributable to the airlines.

The acceleration of the number of worker retirements during the height of the pandemic affected every industry's workforce, and many of the airlines were understandably not prepared for the massive increase in air travel demand as the effects of the pandemic started to dissipate.

This led to the rise in significant delays and cancellations that have affected passengers over the last several years.

This also underscores the importance of the Department of Transportation accurately reporting the on-time performance of flight delays and cancellations so consumers will have a full and accurate picture of what to expect when traveling.

Unfortunately, this amendment would restrict airline service quality performance reporting by removing a host of critical reporting elements.

For example, the amendment would remove airlines' requirements to report delays due to vendor computer outages, including cybersecurity attacks. I know I would like that to continue to be reported, and I assume most of my colleagues would, as well.

This amendment would also remove airlines' requirements to report delays due to crew availability related to hours flown, rest periods, and on-duty times not caused by a carrier. This is something Federal regulators need to understand in order to make effective policy.

Further, this amendment will move airlines' requirements to report delays due to an unscheduled engineering or safety inspection. Again, I want to know when this happens because this is potentially critical information to inform an airline safety management system and can help the FAA understand whether the safety management system is working effectively.

The amendment would also remove the reporting of public health issues so airlines wouldn't need to report delays due to the COVID–19 pandemic or other pandemics in the future.

That kind of data helps both Congress and the public health officials take measured and appropriate action to potentially help airlines in times of financial need.

Accurate and comprehensive data is critical to helping this Congress and the Department of Transportation make good policy and take appropriate action.

It helps us to take informed steps to improve the passenger experience, identify root causes for trends and delays, hold airlines accountable for what is in their control, and target fixes elsewhere for things outside of the airlines' control. This amendment would significantly reduce the granularity of data collected.

While I am happy to work with Representative KEAN to determine a fair and reasonable way to report airline statistics regarding significant delays and cancellations, I have to oppose this amendment.

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

Mr. KEAN of New Jersey. Mr. Chair, as I said earlier, this amendment, which is bipartisan in nature, actually increases the scope of transparency and ensures that the traveling public, that the policymakers, and we as Members of Congress have a better knowledge and understanding of what is happening and what is causing delays on a real-time basis, and I urge its passage.

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

Mr. COHEN. Mr. Chair, I reiterate my opposition. I urge a ''no'' vote, and I yield back the balance of my time.

Mr. KEAN of New Jersey. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. KEAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

□ 1530

AMENDMENT NO. 53 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 53 printed in part A of House Report 118–147.

Mr. LAMALFA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:

SEC. ___. WILDFIRE SUPPRESSION.

(a) IN GENERAL.—To ensure that sufficient firefighting resources are available to suppress wildfires and protect public safety and property, and notwithstanding any other provision of law or agency regulation, not later than 18 months after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall promulgate an interim final rule under which—

(1) an operation described in section 21.25(b)(7) of title 14, Code of Federal Regulations, shall allow for the transport of firefighters to and from the site of a wildfire to perform ground wildfire suppression and designate the firefighters conducting such an operation as essential crewmembers on board a covered aircraft operated on a mission to suppress wildfire;

(2) the aircraft maintenance, inspections, and pilot training requirements under part 135 of such title 14 may apply to such an operation, if determined by the Administrator to be necessary to maintain the safety of firefighters carrying out wildfire suppression missions; and

(3) the noise standards described in part 36 of such title 14 shall not apply to such an operation.

(b) SURPLUS MILITARY AIRCRAFT.—In promulgating any rule under subsection (a), the Administrator shall not enable any aircraft of a type that has been manufactured in accordance with the requirements of and accepted for use by any branch of the United States Military and has been later modified to be used for wildfire suppression operations, unless such aircraft is later typerated by the Administrator.

(c) CONFORMING AMENDMENTS TO FAA DOCUMENTS.—In promulgating an interim final rule under subsection (a), the Administrator shall amend FAA Order 8110.56, Restricted Category Type Certification (dated February 27, 2006), as well as any corresponding policy or guidance material, to reflect the requirements of subsection (a).

(d) SAVINGS PROVISION.—Nothing in this section shall be construed to limit the Administrator's authority to take action otherwise authorized by law to protect aviation safety or passenger safety.

(e) DEFINITIONS.—In this section:

(1) COVERED AIRCRAFT.—The term ''covered aircraft'' means an aircraft type-certificated in the restricted category under section 21.25 of title 14, Code of Federal Regulations, used for transporting firefighters to and from the site of a wildfire in order to perform ground wildfire suppression for the purpose of extinguishing a wildfire on behalf of, or pursuant to a contract with, a Federal, State, or local government agency.

(2) FIREFIGHTERS.—The term ''firefighters'' means a trained fire suppression professional the transport of whom is necessary to accomplish a wildfire suppression operation.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chairman, I have an amendment that I think is going to be loved by both sides of the room here today since it makes so much sense.

The situation we have is, it will fix an issue under the FAA regulations that currently prevents a privately owned, restricted category aircraft that is already performing a wildfire suppression operation from transporting firefighters to a scene.

Now, if this exact same aircraft were owned by a public entity such as the Forest Service, BLM, et cetera, that aircraft would be allowed to transport firefighters while performing a wildfire suppression operation. Even more egregious is the fact that if this government agency were to decide to lease this private aircraft for 90 days or more, that would magically transform it into the type of aircraft that would be allowed to transport firefighters on the way to a suppression action.

Under the current guidelines, however, they are not allowed to do so. This would either force contractors to have to get 90 days or longer leases with entities that may not want the aircraft for 90 days or be able to afford that. This may be a small local entity, local government.

What we are doing is allowing some flexibility here to not be locked into 90-day aircraft contracts that aren't needed and, at the same time, prevent unneeded ferrying back and forth, one for fire suppression activities and then another one to transport the personnel

when it would be perfectly logical to transport them on the same trip, saving fuel, saving wear and tear on the aircraft and the people, and even a little extra unneeded pollution in the air from running the aircraft, right?

My amendment requires the FAA to move forward with allowing private aircraft to also transport firefighters when they are fighting wildfires. The current policy is an unnecessary barrier to being able to deploy and fully utilize the capabilities of existing wildfire contractors for wildfire suppression.

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

Mr. COHEN. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chairman, I oppose the amendment, which directs the FAA to issue an interim final rule to allow restricted category aircraft to be used to transport firefighters to and from wildfire sites and other conforming changes.

While I support the intent of helping firefighters, this amendment is not the way to do it. In fact, if we are talking about firefighters, a firefighter lost his life in Memphis today fighting a fire. Several were injured, and we hope they will recover quickly. It is a difficult profession.

Restricted category aircraft are certified by the FAA for only very specific types of missions. Many of them are aircraft specifically built for military operations.

This amendment would create a shortcut for manufacturers interested in selling aircraft. However, the aircraft are not certified to the safety standards needed to carry passengers. This is an attempt by one manufacturer to create a domestic market for its aircraft without going through the FAA safety certification process. That is just not cricket.

Furthermore, interim final rules are only issued in situations where a regulatory process or requirement is clearly and directly creating a safety or security hazard.

There are multiple paths for this aircraft to be put to good use in helping firefighters, and manufacturers should follow those processes.

Congress should not be writing safety loopholes for companies to sell aircraft that potentially put our Nation's firefighters at risk. I stand with our firefighters.

Mr. Chairman, I oppose the amendment and reserve the balance of my time.

Mr. LAMALFA. Mr. Chairman, I am really wounded by that because the logic just isn't there. What we are talking about is an aircraft that is fully certified. If it was under a 90-day or longer contract, everybody would be hunky-dory with it. It would be perfectly kosher.

However, in this situation here, since it doesn't have that long of a contract, it is not now considered a public aircraft. It meets all the standards for safety, for transporting personnel as well as transporting the products with which they will be putting out the fire.

I am just mystified as to the logic of why we can't do this. It will save sorties. It will save a lot of unneeded pain. It will also allow local entities to be able to afford to keep these aircraft around because they are not going to be locked into 90-day contracts. I am just at a loss as to why this couldn't be agreed to by my colleagues on the other side of the aisle.

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

Mr. COHEN. Mr. Chair, let me put my colleague's mind at rest. I don't intend to call for a roll call. I will oppose the amendment, but I do not intend to call for a roll call.

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

Mr. LAMALFA. Mr. Chairman, I appreciate the comment of my colleague from Tennessee. He mentioned a while ago with Mr. ISSA ''40-love,'' so I will pick up on the ''love'' part of that and say that this is a friendlier discussion.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 60 will not be offered.

The Chair understands that amendment No. 61 will not be offered.

AMENDMENT NO. 62 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 62 printed in part A of House Report 118–147.

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 772 of the bill.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, I have offered this amendment many times over the last 15 years because until we can cut this poster child for government waste, I despair of us ever being able to bring Federal spending under control.

They call it Essential Air Service, but it is the least essential program in the entire U.S. Government. This is a direct subsidy paid to airline companies to fly empty and near-empty planes from small airports to regional hubs.

This was supposed to be a temporary program to allow local communities and airports to adjust to airline deregulation in 1978, 45 years ago. Instead, it has grown to include 111 airports in a program that has doubled in cost in the last decade.

I emphasize that this program has nothing to do with emergency medical evacuations. It solely subsidizes regular, scheduled, commercial service that is so seldom used that it cannot support itself. Why can't it? Because in many cases, the small airports in the program are less than an hour's drive from regional airports.

Essential Air Service flights are flown out of Merced Airport near my district in the Sierra Nevada of California, yet Merced is less than an hour's drive from Fresno Airport, offering scheduled flights throughout the West.

Subsidized service is available from Lancaster, Pennsylvania, just 31 miles from Harrisburg International Airport. Subsidized flights from Pueblo, Colorado, are just a 45-minute drive from Colorado Springs Airport, and on and on.

There is supposed to be a $200 cap on the subsidy and a minimum of 10 passengers per day, yet 55 airports are able to waive these requirements, and they have all been granted. Per-passenger subsidies on some flights are now nearly $1,000 per passenger. By comparison, you can charter a small plane for around $150 to $200 an hour. Currently, 42 of the 111 flights subsidized are for flights of 9 people or less. These flights of 9 or less are still costing the taxpayers over $120 million in fiscal year 2023.

Over the next few years, this program will cost taxpayers over a billion dollars in direct appropriations, which this amendment would cease. The program is receiving $390 million in subsidies this year.

If a route cannot generate enough passengers to support its costs, the passengers themselves are telling us it is not worth the money to them. Maybe we should listen to them.

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

Mr. JOHNSON of South Dakota. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of South Dakota. Mr. Chair, I yield 1 minute to the gentleman from Missouri (Mr. GRAVES), chair of the full committee.

Mr. GRAVES of Missouri. Mr. Chairman, I rise today in strong opposition to this amendment and urge Members to vote ''no.''

The Essential Air Service program has proven to be a vital tool for rural connectivity, and for decades, it has been providing commercial air service to rural America.

It ensures our constituents in rural communities are connected to the national air transportation system and provides businesses across the country with the opportunity to grow their

businesses and families easier access to loved ones across the Nation. It drives economic development in many of our districts.

This amendment most certainly eliminates air service to our smallest, most rural communities. I have been a longtime, strong supporter of the EAS program.

In order to ensure the program's long-term viability, smart and targeted reforms are needed to ensure the program can continue to serve our communities.

Those reforms are in this underlying bill. It phases in cost-saving reforms to secure the program's long-term stability and ensures that it will continue to meet the needs of communities served while reining in the ballooning costs.

I, myself, have an EAS airport in my district that will be subject to the cost-share provision beginning in fiscal year 2027. I fear that without reducing costs, the entire program will cease to exist in due time, thanks to the program's cost.

Let's do anything we can to attempt to save this program. I think anything that we do if we are not attempting to save this program is literally a disservice to our constituents. Please vote ''no'' on the amendment.

Mr. JOHNSON of South Dakota. Mr. Chair, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Chair, reform, not repeal is what we should be looking for. Essential Air Service is a critical transportation lifeline for many rural communities. It was put in place to guarantee small communities maintain a minimum level of air service.

The most important State is Alaska, where the majority of surface transportation is not passable year-round. Alaskans rely heavily on air travel to stay connected. This would be an economic disaster for the State. There are currently approximately 60 communities in Alaska alone, and another 110 in the lower 48, that depend on service through EAS.

As a friend of DON YOUNG, MARY PELTOLA, and the Alaskan people, I ask Members to vote ''no'' and to continue EAS service to the people of Alaska and others in rural areas that need it. I oppose the amendment.

Mr. JOHNSON of South Dakota. Mr. Chair, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Chairman, this is a nearly 50-year-old temporary program. It is indicative of everything in Washington: Nothing ever dies here. We just spend more and more money.

The DOT literally picks winners and losers, where neighboring airports have to compete against the Federal Government, which subsidizes routes for the very same market. Approved subsidies include funding leisure routes. That is not essential. That is leisure.

Flights on EAS routes are relatively empty compared to nonsubsidized flights, and the obvious outcome of subsidizing these routes is that they are not economically viable. That is why they are subsidized. It is because nobody really needs them. There are other options that are reasonable.

The industry continues to suffer from a pilot shortage, a mechanic shortage, labor all across the board, ATC, et cetera. All we are doing is making it worse by misallocating these resources.

Pilots are flying planes to places where there aren't any customers, and they are canceling routes where people need to fly.

The bill does make significant improvements. However, the program remains inherently unfair and represents a significant misallocation of resources at a time when we can ill afford to do so.

Mr. Chairman, I urge adoption.

Mr. MCCLINTOCK. Mr. Chair, I reserve the balance of my time.

Mr. JOHNSON of South Dakota. Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Chair, I rise in opposition to this amendment.

I respect the intent of the author of this amendment, Mr. MCCLINTOCK, who I respect very much. I agree with his desire to cut wasteful government programs, but we have a fundamental disagreement on the value of this program.

Speaking for my community, and I do represent Lancaster Airport, this service allows my constituents to connect with Pittsburgh and other major airports where they can link with routes to take them across the country.

Every dollar invested into the program yields a great return. Lancaster Airport is the third busiest airport in Pennsylvania, behind Philadelphia and Pittsburgh. This is an important link to keep it a strong commercial hub and to service our community.

EAS also serves 172 airports across the country. If this amendment gets adopted, many of those communities would lose their airports. Losing EAS eligibility would not only disconnect communities in rural areas from the national air service, but it would also have a ripple economic effect.

Again, I commend the author of this, and I commend the chairman for the changes that have been made to this program. It is important that we keep it.

□ 1545

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. STAUBER).

Mr. STAUBER. Mr. Chair, I rise in opposition to this amendment from the distinguished gentleman from California.

Rural districts like the one I represent often get written off as ''flyover country.'' Essential Air Service, or EAS, ensures that ''flyover country'' is just a saying and is not a reality.

As I have mentioned before, Minnesota's Eighth District is the most beautiful place in the world. Just take a flight to International Falls, Minnesota, and check out Voyageurs National Park, or fly to Brainerd and recreate in one of the many beautiful family-owned resorts. Fly to Bemidji and see beautiful Lake Bemidji, or take a flight to Hibbing, Minnesota, and fly over the biggest mining country that we have. None of this would be possible without EAS.

For most in Minnesota's Eighth District, getting down to Minneapolis Airport can be a real challenge. The EAS airports in my district provide an opportunity for my rural constituents to quickly, conveniently, and safely connect with the rest of this Nation and the world.

I want the constituents that I represent to have access to air travel just like everyone else, not be punished because we live in rural America.

My constituents matter. Our local economies and our local airports matter, and rural America matters.

Mr. MCCLINTOCK. Mr. Chairman, Mr. GRAVES promised us reforms. Well, we have been hearing those promises for the last 15 years that I have been bringing these amendments up, and they never happen.

My Republican colleagues love to campaign for economies in government. Yet, when the easiest possible economy in government is presented to them, they can't bear it.

I would pose this question: Why should the taxpayers of every community in America pay for the tickets for their subsidized air service when those airports are often less than an hour's drive from a regional airport?

If their customers aren't willing to pay for those tickets, why should the people of our districts be required to pay for them through their taxes?

It is time that Republicans kept their promises and started making the fundamental reforms that are necessary to bring spending under control before we bankrupt this government.

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

Mr. JOHNSON of South Dakota. Mr. Chair, I would inquire how much time remains in opposition.

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. JOHNSON of South Dakota. Mr. Chair, our Nation has always had a national commitment to infrastructure. Mr. Chairman, that has been true whether it has been the interstate highway system, universal telephone service, or rural electrification.

We don't ask each rural county to pay exclusively for their portion of the interstate or high voltage transmission line that resides within their county borders. That, sir, would be absurd. These are assets with national benefit.

Now, that is the same wisdom, thankfully, that we apply to our national aviation infrastructure. That

does not mean an airport everywhere, of course; not any more than it means an interstate everywhere. It does mean a national commitment to having the essential infrastructure necessary to bind together 50 States into one unified America.

This amendment destroys that national commitment to infrastructure and to essential air service. It is misguided, and I urge a ''no'' vote.

I will close, Mr. Chair, by noting this: There may be some airports within an hour, but there are many, including in South Dakota, that are 2 hours or 3 hours away from these hubs.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of South Dakota. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 64 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 64 printed in part A of House Report 118–147.

Mrs. MILLER of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:

SEC. _____. REPORT ON SECRETARY OF TRANSPORTATION FLIGHT RECORDS.

The Administrator of the Federal Aviation Administration shall submit to Congress a report containing the flight records of the Secretary of Transportation for any flight on an aircraft owned by the Federal Aviation Administration for the 3 years preceding the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 597, the gentlewoman from Illinois (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. MILLER of Illinois. Mr. Chairman, I rise in support of my amendment.

Secretary Buttigieg and President Biden's policies have created chaos within the FAA. Under the Biden administration, we saw the first full ground stoppage of all flights since September 11.

Taxpayers deserve to know where Secretary Pete was jetting off to on a private jet while our constituents were dealing with canceled and delayed flights. My amendment will force the FAA to hand over the flight logs for the Transportation Secretary's private FAA jet from the last 3 years.

The Washington Post reported that Secretary Buttigieg took 18 secret taxpayer-funded private flights. Taxpayers deserve transparency and oversight.

I urge my colleagues to support transparency for the Secretary's private flights and adopt my amendment.

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

Mr. COHEN. Mr. Chair, I respectfully claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chairman, this would require the FAA to submit a report on flight records for the Secretary of Transportation for the previous years. Obviously, as the gentlewoman indicated, it is about Secretary Buttigieg who, I think, has done an outstanding job as our Secretary.

This amendment provides no benefit to the FAA. They already know where he has been going, and it would be a waste of the administration's limited time and resources.

In fact, there is no reason to think that his flights haven't been for reasons that benefit the United States and the Department of Transportation.

Now, if the amendment was something about Senators leaving their States during emergency climate events and going to Acapulco, or to wherever it was in Mexico, I could agree to it, maybe. But that is not what it is about.

There is no basis as to why this report should be needed. There are many pressing issues the FAA should dedicate its attention toward in this reauthorization, and the gentlewoman's amendment would detract from those efforts.

To that end, I urge my colleagues to oppose this amendment which has no basis in fact concerning anything Secretary Buttigieg may have done in any way improper.

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

Mrs. MILLER of Illinois. Mr. Chairman, I urge the adoption of this amendment, and I yield back the balance of my time.

Mr. COHEN. Mr. Chairman, it was Cancun I was trying to think of. So if the amendment dealt with Cancun when Texas was having a climate emergency, that is a different situation, and people might need to know about that.

But Secretary Buttigieg, there is no reason to think he has done anything wrong whatsoever, so there is no basis behind this amendment, no fact basis. It is just conjuring up something, and that is why I continue to oppose the amendment.

I urge my colleagues to oppose the amendment because it would be a waste of FAA time, and it is certainly something that is intended to sully the name of our distinguished Secretary of Transportation who has done an outstanding job.

I think the time that the airlines were closed down was because of the modems. It didn't have anything to do with the Secretary of Transportation, or even the FAA.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

AMENDMENT NO. 65 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 65 printed in part A of House Report 118–147.

Mrs. MILLER of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title IV, add the following:

SEC. _____. RESTRICTION ON DEI OFFICIALS.

None of the funds made available under this Act may be used to hire any diversity, equity, and inclusion officials or conduct training on diversity, equity, and inclusion.

The Acting CHAIR. Pursuant to House Resolution 597, the gentlewoman from Illinois (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. MILLER of Illinois. Mr. Chairman, I rise in support of my amendment. Secretary Buttigieg and President Biden's DEI initiatives which hire and promote people based on their physical characteristics over their merits and qualifications violate Title VII and the Constitution.

In critical public safety roles such as air traffic control, it is essential to have the best possible candidate based strictly on professional qualifications and merit. Efforts by the Biden administration to factor race, gender, and sexual orientation into hiring and promotion decisions puts the traveling public at risk and deepens the staffing shortages we have seen throughout the FAA.

Under this administration, we saw the first national ground stoppage since September 11. My constituents regularly face delays caused by shortages in air traffic control staffing, delays that I am sure many of my colleagues have also experienced.

We must roll back the Biden administration's woke DEI policies and put the needs of our public aviation system before the far left's political agenda.

I urge the adoption of my amendment, and I reserve the balance of my time.

Mr. COHEN. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chairman, I would say that this amendment which prohibits funds from this Act being used to hire any diversity, equity, and inclusion officials or conduct DEI training is unnecessary, inappropriate, and failing our system.

It is interesting that it follows the amendment that would look into and suggest that Secretary Buttigieg has done something wrong.

As our Nation works toward long-term economic recovery, it is critical the educational and career opportunities in the aerospace industry be available and accessible to all Americans. It doesn't say that people who aren't the most qualified would get hired. DEI just says people would get opportunities which they may not have had in the past, and there might be systems in place that do not allow people who are diverse, who need to be included, inclusive, and gives them an opportunity and equitably get the job just because of their appearance. It means that they don't get discriminated against.

The U.S. aerospace industry is taking initial steps to diversify its workforce through the creation of flight training academies, apprenticeships, and other career pathway programs, but more can be done.

The underlying bill robustly invests in the FAA's aviation workforce development programs to support the education and recruitment of aviation jobs, including for communities underrepresented in the aviation industry.

I represent the Ninth Congressional District in Tennessee, which is a minority-majority district. A lot of minorities are not in aviation jobs. They can perform those jobs and do great jobs, they just haven't been given the opportunity over the years, and they need to have opportunities to see that this is a place that they can look to to be a pilot and to earn a good living and to have a good job. DEI programs would help.

This amendment ties the hands of the FAA and its outgoing educational, recruiting, and retention plans by prohibiting the hiring of a DEI officer or conducting DEI training, regardless of whether the FAA believes that this will result in the best possible results for the aviation workforce.

Again, I oppose this amendment. I urge a ''no'' vote, and hope that all Americans can have an opportunity to get good-paying jobs.

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

Mrs. MILLER of Illinois. Mr. Chairman, I urge the adoption of my amendment, and I yield back the balance of my time.

Mr. COHEN. Mr. Chair, I would just continue to urge a ''no'' vote. You don't have to be woke. You just don't have to be asleep.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

□ 1600

AMENDMENT NO. 67 OFFERED BY MR. OBERNOLTE

The Acting CHAIR. It is now in order to consider amendment No. 67 printed in part A of House Report 118–147.

Mr. OBERNOLTE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 129, after line 25, insert the following:

(7) Put in place a system that ensures available resources so that applicants can schedule airman practical tests not more than 14 calendar days after requested.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from California (Mr. OBERNOLTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. OBERNOLTE. Mr. Chair, the FAA is responsible for administrating and certifying pilots in the United States. The certification of these pilots takes place in the form of written tests administered at a test center, but also in the form of practical tests that are usually administered in an aircraft or in a simulator.

These practical tests are conducted by either FAA examiners or, more usually, designated pilot examiners. This is a system that has worked well for decades, but a recent problem has arisen where pilots who are applying for certification, who need practical tests are encountering large and unacceptable delays in the scheduling of those tests.

In fact, some of the pilots that I have spoken to in the preparation of this amendment had to wait over 12 months for the scheduling of a practical test. I think we can all agree that that is unacceptable.

It is not fair to the airmen, it is not fair to the FAA, it is not fair to the pilot community, and it is detrimental to the advancement of the aviation industry.

This amendment is a very simple fix to that problem: It would direct the FAA to implement an accountability program to ensure that no applicant has to wait more than 2 weeks for the administration of a practical test.

I think this is a commonsense solution. It works for the FAA and for the applicants, and I would urge its adoption.

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

Mr. JOHNSON of Georgia. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. MOYLAN). The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. I rise in opposition to this amendment, which requires the FAA to ensure that pilots can schedule a practical test within 14 calendar days of requesting a test.

What this amendment fails to consider is that the FAA does not schedule these tests. These are independent individuals who have decided to take on this responsibility as a personal choice. They work around their own schedules—birthday parties, weddings, and doctors' appointments.

This amendment would actually add additional bureaucracy and would, therefore, be counterproductive and an administrative nightmare.

Moreover, the underlying bill contains several provisions to assist with expediting pilot certification. For instance, the base language already increases accountability and transparency for scheduling these tests and even includes a web-based scheduling tool to assist pilots.

The committee developed a solution on a bipartisan basis to help with this specific problem of delays in pilot testing. Therefore, I oppose this counterproductive and burdensome amendment.

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

Mr. OBERNOLTE. Mr. Chair, I would strongly object to the characterization of this amendment as burdensome. If you want an example of burdensome, think about a student pilot who has applied to get their pilot's license.

Mr. Chair, I have been a certified flight instructor for almost 30 years. This is a situation that I have experienced. When you are a student pilot, you don't know exactly when you are going to reach the level of proficiency required by the Federal aviation regulations, so you train and you train and you train and you sweat and you work, and finally your instructor says you are ready to take the test.

Now, imagine a student in that position applying for a test and being told it is going to be months before they can be examined.

Mr. Chair, I can tell you from personal experience that flight proficiency is a perishable commodity. You cannot go several months without flying, hop into a cockpit, and expect to be at the same level of proficiency that you were.

We are adding burdensome regulation on our student pilots when we expect them to maintain their proficiency for however long it takes the FAA to schedule that exam.

To be clear, this amendment does not direct the FAA to make its inspectors available; it directs the FAA to make the resources available to implement an accountability program to make sure we have a sufficient number of pilot examiners to make this situation better.

Two weeks is an industry standard consensus. The FAA has agreed that

that is a reasonable period of time. This just makes sense.

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

Mr. JOHNSON of Georgia. Mr. Chair, for the party that eschews regulations, we now have more regulations being proposed, and these regulations are unnecessary in this case.

Again, it is up to the particular applicant to schedule the test for themselves. If they delay in doing so, then, of course, why would we want to punish the Federal Government by forcing the Federal Government to offer them a test in 14 days that they could have scheduled themselves had they been more efficient with their scheduling?

Let's continue to rely on personal responsibility in this regard, and let's make sure that the onus remains on the applicant to schedule the testing.

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

Mr. OBERNOLTE. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, to be clear: This is not a scheduling problem on the part of the applicant. The applicant doesn't know exactly when they are going to be ready. The applicant doesn't know when the weather is going to cooperate. Particularly for the base level of pilots' licenses, you need good weather to be able to take the test.

This is just talking about the amount of time after an applicant says I am ready before which a designated pilot examiner can administer that exam. I think we can all agree that that should not be a year.

This is a commonsense amendment that would solve that problem, and I urge its adoption.

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

Mr. JOHNSON of Georgia. Mr. Chair, I have an app on my phone and I can look out for at least 10 days and determine what the weather will be projected to be in a particular location. That technology is available to all. All should use it, particularly those who are looking to fly the public or fly themselves or their families. They are charged with personal responsibility to make sure that they schedule a test in accordance with their own particular schedule. Their schedule is up to them.

We need to allow the FAA to work within its means to schedule testing on a first-come-first-served basis, and it is up to the applicant to make sure they get in where they fit in.

Mr. Chair, I oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. OBERNOLTE).

The amendment was agreed to.

AMENDMENT NO. 68 OFFERED BY MR. OBERNOLTE

The Acting CHAIR. It is now in order to consider amendment No. 68 printed in part A of House Report 118–147.

Mr. OBERNOLTE. Mr. Chair, I have a further amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 309, line 14, strike ''or''.

Page 309, line 18, strike the period at the end and insert ''; or''.

Page 309, after line 18, insert the following:

(4) prevent an airport or any retail fuel seller at such airport from making available for purchase and resale an unleaded aviation gasoline that has been approved by the Federal Aviation Administration and has an industry consensus standard for use in lieu of leaded aviation gasoline if such unleaded aviation gasoline is certified for use in all aircraft spark ignition piston engine models.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from California (Mr. OBERNOLTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. OBERNOLTE. Mr. Chair, aviation fuel is one of the few fuels remaining that still contains lead. It has been universally acknowledged that lead is not good for our environment. It is not good for our children. It is not good for human ingestion. It causes serious health problems.

The industry has conducted a decades-long study and process to try to develop an alternative fuel that takes the lead out of aviation fuel. However, this has become a very, very troublesome and difficult task because the only suitable solutions would have to be suitable for all types of aviation engines and some aircraft feature engines that are higher horsepower and higher compression that depend on the presence of lead to be able to operate safely.

Finally, we are approaching a consensus standard on an unleaded replacement for aviation gas; however, there is a problem that has arisen. Airports accept grant funds from the Airport Improvement Program, and in return, they give the FAA grant assurances that they will keep their airports open.

In 2018, when FAA was reauthorized, it was agreed by this body that an airport should not be able to withdraw the sale of fuel completely and that that would be a violation of its FAA AIP grant assurances.

I think that that is still true, and I hope we all still feel that way. However, most airports only have a single infrastructure for the delivery of avgas. If an airport seeks to switch from this current standard, which is 100 low lead to an unleaded replacement, a question has arisen as to whether or not that would be a violation of its grant assurances.

This amendment clarifies that situation and states that when an industry standard consensus fuel emerges that it is not a violation of grant assurance for an airport to switch from leaded aviation fuel to unleaded aviation fuel.

I think that this protects the interests of our airports, of our pilot community, and also protects our environment at the same time.

Mr. Chair, I urge its adoption, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. I claim time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, aviation is the only segment of transportation still using leaded fuels. The health impacts of leaded fuels are well-documented up to this point and the aviation industry writ large has been making a good-faith effort to transition to unleaded fuels.

The FAA closely regulates the availability of fuels at public airports because it is a critical element to flight safety.

The underlying bill text, as well as the manager's amendment offered by Chairman GRAVES and the ranking member, clarifies the fuel availability requirements at airports in line with the aviation industry timeline for transitioning away from leaded fuels.

This amendment is confusingly written, and it is unnecessary. Unlike what the summary claims, it would reduce airports' flexibility to meet the FAA's requirements for fuel availability. Specifically, it would narrow the types of unleaded fuels that airports are required to provide under the bill.

Mr. Chair, I oppose this amendment and urge all Members to do the same. Mr. Chair, I reserve the balance of my time.

Mr. OBERNOLTE. Mr. Chair, I hope there has been no confusion here. We are all on the same team. We want to get the lead out of aviation fuel. This amendment allows us to do that. The current situation is that when an industry standard consensus fuel emerges that airports will not be able to switch over to it because if you only have a single infrastructure, a single fuel truck, or a single fuel tank, the current grant assurances require you to continue offering the leaded fuel.

Airports will be faced with an impossible choice: The choice between maintaining a leaded fuel, even though an unleaded replacement is available, or buying an entirely different infrastructure for the delivery of the unleaded fuel.

I think we can all agree that makes no sense. This is just a commonsense solution to that problem. We have worked with committee staff on this. We have worked with industry on this. I think this is something that everyone should be able to get behind.

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

Mr. JOHNSON of Georgia. Mr. Chair, I believe that we are trying to achieve the same goals here and I appreciate the gentleman's approach, but I do believe that it is restrictive; maybe not intentionally so, but as a matter of consequence. That is why I am going to continue to oppose this amendment.

Not every airport has the flexibility to do what Representative OBERNOLTE suggests that is available to them. I urge my colleagues to oppose this amendment.

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

□ 1615

Mr. OBERNOLTE. Mr. Chair, to be clear, we are trying to give airports the option of a transition to an unleaded aviation fuel when that option becomes available to them. Some language is needed to do this because airports are confused about whether or not doing this is a violation of their FAA grant assurances. This amendment clarifies that it is not. An amendment, to be clear, is needed to clarify this situation.

Mr. Chair, I respectfully urge adoption of my amendment, and I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, again, not all companies have unleaded fuel that meets the standards that the gentleman suggests.

I wish I could read this writing here. I would present a more eloquent rebuttal. Unfortunately, I can't read the scribble.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. OBERNOLTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 69 OFFERED BY MR. OGLES

The Acting CHAIR. It is now in order to consider amendment No. 69 printed in part A of House Report 118–147.

Mr. OGLES. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 609, line 14, strike ''social and''.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Tennessee (Mr. OGLES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. OGLES. Mr. Chair, I appreciate the opportunity to speak on my amendment, which strikes ''social'' from the scope of factors examined under the FAA's BEYOND program expansion.

Mr. Chair, this is a commonsense amendment that simply seeks to allow the FAA to focus on its core mission. The FAA's BEYOND program was crafted to yield the best outcomes for unmanned aircraft systems, not to promote garbage and irrelevant woke ideology.

The FAA BEYOND program is innovative, because it was designed to understand the potential benefits of drone use and the processes for drone integration. There is no room for any sort of liberal agenda in this program nor in this legislation.

My amendment removes the reference to social impacts examined under the BEYOND program expansion, which goes undefined in the bill, and could, therefore, be used to advance woke considerations. Expanding the scope of the BEYOND program to include social factors distracts from BEYOND's mission of making beyond visual line of sight operations repeatable, scaleable, and viable.

Mr. Chair, I urge adoption, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, I oppose this amendment that would remove the requirement for the FAA to study the social impacts of unmanned aircraft systems, or UAS, in the expansion of FAA's BEYOND program.

The BEYOND program is vital for evaluating the safe integration of beyond visual line of sight and other advanced UAS operations.

There are many potential societal benefits of UAS that are already being tested by the BEYOND program. UAS technology can be used for remote sensing to make our power systems more resilient to deliver medical supplies to underserved communities or to assist first responders in disaster response and relief efforts.

For example, Dominion Energy used drones to inspect more than 40 power generation facilities, allowing them to conduct more frequent and efficient inspections.

The expansion of the BEYOND program in the underlying bill will allow for testing of other new and emerging aviation concepts and technologies, such as more autonomous aircraft.

As part of this testing, the program should consider societal impacts such as potential emissions, noise, and other community priorities.

Mr. Chair, for these reasons, I oppose this amendment, and I reserve the balance of my time.

Mr. OGLES. Mr. Chair, I would agree with my colleague that this program is vital. It is vital for the future of aviation and for medicine and for all sorts of applications. What it shouldn't be used for is a woke agenda.

The BEYOND program expansion is supposed to enable testing of new emerging aviation concepts and technologies to inform policies, rulemaking, and guidance needed to enable these new concepts and technologies, again, not to be leveraged for wokeness.

The government should not stick their nose into Americans' lifestyle, well-being, and societal preferences by use or leveraging the BEYOND program, and that is exactly what my colleague is encouraging.

Mr. Chair, let us not allow the Biden administration to shift attention away from the real problems that Americans face every day to his administration's radical leftist agenda, which they try to creep into every aspect of our lives.

I urge adoption of this very commonsense amendment, which focuses on the underlying bill, the true mission of the FAA, which is aviation and safety in our skies, not wokeness.

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

Mr. JOHNSON of Georgia. Mr. Chair, I yield such time as he may consume to the gentleman from Washington (Mr. LARSEN), the ranking member on the full committee.

Mr. LARSEN of Washington. Mr. Chair, on the committee, the Transportation and Infrastructure Committee, we like to pride ourselves on being boring. We like to let folks know if they want excitement in Congress, there are other committees to attend or go to. The T&I Committee is not one of those. We like to think that we are focused on the transportation and infrastructure of the United States and on the things that we need to do to ensure its safety and building it out.

I am confused by this amendment, that it exists at all, because what the amendment is doing is taking out a word, ''social,'' that the proponent is defining as something that is not in any way defined by the committee in the way he is defining it.

Think about what we are talking about when we talk about the BEYOND program and what we would like to do beyond just looking at economic factors of drones. We want to look at how medical supplies can be delivered to rural areas. That is not an economic factor to look at. That is a social factor to look at, the ability to get healthcare to rural areas. The ability to assist law enforcement with things like search and rescue, that is not an economic factor. It is a social factor to ensure safer communities.

Assisting wildfire responders as they fight wildfires, that is not an economic factor. That is a social issue to protect wildfire responders as well as the communities that are impacted by wildfires.

I am just really confused. If this amendment had been in our committee and had been discussed, we would have never brought this up because it just doesn't live between our ears on the committee—this debate about the problem that people have with social factors. We would have realized these social factors are really about the things that I am talking about here, like how do we use the BEYOND program to ensure that we can use drones or uncrewed aerial systems, unmanned aerial systems, in order to provide factors that are beyond just the economic factors, how do they help the economy grow? They have uses beyond just helping the economy grow. The BEYOND program should be used to help us look at those issues.

I would just ask folks to please let us do a bill that is actually trying to move aviation forward instead of bogging us down in some of these debates that frankly are better left, perhaps, in other committees but not in the T&I Committee.

Mr. OGLES. Mr. Chair, I do appreciate the intent of my colleague, but I think it should be noted that this serves as a back door for a woke agency if it chooses to be so. When we leave these back doors open, what we have seen is a weaponized FBI against American citizens. We have seen a weaponized IRS against American citizens. We have seen a weaponized Justice Department against American citizens.

This does nothing more than open the door for the FAA to become weaponized on the social, woke agenda. Enough is enough. Yes, it is just a word, and that word should be stricken.

Mr. Chair, I urge adoption of my amendment. It is commonsense, it is conservative, it is the right thing to do, and it says no more wokeness in our country when it comes to the government and how it rules.

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

Mr. JOHNSON of Georgia. Mr. Chair, it is ironic that today we talk about wokeness, and we talk about including a word, ''social,'' in the impacts that would be studied by the BEYOND program.

The truth of the matter is that the BEYOND program is a Trump administration program, and the language that the gentleman seeks to eliminate from this authorization bill is the same language that was proposed, introduced, and passed under the Trump administration. There was no harm then, but now we have got a problem, because everybody is anti-woke.

The Acting CHAIR. The time of the gentleman has expired.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. OGLES).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

AMENDMENT NO. 70 OFFERED BY MR. OGLES

The Acting CHAIR. It is now in order to consider amendment No. 70 printed in part A of House Report 118–147.

Mr. OGLES. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1148(b)(5)(A), strike ''climate change'' and insert ''weather''.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Tennessee (Mr. OGLES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. OGLES. Mr. Chair, the FAA reauthorization bill has a section requiring the FAA to conduct research and development to mitigate the impact of turbulence.

As part of this, it requires the agency to conduct R&D to understand the impacts of climate change and other factors on the nature of turbulence.

My amendment changes this requirement to focus on the impacts of weather rather than climate change. Weather patterns are a common cause of turbulence. Jet streams, storms, and the movement of warm fronts and cold fronts can all cause it.

Mr. Chair, this is, again, a commonsense amendment. I urge adoption, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, this amendment would direct the National Oceanic and Atmospheric Administration to ignore climate change as it studies the impacts of weather on the nature of turbulence.

To deny the existence of climate change is to deny reality. There are copious amounts of data to show that climate change has been happening for decades.

Recently, we have all experienced consecutive days of 90-plus-degree heat here in Washington, D.C., as well as we have seen sustained increases in temperatures across the country. In fact, June 2023 was the hottest June ever recorded on the planet, according to NASA.

The scientific definition of weather refers to short-term atmospheric conditions, while climate change refers to long-term patterns and shifts in our climate.

□ 1630

The dramatic shifts caused by climate change are not merely weather, and to limit NOAA's ability to study climate change would neglect our responsibility for ensuring safe air travel.

Studying these long-term patterns and understanding how they impact turbulence is critical for putting the best safety practices in place, as well as understanding how to mitigate the impacts of turbulence.

NOAA must have the authority to gather the data we need to help keep Americans safe in the air, reduce flight delays, and improve our understanding of changing atmospheric conditions. Let us not force NOAA to put its head in the ground while climate change is happening all around us.

Mr. Chair, if my colleagues are with me, they will oppose this amendment, and I encourage more of my colleagues to do so.

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

Mr. OGLES. Mr. Chairman, as indicated by my colleague, the definition of climate change is a long-term event. A flight and turbulence would be a short-term occurrence.

What we are talking about is weather in a moment on a duration of a flight and how it impacts said flight. It is changing weather, not climate change, that is to blame on your flight to and from D.C.

We don't measure climate change over a duration of a flight, but this is what we are talking about—the duration of a flight—and turbulence that impacts flights while they are in the air.

As we develop a better understanding of how the weather impacts turbulence, people may better understand how instances of turbulence might differ under different times.

Mr. Chairman, what I am trying to say is let us not allow agendas to slip into the mission.

Mr. Chairman, I urge adoption of my amendment. This is common sense, and I thank my colleague for his comments.

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

The Acting CHAIR (Mr. FLOOD). The Chair reminds Members and staff not to traffic the well.

Mr. JOHNSON of Georgia. Mr. Chairman, long-term weather patterns affect turbulence, and that is what we need to study. We should not deny that there will be long-term effects of climate change. We should not ignore the fact that climate change is real and is happening today.

To force our government to not look at these weather patterns in the long term is very shortsighted. Let's plan for this turbulence as we come to grips with climate change.

Mr. Chair, I reserve the balance of my time, and I am ready to close.

Mr. OGLES. Mr. Chairman, I thank my colleague for his comments. I emphasize that if we allow or encourage the FAA to study climate change, if it were, it is going to lead to a boondoggle. The FAA is busy enough. They have enough on their hands. It makes sense to study weather patterns and turbulence. It does not make sense to allow woke ideologies to slip into the mission statement of an agency whose primary charter is to keep those in the air safe.

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

Mr. JOHNSON of Georgia. Mr. Chairman, safe travel in the future depends on the FAA's ability to predict long-term weather patterns, and that requires us to study the effects of climate change. That is what we need to do now. We need to do it to protect ourselves, our wives, our husbands, our children, our grandparents. We don't want any of our loved ones to die.

Let's do the studying that we need in order to mitigate the effects of our previous ignoring of climate change as a

phenomenon. Let's study it and come to grips with it and make things safer for the traveling public as we proceed forward. That is what we are doing under this FAA reauthorization bill.

Mr. Chair, this amendment hurts that process. For that reason, I oppose it and ask my colleagues to do the same.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. OGLES).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

AMENDMENT NO. 71 OFFERED BY MR. OWENS

The Acting CHAIR. It is now in order to consider amendment No. 71 printed in part A of House Report 118–147.

Mr. OWENS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following:

SEC. ___. SLOT EXEMPTIONS FOR RONALD REAGAN WASHINGTON NATIONAL AIRPORT.

(a) IN GENERAL.—Section 41718 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(i) ADDITIONAL SLOT EXEMPTIONS.—

''(1) GENERAL SLOT EXEMPTIONS.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall grant, by order, 14 exemptions from—

''(A) the application of sections 49104(a)(5), 49109, and 41714 of this title; and

''(B) the requirements of subparts K and S of part 93, Code of Federal Regulations.

''(2) EXEMPTION CONDITIONS.—The Secretary shall grant such exemptions to nonlimited incumbent and limited incumbent air carriers serving Ronald Reagan Washington National Airport as of the date of enactment of this subsection to operate limited frequencies of aircraft on routes between Ronald Reagan Washington National Airport and other airports.

''(3) CONSIDERATIONS.—In granting exemptions under this subsection, the Secretary shall consider the extent to which the exemptions will—

''(A) have a positive impact on the overall level of competition in the markets that will be served as a result of such exemptions;

''(B) produce competitive benefits, including the likelihood that the service to airports will result in lower fares or improved service options for aviation consumers;

''(C) not result in a significant increase in delays at Ronald Reagan Washington National Airport;

''(D) ensure that travel options between Ronald Reagan Washington National Airport and airports located within the perimeter described in section 49104 will not be reduced;

''(E) benefit underserved markets; and

''(F) not reduce runway safety at Ronald Reagan Washington National Airport.

''(4) SCHEDULING OF SLOT EXEMPTIONS.—In granting exemptions under this subsection, the Secretary shall, in coordination with the Administrator of the Federal Aviation Administration and to the greatest extent practicable, seek to work with air carriers to schedule such exemptions—

''(A) at times during which operations are typically lower than the peak hourly capacity of Ronald Reagan Washington National Airport; and

''(B) at times and in a manner that will minimize the potential for additional delays.

''(5) RESTRICTION.—An exemption may not be granted under this subsection with respect to any aircraft—

''(A) that is not a Stage 4 aircraft (as defined by the Secretary) if the exemption is for an arrival or departure between the hours of 7:00 a.m. and 10:00 p.m.; or

''(B) that is not a Stage 5 aircraft (as defined by the Secretary) if the exemption is for an arrival or departure between the hours of—

''(i) 6:00 a.m. and 6:59 a.m.; or

''(ii) 10:01 p.m. and 11:00 p.m.

''(6) AIR CARRIER LIMITATIONS.—

''(A) EXEMPTIONS PER AIR CARRIER.—Of the exemptions described in paragraph (1), no air carrier may operate more than 2 of such exemptions.

''(B) LIMITATION ON AIRCRAFT SIZE.—An air carrier may not operate a multi-aisle or widebody aircraft under an exemption issued under this subsection.

''(C) PROHIBITION ON TRANSFER OF RIGHTS.—An air carrier granted an exemption under this subsection is prohibited from transferring the rights to its slot exemptions pursuant to section 41714(j).

''(7) SAVINGS CLAUSE.—Nothing in this subsection shall be construed to—

''(A) allow for conversion of existing slots allocated to air carriers to serve communities located inside the perimeter described in section 49109 to fulfill the exemptions granted in paragraph (1); and

''(B) enable the reduction of nonstop travel to communities located within the perimeter described in section 49109.''.

(b) INFRASTRUCTURE NEEDS.—Section 44501(b) of title 49, United States Code, is further amended by adding at the end the following:

''(6) a list of projects or programs necessary to improve capacity, reliability, and efficiency for Level 2 schedule facilitated and Level 3 slot-controlled airports.''.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Utah (Mr. OWENS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. OWENS. Mr. Chair, I rise in support of my amendment No. 71.

Mr. Chair, for 60 years, the federally imposed perimeter rule has limited access and increased costs for Americans flying into Washington's Reagan Airport.

My amendment is simple. It adds seven new routes, one for each airline currently operating out of DCA, while preserving all existing flight routes.

Congress is long overdue to modernize this arbitrary, protectionist Federal policy put in place for the economic protection of one airport and one airline.

Deliberate misinformation has been circulating wildly among my colleagues, and I want to be clear: Our effort is not about benefiting one airport, one airline, or any one Member of Congress. It is about empowering American consumers by providing more options and greater convenience for people traveling to and from Washington, D.C.

For those who have benefited from the monopoly created by the perimeter rule 60 years ago, the message is clear: America, your choices will remain limited and your ticket prices will remain high.

Mr. Chair, I urge my colleagues to support this bipartisan amendment to help DCA fly into the 21st century.

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

Mr. LARSEN of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, I yield 1 minute to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I rise in strong opposition to this amendment falsely advertised as a compromise.

Nobody asked our regional delegation about this, and we are united against adding more air traffic in DCA. DCA is way over capacity. It is the busiest runway in America and one of the shortest. There were 25 million people served last year in an airport designed for 14 million.

Mr. Chair, 20 percent of the flights are already more than an hour late, and this will only make it worse. This is a congested, complex airspace—think Capitol, White House, and Pentagon. It is the third highest in aborted takeoffs and landings. These safety concerns will only be magnified.

It is not true that this amendment will lower ticket prices. The last time that the perimeter-plus slots were added, prices went up at both Dulles and DCA. If you use Reagan National now, count on spending many more hours lost on the tarmac or at the gate.

Mr. Chair, why would you ever vote to make your commute worse? I urge my friends to vote ''no'' on the amendment.

Mr. OWENS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in agreement with this amendment. It is a commonsense compromise. I rise in support of it, and I thank the gentleman for his hard work on this amendment.

This amendment would simply increase the average number of flight departures from Reagan National Airport from 400 average per day to 407 flights departing per day, not anything more than that.

For those who oppose this, the only reasons why airlines are opposing this is that they want to limit competition, and they want ticket prices to remain the highest in the Nation for flying in and out of Washington, D.C.

When we allow more flights into Washington, D.C., and out of Washington, D.C., we allow more families to come in from west of the Mississippi to visit the Nation's Capital. We enable

more people to come in and work and be more efficient.

Mr. Chair, I ask my colleagues to support this amendment.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I rise in strong opposition to this amendment that would increase safety risks, delays, cancelations, diversions, and noise at National Airport, all for the personal convenience of some Members of Congress.

The Federal Aviation Administration and the Metropolitan Washington Airports Authority that manages Reagan National and Dulles Airports have both concluded that increasing the slot and perimeter rules would be harmful to the flying public.

The slot and perimeter rules at National Airport exist to ensure operational viability for both National and Dulles International Airports. National and Dulles work as an integrated airport system to meet the needs of the traveling public.

Dulles has the operational capacity, space, and infrastructure to handle larger, long-distance flights and more flights per day than National Airport. National Airport already has the busiest runway in the Nation, was built as a small regional airport, and was never meant to manage flights from across the country.

Mr. Chair, I urge the Members to oppose this amendment.

Mr. OWENS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Chairman, I thank the Texas delegation from San Antonio—Mr. JOAQUIN CASTRO, Mr. CHIP ROY, Mr. GREG CASAR, and Mr. TONY GONZALES—for all working together, along with the Senators.

Mr. Chair, I rise in support of this amendment to add seven slots to the Ronald Reagan National Airport.

Right now, cities like San Antonio cannot get direct flights. The slots added in this amendment will allow more cities like San Antonio to have a direct flight.

With a population of 1.4 million, San Antonio is the seventh largest city in the U.S. San Antonio is known as Military Town USA and has over 80,000 Active-Duty members and 159,000 veterans. Joint Base San Antonio trains more soldiers than any other place in the country, and it is home to the Department of Defense's largest military hospital.

We have to do this for the veterans. We have to do this for the soldiers.

Mr. Chair, for Military Town USA, along with the San Antonio delegation, I ask that we pass this amendment.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. BOST).

Mr. BOST. Mr. Chairman, I rise in strong opposition to the amendment.

I have serious concerns about the existing congestion and limited resources at DCA at this time.

An additional 14 flights—7 slots, but 14 flights—certainly stretch resources even further. Over the last 16 months, DCA has had the fifth most ground delay and stop counts in the country. The runway at DCA is also the busiest runway in the entire country.

I understand wanting additional flights to DCA, but I am concerned that the amount of space and time in the day is limited. I have serious concerns about how it will negatively affect my constituents.

Finally, I also am disappointed that there is no requirement that, before any additional flights, the Secretary must certify that they wouldn't reduce services to small and medium hub airports, strain the current landside and airside capacity at Reagan National Airport, and, as a result, increase travel time.

Mr. Chair, I stand in opposition.

Mr. OWENS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Chairman, I thank my friend from Utah for leading this amendment, and I thank my friends in the San Antonio delegation for standing up for the people of San Antonio, who are on the outside looking in.

San Antonio is a city of 1.5 million people. It is the seventh largest city, Joint Base San Antonio. My colleagues on both sides of the aisle just smirk it off and say: Oh, no, don't disrupt my flights. Don't disrupt my ability to get to my local airports.

Do you know what? The next time you come to San Antonio, explain that to the men and women in uniform serving their country who can't take a flight to Reagan because you guys got something in 1966, and now it is a protectionist racket to hold onto something for yourselves.

I won't take this flight, for the most part, unless I am going back to San Antonio. I have a direct flight because Austin was exempted, like 10 other cities were exempted. This is seven slots. It is less than 2 percent of the total. Stop the protectionist racket. Open it up to competition, seven airlines, seven slots.

The Acting CHAIR. Members are reminded to direct remarks to the Chair.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. WITTMAN).

□ 1645

Mr. WITTMAN. Mr. Chair, I rise in opposition to this amendment. It is not a racket.

This amendment would add 14 flights per day at the already heavily congested Ronald Reagan National Airport.

It already has 820 flight operations per day. It is not a racket. The addition of 14 flights per day would further exacerbate an already stressed airport operation.

It is not a racket. With limited gates and physical capacity, DCA doesn't have the space to safely process additional flight operations, often resulting in planes sitting on the tarmac waiting.

It is not a racket.

Not only does Ronald Reagan National Airport not have the capacity to support this extension, there are no protections against negative impacts on other complementary flights or other airports in the region: Dulles International Airport, Richmond, Roanoke, and Norfolk.

Historically, slot expansions and perimeter exemptions at Ronald Reagan National Airport have come at the expense of fewer flights from other Virginia airports. It is not a racket. It is not a racket.

Without protections ensuring the safety and sustainability at Ronald Reagan National Airport and the stability of other regional airports, this amendment will only hinder the current system.

It is not a racket.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. LARSEN of Washington. Mr. Chair, I reserve the balance of my time.

Mr. OWENS. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. Mr. Chairman, I urge this Congress to support amendment No. 71 to H.R. 3935.

My city of San Antonio is known as Military City USA. It is home to tens of thousands of soldiers, airmen, intelligence professionals, and cybersecurity experts who need direct access to Washington, D.C.

I hope that Members will support this amendment and support our airmen and our soldiers and support national security.

Mr. LARSEN of Washington. Mr. Chair, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Washington has 1 minute remaining. The gentleman from Utah has 30 seconds remaining.

Mr. LARSEN of Washington. Mr. Chair, I reserve the balance of my time.

Mr. OWENS. Mr. Chairman, I yield 30 seconds to the gentleman from Utah (Mr. MOORE).

Mr. MOORE of Utah. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, all this amendment is doing is adding seven flights, because in 1966, we went with an overregulated approach, and the citizens of the Western United States need to be able to come to the Nation's Capitol. It is the most expensive place to travel to.

All we are trying to do is lower prices and increase competition. Traditionally, these are very conservative principles that we all should be able to support.

We all support the free market. We have to be able to look and say: Things were different in 1966 than they are now. Planes are more quiet.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MOORE of Utah. This is not a safety issue.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MOORE of Utah. This is simply special interests playing over here. Let the free market decide.

The Acting CHAIR. The gentleman is no longer recognized.

Mr. OWENS. Mr. Chairman, I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I yield myself the balance of my time to close.

Mr. Chair, this is not only an issue that evokes passion among Members, it is also very bipartisan. It is going to be bipartisan in opposition and bipartisan in support.

We expected that on the committee, which is why we had asked for the Rules Committee to put something in order on the floor so we could have this debate and let the will of the House take its course.

I would just note, though, in my informal survey of Members on my side of the aisle, the seven slot pairs have been committed only 36 times already.

The point is: There is a lot of overpromising taking place about which cities are going to be served by this deal.

The problem with that is that one is too many and 100 is not enough, but the supply of runway at DCA is so small that it can't handle what it is taking now much less what increased demand will bring to it.

Mr. Chair, it is a difficult issue. Members are going to be voting for and against on both sides, and I look forward to that vote.

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

Mr. CONNOLLY. Mr. Chair, I rise to oppose this amendment, which would risk flight safety and increase delays at National Airport, in the strongest terms possible. I will not, cannot support this bill if this amendment is adopted.

This amendment violates every Congressional courtesy we try to extend to one another as colleagues who know our districts best. One of my first local government appointments was to the Fairfax County Airports Advisory Committee. I subsequently spent 14 years in local government helping maintain the delicate regional balance between the 2 major airports in Northern Virginia, National Airport and Dulles International Airport. I also led the effort to connect our nation's capital to Dulles via rail with the recently completed Silver Line extension of the DC Metro.

So let me introduce my colleagues to National Airport. It has the busiest runway in America. The busiest in America. The airport is designed to serve 15 million passengers annually. Last year, it served 24 million. That is 9 million passengers or 60 percent over capacity. The airport has the 3rd highest flight cancellation rate in the country, and 1 in every 5 flights is delayed by more than an hour.

The FAA has certified that more flights would make those delays worse. This amendment, which would force even more flights out of National Airport, is reckless.

The amendment, if adopted, would increase delays, exacerbate pilot and flight crew exhaustion, and risk the safety of flights in and out of National Airport.

I urge my colleagues to reject this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. OWENS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

AMENDMENT NO. 73 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 73 printed in part A of House Report 118–147.

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1132 of the bill.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, this amendment strikes the section that allows the administration to consider expanding the CLEEN Program.

Now, as a reminder, in the CLEEN Program, the FAA provides awards to industry to develop and integrate technology that will reduce noise, emissions, and fuel burn.

Now, looking over some of the projects, some of them aren't completely useless: improvements to wing performance and thermal efficiency for turbines may well contribute to cost savings. But that actually begs the question: Why can't these projects be funded by private industry alone?

Surely, if they improve fuel efficiency, that is a clear profit-driven motive to invest in new technologies.

The program also funds the development of ''alternative'' jet fuels which is just another facet of the left's crusade to reduce greenhouse gas emissions to meet completely arbitrary and unscientific targets.

The administration aims to achieve ''net zero'' greenhouse gas emissions from the aviation sector by 2050.

Mr. Chairman, I want you to think about that because you won't be flying when that happens.

The so-called sustainable aviation fuel is critical to achieving this foolhardy goal.

However, this fuel doesn't change the physics of an engine. The engine still emits carbon dioxide. Instead, emissions are actually produced out of waste products cooking oil and agricultural waste instead of fossil fuels, and then the engine burns that. That is what you are paying for, Mr. Chairman. The program makes taxpayers pay for that fuel.

These fuels are extremely expensive and not widely adopted, as low as 0.1 percent at last counting. The CLEEN Program acknowledges these shortcomings.

Phase II simply furthered the understanding of key biofuel properties in demonstrating the viability of them. So it acknowledges it is actually not really changing anything, but we are just spending a lot of money burning cooking oil in an aviation engine.

There is absolutely no reason we should actually be expanding this program that is pouring taxpayer dollars into technologies into which the public sector is unwilling to invest.

They are unwilling to invest because there is no money in this. The only way it works is if the taxpayers pour all their money into it.

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

Mr. LARSEN of Washington. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, this amendment would strike the requirement that the FAA administrator consider expanding the CLEEN Program, which stands for continuous lower energy, emission, and noise program, to new entrants.

Now, I want to be clear. It doesn't necessarily mean new technologies or different kinds of technologies as much as it can also mean new companies that are looking to do the same thing but do it better. To ensure that the FAA administrator is not continually approving grants to existing companies that are already in the program who may not be succeeding, we want to be sure the FAA administrator is looking beyond the current slate of companies that are applying.

In addition to that, of course, there are new entrants in the airspace. There is more projected use of even electronic aircraft. In the future, hydrogen is being looked at as a fuel for aviation—not tomorrow and maybe not in 5 years, but certainly within the next 10 to 15 years.

Doing some of the early work in this field is very important, so the FAA administrator needs the authority and the freedom to do just that.

This amendment is pulling back on some of the innovation that we, frankly, can only look to the government to do, so that it builds a foundation for the private sector to build upon and sometimes in this industry to take off as well.

Mr. Chair, so I would ask Members to oppose this amendment. Let the administrator continue to administer the CLEEN Program but send a clear message that they need to be looking beyond the regular sort of entrants that they are getting into this program and look to the future of aviation when they look at the CLEEN Program.

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

Mr. PERRY. Mr. Chairman, my friend on the other side of the aisle is a good man. He is just, I think, misdirected on this occasion.

I will be clear. I don't want the administrator to be spending time approving this contract or that contract. I don't want him doing any of it.

As far as hydrogen, I marvel at this premise that somehow the government is the only one that can figure this out. Somehow this country figured out and invented the internal combustion engine, the lightbulb, the airplane, and went to space.

But heaven forbid we figure this out without the government and without these taxpayers being forced to pay for it.

The third phase of the CLEEN Program is awarding more than $100 million for aircraft and engine companies to develop and demonstrate aircraft technologies that reduce fuel use, emissions, and noise. Relating to sustainable aviation gas, CLEEN funds are trying to research higher blends of biofuels to petroleum-based fuels which can affect seal performance.

On average, this fuel costs three to five times more than conventional jet fuel. We already have the jet fuel. It is already efficient. It is already clean. We have already reduced emissions more than all the other countries combined. We already met the Paris climate accords requirements without being in the accord.

Now, other barriers to adoption include risks related to adoption, including safety.

Mr. Chairman, as a person who has sat behind the stick and who has been up in the air, I can tell you the pucker factor is pretty high when the engine quits. I don't know about you, but I don't want to be experimenting with fuel while I am up in the air, and I don't want the pilots up front to be forced to experiment with it because the government says so.

We have something that works. The private sector can figure this out. They can invest in it, they can pay for it, and they can perfect it.

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

Mr. LARSEN of Washington. Mr. Chair, there is a race on. There is a race on aviation, a race to implement and use new fuels that are more efficient and that are also cleaner. There is a race on, and other countries and regions of the world are investing in that race, putting their companies at a competitive advantage over the U.S.-based companies. The CLEEN Program is one of our tools to participate in that race.

The CLEEN Program also helps us invest in fuel efficiency. The fuel efficiency of aviation has helped reduce aviation fuel burn in this country.

There is a direct relationship between the goodness of the taxpayer investment in the CLEEN Program to the new fuel-efficient airplanes that we see being used today and the fuel-efficient engines that we see being used today.

The next version of that, the next step of that race is sustainable aviation fuel. It is in electric propulsion, and in the future it is hydrogen propulsion. There is quite a bit of private-sector investment going on in the use of hydrogen as a fuel to move things, including airplanes.

Now, we are not quite there yet in this country in the private sector, but no one else is either. I want to win that race, and part of winning that race is ensuring that the Federal Government is a partner in winning that race. Winning that race in aviation is ensuring that FAA has tools like CLEEN to be sure that it is a partner with airlines, with entrepreneurs, and with innovators who want us to participate in this race.

Mr. Chair, I ask Members to oppose this amendment, and I reserve the balance of my time.

□ 1700

Mr. PERRY. Mr. Chair, may I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 30 seconds remaining.

Mr. PERRY. Mr. Chair, we don't need to provide more subsidies to support this climate smart agriculture practice and production of aviation biofuel feedstocks.

It actually makes your food more expensive because we are burning your fuel in an aircraft instead of pumping it out of the ground where the fuel has come from and has worked very, very well.

There are up to $3 billion in DOE loan guarantees. I want to win the race, too, but the Federal Government picking winners and losers ensures that we probably will lose the race because we are going to pick the wrong one, as the Federal Government normally does.

Once again, this is an absurd policy. If it were viable at all, the private sector would invest in it.

Mr. Chairman, I urge adoption of my amendment, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, if going to the Moon in 1969 was viable at all, the private sector would have done it. It didn't. We did it. America did it, and America did it with investment.

I am not making a wild claim like going to the Moon is exactly this kind of race that we are faced with, but there is a clear role for the Federal Government to play in a partnership with innovators and entrepreneurs to ensure that the next generation of innovation and aviation happens in the United States and not elsewhere.

I ask folks to support the CLEEN program, to not limit its use, and to oppose this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 74 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 74 printed in part A of House Report 118–147.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 11, line 14, strike ''4,000,000,000'' and insert ''3,800,000,000''.

Page 11, line 15, strike ''4,000,000,000'' and insert ''3,800,000,000''.

Page 11, line 16, strike ''4,000,000,000'' and insert ''3,800,000,000''.

Page 11, line 17, strike ''4,000,000,000'' and insert ''3,800,000,000''.

Page 11, line 18, strike ''4,000,000,000'' and insert ''3,800,000,000''.

Page 12, line 24, strike ''12,730,000,000''and insert ''12,037,000,000''.

Page 12, line 25, strike ''13,035,000,000'' and insert ''12,337,000,000''.

Page 13, line 1, strike ''13,334,000,000'' and insert ''12,637,000,000''.

Page 13, line 3, strike ''13,640,000,000'' and insert ''12,937,000,000''.

Page 13, line 5, strike ''13,954,000,000'' and insert ''13,237,000,000''.

Page 818, line 1, strike ''255,130,000'' and insert ''220,000,000''.

Page 818, line 2, strike ''261,000,000'' and insert ''223,000,000''.

Page 818, line 3, strike ''267,000,000'' and insert ''226,000,000''.

Page 818, line 4, strike ''273,000,000'' and insert ''229,000,000''.

Page 818, line 5, strike ''279,000,000'' and insert ''232,000,000''.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I yield myself such time as I may consume.

Just like the last amendment, this amendment recognizes the fact that our country is out of money. We are borrowing money to pay our bills, and we are paying for things that we can't afford. We are paying for things that these folks can't afford.

Mr. Chair, this amendment reduces the authorization levels in section 101, which is airport planning; section 103, which is operations; and section 1111, which is research and development.

The authorization levels in the underlying bill represent a significant increase from the levels set by Congress in the 2018 reauthorization bill.

For example, the underlying bill raises the authorizations by significant

amounts from FY 2023 to FY 2024: 101 by $650 million, 103 by $1.2 billion, and 1111 by $41 million.

This amendment reduces the growth of these authorization levels while still increasing the funds authorized for FAA, resulting in a net savings of nearly $5 billion.

If we are going to raise the level, understanding and recognizing inflation caused by out-of-control spending in this place, we are going to recognize and understand that the FAA still has to continue to operate, but we are not going to raise it so much.

Our national debt is out of control, and it is this mindless, rapid growth of spending in Washington that has put our Nation on the brink of catastrophe.

Moreover, this massive increase in funding is not resulting in a safer or more efficient FAA mission. That is their mission: safety, more efficiency. It instead represents a significant misallocation of resources to woke and green missions at the expense of safety and financial sanity.

We must reorient the FAA back to its original mission and ensure the funding we provide to them is appropriate to meet the moment while not wasting taxpayer resources.

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

Mr. JOHNSON of Georgia. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, I rise in opposition to this amendment which would slash funding authorization levels for the Airport Improvement Program, the AIP, FAA operations and maintenance, and research and development efforts.

The Transportation and Infrastructure Committee overwhelmingly agreed that AIP funding must be increased to $4 billion annually in order to fund critical programs across the FAA and invest in our aviation industry.

This amendment would slash that funding level and impede the full funding of grants and projects to address the pressing infrastructure needs of airports across the country.

It would also significantly decrease FAA operations and maintenance funding, which jeopardizes the effectiveness of the agency amidst growing demands placed upon the aviation industry.

Finally, this amendment cuts agreed-upon funding for the FAA's research and development activities on aircraft safety, on environmental impact mitigation, on airport infrastructure, and on human factors and new airspace entrants, among other important issues.

Cutting this critical funding would undermine U.S. aerospace innovation and our relationship in the global sector. Moreover, it would put public safety at risk.

For those reasons, I oppose the amendment, and I urge my colleagues to do the same.

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

Mr. PERRY. Mr. Chair, I thank the gentleman from the other side of the aisle, but I want to clarify. It is not a cut. We are actually increasing the spend; just not as much.

Now, I know in Washington, oh, my goodness, who knew the request was up to $4 billion? I imagine they would take more than $4 billion if we gave it to them.

We are broke. Hello, America. Wake up, everybody. I have a news flash for you. We don't have anymore money. We are borrowing money to pay the bills. We are borrowing money to pay for things that we can't afford. That is what we are trying to fix here.

If you want to save some money somewhere else and spend it here, I am all ears. Let's talk about it. Something has to give. These people can't afford any more. They are not getting more out of this.

I have been in the room. I used to sit on appropriations in the State House. I know how it goes. Well, we spent this much this year or last year. We are just going to add some more this year.

Nobody goes through line by line and says, oh, well, this costs this much more because concrete costs X and labor costs Y. Nobody does that. They just add money to it.

It is all arbitrary, and we know it. Everybody in this place knows it. That is why we should spend less because we don't have the money to spend.

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

Mr. JOHNSON of Georgia. Mr. Chair, if we have the money to shore up our nuclear defense capability, more and more nuclear weapons, we certainly have the ability to keep these people up here safe as they fly in and out of Washington, D.C.

Our families, businesspeople, the flying public deserves Congress to fully fund what the consensus has arrived at.

This is what Americans want us to do. They want us to arrive at a consensus. This FAA reauthorization bill is a bipartisan effort, and all of the figures were arrived at in a bipartisan way, and we present this to the American people for their protection and for their safety.

I agree that there may be cuts that may be necessary, but not to this particular program. I respectfully disagree with my friend on the other side of the aisle, and I will ask my colleagues to join me in being opposed to this amendment.

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

Mr. PERRY. Mr. Chair, may I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 1¾ minutes remaining.

Mr. PERRY. Mr. Chairman, since my good friend brought it up, it was a bipartisan agreement. So the world knows that it was a bipartisan agreement here, known in Congress as what is called a four-corners deal: two on their side, two on our side.

There are 435 Members of Congress. I wasn't involved. I wasn't one of the four. You weren't one of the four. Nobody else here was one of the four.

They decided to spend all these billions of dollars. They didn't come to me and say, well, we need this much for concrete and this much for research, because they decided, and this is what is in the bill. Heaven forbid anybody challenge it.

Mr. Chair, we do not have the money. We should reduce the authorization. It is still an increase, just not as much, and it recognizes the fact that our country is broke.

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

Mr. JOHNSON of Georgia. Mr. Chair, I thank you for the indulgence here. The fact is, we have the money, and we need to spend this money to promote the public welfare and the public safety. That is what we are doing with this expenditure, with this authorization for that expenditure, and I ask my colleagues to join me in supporting public safety and the safety of the flying public.

We have the best aviation system in the world. We need to keep it that way. We have to invest in it. That is what this is all about. We don't need to divest and put our public at risk.

Mr. Chair, I ask that my colleagues vote to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 75 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 75 printed in part A of House Report 118–147.

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 257, strike lines 11 and 12 and insert the following (and adjust the margin of the subsequent text accordingly):

''(9) 'heliport' means an area of land, water, or

Page 257, line 15, strike ''and'' and insert closing quotation marks and a semicolon.

Page 257, strike line 16.

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, this amendment strikes the word ''vertiport'' from the definition of ''heliport'' for the purposes of AIP funding, the same funding that the gentleman on the other side of the aisle just mentioned that we need so much of.

As a helicopter pilot, I am very interested in the funding for heliports, but vertiports are going to use some of that funding; meanwhile, not paying anything in.

Let me tell you, Mr. Chair. Vertiports exist for the purpose of advanced air mobility and electric vertical takeoff and landing or eVTOL vehicles, which only exist in prototype and other nascent stages.

Mr. Chair, eVTOL is so immature in its development that there is a reality index that actually exists—an Advanced Air Mobility Reality Index.

The reality index ranks companies and essentially determines whether there is a reality that these things are ever going to even come to the market, be produced, and be viable. Is that something we should be investing in?

These are ranked and combined to describe the likelihood of the aircraft certification and production on scale. Again, this is a ranking of the likelihood that these things even get produced, much less used.

Furthermore, if these vehicles become the norm, Jetson style like their proponents envision, allowing AAM vehicles to receive the benefits of the Airport and Airway Trust Fund without paying into it, evokes the same debate we are currently having about the government-mandated transition to electric automobiles which don't pay into the highway fund. They don't pay in, but they use it.

The same thing here. These vehicles want to use it, but they don't want to pay into it. They are robbing from everybody else that has to use it that actually currently exists and are used.

I haven't even gotten into the drawbacks of the potential vehicles, but how about being concerned about adequate storage for hazardous materials to respond to lithium and other critical mineral-related fires?

The fires are challenging enough for firefighters to address on the ground or at sea, let alone having them occur between skyscrapers.

If you wonder, do these fires actually exist, you can just search the internet. It is widely known. You can see the electric vehicles burning at the charger, burning people's garages, burning and burning and burning. There is a problem because they are unstable.

If you want to get in the air and fly in one of these things, God bless you, but your money is going to be transferred to deal with these things that don't pay into the fund. They don't pay anything in, yet they are going to draw money out.

This system works when the users pay into it. That is how it works. Otherwise, these folks up here are going to have to pay extra because there is not going to be enough money in the fund to pay for all of it.

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

Mr. JOHNSON of Georgia. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, I speak in opposition to the amendment. My friend on the other side is well intentioned on this. However, we may be putting the cart before the horse.

This bill would strike the requirement in the underlying bill for the FAA to update the definitions in regulation to classify vertiports as a subset of heliports.

The term ''vertiport'' is already being used in the advanced air mobility, AAM, industry to describe points at which these advanced aircraft can safely take off and land.

□ 1715

The updated definition in the underlying bill will help to create a unified system for vertical aviation infrastructure, including for electric aircraft, and provides necessary regulatory certainty for this emerging sector to grow in the United States and also sets the stage for the assessment of revenue by which we can continue to keep the system upgraded and available for all, including these aircraft that will use the vertiport.

This is about planning for the future, laying in the regulatory groundwork for the future. For the reason that we need to do this, I oppose this amendment, and I encourage my colleagues to do the same.

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

Mr. PERRY. Mr. Chairman, I thank the gentleman for the clarification, and I marvel at the fact that we can include the definition and the term in preparation for something that right now doesn't really exist practically. It is in people's minds, and it is on a computer. There are prototypes out there.

We can do that, but we can't find any way to charge and make sure they are paying their fair share into the fund that they are going to use the infrastructure of, right? The infrastructure is created by the fund, and they are going to use it, but they ain't going to pay. We can't figure that out, but we sure can make sure that they have access to everything else that everyone is paying for.

Ladies and gentlemen, in Washington, D.C., this is how things go awry. This is how you go broke. This is how you can't afford things that you need to do, like pay for your highways, filled now with electric vehicles that are not paying into the system, paying nothing for the roads that they are on, weighing thousands of pounds in excess of most of the regular cars that are using the road now and are paying the fee.

Do you know what we are going to do because we are so brilliant and because that is working so well? We are going to double down and do it in the air, as well. That is awesome.

It is not awesome, ladies and gentlemen. Do you know what else is not awesome? Most of the materials sourced in this stuff come from the Communist Chinese, made by slave labor, whether it is the actual slave labor in concentration camps in east Turkistan or whether it is the child slave labor in the Congo feeding the Chinese machine, feeding the machine here so we can virtue signal that we are doing everything clean, that we are electrified and are not going to charge anybody for it. Somebody is going to pay.

Mr. Chairman, I urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. Members are reminded to direct their remarks to the Chair.

Mr. JOHNSON of Georgia. Mr. Chairman, sometimes we do need to raise revenue, and I look forward to supporting any proposals that my friend on the other side would propose, out of fairness, I think. I mean, no one segment should be able to get a free ride, so I would appreciate that.

The fact of the matter is that most of my friends on the other side of the aisle have already signed on to the Grover Norquist no new tax pledge, so for years, they have neglected to raise revenues where appropriate, and they will continue to abide by the pledge that they have given.

So far, I don't see any yield in that trajectory, but the fact is we are going to have to raise some revenue as we move forward, and I look forward to working with the gentleman in that endeavor.

Mr. Chair, I ask my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

Mr. PERRY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRAVES of Missouri) having assumed the chair, Mr. FLOOD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3935) to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil

aviation programs, and for other purposes, had come to no resolution thereon.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 118–56)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011, under which additional steps were taken in Executive Order 13863 of March 15, 2019, is to continue in effect beyond July 24, 2023.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are becoming increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

Significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581.

JOSEPH R. BIDEN, Jr.,
THE WHITE HOUSE, *July 19, 2023.*

RECESS

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

Accordingly (at 5 o'clock and 23 minutes p.m.), the House stood in recess.

□ 2100

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 9 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to recommit on H.R. 3941; and

Passage of H.R. 3941, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, the remaining electronic vote will be conducted as a 5-minute vote.

SCHOOLS NOT SHELTERS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to recommit on the bill (H.R. 3941) to prohibit the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education to provide shelter for aliens who have not been admitted into the United States, and for other purposes, offered by the gentleman from New Mexico (Mr. VASQUEZ), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 200, nays 212, not voting 22, as follows:

[Roll No. 339]

YEAS—200

Adams
Aguilar
Allred
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
García (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Landsman
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NV)
Lee (PA)
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Matsui
McBath
McClellan
McCollum
McGarvey
Meeks
Menendez
Meng
Mfume
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

NAYS—212

Aderholt
Alford
Allen
Amodei
Armstrong
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crawford
Curtis
D'Esposito
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Gimenez
Gonzales, Tony
Good (VA)
Gooden (TX)
Gosar
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lawler
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
McHenry
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Strong
Tenney
Thompson (PA)

Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOT VOTING—22

Arrington
Carter (LA)
Cohen
Crenshaw
Davis (NC)
DeLauro
Fleischmann
Gallego
Garbarino
Gonzalez, Vicente
Granger
Johnson (GA)
Joyce (OH)
Kamlager-Dove
Kaptur
Lee (FL)
Leger Fernandez
Mace
McGovern
Meuser
Payne
Stewart

□ 2120

Messrs. GOSAR, McHENRY, and SMUCKER changed their vote from ''yea'' to ''nay.''

Mr. CUELLAR, Mrs. DINGELL, Ms. WEXTON, Messrs. CARSON, CASAR, MFUME, and DOGGETT changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. DELAURO. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 339.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 222, nays 201, not voting 11, as follows:

[Roll No. 340]

YEAS—222

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carl
Carter (GA)
Carter (TX)
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crawford
Crenshaw
Cuellar
Curtis
D'Esposito
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garbarino
Garcia, Mike
Gimenez
Gonzales, Tony
Good (VA)
Gooden (TX)
Gosar
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lawler
Lee (FL)
Lee (NV)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Peltola
Pence
Perry
Pfluger
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Ryan
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NAYS—201

Adams
Aguilar
Allred
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
García (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Kamlager-Dove
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Landsman
Larsen (WA)
Larson (CT)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Perez
Peters
Pettersen
Phillips
Pingree
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

NOT VOTING—11

Carey
Davis (NC)
Gallego
Gonzalez, Vicente
Granger
Johnson (GA)
Lee (CA)
Mace
Manning
Payne
Steel

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. D'ESPOSITO) (during the vote). There are 2 minutes remaining.

□ 2126

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CAREY. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 340.

Stated against:

Ms. MANNING. Mr. Speaker, I was not recorded on rollcall No. 340. Had I been recorded, I would have voted "nay" on rollcall No. 340.

SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 597 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3935.

Will the gentleman from Texas (Mr. SESSIONS) kindly take the chair.

□ 2131

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3935) to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes, with Mr. SESSIONS (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 75 printed in part A of House Report 118–147 offered by the gentleman from Pennsylvania (Mr. PERRY) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 118–147 on which further proceedings were postponed, in the following order:

Amendment No. 10 by Mr. LANGWORTHY of New York;

Amendment No. 27 by Mr. FEENSTRA of Iowa;

Amendment No. 29 by Mr. FITZPATRICK of Pennsylvania;

Amendment No. 33 by Mr. GOSAR of Arizona;

Amendment No. 35 by Mrs. MILLER of Illinois;

Amendment No. 36 by Mrs. MILLER of Illinois;

Amendment No. 44 by Mr. HUIZENGA of Michigan;

Amendment No. 47 by Mr. ISSA of California;

Amendment No. 48 by Mr. JACKSON of Texas;

Amendment No. 50 by Mr. KEAN of New Jersey;

Amendment No. 62 by Mr. MCCLINTOCK of California;

Amendment No. 64 by Mrs. MILLER of Illinois;

Amendment No. 65 by Mrs. MILLER of Illinois;

Amendment No. 68 by Mr. OBERNOLTE of California;

Amendment No. 69 by Mr. OGLES of Tennessee;

Amendment No. 70 by Mr. OGLES of Tennessee;

Amendment No. 71 by Mr. OWENS of Utah;

Amendment No. 73 by Mr. PERRY of Pennsylvania;

Amendment No. 74 by Mr. PERRY of Pennsylvania; and

Amendment No. 75 by Mr. PERRY of Pennsylvania.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 10 OFFERED BY MR. LANGWORTHY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 10, printed in part A of House Report 118–147 offered by the gentleman from New York (Mr. LANGWORTHY), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 191, not voting 6, as follows:

[Roll No. 341]

AYES—243

Adams	Boyle (PA)	Cherfilus-McCormick
Aguilar	Brown	Chu
Allred	Brownley	Clark (MA)
Auchincloss	Budzinski	Clarke (NY)
Bacon	Burgess	Cleaver
Balint	Bush	Cloud
Barragán	Caraveo	Clyburn
Beatty	Carbajal	Comer
Bera	Cárdenas	Connolly
Bergman	Carson	Correa
Beyer	Carter (GA)	Costa
Bishop (GA)	Carter (LA)	Courtney
Bishop (NC)	Casar	Craig
Blumenauer	Case	Crockett
Blunt Rochester	Casten	Crow
Bonamici	Castor (FL)	Cuellar
Bost	Castro (TX)	D'Esposito
Bowman	Chavez-DeRemer	Davids (KS)
DeGette	Krishnamoorthi	Ross
DeLauro	Kuster	Ruiz
DelBene	LaLota	Ruppersberger
Deluzio	LaMalfa	Ryan
Dingell	Landsman	Sablan
Doggett	Langworthy	Salinas
Ellzey	Larson (CT)	Sánchez
Escobar	Lawler	Santos
Eshoo	Lee (CA)	Sarbanes
Espaillat	Lee (NV)	Scanlon
Evans	Lee (PA)	Schakowsky
Ferguson	Leger Fernandez	Schiff
Fischbach	Levin	Schneider
Fitzgerald	Lieu	Scholten
Fitzpatrick	Lofgren	Schrier
Foster	Lynch	Scott (VA)
Foushee	Magaziner	Scott, Austin
Frankel, Lois	Manning	Scott, David
Frost	Matsui	Sewell
Fulcher	McBath	Sherrill
Garbarino	McClain	Slotkin
García (IL)	McClellan	Smith (NJ)
Garcia (TX)	McCollum	Smith (WA)
Garcia, Mike	McGarvey	Sorensen
Garcia, Robert	McGovern	Soto
Goldman (NY)	Meeks	Spanberger
Gomez	Menendez	Spartz
Gonzalez, Vicente	Meng	Stansbury
Gosar	Miller-Meeks	Stefanik
Gottheimer	Molinaro	Stevens
Green, Al (TX)	Moore (WI)	Stewart
Greene (GA)	Morelle	Strickland
Guthrie	Moskowitz	Sykes
Harder (CA)	Moulton	Takano
Harris	Moylan	Tenney
Hayes	Mrvan	Thanedar
Higgins (NY)	Mullin	Thompson (CA)
Himes	Nadler	Thompson (MS)
Horsford	Napolitano	Thompson (PA)
Houchin	Neal	Titus
Houlahan	Neguse	Tlaib
Hoyer	Norcross	Tokuda
Hoyle (OR)	Norton	Tonko
Huffman	Ocasio-Cortez	Torres (CA)
Huizenga	Omar	Torres (NY)
Hunt	Pallone	Trahan
Ivey	Panetta	Trone
Jackson (IL)	Pappas	Turner
Jackson (NC)	Pascrell	Valadao
Jackson Lee	Pelosi	Vargas
Jacobs	Peltola	Veasey
Jayapal	Perez	Velázquez
Jeffries	Peters	Walberg
Johnson (GA)	Pettersen	Wasserman Schultz
Kamlager-Dove	Phillips	Waters
Kaptur	Pingree	Watson Coleman
Keating	Pocan	Webster (FL)
Kelly (IL)	Porter	Wexton
Khanna	Posey	Wild
Kildee	Pressley	Williams (GA)
Kilmer	Quigley	Wilson (FL)
Kim (NJ)	Ramirez	Wittman
	Raskin	Zinke
	Reschenthaler	

NOES—191

Aderholt	Cole	Garamendi
Alford	Collins	Gimenez
Allen	Crane	Golden (ME)
Amodei	Crawford	Gonzales, Tony
Armstrong	Crenshaw	González-Colón
Arrington	Curtis	Good (VA)
Babin	Davidson	Gooden (TX)
Baird	Davis (IL)	Graves (LA)
Balderson	De La Cruz	Graves (MO)
Banks	Dean (PA)	Green (TN)
Barr	DeSaulnier	Griffith
Bean (FL)	DesJarlais	Grijalva
Bentz	Diaz-Balart	Grothman
Bice	Donalds	Guest
Biggs	Duarte	Hageman
Bilirakis	Duncan	Harshbarger
Boebert	Dunn (FL)	Hern
Brecheen	Edwards	Higgins (LA)
Buchanan	Emmer	Hill
Buck	Estes	Hinson
Bucshon	Ezell	Hudson
Burchett	Fallon	Issa
Burlison	Feenstra	Jackson (TX)
Calvert	Finstad	James
Cammack	Fleischmann	Johnson (LA)
Carey	Fletcher	Johnson (OH)
Carl	Flood	Johnson (SD)
Carter (TX)	Foxx	Jordan
Cartwright	Franklin, C. Scott	Joyce (OH)
Ciscomani	Fry	Joyce (PA)
Cline	Gaetz	Kean (NJ)
Clyde	Gallagher	Kelly (MS)
Cohen	Kiggans (VA)	Kelly (PA)
Kiley	Moolenaar	Self
Kim (CA)	Mooney	Sessions
Kustoff	Moore (AL)	Sherman
LaHood	Moore (UT)	Simpson
Lamborn	Moran	Smith (MO)
Larsen (WA)	Murphy	Smith (NE)
Latta	Nehls	Smucker
LaTurner	Newhouse	Stanton
Lee (FL)	Nickel	Stauber
Lesko	Norman	Steel
Loudermilk	Nunn (IA)	Steil
Lucas	Obernolte	Steube
Luetkemeyer	Ogles	Strong
Luna	Owens	Swalwell
Luttrell	Palmer	Tiffany
Malliotakis	Pence	Timmons
Mann	Perry	Underwood
Massie	Pfluger	Van Drew
Mast	Plaskett	Van Duyne
McCarthy	Radewagen	Van Orden
McCaul	Rodgers (WA)	Vasquez
McClintock	Rogers (AL)	Wagner
McCormick	Rogers (KY)	Waltz
McHenry	Rose	Weber (TX)
Meuser	Rosendale	Wenstrup
Mfume	Rouzer	Westerman
Miller (IL)	Roy	Williams (NY)
Miller (OH)	Rutherford	Williams (TX)
Miller (WV)	Salazar	Wilson (SC)
Mills	Scalise	Womack
	Schweikert	Yakym

NOT VOTING—6

Davis (NC)	Granger	Mace
Gallego	Letlow	Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2134

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. UNDERWOOD. Mr. Chair, I misvoted on the Langworthy No. 10 Amendment to H.R. 3935, rollcall No. 341. I voted NO but wanted and intended to vote "aye."

AMENDMENT NO. 27 OFFERED BY MR. FEENSTRA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 27, printed in part A of House Report 118–147 offered by the gentleman from Iowa (Mr. FEENSTRA), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 203, noes 231, not voting 6, as follows:

[Roll No. 342]

AYES—203

Aderholt	Biggs	Carter (GA)
Alford	Bilirakis	Carter (TX)
Allen	Bishop (NC)	Chavez-DeRemer
Amodei	Boebert	Ciscomani
Armstrong	Bost	Cline
Arrington	Brecheen	Cloud
Babin	Buchanan	Clyde
Bacon	Buck	Cole
Balderson	Burchett	Collins
Banks	Burgess	Comer
Barr	Burlison	Crane
Bean (FL)	Calvert	Crawford
Bentz	Cammack	Crenshaw
Bergman	Carey	Curtis
Bice	Carl	Davidson

De La Cruz
DesJarlais
Diaz-Balart
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Foxx
Fulcher
Gallagher
Garbarino
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huffman
Huizenga
Hunt
Issa
Jackson (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lee (FL)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luttrell
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
McHenry
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moylan
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pappas
Peltola
Pence
Perez
Pfluger
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—231

Adams
Aguilar
Allred
Auchincloss
Baird
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Bucshon
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
D'Esposito
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Donalds
Duarte
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Foster
Foushee
Frankel, Lois
Franklin, C. Scott
Frost
Fry
Gaetz
Garamendi
García (IL)
Garcia (TX)
Garcia, Mike
Garcia, Robert
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
James
Jayapal
Jeffries
Johnson (GA)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Landsman
Larsen (WA)
Larson (CT)
Lawler
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Luna
Lynch
Magaziner
Manning
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Ocasio-Cortez
Omar
Pallone
Panetta
Pascrell
Pelosi
Perry
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Posey
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salazar
Salinas
Sánchez
Santos
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (NJ)
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wagner
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

NOT VOTING—6

Davis (NC)
Gallego
Granger
Mace
Meuser
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2139

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 29 OFFERED BY MR. FITZPATRICK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 29, printed in part A of House Report 118–147 offered by the gentleman from Pennsylvania (Mr. FITZPATRICK), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 392, noes 41, not voting 7, as follows:

[Roll No. 343]

AYES—392

Adams
Aderholt
Aguilar
Alford
Allen
Allred
Amodei
Armstrong
Arrington
Auchincloss
Babin
Bacon
Baird
Balderson
Balint
Banks
Barr
Barragán
Bean (FL)
Beatty
Bentz
Bera
Bergman
Beyer
Bice
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Bucshon
Budzinski
Burchett
Bush
Calvert
Cammack
Caraveo
Carbajal
Cárdenas
Carey
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Ciscomani
Clark (MA)
Clarke (NY)
Cleaver
Cline
Clyburn
Cohen
Cole
Comer
Connolly
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crockett
Crow
Cuellar
Curtis
D'Esposito
Davids (KS)
Davis (IL)
De La Cruz
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dunn (FL)
Edwards
Ellzey
Emmer
Escobar
Eshoo
Espaillat
Estes
Evans
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Flood
Foster
Foushee
Foxx
Frankel, Lois
Franklin, C. Scott
Frost
Fulcher
Gallagher
Garamendi
Garbarino
Garcia (IL)
Garcia (TX)
Garcia, Mike
Garcia, Robert
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
González-Colón
Gooden (TX)
Gosar
Gottheimer
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grijalva
Grothman
Guest
Guthrie
Hageman
Harder (CA)
Hayes
Hern
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houchin
Houlahan
Hoyer
Hoyle (OR)
Hudson
Huffman
Huizenga
Hunt
Issa
Ivey
Jackson (IL)
Jackson (NC)
Jackson (TX)
Jackson Lee
Jacobs
James
Jayapal
Jeffries
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Khanna
Kiggans (VA)
Kildee
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Landsman
Langworthy
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawler
Lee (CA)
Lee (FL)
Lee (NV)
Lee (PA)
Leger Fernandez
Lesko
Letlow
Levin
Lieu
Lofgren
Loudermilk
Lucas
Luetkemeyer
Luttrell
Lynch
Magaziner
Malliotakis
Mann
Manning
Mast
Matsui
McBath
McCarthy
McCaul
McClain
McClellan
McCollum
McGarvey
McGovern
McHenry
Meeks
Menendez
Meng
Meuser
Mfume
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moore (WI)
Moran
Morelle
Moskowitz
Moulton
Moylan
Mrvan
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Newhouse
Nickel
Norcross
Norton
Nunn (IA)
Ocasio-Cortez
Omar
Owens
Pallone
Palmer
Panetta
Pappas
Pascrell
Pelosi
Peltola
Pence
Perez
Peters
Pettersen
Pfluger
Phillips
Pingree
Plaskett
Pocan
Porter
Posey
Pressley
Quigley
Radewagen
Ramirez
Raskin
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Ross
Rouzer
Ruiz
Ruppersberger
Rutherford
Ryan
Sablan
Salazar
Salinas
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Sherrill
Simpson
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stauber
Steel
Stefanik
Steil

Stevens
Stewart
Strickland
Strong
Swalwell
Sykes
Takano
Tenney
Thanedar
Thompson (CA)
Thompson (MS)
Thompson (PA)
Timmons
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Van Drew
Van Duyne
Vargas
Vasquez
Veasey
Velázquez
Wagner
Walberg
Wasserman Schultz
Waters
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wexton
Wild
Williams (GA)
Williams (NY)
Williams (TX)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—41

Biggs
Bishop (NC)
Boebert
Brecheen
Buck
Burgess
Burlison
Cloud
Clyde
Collins
Crane
Davidson
Donalds
Duarte
Duncan
Fry
Gaetz
Good (VA)
Green, Al (TX)
Greene (GA)
Harris
Harshbarger
Higgins (LA)
Johnson (GA)
Luna
Massie
McClintock
McCormick
Nehls
Norman
Obernolte
Ogles
Perry
Rosendale
Roy
Santos
Self
Spartz
Steube
Tiffany
Van Orden

NOT VOTING—7

Bilirakis
Davis (NC)
Gallego
Granger
Mace
Payne
Waltz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2143

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 33 OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 33, printed in part A of House Report 118–147 offered by the gentleman from Arizona (Mr. GOSAR), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 236, not voting 11, as follows:

[Roll No. 344]

AYES—193

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Baird
Balderson
Banks
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bishop (NC)
Boebert
Bost
Brecheen
Buck
Burchett
Burgess
Burlison
Calvert
Cammack
Carl
Carter (GA)
Carter (TX)
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crawford
Crenshaw
Curtis
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Gimenez
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Kelly (MS)
Kelly (PA)
Kustoff
LaHood
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
McCarthy
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moylan
Murphy
Nehls
Newhouse
Norman
Obernolte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Strong
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—236

Adams
Aguilar
Allred
Auchincloss
Bacon
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Bucshon
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
D'Esposito
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fleischmann
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
Garbarino
García (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Joyce (OH)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Khanna
Kiggans (VA)
Kildee
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
LaLota
Landsman
Larsen (WA)
Larson (CT)
Lawler
Lee (CA)
Lee (FL)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Mast
Matsui
McBath
McCaul
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Miller (OH)
Molinaro
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Nunn (IA)
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Stewart
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Williams (NY)
Wilson (FL)

NOT VOTING—11

Barr
Bilirakis
Carey
Davis (NC)
Gallego
Granger
Green, Al (TX)
Jacobs
Mace
Payne
Tenney

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2146

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GREEN of Texas. Mr. Chair, had I been present, I would have voted "no" on rollcall No. 344.

Ms. JACOBS. Mr. Chair, had I been present, I would have voted "no" on rollcall No. 344.

AMENDMENT NO. 35 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 35, printed in part A of House Report 118–147 offered by the gentlewoman from Illinois (Mrs. MILLER), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 258, not voting 5, as follows:

[Roll No. 345]

AYES—177

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Baird
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carey
Carl
Carter (GA)

Carter (TX)
Chavez-DeRemer
Cline
Cloud
Clyde
Collins
Comer
Crane
Crenshaw
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Edwards
Emmer
Estes
Ezell
Fallon
Ferguson
Finstad
Fischbach
Fitzgerald
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Gimenez
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hinson
Houchin
Hudson
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (SD)
Jordan
Kelly (MS)
Kim (CA)
Kustoff
LaLota
LaMalfa
Langworthy
Latta
LaTurner
Lee (FL)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
Mast
McCarthy
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Mooney
Moore (AL)
Moran
Moylan
Nehls
Newhouse
Norman
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Westerman
Williams (NY)
Williams (TX)
Wittman

NOES—258

Adams
Aguilar
Allred
Auchincloss
Bacon
Balderson
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Ciscomani
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Connolly
Correa
Costa
Courtney
Craig
Crawford
Crockett
Crow
Cuellar
Curtis
D'Esposito
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Dunn (FL)
Ellzey
Escobar
Eshoo
Espaillat
Evans
Feenstra
Fitzpatrick
Fleischmann
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
Garbarino
García (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Hill
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Huizenga
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Joyce (OH)
Joyce (PA)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (PA)
Khanna
Kiggans (VA)
Kildee
Kiley
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
LaHood
Lamborn
Landsman
Larsen (WA)
Larson (CT)
Lawler
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Matsui
McBath
McCaul
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Molinaro
Moore (UT)
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Nunn (IA)
Obernolte
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Radewagen
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Schweikert
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Stewart
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wenstrup
Wexton
Wild
Williams (GA)
Wilson (FL)
Wilson (SC)
Womack
Yakym
Zinke

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mrs. CAMMACK) (during the vote). There is 1 minute remaining.

□ 2152

Mr. ARRINGTON changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 36 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 36, printed in part A of House Report 118–147 offered by the gentlewoman from Illinois (Mrs. MILLER), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 141, noes 294, not voting 5, as follows:

[Roll No. 346]

AYES—141

Aderholt
Alford
Amodei
Armstrong
Babin
Banks
Bean (FL)
Bentz
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Burchett
Burgess
Burlison
Cammack
Carl
Cline
Cloud
Clyde
Comer
Crane
Crenshaw
D'Esposito
Davidson
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Edwards
Fallon
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Gimenez
Golden (ME)
González-Colón
Good (VA)
Gooden (TX)
Gosar
Greene (GA)
Griffith
Grothman
Guest
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Jordan
Joyce (PA)
Kelly (MS)
Kiley
Kustoff
LaLota
LaMalfa
Langworthy
Lawler
Lee (FL)
Lesko
Letlow
Lucas
Luna
Luttrell
Malliotakis
Massie
Mast
McCarthy
McClain
Meuser
Miller (IL)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moran
Nehls
Norman
Nunn (IA)
Ogles
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rodgers (WA)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Self
Sessions
Smith (MO)
Smith (NE)
Smucker
Spartz
Stauber
Stefanik
Steil
Steube
Tenney
Thompson (PA)
Tiffany
Timmons
Valadao
Van Drew
Van Duyne
Van Orden
Walberg
Waltz
Webster (FL)
Westerman
Williams (TX)
Zinke

NOES—294

Adams
Aguilar
Allen
Allred
Arrington
Auchincloss
Bacon
Baird
Balderson
Balint
Barr
Barragán
Beatty
Bera
Bergman
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Buck
Bucshon
Budzinski
Bush
Calvert
Caraveo
Carbajal
Cárdenas
Carey
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Ciscomani
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Collins
Connolly
Correa
Costa
Courtney
Craig
Crawford
Crockett
Crow
Cuellar
Curtis
Davids (KS)
Davis (IL)
De La Cruz
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Dunn (FL)
Ellzey
Emmer
Escobar
Eshoo
Espaillat
Estes
Evans
Ezell
Feenstra
Ferguson
Fitzpatrick
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
Garbarino
Garcia (IL)
Garcia (TX)
Garcia, Robert
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Grijalva
Guthrie
Harder (CA)
Hayes
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houchin
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (PA)
Khanna
Kiggans (VA)
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
LaHood
Lamborn
Landsman
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Loudermilk
Luetkemeyer
Lynch
Magaziner
Mann
Manning

Matsui
McBath
McCaul
McClellan
McClintock
McCollum
McCormick
McGarvey
McGovern
McHenry
Meeks
Menendez
Meng
Mfume
Miller (OH)
Miller (WV)
Moore (UT)
Moore (WI)
Morelle
Moskowitz
Moulton
Moylan
Mrvan
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Newhouse
Nickel
Norcross
Norton
Obernolte
Ocasio-Cortez
Omar
Owens
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Radewagen
Ramirez
Raskin
Rogers (AL)
Rogers (KY)
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sewell
Sherman
Sherrill
Simpson
Slotkin
Smith (NJ)
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Steel
Stevens
Stewart
Strickland
Strong
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wagner
Wasserman Schultz
Waters
Watson Coleman
Weber (TX)
Wenstrup
Wexton
Wild
Williams (GA)
Williams (NY)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yakym

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2156

Mr. EMMER changed his vote from ''aye'' to ''no.''

Mr. LALOTA changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 44 OFFERED BY MR. HUIZENGA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 44, printed in part A of House Report 118–147 offered by the gentleman from Michigan (Mr. HUIZENGA), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 215, not voting 5, as follows:

[Roll No. 347]

AYES—220

Aderholt
Alford
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Bilirakis
Bishop (NC)
Bost
Brecheen
Buchanan
Buck
Bucshon
Budzinski
Burchett
Burgess
Burlison
Calvert
Cammack
Caraveo
Carey
Carl
Carter (GA)
Carter (TX)
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Costa
Craig
Crawford
Crenshaw
Curtis
D'Esposito
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Dunn (FL)
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Gimenez
Golden (ME)
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Houlahan
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kildee
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lawler
Lee (FL)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moylan
Murphy
Nehls
Newhouse
Nickel
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pappas
Pence
Perez
Perry
Pfluger
Posey
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (KY)
Rose
Rosendale
Rouzer
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Scott, David
Self
Sessions
Sherrill
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wild
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—215

Adams
Aguilar
Allen
Allred
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Biggs
Bishop (GA)
Blumenauer
Blunt Rochester
Boebert
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Bush
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Courtney
Crane
Crockett
Crow
Cuellar
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Duncan
Edwards
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
Garbarino
García (IL)
Garcia (TX)
Garcia, Robert
Goldman (NY)
Gomez
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Kamlager-Dove
Kaptur
Keating
Kelly (IL)
Khanna
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Landsman
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Massie
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Molinaro
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
Ocasio-Cortez
Omar
Pallone
Panetta
Pascrell
Pelosi
Peltola
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Rogers (AL)
Ross
Roy
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Sewell
Sherman
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Spartz
Stansbury
Stanton
Stauber
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Williams (GA)
Wilson (FL)

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2159

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 47 OFFERED BY MR. ISSA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 47, printed in part A of House Report 118–147 offered by the gentleman from California (Mr. ISSA), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 214, noes 219, not voting 7, as follows:

[Roll No. 348]

AYES—214

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bice
Biggs
Bilirakis
Bishop (NC)

Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carey
Carl
Carter (TX)
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crenshaw
Cuellar
Curtis
D'Esposito
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Gimenez
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harder (CA)
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lee (FL)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
Mast
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moylan
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—219

Adams
Aguilar
Allred
Auchincloss
Balint
Barragán
Beatty
Bera
Bergman
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (GA)
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
Garbarino
García (IL)
García (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Joyce (OH)
Kamlager-Dove
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
LaLota
Landsman
Larsen (WA)
Larson (CT)
Lawler
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Matsui
McBath
McCarthy
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Molinaro
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

NOT VOTING—7

Crawford
Davis (NC)
Gallego
Granger
Mace
Payne
Trone

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2202

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 48 OFFERED BY MR. JACKSON OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 48, printed in part A of House Report 118–147 offered by the gentleman from Texas (Mr. JACKSON), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 224, not voting 5, as follows:

[Roll No. 349]

AYES—211

Aderholt
Alford
Allen
Amodei
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Caraveo
Carey
Carl
Carter (GA)
Carter (TX)
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Costa
Craig
Crane
Crawford
Crenshaw
Cuellar
Curtis
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gallagher
Garcia, Mike
Gimenez
Golden (ME)
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Grothman
Guest
Guthrie
Hageman
Harder (CA)
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kustoff
LaHood
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lee (FL)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moylan
Murphy
Nehls
Newhouse
Nickel
Norman
Nunn (IA)
Ogles
Owens
Palmer
Peltola
Pence
Perry
Pfluger
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Zinke

NOES—224

Adams
Aguilar
Allred
Armstrong
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Bishop (NC)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Courtney
Crockett
Crow
D'Esposito
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Gaetz
Garamendi
Garbarino
García (IL)
García (TX)
Garcia, Robert
Goldman (NY)
Gomez
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Griffith
Grijalva
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Kamlager-Dove
Kaptur
Keating

Kelly (IL)
Khanna
Kildee
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
LaLota
Landsman
Larsen (WA)
Larson (CT)
Lawler
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Massie
Mast
Matsui
McBath
McCarthy
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Miller (OH)
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
Obernolte
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Posey
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Spartz
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)
Yakym

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2206

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 50 OFFERED BY MR. KEAN OF NEW JERSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 50, printed in part A of House Report 118–147 offered by the gentleman from New Jersey (Mr. KEAN), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 195, not voting 5, as follows:

[Roll No. 350]

AYES—240

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cartwright
Case
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Connolly
Costa
Courtney
Craig
Crane
Crenshaw
Curtis
D'Esposito
Davidson
De La Cruz
Dean (PA)
DeGette
DeLauro
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garbarino
Garcia, Mike
Gimenez
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Gottheimer
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Himes
Hinson
Houchin
Houlahan
Hudson
Huizenga
Hunt
Issa
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Landsman
Langworthy
Larson (CT)
Latta
LaTurner
Lawler
Lee (FL)
Lee (NV)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Manning
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moskowitz
Moylan
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pascrell
Peltola
Pence
Perez
Perry
Pfluger
Plaskett
Posey
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Salazar
Santos
Scalise
Schrier
Schweikert
Scott, Austin
Self
Sessions
Sherrill
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spanberger
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Veasey
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wild
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Zinke

NOES—195

Adams
Aguilar
Allred
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (NC)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Casar
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Correa
Crawford
Crockett
Crow
Cuellar
Davids (KS)
Davis (IL)
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
García (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gonzalez, Vicente
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Horsford
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson (TX)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Kamlager-Dove
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Larsen (WA)
Lee (CA)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pelosi
Peters
Pettersen
Phillips
Pingree
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Rutherford
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Scott (VA)
Scott, David
Sewell
Sherman
Slotkin
Smith (WA)
Sorensen
Soto
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Williams (GA)
Wilson (FL)
Yakym

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2209

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 62 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 62, printed in part A of House Report 118–147 offered by the gentleman from California (Mr. MCCLINTOCK), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 49, noes 386, not voting 5, as follows:

[Roll No. 351]

AYES—49

Bean (FL)
Biggs
Bishop (NC)
Brecheen
Buck
Burchett
Burgess
Burlison
Collins
Comer
Crenshaw
Davidson
Donalds
Duncan
Fallon
Foxx
Fry
Fulcher
Gaetz
Gallagher
Good (VA)
Gooden (TX)
Gosar
Hern
Higgins (LA)
Hunt
Jordan

Loudermilk
Luna
Massie
McClintock
McCormick
Mooney
Moore (AL)
Norman
Ogles
Palmer
Perry
Posey
Rose
Roy
Scalise
Schweikert
Self
Spartz
Steube
Walberg
Waltz
Weber (TX)

NOES—386

Adams
Aderholt
Aguilar
Alford
Allen
Allred
Amodei
Armstrong
Arrington
Auchincloss
Babin
Bacon
Baird
Balderson
Balint
Banks
Barr
Barragán
Beatty
Bentz
Bera
Bergman
Beyer
Bice
Bilirakis
Bishop (GA)
Blumenauer
Blunt Rochester
Boebert
Bonamici
Bost
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Bucshon
Budzinski
Bush
Calvert
Cammack
Caraveo
Carbajal
Cárdenas
Carey
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Ciscomani
Clark (MA)
Clarke (NY)
Cleaver
Cline
Cloud
Clyburn
Clyde
Cohen
Cole
Connolly
Correa
Costa
Courtney
Craig
Crane
Crawford
Crockett
Crow
Cuellar
Curtis
D'Esposito
Davids (KS)
Davis (IL)
De La Cruz
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Duarte
Dunn (FL)
Edwards
Ellzey
Emmer
Escobar
Eshoo
Espaillat
Estes
Evans
Ezell
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Flood
Foster
Foushee
Frankel, Lois
Franklin, C. Scott
Frost
Garamendi
Garbarino
García (IL)
Garcia (TX)
Garcia, Mike
Garcia, Robert
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
González-Colón
Gottheimer
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Greene (GA)
Griffith
Grijalva
Grothman
Guest
Guthrie
Hageman
Harder (CA)
Harris
Harshbarger
Hayes
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houchin
Houlahan
Hoyer
Hoyle (OR)
Hudson
Huffman
Huizenga
Issa
Ivey
Jackson (IL)
Jackson (NC)
Jackson (TX)
Jackson Lee
Jacobs
James
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Khanna
Kiggans (VA)
Kildee
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Landsman
Langworthy
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawler
Lee (CA)
Lee (FL)
Lee (NV)
Lee (PA)
Leger Fernandez
Lesko
Letlow
Levin
Lieu
Lofgren
Lucas
Luetkemeyer
Luttrell
Lynch
Magaziner
Malliotakis
Mann
Manning
Mast
Matsui
McBath
McCarthy
McCaul
McClain
McClellan
McCollum
McGarvey
McGovern
McHenry
Meeks
Menendez
Meng
Meuser
Mfume
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Moore (UT)
Moore (WI)
Moran
Morelle
Moskowitz
Moulton
Moylan
Mrvan
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Nehls
Newhouse
Nickel
Norcross
Norton
Nunn (IA)
Obernolte
Ocasio-Cortez
Omar
Owens
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Pence
Perez
Peters
Pettersen
Pfluger
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Radewagen
Ramirez
Raskin
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rosendale
Ross
Rouzer
Ruiz
Ruppersberger
Rutherford
Ryan
Sablan
Salazar
Salinas
Sánchez
Santos
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Sherrill
Simpson
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stauber
Steel
Stefanik
Steil
Stevens
Stewart
Strickland
Strong
Swalwell
Sykes
Takano
Tenney
Thanedar
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiffany
Timmons
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Van Drew
Van Duyne
Van Orden
Vargas
Vasquez
Veasey
Velázquez
Wagner
Wasserman Schultz
Waters
Watson Coleman
Webster (FL)
Wenstrup
Westerman
Wexton
Wild
Williams (GA)
Williams (NY)
Williams (TX)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2212

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 64 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 64, printed in part A of House Report 118–147 offered by the gentlewoman from Illinois (Mrs. MILLER), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 216, noes 219, not voting 5, as follows:

[Roll No. 352]

AYES—216

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Banks
Barr
Bean (FL)
Bentz
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Caraveo
Carey
Carl
Carter (GA)
Carter (TX)
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crawford
Crenshaw
Curtis
D'Esposito
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garbarino
Garcia, Mike
Gimenez
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lawler
Lee (FL)
Lesko
Letlow
Lieu
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moylan
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Porter
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—219

Adams
Aguilar
Allred
Auchincloss
Balderson
Balint
Barragán
Beatty
Bera
Bergman
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
García (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Joyce (OH)
Kamlager-Dove
Kaptur
Keating

Kelly (IL)
Khanna
Kiggans (VA)
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Landsman
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lofgren
Lynch
Magaziner
Manning
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Molinaro
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Pressley
Quigley
Radewagen
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Williams (NY)
Wilson (FL)

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2216

Mr. JOHNSON of Georgia changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 65 OFFERED BY MRS. MILLER OF ILLINOIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 65, printed in part A of House Report 118–147 offered by the gentlewoman from Illinois (Mrs. MILLER), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 254, not voting 5, as follows:

[Roll No. 353]

AYES—181

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Baird
Balderson
Banks
Barr
Bean (FL)
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carey
Carl
Ciscomani
Cline
Cloud
Clyde
Collins
Comer
Crane
Crawford
Crenshaw
Curtis
Davidson
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Kelly (MS)
Kelly (PA)
Kiley
Kustoff
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lee (FL)
Lesko
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Mills
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Murphy
Nehls
Norman
Obernolte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Van Drew
Van Duyne
Van Orden
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Womack
Yakym
Zinke

NOES—254

Adams
Aguilar
Allred
Auchincloss
Bacon
Balint
Barragán
Beatty
Bentz
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
D'Esposito
Davids (KS)
Davis (IL)
De La Cruz
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Dunn (FL)
Escobar
Eshoo
Espaillat
Evans
Feenstra
Fitzpatrick
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
Garbarino
García (IL)
Garcia (TX)
Garcia, Robert
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
González-Colón
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Guthrie
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
James
Jayapal
Jeffries
Johnson (GA)
Joyce (OH)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Khanna
Kiggans (VA)
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
LaHood
LaLota
Landsman
Larsen (WA)
Larson (CT)
Lawler
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Letlow
Levin
Lieu
Lofgren
Lynch
Magaziner
Malliotakis
Manning
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
McHenry
Meeks
Menendez
Meng
Mfume
Miller-Meeks
Molinaro
Moore (WI)
Morelle
Moskowitz
Moulton
Moylan
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Newhouse
Nickel
Norcross
Norton
Nunn (IA)
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Rutherford
Ryan
Sablan
Salazar
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Steel
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Vargas
Vasquez
Veasey
Velázquez
Wagner
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Williams (NY)
Wilson (FL)
Wittman

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2219

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 68 OFFERED BY MR. OBERNOLTE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 68, printed in part A of House Report 118–147 offered by the gentleman from California (Mr. OBERNOLTE), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 205, not voting 6, as follows:

[Roll No. 354]

AYES—229

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Caraveo
Carey
Carl

Carter (GA)
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Costa
Craig
Crane
Crawford
Crenshaw
Curtis
D'Esposito
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garamendi
Garbarino
Garcia, Mike
Gimenez
Gonzales, Tony
Gonzalez, Vicente
González-Colón
Good (VA)
Gooden (TX)
Gosar
Gottheimer
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lawler
Lee (FL)
Lee (NV)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
McHenry
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moskowitz
Moulton
Moylan
Mullin
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pence
Perez
Perry
Pfluger
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Valadao
Van Drew
Van Duyne
Van Orden
Veasey
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wild
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—205

Adams
Aguilar
Allred
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Carbajal
Cárdenas
Carson
Carter (LA)
Carter (TX)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Courtney
Crockett
Crow
Cuellar
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Foushee
Frankel, Lois
Frost
García (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Graves (LA)
Graves (MO)
Green, Al (TX)
Greene (GA)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Kamlager-Dove
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Landsman
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Molinaro
Moore (WI)
Morelle
Mrvan
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Posey
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Williams (GA)
Wilson (FL)

NOT VOTING—6

Davis (NC)
Gallego
Granger
Mace
Meuser
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2222

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 69 OFFERED BY MR. OGLES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 69, printed in part A of House Report 118–147 offered by the gentleman from Tennessee (Mr. OGLES), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 244, not voting 5, as follows:

[Roll No. 355]

AYES—191

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buck
Bucshon
Burchett
Burgess
Burlison
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Ciscomani
Cline
Cloud
Clyde
Collins
Comer
Crane
Crawford
Crenshaw
Curtis
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn (FL)
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Gimenez
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Kelly (MS)
Kiley
Kustoff
LaMalfa
Lamborn
Langworthy
Latta
LaTurner
Lee (FL)
Lesko
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
Mast
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Mooney
Moore (AL)
Moran
Moylan
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Van Drew
Van Duyne
Van Orden
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Zinke

NOES—244

Adams
Aguilar
Allred
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Budzinski
Bush
Calvert
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
D'Esposito
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Duarte
Edwards
Ellzey
Escobar
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
Garbarino
Garcia (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Hudson
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Joyce (OH)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (PA)
Khanna
Kiggans (VA)
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
LaHood
LaLota
Landsman
Larsen (WA)
Larson (CT)
Lawler
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Letlow
Levin
Lieu
Lofgren
Lynch

Magaziner
Manning
Matsui
McBath
McCarthy
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Molinaro
Moore (UT)
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Radewagen
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Vargas
Vasquez
Veasey
Velázquez
Wagner
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)
Yakym

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2225

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 70 OFFERED BY MR. OGLES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 70, printed in part A of House Report 118–147 offered by the gentleman from Tennessee (Mr. OGLES), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 227, not voting 7, as follows:

[Roll No. 356]

AYES—206

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Ciscomani
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crawford
Crenshaw
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Gallagher
Garcia, Mike
Gimenez
Gonzales, Tony
González-Colón
Good (VA)
Gooden (TX)
Gosar
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kelly (MS)
Kelly (PA)
Kiley
Kustoff
LaHood
LaMalfa
Langworthy
Latta
LaTurner
Lee (FL)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Obernolte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Van Drew
Van Duyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—227

Adams
Aguilar
Allred
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
Curtis
D'Esposito
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Garamendi
Garbarino
García (IL)
Garcia (TX)
Garcia, Robert
Golden (ME)
Goldman (NY)
Gonzalez, Vicente
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Khanna
Kiggans (VA)
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
LaLota
Landsman
Larsen (WA)
Larson (CT)
Lawler
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Molinaro
Moore (WI)
Morelle
Moskowitz
Moulton
Moylan
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Norton
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Radewagen
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Sablan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Valadao
Vargas
Vasquez
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

NOT VOTING—7

Davis (NC)
Gallego
Gomez
Granger
Lamborn
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2228

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 71 OFFERED BY MR. OWENS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 71, printed in part A of House Report 118–147 offered by the gentleman from Utah (Mr. OWENS), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 229, not voting 6, as follows:

[Roll No. 357]

AYES—205

Aderholt
Aguilar
Alford
Allen
Allred
Amodei
Armstrong
Arrington
Babin
Bacon
Balderson
Banks
Barr
Barragán
Bean (FL)
Bentz
Bera
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Buchanan
Buck
Bucshon
Burchett
Burlison
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Casar
Castro (TX)
Chavez-DeRemer
Ciscomani
Cloud
Clyde
Collins
Comer
Correa
Crane
Crawford
Cuellar
Curtis
D'Esposito
De La Cruz
Diaz-Balart
Dingell
Doggett

Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Escobar
Estes
Ezell
Fallon
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Flood
Foxx
Fulcher
Gaetz
Garamendi
Garbarino
Garcia, Mike
Garcia, Robert
Gimenez
Gomez
Gonzales, Tony
Gonzalez, Vicente
González-Colón
Gooden (TX)
Gosar
Graves (LA)
Graves (MO)
Greene (GA)
Guthrie
Hageman
Harris
Harshbarger
Higgins (LA)
Hudson
Huizenga
Issa
Jackson (TX)
Jacobs
James
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kelly (PA)
Kildee
Kiley
Kim (CA)
LaLota
LaMalfa
Lamborn
Langworthy
Latta
Lee (FL)
Lee (NV)
Letlow
Levin
Lieu
Loudermilk
Luetkemeyer
Malliotakis
Mann
Massie
Mast
Matsui
McCarthy
McCaul
McClain
McClintock
McCollum
McCormick
Meeks
Meuser
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moran
Moylan
Napolitano
Neal
Nehls
Newhouse
Norman
Obernolte
Ogles
Owens
Palmer
Pelosi
Pence
Perry
Peters
Pfluger
Phillips
Porter
Radewagen
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Ruiz
Rutherford
Salazar
Sánchez
Scalise
Schweikert
Scott, Austin
Scott, David
Self
Sessions
Simpson
Smith (MO)
Smith (NE)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Tiffany
Turner
Valadao
Van Drew
Vargas
Vasquez
Veasey
Wagner
Walberg
Waltz
Weber (TX)
Wenstrup
Westerman
Williams (GA)
Williams (NY)
Williams (TX)
Yakym
Zinke

NOES—229

Adams
Auchincloss
Balint
Beatty
Beyer
Bice
Blumenauer
Blunt Rochester
Boebert
Bonamici
Bost
Bowman
Boyle (PA)
Brecheen
Brown
Brownley
Budzinski
Burgess
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Cherfilus-McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Cline
Clyburn
Cohen
Cole
Connolly
Costa
Courtney
Craig
Crenshaw
Crockett
Crow
Davids (KS)
Davidson
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
DesJarlais
Donalds
Eshoo
Espaillat
Evans
Feenstra
Fleischmann
Fletcher
Foster
Foushee
Frankel, Lois
Franklin, C. Scott
Frost
Fry
Gallagher
García (IL)
Garcia (TX)
Golden (ME)
Goldman (NY)
Good (VA)
Gottheimer
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Harder (CA)
Hayes
Hern
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houchin
Houlahan
Hoyer
Hoyle (OR)
Huffman
Hunt
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jayapal
Jeffries
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (MS)
Khanna
Kiggans (VA)
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Kustoff
LaHood
Landsman
Larsen (WA)
Larson (CT)
LaTurner
Lawler
Lee (CA)
Lee (PA)
Leger Fernandez
Lesko
Lofgren
Lucas
Luna
Luttrell
Lynch
Magaziner
Manning
McBath
McClellan
McGarvey
McGovern
McHenry
Menendez
Meng
Mfume
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Moore (WI)
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Murphy
Nadler
Neguse
Nickel
Norcross
Norton
Nunn (IA)
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Peltola
Perez
Pettersen
Pingree
Plaskett
Pocan
Posey
Pressley
Quigley
Ramirez
Raskin
Ross
Ruppersberger
Ryan
Sablan
Salinas
Santos
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Sewell
Sherman
Sherrill
Slotkin
Smith (NJ)
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Thompson (PA)
Timmons
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Van Duyne
Van Orden
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Webster (FL)
Wexton
Wild
Wilson (FL)
Wilson (SC)
Wittman
Womack

NOT VOTING—6

Baird
Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2232

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BAIRD. Madam Chair, had I been present, I would have voted "aye" on rollcall No. 357.

Mrs. McBATH. Madam Chair, during rollcall Vote number 357 on H.R. 3935, I mistakenly recorded my vote as "no" when I should have voted "aye."

AMENDMENT NO. 73 OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 73, printed in part A of House Report 118–147 offered by the gentleman from Pennsylvania (Mr. PERRY), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 127, noes 308, not voting 5, as follows:

[Roll No. 358]

AYES—127

Aderholt
Allen
Armstrong
Babin
Banks
Barr
Bean (FL)
Bentz
Biggs
Bilirakis
Bishop (NC)
Boebert
Brecheen
Buck
Burchett
Burgess
Burlison
Cammack
Carl
Carter (GA)
Carter (TX)
Cline
Cloud
Clyde
Cole
Collins
Comer
Crane
Crenshaw
Davidson
De La Cruz
DesJarlais
Donalds
Duncan
Dunn (FL)
Ellzey
Emmer
Estes
Fallon
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Foxx
Franklin, C. Scott
Fry
Fulcher
Gaetz
Good (VA)
Gooden (TX)
Gosar
Greene (GA)
Griffith
Grothman
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Houchin
Hudson
Hunt
Jackson (TX)
Johnson (LA)
Johnson (OH)
Jordan
Kelly (MS)
Kustoff
LaMalfa
Lamborn
Langworthy
Latta
Lesko
Loudermilk
Luetkemeyer
Luna
Luttrell
Mann
Massie
McCaul
McClain
McClintock
McCormick
Miller (IL)
Miller (WV)
Mills
Moolenaar
Mooney
Moore (AL)
Moran
Nehls
Norman
Ogles
Palmer
Perry
Pfluger
Posey
Reschenthaler
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Scalise
Schweikert
Scott, Austin
Self
Sessions
Smith (MO)
Smith (NE)
Spartz
Stauber
Stefanik
Steube
Tenney
Tiffany
Timmons
Van Duyne
Walberg
Waltz
Weber (TX)
Williams (TX)
Zinke

NOES—308

Adams
Aguilar
Alford
Allred
Amodei
Arrington
Auchincloss
Bacon
Baird
Balderson
Balint
Barragán
Beatty
Bera
Bergman
Beyer
Bice
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Bucshon
Budzinski
Bush
Calvert
Caraveo
Carbajal
Cárdenas
Carey
Carson
Carter (LA)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Ciscomani
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crawford
Crockett
Crow
Cuellar
Curtis
D'Esposito
Davids (KS)
Davis (IL)
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Diaz-Balart
Dingell
Doggett
Duarte
Edwards
Escobar
Eshoo
Espaillat
Evans
Ezell
Feenstra
Fitzpatrick
Fletcher
Foster
Foushee
Frankel, Lois
Frost
Gallagher
Garamendi
Garbarino
Garcia (IL)
Garcia (TX)
Garcia, Mike
Garcia, Robert
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
González-Colón
Gottheimer
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Grijalva
Guest
Harder (CA)
Hayes
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Huizenga
Issa
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
James
Jayapal
Jeffries
Johnson (GA)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (PA)
Khanna
Kiggans (VA)
Kildee
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
LaHood
LaLota
Landsman
Larsen (WA)
Larson (CT)
LaTurner
Lawler
Lee (CA)
Lee (FL)
Lee (NV)
Lee (PA)
Leger Fernandez
Letlow
Levin
Lieu
Lofgren
Lucas
Lynch
Magaziner
Malliotakis
Manning
Mast
Matsui
McBath
McCarthy
McClellan
McCollum
McGarvey
McGovern
McHenry
Meeks
Menendez
Meng
Meuser
Mfume
Miller (OH)
Miller-Meeks
Molinaro

Moore (UT)
Moore (WI)
Morelle
Moskowitz
Moulton
Moylan
Mrvan
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Newhouse
Nickel
Norcross
Norton
Nunn (IA)
Obernolte
Ocasio-Cortez
Omar
Owens
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Pence
Perez
Peters
Pettersen
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Radewagen
Ramirez
Raskin
Rodgers (WA)
Ross
Ruiz
Ruppersberger
Rutherford
Ryan
Sablan
Salazar
Salinas
Sánchez
Santos
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Simpson
Slotkin
Smith (NJ)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stansbury
Stanton
Steel
Steil
Stevens
Stewart
Strickland
Strong
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Van Drew
Van Orden
Vargas
Vasquez
Veasey
Velázquez
Wagner
Wasserman Schultz
Waters
Watson Coleman
Webster (FL)
Wenstrup
Westerman
Wexton
Wild
Williams (GA)
Williams (NY)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yakym

NOT VOTING—5

Davis (NC)
Gallego
Granger
Mace
Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2235

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 74 OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 74, printed in part A of House Report 118–147 offered by the gentleman from Pennsylvania (Mr. PERRY), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 52, noes 381, not voting 7, as follows:

[Roll No. 359]

AYES—52

Biggs
Bilirakis
Bishop (NC)
Boebert
Brecheen
Buck
Burchett
Burgess
Burlison
Cammack
Cline
Cloud
Clyde
Crane
Davidson
DesJarlais
Donalds
Duncan
Fulcher
Gaetz
Good (VA)
Gosar
Hageman
Harris
Higgins (LA)
Houchin
Hunt
Jackson (TX)
Jordan
LaMalfa
Luna
Luttrell
Massie
McClain
McCormick
Mooney
Moore (AL)
Norman
Ogles
Palmer
Perry
Posey
Rosendale
Roy
Schweikert
Self
Spartz
Steube
Tiffany
Waltz
Webster (FL)
Zinke

NOES—381

Adams
Aderholt
Aguilar
Alford
Allen
Allred
Amodei
Armstrong
Arrington
Auchincloss
Babin
Bacon
Baird
Balderson
Balint
Banks
Barr
Barragán
Bean (FL)
Beatty
Bentz
Bera
Bergman
Beyer
Bice
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Bucshon
Budzinski
Bush
Calvert
Caraveo
Carbajal
Cárdenas
Carey
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Ciscomani
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Collins
Comer
Connolly
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crockett
Crow
Cuellar
Curtis
D'Esposito
Davids (KS)
Davis (IL)
De La Cruz
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
Diaz-Balart
Dingell
Doggett
Duarte
Dunn (FL)
Edwards
Ellzey
Emmer
Escobar
Eshoo
Espaillat
Estes
Evans
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Flood
Foster
Foushee
Foxx
Frankel, Lois
Franklin, C. Scott
Frost
Fry
Gallagher
Garamendi
Garbarino
García (IL)
Garcia (TX)
Garcia, Mike
Garcia, Robert
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
González-Colón
Gooden (TX)
Gottheimer
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Greene (GA)
Griffith
Grijalva
Grothman
Guest
Guthrie
Harder (CA)
Harshbarger
Hayes
Hern
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houlahan
Hoyer
Hoyle (OR)
Hudson
Huffman
Huizenga
Issa
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
James
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Kamlager-Dove
Kaptur
Kean (NJ)
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Khanna
Kiggans (VA)
Kildee
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
Kustoff
LaHood
LaLota
Lamborn
Landsman
Langworthy
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawler
Lee (CA)
Lee (FL)
Lee (NV)
Lee (PA)
Leger Fernandez
Lesko
Letlow
Levin
Lieu
Lofgren
Loudermilk
Lucas
Luetkemeyer
Lynch
Magaziner
Malliotakis
Mann
Manning
Mast
Matsui
McBath
McCarthy
McCaul
McClellan
McClintock
McCollum
McGarvey
McGovern
McHenry
Meeks
Menendez
Meng
Meuser
Mfume
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Moore (UT)
Moore (WI)
Moran
Morelle
Moskowitz
Moulton
Moylan
Mrvan
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Newhouse
Nickel
Norcross
Norton
Nunn (IA)
Obernolte
Ocasio-Cortez
Omar
Owens
Pallone
Panetta
Pappas
Pascrell
Pelosi
Peltola
Pence
Perez
Peters
Pettersen
Pfluger
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Quigley
Radewagen
Ramirez
Raskin
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Ross
Rouzer
Ruiz
Ruppersberger
Rutherford
Ryan
Sablan
Salazar
Salinas
Sánchez
Santos
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Sherrill
Simpson
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stanton
Stauber
Steel
Stefanik
Steil
Stevens
Stewart
Strickland
Strong
Swalwell
Sykes
Takano
Tenney
Thanedar
Thompson (CA)
Thompson (MS)
Thompson (PA)
Timmons
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Van Drew
Van Duyne
Van Orden
Vargas
Vasquez
Veasey
Velázquez
Wagner
Walberg
Wasserman Schultz
Waters
Watson Coleman
Weber (TX)
Wenstrup
Westerman
Wexton
Wild
Williams (GA)
Williams (NY)
Williams (TX)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yakym

NOT VOTING—7

Davis (NC)
Gallego
Granger
Mace
Nehls
Payne
Stansbury

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2238

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 75 OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 75, printed in part A of House Report 118–147 offered by the gentleman from Pennsylvania (Mr. PERRY), on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 45, noes 387, not voting 8, as follows:

[Roll No. 360]

AYES—45

Biggs
Bishop (NC)
Boebert
Brecheen
Buck
Burchett
Burlison
Cammack
Cline
Cloud
Clyde
Collins
Comer
Crane
Donalds
Duncan
Fulcher
Gaetz
Good (VA)
Gosar
Griffith
Hageman
Harris
Higgins (LA)
Hudson
Jordan
Keating
Kelly (PA)
Luna
Massie
McClintock
Miller (IL)
Mooney
Norman
Ogles
Perry

Rosendale
Roy
Schweikert
Self
Sessions
Spartz
Steube
Tiffany
Zinke

NOES—387

Adams
Aderholt
Aguilar
Alford
Allen
Allred
Amodei
Armstrong
Arrington
Auchincloss
Babin
Bacon
Baird
Balderson
Balint
Banks
Barr
Barragán
Bean (FL)
Beatty
Bentz
Bera
Bergman
Beyer
Bice
Bilirakis
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Bowman
Boyle (PA)
Brown
Brownley
Buchanan
Bucshon
Budzinski
Burgess
Bush
Calvert
Caraveo
Carbajal
Cárdenas
Carey
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Casar
Case
Casten
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-McCormick
Chu
Ciscomani
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Connolly
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crockett
Crow
Cuellar
Curtis
D'Esposito
Davids (KS)
Davidson
Davis (IL)
De La Cruz
Dean (PA)
DeGette
DeLauro
DelBene
Deluzio
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Duarte
Dunn (FL)
Edwards
Ellzey
Emmer
Escobar
Eshoo
Espaillat
Estes
Evans
Ezell
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Flood
Foster
Foushee
Foxx
Frankel, Lois
Franklin, C. Scott
Frost
Fry
Gallagher
Garamendi
Garbarino
García (IL)
Garcia (TX)
Garcia, Mike
Garcia, Robert
Gimenez
Golden (ME)
Goldman (NY)
Gomez
Gonzales, Tony
Gonzalez, Vicente
González-Colón
Gooden (TX)
Gottheimer
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Greene (GA)
Grijalva
Grothman
Guest
Guthrie
Harder (CA)
Harshbarger
Hayes
Hern
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houchin
Houlahan
Hoyer
Hoyle (OR)
Huffman
Huizenga
Hunt
Issa
Ivey
Jackson (IL)
Jackson (NC)
Jackson (TX)
Jackson Lee
Jacobs
James
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Kamlager-Dove
Kaptur
Kean (NJ)
Kelly (IL)
Kelly (MS)
Khanna
Kiggans (VA)
Kildee
Kiley
Kilmer
Kim (CA)
Kim (NJ)
Krishnamoorthi
Kuster
Kustoff
LaHood
LaLota
LaMalfa
Lamborn
Landsman
Langworthy
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawler
Lee (CA)
Lee (FL)
Lee (NV)
Lee (PA)
Leger Fernandez
Lesko
Letlow
Levin
Lieu
Lofgren
Loudermilk
Lucas
Luetkemeyer
Luttrell
Lynch
Magaziner
Malliotakis
Mann
Manning
Mast
Matsui
McBath
McCarthy
McCaul
McClain
McClellan
McCollum
McCormick
McGarvey
McGovern
McHenry
Meeks
Menendez
Meng
Meuser
Mfume
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Moore (AL)
Moore (UT)
Moore (WI)
Moran
Morelle
Moskowitz
Moulton
Mrvan
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Newhouse
Nickel
Norcross
Norton
Nunn (IA)
Obernolte
Ocasio-Cortez
Omar
Owens
Pallone
Palmer
Panetta
Pappas
Pascrell
Pelosi
Peltola
Pence
Perez
Peters
Pettersen
Pfluger
Phillips
Pingree
Plaskett
Pocan
Porter
Posey
Pressley
Quigley
Ramirez
Raskin
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Ross
Rouzer
Ruiz
Ruppersberger
Rutherford
Ryan
Sablan
Salazar
Salinas
Sánchez
Santos
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, Austin
Scott, David
Sewell
Sherman
Sherrill
Simpson
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stauber
Steel
Stefanik
Steil
Stevens
Stewart
Strickland
Strong
Swalwell
Sykes
Takano
Tenney
Thanedar
Thompson (CA)
Thompson (MS)
Thompson (PA)
Timmons
Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Valadao
Van Drew
Van Duyne
Van Orden
Vargas
Vasquez
Veasey
Velázquez
Wagner
Walberg
Waltz
Wasserman Schultz
Waters
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wexton
Wild
Williams (GA)
Williams (NY)
Williams (TX)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yakym

NOT VOTING—8

Davis (NC)
Gallego
Granger
Mace
Moylan
Nehls
Payne
Radewagen

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2242

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. GRAVES of Missouri. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER of Georgia) having assumed the chair, Mrs. CAMMACK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3935) to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING ON TOMORROW

Mr. ROSE. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mrs. CAMMACK). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

□ 2250

NATIONAL ICE CREAM MONTH

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize the month of July as National Ice Cream Month and celebrate America's favorite frozen dairy treat.

As the weather gets hotter and the days get longer, there truly is nothing like a bowl of sweet, smooth ice cream to help turn down the heat. Dedicated in the United States by the late President Ronald Reagan, National Ice Cream Month serves to boost spirits and cool temperatures, especially on a day as warm as this one.

Not just a staple of the American diet, American ice cream also boosts local communities. Keep an eye out for the more than half of ice cream shops in the United States that are family owned and have been in operation for more than 50 years.

Madam Speaker, you can support local scoop shops the entire month throughout the summer. Enjoy the sweetest month of the year by supporting local businesses and industry.

SANCTUARY CITY POLICIES

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

Mr. LANGWORTHY. Madam Speaker, tonight we passed H.R. 3941, the Schools Not Shelters Act, sponsored by my friend and colleague from New York, Representative MARC MOLINARO.

Unfortunately, this legislation is a necessary response to President Biden's border crisis, which has been made worse by the sanctuary city policies of New York Democrats.

We are seeing illegal immigration spill into communities across the State, including in my district in western New York.

When Mayor Eric Adams and Governor Kathy Hochul announced their plan to take over campuses across the State and turn them into migrant housing, it struck many parents, including me, as an insult. Our investment of billions of taxpayer dollars for award-winning schools like our SUNY campuses is thrown away to become migrant camps.

The Schools Not Shelters Act sends a clear message that our Nation values the education and well-being of our children above all else.

Madam Speaker, I urge my colleagues in the Senate to support this measure to put our children first.

FAA REAUTHORIZATION

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

Mr. ROSE. Madam Speaker, the Securing Growth and Robust Leadership in American Aviation Act will impact anyone boarding a plane in the United States.

The bill improves runway safety, enhances cybersecurity, and upgrades the all-important air traffic control system. It also works to address staffing

shortages facing the airlines, the FAA, and the NTSB.

House Republicans have crafted an FAA authorization bill of substance, one that makes critical improvements in aviation and promotes oversight over the agencies regulating the industry, and we will see even more oversight if my amendment is passed. It requires the Government Accountability Office to issue a report explaining what caused the thousands of flight cancellations around the July Fourth holiday.

Madam Speaker, you won't find many existing diversity and inclusion programs in this legislation, but you will find policies that make the skies safer for all passengers no matter their race or their background.

IMMIGRATION

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

Mr. JOYCE of Pennsylvania. Madam Speaker, today President Biden's Department of Homeland Security announced that they did not know the location of nearly 40 percent of illegal immigrants who have entered our Nation.

The failed catch-and-release policies that have been championed for the past 2 years have led to the chaos and the confusion that has made each and every State a border State.

Since Joe Biden took office, there have been more than 5.5 million illegal crossings at our southern border, and now liberal-run cities are attempting to use our schools as shelters for illegal immigrants.

These policies have only worsened the situation, and it is time for his administration to return to solutions that will address this crisis.

It is time to reinstate title 42, it is time to stop using our schools to house illegal immigrants, and it is time to fully secure our border.

REMEMBERING BOBBY ''BLUE'' SMITH

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

Mr. CARTER of Georgia. Madam Speaker, I rise today in remembrance of Bobby ''Blue'' Smith.

On Thursday, June 22, 2023, Ware County lost not only a beloved member of their community but also a brave hero.

Bobby ''Blue'' Smith was born on July 12, 1998, in Waycross, Georgia, to Bobby Green Smith and Crystal Blue Freeman. After he graduated from Pierce County High School in 2017, he began working for the Ware County Fire Department as well as Hodges Plumbing and Walker's Lawn Care.

Blue was a light in his community. He was a follower of Christ who took every opportunity to love and uplift his family and friends as well as strangers.

He enjoyed fishing, hunting, and spending quality time with his family, and he never missed an opportunity to ride buggies at Fat Daddy's ATV Park.

Blue bravely served his community for years, and he will be deeply missed by everyone who was blessed enough to know and love him.

He is survived by his parents and siblings along with many other relatives and friends who loved him dearly.

ILLEGAL ALIENS HOUSED IN SCHOOLS

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

Mr. CLINE. Madam Speaker, the Biden administration's radical open border policies have turned every community into a border community.

Since President Biden took office, CBP officials have encountered a record high of 5.5 million illegal immigrants at the southern border, and nearly 2 million of those have been released into our Nation.

Unfortunately, to deal with this crisis, liberal cities such as New York City are planning to house migrants in public schools—setting a dangerous precedent. This brings an unnecessary problem that administrators are simply not equipped to handle, nor should they have to.

That is unacceptable, which is why I am proud to join my colleagues in passing the Schools Not Shelters Act. This legislation would ban the use of taxpayer-funded schools as shelters for illegal migrants.

America's schools should be focused on providing the best opportunities for students, not be forced to deal with the repercussions of President Biden's failure to secure the border.

IRS WHISTLEBLOWERS

(Mrs. MILLER-MEEKS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER-MEEKS. Madam Speaker, today the House Committee on Oversight and Accountability heard the testimony of two IRS whistleblowers who revealed how the Department of Justice interfered in the investigation of the foreign business dealings of the Biden family. During this oversight hearing, we learned that Hunter Biden received money from China and other countries.

Today's hearing made it apparent that there are two sets of rules in this country, one for the Biden family and another for the rest of us. If people in my district did even a small amount of what Hunter Biden did, they would have to serve time in jail. Instead of receiving full accountability from our Justice Department, the two IRS whistleblowers confirmed that the Attorney General was not impartial in its investigation.

Further, they revealed that President Biden not only knew about Hunter Biden's corrupt foreign business deals, but he was in the room for the deals.

Hunter Biden, with the full knowledge and participation of then-Vice President Biden, leveraged his family name during these shady business deals, which is absolutely an abuse of power and not an appropriate use of the Office of the Vice President.

If the Department of Justice will not do its job and complete a thorough investigation, then it is up to Congress to employ the accountability needed. Iowans want to have full faith in our criminal justice system, and that starts with an equal application of the law.

Madam Speaker, I wish a happy birthday to my brother-in-law, Ralph Martino.

Happy birthday, Ralph.

AMERICAN SCHOOLS ARE FOR AMERICAN STUDENTS

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

Mr. LAMALFA. Madam Speaker, it ought to be obvious that American schools are for American students. This should not be a controversial statement, yet in the last few months, cities such as New York and Chicago, for example, and across the U.S. are using schools as shelters for illegal immigrants.

All of this is the result of the Biden administration's failed border policies that have turned every State into a border State, regardless if they are actually near the border.

The policies have only further encouraged more illegal immigration because of the promise of illegal immigrants being allowed to remain in our country with proper process and cushy food and housing. The tab of all of this is being picked up by the American taxpayer.

The recent expansion of these programs into schools is an insult to the reason public schools even exist, to provide a free education that teaches kids the necessary skills to lead a successful life, all of which stand to be disrupted by illegal immigrants being housed in their school gyms and classrooms taking up the resources that rightly belong to American students.

This is why we need the Schools Not Shelters Act introduced by Mr. MOLINARO from New York.

We can't guarantee who are even coming into these shelters or if the information we have on them is at all accurate, and we certainly can't promise parents that there will be no harm to their kids.

A controlled border solves these issues, and the Schools Not Shelters Act is a very important key to starting on that.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 111.—An Act to require each agency, in providing notice of a rulemaking, to include a link to a 100-word plain language summary of the proposed rule.

ADJOURNMENT

Mr. LAMALFA. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 20, 2023, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC–1413. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting a Determination and Explanation Concerning the Cost of Complying with the Requirements of 10 U.S.C. Sec. 4377(a)(2), (3) and (5), pursuant to 10 U.S.C. 4376(b)(1); Added by Public Law 116-283, div. A, title XVIII, Sec. 1850(a); (134 Stat. 4265); to the Committee on Armed Services.

EC–1414. A letter from the Director, Office of Worker's Compensation Programs, Department of Labor, transmitting the Department's Annual Report to Congress on the FY 2021 operations of the Office of Workers' Compensation Program, pursuant to 30 U.S.C. 936(b); Public Law 91-173, Sec. 426(b) (as amended by Public Law 107-275, Sec. 2(b)(4)); (116 Stat. 1926) and 33 U.S.C. 942; Mar. 4, 1927, ch. 509, Sec. 42 (as amended by Public Law 104-66, Sec. 1102(b)(1)); (109 Stat. 722); to the Committee on Education and the Workforce.

EC–1415. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a Determination Under Section 506(a)(1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine; to the Committee on Foreign Affairs.

EC–1416. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a Memorandum of Justification for the drawdown of defense articles and services and military education and training under section 506(a)(1) of the Foreign Assistance Act of 1961 to provide immediate military assistance to Ukraine; to the Committee on Foreign Affairs.

EC–1417. A letter from the Deputy Inspector General for Adult Services, Office of Inspector General, Department of Health and Human Services, transmitting the final report, ''Department of Health and Human Services Met Many Requirements, but It Did Not Fully Comply With the Payment Integrity Information Act of 2019 and Applicable Improper Payment Guidance for Fiscal Year 2022''; to the Committee on Oversight and Accountability.

EC–1418. A letter from the Senior Attorney Advisor, Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's notice — Waiver of Buy America Requirements for Electric Vehicle Chargers [Docket No.: 2022-0023] received July 3, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–1419. A letter from the Assistant Secretary for Legislation, Department of Health and Human Service, transmitting a report on the drug-free workplace plans of the Defense Commissary Agency, pursuant to 5 U.S.C. 7301 note; Public Law 100-71, Sec. 503(a)(1)(B) (as amended by Public Law 102-54, Sec. 13(b)(6)); (105 Stat. 274); jointly to the Committees on Appropriations and Oversight and Accountability.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GREEN of Tennessee: Committee on Homeland Security. H.R. 1501. A bill to prohibit the Secretary of Homeland Security from operating or procuring certain foreign-made unmanned aircraft systems, and for other purposes, with an amendment (Rept. 118–151). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREEN of Tennessee: Committee on Homeland Security. H.R. 3254. A bill to amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes (Rept. 118–152). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREEN of Tennessee: Committee on Homeland Security. H.R. 4470. A bill to extend the authorization of the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security; with an amendment (Rept. 118–153 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration H.R. 4470, referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCCAUL (for himself, Mrs. KIM of California, Mr. KEAN of New Jersey, and Mr. HUIZENGA):

H.R. 4725. A bill to conduct oversight and accountability of the State Department's implementation of AUKUS, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MASSIE (for himself, Mr. BIGGS, Mrs. BOEBERT, Mr. BRECHEEN, Mr. BURLISON, Mr. CLOUD, Mr. DAVIDSON, Mr. DONALDS, Mr. GAETZ, Mr. GOOD of Virginia, Ms. GREENE of Georgia, Mrs. HARSHBARGER, Mrs. LUNA, Mrs. MILLER of Illinois, Mr. MOORE of Alabama, Mr. POSEY, Mr. ROY, Ms. SALAZAR, Mrs. SPARTZ, Mr. MCCORMICK, and Mr. GOSAR):

H.R. 4726. A bill to terminate the COVID-19 vaccination requirement for aliens, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRECHEEN (for himself, Mr. ROSENDALE, Mr. HERN, Mr. MCCLINTOCK, Mr. WEBER of Texas, Mr. DUNCAN, Mr. GROTHMAN, Mr. BURLISON, Mrs. HARSHBARGER, Mr. SESSIONS, Mr. BIGGS, Mr. NORMAN, and Mr. GOSAR):

H.R. 4727. A bill to exclude certain individuals subject to certain deferred action from eligibility for health plans offered on the Exchanges, advance payments of the premium tax credit, cost-sharing reductions, a Basic Health Program, and for Medicaid and the Children's Health Insurance Programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLEAVER (for himself, Mr. JOHNSON of Georgia, Mr. CARTER of Louisiana, Mr. CÁRDENAS, Ms. LEE of California, Ms. WILSON of Florida, Ms. CROCKETT, Mr. CARSON, Ms. KAMLAGER-DOVE, Mr. FROST, Mr. IVEY, and Mrs. FOUSHEE):

H.R. 4728. A bill to amend title 49, United States Code, to provide for free public transportation for individuals who are recently released from incarceration; to the Committee on Transportation and Infrastructure.

By Mr. CONNOLLY (for himself, Mr. MCCAUL, Mr. MEEKS, Mr. BARR, Mr. BERA, Mr. RESCHENTHALER, Mr. GALLEGO, Mrs. WAGNER, Mr. STANTON, Mr. CURTIS, Mrs. KIM of California, and Mr. FALLON):

H.R. 4729. A bill to authorize negotiation and conclusion and to provide for congressional consideration of a tax agreement between the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office (TECRO); to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois:

H.R. 4730. A bill to provide grants for the conduct of demonstration projects designed to provide education and training for eligible individuals with an arrest or conviction record to enter and follow a career pathway in the health professions through occupations that are expected to experience a labor shortage or be in high demand, under the health profession opportunity grant program under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Mr. CLEAVER, Ms. JACOBS, Ms. CHU, Ms. MENG, Mr. CONNOLLY, Mr. POCAN, Ms. PINGREE, Ms. ROSS, and Mr. NADLER):

H.R. 4731. A bill to require health insurance coverage for the treatment of infertility; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, Oversight and Accountability, Veterans' Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT:

H.R. 4732. A bill to ensure that health professions opportunity demonstration projects train project participants to earn a recognized postsecondary credential, and to clarify that community colleges are eligible for

grants to conduct such a demonstration project; to the Committee on Ways and Means.

By Ms. ESHOO (for herself, Mr. THOMPSON of California, Mr. KHANNA, Mr. MORELLE, Mrs. NAPOLITANO, Mr. DESAULNIER, Ms. MATSUI, Ms. TITUS, and Mr. ROBERT GARCIA of California):

H.R. 4733. A bill to amend the Clean Air Act to establish a grant program for supporting local communities in detecting, preparing for, communicating about, or mitigating the environmental and public health impacts of wildfire smoke and extreme heat, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVANS:

H.R. 4734. A bill to require preference to be given to applicants for health profession opportunity grants under section 2008 of the Social Security Act who have certain kinds of business and community partners; to the Committee on Ways and Means.

By Mr. EVANS:

H.R. 4735. A bill to provide for the use of peer support, peer mentoring, and career coaching in demonstration projects conducted under the health profession opportunity grant program under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Mrs. FISCHBACH (for herself, Mr. DAVIS of North Carolina, Mr. FINSTAD, and Ms. CARAVEO):

H.R. 4736. A bill to amend the Consolidated Farm and Rural Development Act to provide support for facilities providing healthcare, education, child care, public safety, and other vital services in rural areas; to the Committee on Agriculture.

By Mr. FLOOD:

H.R. 4737. A bill to require Federal banking regulators to report on the implementation of recommendations from the FSOC Chairperson and Executive Orders, and for other purposes; to the Committee on Financial Services.

By Mr. GOOD of Virginia (for himself, Mr. ROSENDALE, Mr. PERRY, Mr. DONALDS, Mrs. MILLER of Illinois, Mr. WEBER of Texas, Mr. JACKSON of Texas, Mr. CLOUD, Mr. OGLES, Mr. BURLISON, Mr. MOORE of Alabama, and Mr. LAMALFA):

H.R. 4738. A bill to repeal the Federal Motor Carrier Safety Administration's rule titled ''Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators''; to the Committee on Transportation and Infrastructure.

By Mr. HUIZENGA (for himself and Mr. PANETTA):

H.R. 4739. A bill to amend the Agricultural Act of 2014 with respect to the tree assistance program, and for other purposes; to the Committee on Agriculture.

By Ms. JAYAPAL (for herself, Mr. MCCLINTOCK, Mr. GARAMENDI, Mr. DAVIDSON, and Mr. MOULTON):

H.R. 4740. A bill to streamline the budget process at the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Ms. MANNING (for herself and Mrs. KIM of California):

H.R. 4741. A bill to require the development of a strategy to promote the use of secure telecommunications infrastructure worldwide, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MCCLAIN (for herself and Mr. ISSA):

H.R. 4742. A bill to prohibit the Secretary of Education, the Secretary of the Treasury, and the Attorney General from cancelling student loans, or changing any other terms or conditions on such loans, except as expressly authorized by an Act of Congress enacted after the date of enactment of this Act; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MFUME (for himself, Mr. GOTTHEIMER, Mr. FITZPATRICK, Mr. TRONE, Ms. SALAZAR, Mr. KIM of New Jersey, Mr. BUCHANAN, and Ms. PORTER):

H.R. 4743. A bill to require creditors to establish a phone line to assist obligors who are 50 years of age and older to resolve billing errors, and for other purposes; to the Committee on Financial Services.

By Mrs. MILLER-MEEKS:

H.R. 4744. A bill to establish a minimum temperature for thermostats at the headquarters of the Department of Energy and the Environmental Protection Agency, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOLINARO (for himself, Ms. CROCKETT, Ms. SALINAS, Ms. CARAVEO, Mr. SORENSEN, Ms. BUDZINSKI, Mr. COSTA, Ms. CRAIG, Mr. DAVIS of North Carolina, Mr. DUARTE, Mr. NUNN of Iowa, Mr. BACON, Mr. LAWLER, Mr. VAN ORDEN, and Mrs. HAYES):

H.R. 4745. A bill to amend the Agriculture and Consumer Protection Act of 1973 to establish a pilot grant program to award grants to facilitate home delivery of commodities under the commodity supplemental food program, and for other purposes; to the Committee on Agriculture.

By Mr. NEGUSE (for himself, Ms. MOORE of Wisconsin, Ms. STANSBURY, Ms. NORTON, and Mr. THOMPSON of California):

H.R. 4746. A bill to provide access to reliable, clean, and drinkable water on Tribal lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL:

H.R. 4747. A bill to guarantee that grants are made under the health profession opportunity grant program under section 2008 of the Social Security Act to grantees in each State that is not a territory, and for other purposes; to the Committee on Ways and Means.

By Mrs. PELTOLA (for herself and Mr. STAUBER):

H.R. 4748. A bill to provide for the recognition of certain Alaska Native communities and the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Natural Resources.

By Mr. POCAN (for himself, Mr. GARBARINO, Mr. COLE, and Ms. DAVIDS of Kansas):

H.R. 4749. A bill to reauthorize the Helen Keller National Center Act; to the Committee on Education and the Workforce.

By Mr. RASKIN (for himself, Mrs. KIM of California, Mrs. MCBATH, Mr. JOYCE of Ohio, Ms. MACE, Mr. FITZPATRICK, Ms. ESCOBAR, Mr. HUFFMAN, Mr. POCAN, Ms. DAVIDS of Kansas, Mr. CARSON, Mr. COHEN, Ms. SÁNCHEZ, Ms. MALLIOTAKIS, Mrs. DINGELL, Mr. ALLRED, Mr. SCHIFF, Ms. TITUS, and Mr. MOSKOWITZ):

H.R. 4750. A bill to amend the Bill Emerson Good Samaritan Food Donation Act to provide protection for the good faith donation of pet products, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROY (for himself, Mrs. MILLER of Illinois, Mr. GOSAR, Ms. MACE, Mr. DONALDS, Mr. PERRY, Mr. WEBER of Texas, Mr. MORAN, Mr. ROSENDALE, Mr. BIGGS, Mr. DUNCAN, Mr. GOOD of Virginia, Mr. WEBSTER of Florida, Mr. TIFFANY, Mrs. BOEBERT, Ms. HAGEMAN, Mr. OGLES, Mr. LANGWORTHY, Mr. MASSIE, Mr. CRENSHAW, Mrs. LUNA, Mr. BEAN of Florida, Mr. POSEY, Mr. TIMMONS, Mr. MOONEY, Mr. BISHOP of North Carolina, and Mr. NORMAN):

H.R. 4751. A bill to prohibit Federal funding for the Special Presidential Envoy for Climate; to the Committee on Foreign Affairs.

By Ms. SÁNCHEZ (for herself, Mr. LAHOOD, Ms. MATSUI, Mr. BILIRAKIS, Ms. BARRAGÁN, Mrs. BEATTY, Mr. FITZPATRICK, Mr. GRIJALVA, Ms. NORTON, Mrs. NAPOLITANO, Mr. POCAN, Ms. SHERRILL, Mr. STANTON, Ms. TITUS, Ms. TLAIB, Mr. VARGAS, and Ms. WATERS):

H.R. 4752. A bill to amend title XVIII of the Social Security Act to provide for certain cognitive impairment detection in the Medicare annual wellness visit and initial preventive physical examination; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHNEIDER:

H.R. 4753. A bill to ensure an evidence-based funding approach to study the effects of health profession opportunity grant demonstration projects, and to evaluate the demonstration projects; to the Committee on Ways and Means.

By Mr. STANTON:

H.R. 4754. A bill to amend the Radiation Exposure Compensation Act to include certain communities, and for other purposes; to the Committee on the Judiciary.

By Ms. STEVENS (for herself and Mr. KEAN of New Jersey):

H.R. 4755. A bill to support research on privacy enhancing technologies and promote responsible data use, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. TENNEY (for herself and Ms. DELBENE):

H.R. 4756. A bill to provide tax incentives that support local media; to the Committee on Ways and Means.

By Ms. TITUS (for herself and Mr. NEHLS):

H.R. 4757. A bill to amend the Public Health Service Act to prohibit the National Institutes of Health from awarding any support for an activity or program that uses live animals in research unless the research occurs in the United States, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. TRAHAN (for herself and Mrs. MILLER-MEEKS):

H.R. 4758. A bill to amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers across State lines, and for other purposes; to the Committee on Energy and Commerce.

By Mr. VARGAS (for himself and Mr. CASTEN):

H.R. 4759. A bill to provide for disclosure of additional material information about public companies, and for other purposes; to the Committee on Financial Services.

By Ms. VELÁZQUEZ (for herself and Mr. TAKANO):

H.R. 4760. A bill to amend the Internal Revenue Code of 1986 to increase excise taxes on fuel used by private jets, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG:

H.R. 4761. A bill to amend title 49, United States Code, to provide additional safety measures for motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BARRAGÁN (for herself, Mr. ESPAILLAT, Mr. CÁRDENAS, Mr. SOTO, Ms. SALINAS, Mr. CORREA, Mr. COSTA, Ms. ESCOBAR, Mr. FROST, Mr. GALLEGO, Mr. GOMEZ, Mr. GRIJALVA, Mr. LEVIN, Mrs. NAPOLITANO, Ms. OCASIO-CORTEZ, Mr. VARGAS, Ms. VELÁZQUEZ, and Mr. GARCÍA of Illinois):

H. Res. 601. A resolution recognizing the importance of engagement with the Latino community to get into the outdoors and participate in activities to protect United States natural resources, and expressing support for the designation of the third week of July as ''Latino Conservation Week''; to the Committee on Natural Resources.

By Mr. BOWMAN (for himself, Ms. WATERS, and Ms. KAMLAGER-DOVE):

H. Res. 602. A resolution commemorating the 50th anniversary of hip hop and designating August 11, 2023, as ''Hip Hop Celebration Day'', designating August 2023 as ''Hip Hop Recognition Month'', and designating November 2023 as ''Hip Hop History Month''; to the Committee on Education and the Workforce.

By Ms. HOULAHAN (for herself, Mrs. KIM of California, and Ms. KELLY of Illinois):

H. Res. 603. A resolution supporting the ideals of Bump Day, a global day of maternal health awareness, action and advocacy, and reaffirming United States leadership to end preventable maternal deaths in the United States and globally; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY AND SINGLE SUBJECT STATEMENTS

Pursuant to clause 7(c)(1) of rule XII and Section 3(c) of H. Res. 5 the following statements are submitted regarding (1) the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution and (2) the single subject of the bill or joint resolution.

By Mr. MCCAUL:

H.R. 4725.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the U.S. Constitution

The single subject of this legislation is:

To conduct oversight and accountability of the State Department's implementation of AUKUS.

By Mr. MASSIE:

H.R. 4726.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

The single subject of this legislation is:

Immigration

By Mr. BRECHEEN:

H.R. 4727.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The single subject of this legislation is:

Prohibiting DACA recipients from obtaining access to Qualified Health Plans under the Affordable Care Act, as well as Medicaid and CHIP services.

By Mr. CLEAVER:

H.R. 4728.

Congress has the power to enact this legislation pursuant to the following:

Article I of the U.S Constitution

The single subject of this legislation is:

Transportation for Reentry

By Mr. CONNOLLY:

H.R. 4729.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The single subject of this legislation is:

This bill will authorize the the executive to negotiate and conclude a tax agreement with Taiwan.

By Mr. DAVIS of Illinois:

H.R. 4730.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution: To make all laws which shall be necessary and proper for carrying into Execution the powers enumerated under section 8 and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

The single subject of this legislation is:

Workforce

By Ms. DELAURO:

H.R. 4731.

Congress has the power to enact this legislation pursuant to the following:

Article I of the U.S. Constitution

The single subject of this legislation is:

to require all health insurance coverage for the treatment of infertility.

By Mr. DOGGETT:

H.R. 4732.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution

The single subject of this legislation is:

To ensure that community colleges and other higher educational institutions are eligible health professional opportunity grantees (HPOG) for the establishment of tuition-free workforce training programs.

By Ms. ESHOO:

H.R. 4733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 of the Constitution

The single subject of this legislation is:

Mitigating the public health impacts of wildfire smoke and extreme heat.

By Mr. EVANS:

H.R. 4734.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution: To make all laws which shall be necessary and proper for carrying into Execution the powers enumerated under section 8 and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

The single subject of this legislation is:

Workforce

By Mr. EVANS:

H.R. 4735.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution: To make all laws which shall be necessary and proper for carrying into Execution the powers enumerated under section 8 and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

The single subject of this legislation is:

Workforce

By Mrs. FISCHBACH:

H.R. 4736.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The single subject of this legislation is:

Amends USDA Rural Development authorities and requires reporting of activities authorized therein.

By Mr. FLOOD:

H.R. 4737.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States,

The single subject of this legislation is:

This bill would ensure that banking regulators provide public notice on any non-binding recommendations from FSOC they implement.

By Mr. GOOD of Virginia:

H.R. 4738.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The single subject of this legislation is:

To reduce barriers to entry for the trucking industry.

By Mr. HUIZENGA:

H.R. 4739.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

The single subject of this legislation is:

To amend the Agricultural Act of 2014 with respect to the tree assistance program.

By Ms. JAYAPAL:

H.R. 4740.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

The single subject of this legislation is:

Defense

By Ms. MANNING:

H.R. 4741.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

The single subject of this legislation is:

National Security.

By Mrs. MCCLAIN:

H.R. 4742.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution of the United States.

The single subject of this legislation is:

This bill would prohibit the Secretary of Education, the Secretary of the Treasury, and Attorney General from cancelling student loans or making changes to the terms of student loans, without the explicit permission from Congress, from the date of enactment of this bill.

By Mr. MFUME:

H.R. 4743.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, cl. 3
The single subject of this legislation is:
Older Adults Issues
By Mrs. MILLER-MEEKS:
H.R. 4744.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution.
The single subject of this legislation is:
To require the Environmental Protection Agency (EPA) and the Department of Energy (DOE) to ''lead by example'' by implementing minimum temperature requirements at each agency's headquarters, based on recommendations for thermostats made by DOE's Energy Star Savings Program.
By Mr. MOLINARO:
H.R. 4745.
Congress has the power to enact this legislation pursuant to the following:
Aritcle 1 Section 8
The single subject of this legislation is:
Rural nutrtition
By Mr. NEGUSE:
H.R. 4746.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
The single subject of this legislation is:
Authorize additional assistance to Tribal communities to provide clean and accessible water.
By Mr. PASCRELL:
H.R. 4747.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8
The single subject of this legislation is:
Workforce Development
By Mrs. PELTOLA:
H.R. 4748.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
The single subject of this legislation is:
This bill rectifies a discrepancy within the Alaska Native Claims Settlement Act (ANCSA) to authorize Alaska Natives in the Alaskan communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell to form Urban Corporations and receive certain settlement land pursuant to ANCSA.
By Mr. POCAN:
H.R. 4749.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
The single subject of this legislation is:
disability services reauthorization
By Mr. RASKIN:
H.R. 4750.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.
The single subject of this legislation is:
Agriculture and food
By Mr. ROY:
H.R. 4751.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 of the United States Constitution—to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof.
The single subject of this legislation is:
To defund the Special Presidential Envoy for Climate.
By Ms. SÁNCHEZ:
H.R. 4752.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
The single subject of this legislation is:
Healthcare
By Mr. SCHNEIDER:
H.R. 4753.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
The single subject of this legislation is:
health
By Mr. STANTON:
H.R. 4754.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
The single subject of this legislation is:
The single subject of this legislation is: amending the Radiation Exposure Compensation Act
By Ms. STEVENS:
H.R. 4755.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
The single subject of this legislation is:
Privacy Research
By Ms. TENNEY:
H.R. 4756.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
The single subject of this legislation is:
It would establish tax credits to help local news organizations hire journalists and incentivize small businesses to advertise in local news.
By Ms. TITUS:
H.R. 4767.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 18
The single subject of this legislation is:
Health
By Mrs. TRAHAN:
H.R. 4758.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
The single subject of this legislation is:
Healthcare
By Mr. VARGAS:
H.R. 4759.
Congress has the power to enact this legislation pursuant to the following:
(1) To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof, as enumerated in Article I, Section 8, Clause 18 of the U.S. Constitution.
The single subject of this legislation is:
This bill would require the SEC to conduct a rulemaking to standardize ESG metrics and require public companies to include their ESG metrics on their annual disclosures.
By Ms. VELÁZQUEZ:
H.R. 4760.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2
The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; . . .
The single subject of this legislation is:
Taxation
By Mr. WALBERG:
H.R. 4761.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution.
The single subject of this legislation is:
To improve the safety and national security of the United States by restricting autonomous vehicles made by companies controlled by the People's Republic of China from testing or operating in the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 7: Ms. LEE of Florida.
H.R. 11: Ms. SALINAS, Mr. SWALWELL, Ms. ESCOBAR, Ms. CLARKE of New York, Mr. MRVAN, Ms. MATSUI, Mr. KEATING, Mr. BISHOP of Georgia, Mrs. TRAHAN, Ms. TOKUDA, and Mr. NADLER.
H.R. 20: Ms. LEE of Nevada.
H.R. 41: Mr. EDWARDS.
H.R. 45: Mr. KILMER and Mrs. HARSHBARGER.
H.R. 208: Ms. SALAZAR.
H.R. 211: Mr. GOTTHEIMER.
H.R. 396: Mr. PETERS and Ms. CLARKE of New York.
H.R. 431: Mr. WILLIAMS of Texas.
H.R. 534: Ms. SÁNCHEZ.
H.R. 537: Mr. VALADAO.
H.R. 553: Mr. VAN DREW.
H.R. 584: Ms. CLARKE of New York.
H.R. 594: Mr. HUFFMAN.
H.R. 595: Mr. HUFFMAN.
H.R. 651: Mr. DESAULNIER.
H.R. 709: Mr. NEGUSE.
H.R. 725: Ms. DE LA CRUZ.
H.R. 789: Ms. WILLIAMS of Georgia.
H.R. 830: Mr. CROW and Mr. MCGOVERN.
H.R. 860: Mr. KILEY.
H.R. 895: Ms. STRICKLAND and Ms. SALINAS.
H.R. 906: Mr. CRAWFORD and Mr. DELUZIO.
H.R. 945: Mr. KILMER.
H.R. 1105: Mr. MOSKOWITZ.
H.R. 1111: Mr. LIEU.
H.R. 1167: Ms. KUSTER.
H.R. 1200: Mr. JOYCE of Pennsylvania.
H.R. 1247: Mr. SCOTT of Virginia.
H.R. 1280: Mr. ALLRED.
H.R. 1296: Mr. VAN DREW.
H.R. 1322: Mr. SARBANES.
H.R. 1351: Ms. MANNING.
H.R. 1393: Mr. ROBERT GARCIA of California, Mr. WILLIAMS of New York, Mr. KHANNA, and Mrs. MILLER-MEEKS.
H.R. 1399: Mr. MILLER of Ohio.
H.R. 1413: Mr. VICENTE GONZALEZ of Texas.
H.R. 1478: Ms. CLARKE of New York.
H.R. 1517: Mr. COURTNEY.
H.R. 1610: Mr. WALBERG.
H.R. 1631: Ms. JACKSON LEE.
H.R. 1719: Ms. DAVIDS of Kansas and Mr. VALADAO.
H.R. 1721: Mr. COURTNEY and Ms. CRAIG.
H.R. 1763: Mr. DELUZIO.
H.R. 1770: Mr. KUSTOFF and Mr. VAN DREW.
H.R. 1771: Mr. STEUBE.
H.R. 1776: Mr. DESAULNIER, Mr. THANEDAR, and Mr. COSTA.
H.R. 1788: Mr. MOULTON.
H.R. 1794: Mr. GARBARINO and Mr. RUIZ.
H.R. 1831: Mr. CISCOMANI.
H.R. 1840: Mr. FROST and Ms. HOYLE of Oregon.
H.R. 2620: Mr. BILIRAKIS.
H.R. 2693: Mr. LATTA, Ms. WILD, Mr. TRONE, and Ms. BLUNT ROCHESTER.
H.R. 2708: Mr. GALLAGHER, Ms. JAYAPAL, Mr. NORCROSS, Mr. SMITH of New Jersey, and Mr. STEIL.
H.R. 2718: Mr. HORSFORD.
H.R. 2753: Ms. CLARKE of New York.
H.R. 2891: Mr. BERGMAN and Mr. STANTON.
H.R. 2982: Ms. MENG, Mr. PASCRELL, Mr. BOWMAN, and Ms. SHERRILL.
H.R. 3005: Mr. HUFFMAN.
H.R. 3013: Mr. HARRIS.
H.R. 3036: Mr. LAHOOD.
H.R. 3037: Mrs. DINGELL.

H.R. 3038: Mr. BOYLE of Pennsylvania and Ms. CROCKETT.
H.R. 3057: Mr. ROUZER.
H.R. 3073: Mr. TRONE.
H.R. 3074: Mr. MCGOVERN, Mr. PETERS, and Mr. VAN DREW.
H.R. 3096: Ms. CLARKE of New York.
H.R. 3133: Mrs. NAPOLITANO and Ms. SHERRILL.
H.R. 3151: Mr. ALLRED.
H.R. 3152: Mrs. MCCLAIN, Mr. LUETKEMEYER, Mrs. MILLER-MEEKS, Ms. BROWN, Mr. HUNT, Mr. DAVIS of North Carolina, Mr. HARRIS, Mr. BURCHETT, Mr. DUNCAN, and Mr. WEBSTER of Florida.
H.R. 3159: Mr. RUPPERSBERGER, Ms. TOKUDA, and Mr. SCOTT of Virginia.
H.R. 3161: Ms. DE LA CRUZ.
H.R. 3179: Mr. MILLER of Ohio.
H.R. 3185: Mrs. MCCLAIN.
H.R. 3220: Ms. LEE of Pennsylvania.
H.R. 3238: Mr. CARBAJAL, Mr. GOODEN of Texas, Mr. RUIZ, and Mr. POSEY.
H.R. 3249: Mr. PETERS.
H.R. 3255: Mrs. PELTOLA.
H.R. 3333: Mr. ROGERS of Kentucky.
H.R. 3413: Mrs. RAMIREZ.
H.R. 3419: Mrs. MILLER-MEEKS.
H.R. 3449: Mr. CRENSHAW.
H.R. 3518: Mr. THOMPSON of California.
H.R. 3545: Mr. ELLZEY and Ms. MCCOLLUM.
H.R. 3561: Mr. CÁRDENAS.
H.R. 3608: Mr. SHERMAN.
H.R. 3646: Mrs. HAYES.
H.R. 3748: Mr. BAIRD.
H.R. 3774: Mr. LATURNER, Mr. WEBSTER of Florida, Mr. LAHOOD, and Mr. TONY GONZALES of Texas.
H.R. 3792: Mr. THANEDAR and Ms. LOIS FRANKEL of Florida.
H.R. 3821: Mrs. DINGELL and Mr. FLOOD.
H.R. 3850: Ms. VELÁZQUEZ and Mr. GALLEGO.
H.R. 3884: Ms. LEE of California.
H.R. 3887: Mr. BABIN and Mr. SELF.
H.R. 3904: Mr. BAIRD.
H.R. 3934: Mr. ALLRED.
H.R. 3939: Mr. MOULTON.
H.R. 3946: Mr. LATURNER, Mr. DOGGETT, Mr. TRONE, Mr. PHILLIPS, and Ms. PINGREE.
H.R. 4010: Ms. KUSTER.
H.R. 4037: Ms. TOKUDA, Mr. CÁRDENAS, Mr. CASAR, Mr. GOTTHEIMER, and Mr. CARSON.
H.R. 4046: Mr. DESAULNIER.
H.R. 4073: Mr. ROGERS of Alabama.
H.R. 4086: Mr. C. SCOTT FRANKLIN of Florida and Ms. MALLIOTAKIS.
H.R. 4128: Mrs. BEATTY and Mr. VAN DREW.
H.R. 4143: Ms. NORTON.
H.R. 4212: Mr. KUSTOFF.
H.R. 4236: Mr. DAVIS of North Carolina, Ms. MANNING, and Ms. BUSH.
H.R. 4293: Mr. LAMALFA.
H.R. 4323: Mr. NEWHOUSE.
H.R. 4329: Ms. MENG.
H.R. 4335: Ms. SALINAS.
H.R. 4340: Ms. SPANBERGER, Ms. TLAIB, Ms. KUSTER, Ms. SHERRILL, and Mr. FOSTER.
H.R. 4379: Mr. DAVIS of Illinois, Ms. GARCIA of Texas, Ms. CROCKETT, and Ms. PINGREE.
H.R. 4440: Mr. CÁRDENAS.
H.R. 4531: Mrs. DINGELL, Ms. SCHAKOWSKY, Ms. BLUNT ROCHESTER, and Mr. CÁRDENAS.
H.R. 4550: Mr. ALLRED.
H.R. 4564: Ms. STEFANIK and Mr. LAWLER.
H.R. 4573: Mr. TRONE.
H.R. 4581: Mr. GOLDMAN of New York.
H.R. 4588: Ms. TITUS and Mr. MCGOVERN.
H.R. 4595: Mr. OGLES.
H.R. 4646: Mr. PAPPAS.
H.R. 4708: Mrs. CHAVEZ-DEREMER and Ms. KUSTER.
H.R. 4724: Ms. ROSS.
H.J. Res. 54: Mr. ESPAILLAT and Ms. HOYLE of Oregon.
H.J. Res. 66: Mr. MOONEY.
H. Con. Res. 28: Mr. TIFFANY, Ms. ROSS, and Mr. KRISHNAMOORTHI.
H. Con. Res. 42: Ms. LEE of Pennsylvania and Ms. CLARKE of New York.
H. Res. 8: Mr. CARTER of Texas.
H. Res. 77: Ms. SALINAS.
H. Res. 288: Ms. LOIS FRANKEL of Florida.
H. Res. 365: Mr. BACON.
H. Res. 425: Mr. WILLIAMS of Texas and Mr. LIEU.
H. Res. 536: Mr. OWENS.
H. Res. 548: Ms. JACKSON LEE.
H. Res. 554: Mr. LAHOOD.
H. Res. 558: Ms. LEE of Nevada.
H. Res. 561: Mrs. FOUSHEE and Mr. ROBERT GARCIA of California.
H. Res. 585: Mr. CROW, Mr. HUIZENGA, Mr. GIMENEZ, and Ms. SALAZAR.
H. Res. 588: Mr. CRAWFORD and Mr. LAMALFA.

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PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, FIRST SESSION

Vol. 169 WASHINGTON, WEDNESDAY, JULY 19, 2023 *No. 124*

Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable ELIZABETH WARREN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray. Lord of life, we magnify Your Name, for Your mercies are new every morning. Take our Senators by the hand and lead them on the road You desire them to travel. Remind them that You are the one who can keep them from stumbling or slipping. Motivate them to never deviate from the path of integrity but seek to glorify You in all they think, say, and do. May they remember Your promise in Hebrews 13:5, that You will never leave or forsake them.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 19, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ELIZABETH WARREN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Ms. WARREN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2226, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 119, S. 2226, a bill 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.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. SCHUMER. Madam President, I ask unanimous consent that all postcloture time on the motion to proceed to Calendar No. 119, S. 2226, be considered expired, and the motion to proceed be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2226) 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.

AMENDMENT NO. 935

(Purpose: in the nature of a substitute)

Mr. SCHUMER. Madam President, I call up substitute amendment No. 935.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], for Mr. REED, proposes an amendment numbered 935.

Mr. SCHUMER. I ask unanimous consent that further reading of the amendment be dispensed with, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

AMENDMENT NO. 936

Mr. SCHUMER. I call up amendment No. 936 and ask that it be reported by number.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 936 to amendment No. 935.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

ORDER OF BUSINESS

Mr. SCHUMER. Finally, I ask unanimous consent that it be in order to call

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

up the following amendments: Murray, No. 300; Kaine, No. 429; Paul, No. 222; Hawley-Vance, No. 838; Cruz-Manchin, No. 926; further, that with respect to the amendments listed above, at 3 p.m., the Senate vote on the amendments in the order listed, with no further amendments or motions in order, and with 60 affirmative votes required for adoption and that there be 2 minutes equally divided prior to each vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ISRAEL

Mr. SCHUMER. Madam President, later this morning, it will be my honor to join congressional leaders in welcoming President Isaac Herzog of Israel to the Capitol for a joint address to Congress.

Since the founding of the Nation of Israel 75 years ago, he has been one of America's most important allies and fiercest friends. The United States was the first country to recognize Israel as an independent state; and to this day, our bond remains strong, our partnership essential.

While we have our differences, the United States and Israel are united in the most profound ways that two nations could be. America's support for Israel must never waver because Israel will be an essential partner for the United States in the 21st century.

I look forward to meeting with President Herzog this morning, and I join congressional leaders in welcoming him to Congress.

S. 2226

Madam President, now on the NDAA, last night, the Senate began the process for floor consideration of the annual Defense bill on a bipartisan vote, 72 to 25. This morning, we locked in an agreement to begin consideration of amendments on the floor. We will begin voting this afternoon, and we want this process to be open and fair, without being dilatory.

We want both sides to have input, but neither side should derail the bill. We should avoid the chaos we saw last week in the House that greatly hindered their NDAA process.

So far, we have avoided that. The process in the Senate has been constructive and moved along at a good pace. I am pleased to say the managers' package has 51 amendments—21 from Republicans, 21 from Democrats, and 9 bipartisan. I hope there will be a second managers' package with even more priorities for both sides.

The Senate's NDAA process is an example of how, even with all our disagreements, this Chamber is able to come together to provide for our Nation's defense, take care of our servicemembers, take care of our civilian DOD workforce, and invest in modernizing our defense and intelligence capabilities. If both sides keep working together, I hope we can finish passing the Defense authorization bill before August. I think most of us would like to see that happen. There is no justification for letting it spill into the fall. We have a lot of work to do before we get there, but we are on track to get it done.

We have every reason in the world to finish the NDAA bill quickly because there is a lot both sides can celebrate in this year's bill. Many of the NDAA's provisions might typically fly under the radar because they seem incremental, but in their totality, they make a huge difference in our country.

We will make much needed progress on additional new areas, like outcompeting the Chinese Government. We will take our first steps on AI legislation. We will boost resources in a major way to tackle the fentanyl crisis. We will strengthen the bonds with our allies around the world, especially the UK and Australia.

I hope we will have a vote on the full AUKUS package soon.

On competing with the Chinese Government, I am pleased this year's NDAA will have over a dozen amendments in the managers' package.

On the fentanyl crisis, the amendment by TIM SCOTT and SHERROD BROWN will enhance the Federal Government's ability to disrupt illicit opioid supply chains and punish those who facilitate fentanyl tracking. This is a major piece of legislation that is going to give the President more powers to stop any country—China, Mexico—from sending the precursor materials that are made into fentanyl and kill our children.

Here is what it does: It declares international trafficking of fentanyl a national emergency—a national emergency. It requires the President to sanction criminal organizations and cartel members who traffic this drug. It will enhance the administration's ability to enforce sanctions violations. It will allow the Treasury to take special measures to combat money laundering connected to fentanyl, and much, much more.

Approving our FEND Off Fentanyl Act will be a huge win in the battle against opioids—one of the worst public health crises in the country. I thank Chairman BROWN and Ranking Member SCOTT for championing this measure.

Finally, this year's NDAA will take important steps on artificial intelligence. My amendment, which I worked on with Senators ROUNDS, YOUNG, and HEINRICH, will increase data sharing within DOD, increase reporting on AI's use in the financial services industry, create a ''bug bounty program'' where ethical hackers help us find vulnerabilities in our defenses, and much, much more.

The Senate process on the NDAA stands in sharp contrast with what we saw in the House. In the Senate, Democrats and Republicans worked together, mindful of the importance to preserve our national security, while the process in the House, unfortunately, was sadly delayed and at times derailed by wildly partisan and irrelevant hard-right amendments that have nothing to do with defense. We have not seen that so far in the Senate. We should keep it that way.

For all these great reasons for getting the NDAA done, we hope we can get it done as soon as possible. We will begin voting today on amendments, and I hope we can keep this process moving along.

UNANIMOUS CONSENT AGREEMENT—S. 2226

Mr. SCHUMER. Mr. President, I ask unanimous consent that it be in order to ask for the yeas and nays on the substitute amendment No. 935.

The PRESIDING OFFICER (Mr. WELCH). Without objection, it is so ordered.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 10:04 a.m., recessed subject to the call of the Chair and reassembled at 12 noon when called to order by the Presiding Officer (Mr. HICKENLOOPER).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—Continued

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

ISRAEL

Mr. MCCONNELL. Mr. President, yesterday, President Biden welcomed the President of Israel, Isaac Herzog, to Washington.

Unfortunately, some of the loudest anti-Israel voices in the President's own party took President Herzog's visit as an opportunity to call the world's only Jewish state racist, and House Democrats' leftwing boycotted President Herzog's joint address to Congress this morning.

These activist theatrics are unbecoming of elected American officials, and they are a distraction from the real threats that America, Israel, and our Arab friends face in the Middle East. I hope these threats were the focus of the conversation between the two Presidents.

Of course, threats to our shared interests have grown, in large part due to the Biden administration's naive approach to the world's largest state sponsor of terror, Iran.

Over the last 2½ years, Iran has dramatically increased its nuclear activities and even rebuffed the administration's repeated begging for a return to President Obama's flawed deal.

It has consolidated influence in Iraq, Syria, and Lebanon. It funds and

equips terrorist groups dedicated to Israel's destruction, and the deadly arm of its IRGC extends right up to Israel's borders.

In the Arabian Gulf, Iranian military vessels have targeted or seized commercial vessels offshore nearly 20 times since 2021. On the Arabian Peninsula, Iranian weapons have rained down on America's Saudi and Emirati partners.

In Iraq, Tehran works directly with Shia paramilitaries that threaten Iraq's sovereignty as well as Iraq's neighbors and U.S. forces and Hezbollah, Hamas, and other terrorist groups channel massive flows of Iranian support into increasing attacks on Israeli and American lives.

Violent flareups along the border with Lebanon earlier this month have Israel's forces on particularly high alert, but as our friends face growing threats, they need more bipartisan solidarity from Washington, not performative BDS or lectures from politicians in glass houses.

Earlier this year, the President warned ominously that Israel ''cannot continue down this road'' in its efforts to pass domestic judicial reforms. According to reports, it is a message he intends to continue delivering to the Israeli Prime Minister in the weeks to come.

Well, Mr. President, nobody here in Congress seems to like it when foreign politicians weigh in on American domestic politics and tell us how to do our job, so I try to stay out of the domestic politics of fellow democracies.

I have confidence in the Israeli people and their democratically elected leaders, including President Herzog, whom we welcomed to the Capitol today, and Prime Minister Netanyahu, who will travel soon to Washington.

Ironically, the radical House Democrats who crowed about boycotting the President's historic address are the ones who could benefit the most from his perspective on guiding a coalition government and a diverse nation toward greater security, prosperity, and peace.

President Herzog's remarks were a reminder to anyone willing to listen that, even in the face of growing threats, Israel and its Arab neighbors continue to offer tremendous opportunities to actually promote peace.

I was in the region earlier this year, and I can assure any skeptics that the promise of the Abraham Accords is real. It is changing the geopolitical and economic climate of a region that remains extremely important to the United States.

I hope President Biden will seize on this progress and help Israel and Saudi Arabia improve their relationship—an achievable and transformational goal. Here in Congress, we have a tremendous opportunity before us to demonstrate our commitment to Israel by prioritizing American strength with the NDAA.

I hope our colleagues will continue to work swiftly to finish this essential business.

U.S. SUPREME COURT

Mr. President, now, on another matter, while Democrats like President Biden may not like the Israeli Government's attempts at judicial reform, they are obsessed with doing it themselves here in the United States.

For the past several months, when they are not rubberstamping radical nominees for the Federal bench, Senate Democrats have been laser-focused on pushing a coequal branch of government and bending it to their political will. To do so, our colleagues plan to steer the Judiciary Committee onto the thinnest constitutional ice.

This week, the committee will mark up what Democrats are calling the Supreme Court Ethics, Recusal, and Transparency Act. But in the interests of actual transparency, let's discuss what our colleagues' intentions here actually are.

For months now, the Justices of the Court have been the subject of an uptick in pearl-clutching and hysterics from the political left and their media allies. We have been told we should be outraged that the Justices dare to buy and sell property and take vacations, that they speak at universities and write children's books, and that their spouses dare to pursue careers of their own.

As I have said before, I believe in the integrity and honesty of each member of the Court, and the Justices and their families should continue to ignore desperate attacks peddled by Democrats and organs of yellow journalism.

But no matter which headline is chosen as a pretext on any given day, it is the same old intimidation campaign by the left to undermine the Court.

By their own example, Senate Democrats have repeatedly told the American people that the entire Federal judiciary exists for no other reason than to fulfill their changing political whims. They have threatened Justices by name from the steps of the Court and threatened the institution itself in unfriendly amicus briefs. In each instance, Democrats have signaled their open disdain for a body that refuses to interpret the Constitution through the lens of their party's platform.

They have shown how afraid they are of a Court that upholds our laws as they were actually written, and they have expressed their profound misunderstanding of the Supreme Court's purpose in our Republic.

But this week, the same Senate Democrats who recently threatened to strip the Court's security budget would like us to believe that they are driven by nothing more than the pursuit of ethics and transparency. The same Democrats who warn solemnly about defending democracy would like to shatter the independence of a coequal pillar of our government.

The partisan bill before the Judiciary Committee this week deserves neither the Court's cooperation nor any Senator's support. I would urge each of our colleagues to reject it.

The PRESIDING OFFICER. The majority whip.

U.S. SUPREME COURT

Mr. DURBIN. Mr. President, just about every week now, we learn something new and deeply troubling about the Justices serving on the Supreme Court, the highest Court in the land in the United States, and their conduct outside the courtroom. From unreported luxury getaways with billionaire benefactors who have business before the Court to donor-funded teaching positions that double as all-expense-paid vacations, to a political megadonor buying a home that belongs to a Justice's relative and then allowing that relative to continue living there rent-free—we have learned all of this in just a few months.

And, last week, another troubling report: According to the Associated Press, Justice Sotomayor used her taxpayer-funded Court staff to help sell copies of her book, in particular by pressing libraries, community colleges, and other public institutions to buy additional copies of her memoir and children's book in conjunction with her speaking engagements.

Let me tell you, if I or any Member of the Senate failed to report an all-expense-paid luxury getaway or if we used our government staff to help sell books we wrote, we would be in big trouble. The same would be true for Members of the House or Cabinet officials in any Presidential administration. That is because all of us are subject to enforceable codes of conduct that prohibit us from using taxpayer funds for personal gain.

But the same, sadly, is not true for the nine Justices across the street. Unlike every other Federal official, Supreme Court Justices are not bound by a code of ethical conduct.

Let me repeat that. Unlike every other Federal official, the nine Supreme Court Justices are not bound by a code of ethical conduct.

They are the most powerful judges in the entire Nation, and yet they are not required to follow even the most basic ethical standards. It is time for that to change. The highest Court in the land should not have the lowest ethical standards.

Tomorrow, the Senate Judiciary Committee, which I chair, will consider legislation I have joined Senator WHITEHOUSE in introducing known as the Supreme Court Ethics, Recusal, and Transparency Act, or SCERT Act. Our legislation would require the Supreme Court to adopt an enforceable code of conduct. It would also add new recusal and transparency requirements to Federal law. And these requirements would apply to every Justice, no matter which President of which political party appointed them, or their ideological views notwithstanding.

I wish this legislation were unnecessary. The fact is, the Chief Justice of the U.S. Supreme Court, John Roberts, could clean up the Supreme Court's ethical challenges on his own, and for

years I have encouraged him to do just that. It was more than 11 years ago—more than 11 years ago—when I first urged the Chief Justice in writing to adopt a binding code of conduct, but he didn't accept my suggestion.

And what has happened in the years since? I will tell you: Sadly, the American people's confidence in the Supreme Court has cratered. Public support for the Court is at an alltime low.

So if we are set to restore the public trust in our Nation's high Court, we must begin by enacting the legislation that I have introduced with Senator WHITEHOUSE. I thank him for his leadership on this issue for many years. I hope every member of the Judiciary Committee, on both sides of the aisle, votes tomorrow in support of the Supreme Court Ethics, Recusal, and Transparency Act.

Mr. President, I would like to address statements made earlier today on the floor by the Republican leader. It was his analysis and his comments on the bill which I have just described, which he said takes us out to the ''thinnest constitutional ice.''

The relationship of the legislative branch—Congress—and the Supreme Court is unusual. The Supreme Court is expressly created by the Constitution. Other courts are created by statute, and they become important to us in so many different ways. And the relationship between Congress and the Supreme Court is somewhat unique.

We have nine members of the Supreme Court. That is not required by the Constitution. The number of Supreme Court Justices is established by Congress, and it was established in the middle of the 19th century. It is nine today. It was other numbers before that. Congress has the power to choose the actual numbers of the Court.

And when it came to issues like televised court proceedings for the Supreme Court, there is a bipartisan bill, which I am authoring now—cosponsoring with Senator GRASSLEY, a Republican from Iowa—to deal with the actual conduct of the proceedings before the Supreme Court.

We also handle the annual budget. Congress passes the annual budget for the Supreme Court as well.

As you can tell, it is a relationship which is intertwined. We do not have the authority nor are we trying to exercise the authority to change or influence a judgment. That is up to the Court itself. But when it comes to the administration of the Court and the rules of administration, the Congress has played an important role.

Senator MCCONNELL described our concern about the ethical situation in the Court as an ''uptick in pearl-clutching and hysterics.'' That colorful term belies the fact that the things that I have described here are very basic and concern Americans of all political faiths.

Senator MCCONNELL said: ''We have been told we should be outraged that the Justices dare to buy and sell property and take vacations.'' Of course, he misses the point. If they want to buy and sell property, that is their business. But when someone else is buying and selling the property of a Justice or his relative, that is relevant for the public to know if the person buying the property has any business before the Court or any impact on the judgment of that Justice.

''It is the same old intimidation campaign by the left,'' according to Senator MCCONNELL, to hold this hearing and consider a bill dealing with the ethics of the Supreme Court. What he conveniently ignores is the fact that the first letter I sent to the Court on this subject was 11 years ago.

The Court has changed dramatically in that period of time, but my message has remained the same, whether the Court is dominated by liberals or conservatives or something in between. That makes quite a difference in this argument.

He calls our effort ''open disdain for a body that refuses to interpret the Constitution through the lens of their party's platform.'' It is not open disdain. It is a recognition that what is going on in the Court is unsustainable.

What they have done and the conduct that has been disclosed already has raised serious questions about the ethical standards of the Court. We want to make sure that changes for the better to maintain the independence of the Court.

And still I struggle to understand the logic of those on the Republican side of the aisle when it comes to ethics in the Supreme Court. They seem to think it is partisan if we raise this issue.

It wasn't that long ago—just last year, 2022—that we considered the issue of disclosure of stock transactions. A bill was passed, a bipartisan bill cosponsored by Senators CORNYN and COONS, and it went to the Supreme Court, and they adopted it as their standard of conduct. Apparently, when it comes to those ethical considerations, cooperation between the two branches is acceptable. Why isn't it acceptable today, as we set out to do?

The first thing I did, when we initiated this subject, was to contact the Supreme Court and let them know that we were sending a letter to the Chief Justice inviting him to come testify and appear and describe the situation at the Court and how it was being handled.

He respectfully declined that invitation and responded with his own defense of the current situation. But we tried from the beginning not to make this partisan. We tried to make it respectful under the Constitution. I am sorry the Chief Justice did not accept our invitation. But we tried several different ways to engage him and the Court and found that the best way to move forward is to consider this legislation tomorrow before the Senate Judiciary Committee.

I think it is a step in the right direction to say that our nine Supreme Court Justices will at least be held to the same standards of ethical conduct as every other judge in the Federal system. That is not an unreasonable requirement, and it is one that I think would start to repair the image of the Court, which is badly in need of repair.

I yield the floor.

RECESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15.

There being no objection, the Senate, at 12:46 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—Continued

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. What is the pending business?

The PRESIDING OFFICER. S. 2226.

S. 2226

Mr. WICKER. Madam President, let me say that in just a few moments, we will begin voting on amendments that are subject to unanimous consent requests, and we hope to do five votes today and additional votes tomorrow and following so that we can get this National Defense Authorization Bill enacted and get to conference.

Let me say that this year's National Defense Authorization Act would help meet the dangerous national security moment we face and would equip our military with the tools necessary to implement the national defense strategy.

Chairman REED will speak later about the ways this bill will help us deter adversaries and reinforce our defenses. It has been a pleasure to work with him and to advance our constitutional duty to provide for the common defense. We do this every year. This will be the 63rd time that Congress—the House and Senate—have sent a national defense authorization bill to the President for his signature, and I know we will do it today. This is a testament to our commitment to our country and also to our servicemembers.

Our threats are much greater than they were 63 years ago in 1961 when the first NDAA was passed. Today, the United States faces the most complex and dangerous global security situation since World War II.

China is swelling its military might. Xi Jinping has directed his forces to be ready to invade Taiwan by 2027. He has actually said this is his goal. He proclaimed it openly. A successful invasion of Taiwan would spell the end of the global security architecture that has helped ensure American peace and prosperity since 1945. Meanwhile, Russia is executing the largest European land war in over half a century. But Vladimir Putin's eyes are not only on

Ukraine and Europe. He seeks influence across the global south and the Middle East.

Amid this resurgence of great power conflict, Iran and North Korea are increasingly bellicose. Their weapons programs and missile tests raise the specter of nuclear conflict to a higher level. The President of Israel mentioned this very effectively in a joint speech to Congress earlier today.

Indeed, our own homeland is no longer a sanctuary. Criminal Mexican cartels have exploited our porous southwest border. This has created a drug and human-trafficking crisis that is killing thousands of Americans each year.

Moreover, two decades after 9/11, our sovereign airspace is vulnerable. We witnessed that earlier this year when China flew a surveillance balloon over our country without any encumbrance. Managing such a complex threat environment requires more resources and smarter approaches.

Senior national security officials have repeatedly told the Senate Armed Services Committee a simple message: American defense capabilities are spread dangerously thin. In fact, our military has not been spread this thin in 70 years. Our industrial base began to hum on the eve of war with the Axis powers. And since then, our worldwide military presence has underwritten our domestic tranquility.

We have succeeded because we followed the doctrine of peace through strength. We believe the best way to encounter today's threats is to deter our adversaries from attacking at all. However, as today's threats increase, our deterrence capabilities have decreased, and they must begin to increase and do so immediately.

For the past few years, our defense industrial base has languished. Anemic budgets created a brittle industry that cannot ramp production to meet the needs of today. This year's NDAA is an important step forward in our quest to rebuild our arsenal. Ideally, we would have an annual 3- to 5-percent boost to our topline above inflation—3- to 5-percent boost above inflation to our topline. Yet even without that budget increase, our committee has managed to advance a strong bipartisan product that contains important provisions.

Let me summarize a few.

Our secret weapon, first of all, has always been our people. So supporting our military personnel is key to any successful NDAA. This bill authorizes a 5.2-percent pay raise for our servicemembers, and it includes a host of other quality-of-life improvements for our troops and for our families.

The bill also contains provisions that will help the military solve its recruiting crisis. I am glad to note we include a massive expansion of Junior ROTC—the JROTC program—an initiative that instills values like citizenship and public service in our young people and, no doubt, increases interest in military service.

A 19th century American Navy captain said:

> Whoever rules the waves, rules the world.

Our committee agrees. This year's NDAA supports our shipbuilding programs by fully authorizing LPD–33, the Marine Corps' top priority. The bill decisively rejects the Biden administration's misguided proposal to retire several ships too early. We also included support for our submarine programs. The legislation addresses ongoing maintenance delays. We are sending more funds to our shipyards. It expands our deterrent capabilities with the sea-launched cruise missile, and it allows us to make good on our commitments to the United Kingdom and to Australia, commonly known as the AUKUS agreement.

The NDAA also delivers a host of powerful munitions. The bill makes six more munitions eligible for multiyear procurement contracts, including the highly regarded Tomahawk missile. This missile is one of INDOPACOM's commander's top priorities for deterring Chinese aggression in the western Pacific. The commander said he needed this additional procurement, and this committee bill gives it to him.

These multiyear commitments send a clear demand signal to our industrial base. We have to manufacture this ammunition. We have to manufacture these weapons. They also allow us to replenish our stocks while securing victory for Ukraine against our strategic adversary Russia. And we will produce these arms at home, equipping American troops with weapons made by American workers.

Our committee realizes military competition in the 21st century will be decided also by our willingness to harness emerging technology. So this NDAA accelerates the development of artificial intelligence—offensive cyber, hypersonics, and unmanned platforms. We intend to lap Beijing in the 100-year innovation marathon. We need to lap communist China. So we are authorizing a new Pentagon authority within the Office of Strategic Capital.

This bill also establishes investments in space launch infrastructure to secure the high ground in the Sino-American space race.

As always, partnerships with our allies act as a force multiplier on all the tools we are providing American soldiers, sailors, airmen, and marines.

I am glad this bill enhances security cooperation with allies in every part of the free world, from the Baltics to the Pacific.

The bill also addresses the crisis at the southwest border. And it is a crisis. We do this by requiring the Department of Defense to develop a strategy for countering fentanyl—a DOD strategy for countering the deadly drug of fentanyl. It also authorizes the Department to act against criminal Mexican cartels in cyber space.

Today, the Department unbelievably pays rent to store previously purchased border wall materials. We don't put them up to protect our border, but we pay rent to landowners to store these border wall materials. This legislation, on a bipartisan basis, compels them to use or transfer those materials so that wall construction can continue. This bill focuses the Pentagon on deterring real wars, not fighting culture wars.

Our NDAA sends a signal to the Department of Defense bureaucrats that Congress intends to rein in divisive social policies. This year's bill limits the amount we spend on salaries of DEI staff. It restores a culture of meritocracy and calls our service academies to focus on forming effective officers and not on hosting Berkeley-style seminars.

Time forbids me from listing all the provisions we have included in the NDAA. But before I finish, I should note that we have an all-too-rare chance to return the Senate to regular order today, and it gives us a chance to avoid a costly, wasteful continuing resolution for our military. For the first time in years, the Senate majority leader has put the Defense bill up for consideration with months left in the calendar. Still, we must be mindful of the fleeting time. But we must take this chance to avoid another self-inflicted real cut to defense. And that is what a continuing resolution always does when we have to retreat to that. Let's avoid that and we are doing that today.

We are going to take up five amendments that we have agreed by unanimous consent to bring to the floor. The managers' package contains 50 amendments that have been agreed to by the committees and the leadership—25 amendments sponsored by Democrats, 25 amendments sponsored by my party, the Republican Party. And we have a chance to continue this with votes tomorrow.

I think we should proceed with dispatch, working into the night, if necessary, next week, to get this bill done after having a full debate on ideas submitted from both sides of the aisle.

Let's work thoughtfully to deliver a bill to the President's desk that commits this Congress to a national policy of preparedness.

Let me quote President Theodore Roosevelt who endorsed such a policy of preparedness. Theodore Roosevelt said this:

> Never in our entire history has a Nation suffered . . . because too much care has been given to the Army, too much prominence given it, too much money spent upon it, or because it has been too large. But again and again, we have suffered because enough care has not been given to it; because it had been too small; because there has not been a sufficient preparation in advance for a possible war.

We need to heed those words today. And what President Roosevelt was saying is it will cost a lot to deter our enemies, but it would cost a lot more if we do not. We cannot wait a moment longer to consider this year's NDAA.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call roll.

Mr. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. REED. I rise to discuss the National Defense Authorization Act for Fiscal Year 2024.

The Armed Services Committee approved this bill by a broad bipartisan vote of 24 to 1 last month—the largest margin in years. I appreciated the opportunity to work with Senator WICKER and our colleagues to produce this bill. Senator WICKER has been supportive, cooperative, creative, and has done so with great credit to the committee's traditions, and I thank him for that. I am also obviously tremendously appreciative of the work of the staff, Liz King on the majority and John Keast on the minority.

This is a strong defense bill. It is laser-focused on the threats we face. It addresses a broad range of pressing issues, from strategic competition with China and Russia to countering threats from Iran, North Korea, violent extremists, and even climate change. The bill authorizes a record level of investment in key technologies like hypersonics and artificial intelligence and makes real progress toward modernizing our ships, our aircraft, and our combat vehicles. Most importantly, this NDAA provides a historic level of support for our troops and their families, including the largest pay raise in decades. The bill makes meaningful steps forward at a critical time for our national security.

In addition to authorizing $845 billion for the Department of Defense and $32 billion for the Department of Energy's national security programs, there are a number of important policy provisions that I would like to briefly highlight.

To begin, we have to ensure the United States can outcompete, deter, and prevail against our near-peer rivals. China has emerged as our primary competitor, as the only nation with the intent and the capability to mount a sustained challenge to the United States' security and economic interests.

This NDAA confronts China by fully investing in the Pacific Deterrence Initiative, or PDI, to improve our force posture and build the capabilities of our partners and allies in the Indo-Pacific. The bill also establishes the Indo-Pacific Campaigning Initiative to facilitate increased U.S. military exercises, freedom of navigation operations, and partner engagements in the region. And, to help Taiwan improve its overall readiness and defense capabilities, the bill establishes a comprehensive training, advising, and capacity-building program for Taiwan's military forces.

I want to emphasize, however, that our Nation's ability to deter China cannot be based on military might alone. We must strengthen our network of allies and partners, which will be central to any strategy for the Indo-Pacific region. To that end, the bill makes progress toward advancing the security partnership among Australia, the United Kingdom, and the United States, known as AUKUS. This partnership provides a valuable blueprint that can help pave the way for other regional networks.

Now, even as we shift increased attention to the Indo-Pacific, we cannot lose sight of our priorities in other theaters, like Europe. This year's NDAA fully funds the European Deterrence Initiative and the Ukraine Security Assistance Initiative to support our European allies and partners. Ukraine has fought with incredible skill and bravery to defend its sovereign territory from Russia, but there is much more to be done. The United States must continue to provide training, humanitarian and economic assistance, weapons, and military equipment to Ukraine to help the nation protect itself and rebuild itself.

As part of this effort, the NDAA includes significant support for America's industrial base to backfill our own munitions. This bill facilitates the acquisition of defense stocks related to Ukraine and authorizes the use of multiyear contracting authorities to help improve industrial base stability.

Specifically, the bill helps improve defense acquisition processes by enabling the Department to invest in and rapidly field cutting-edge commercial technologies. By improving defense small business programs and partnerships with high-tech companies, this legislation will help meet the defense, industrial, and civilian needs of the United States.

Indeed, America's capacity for technological innovation has long given us the strongest economy and military in the world. This advantage is not a given, however; it must be nurtured and maintained. To that end, the Defense bill authorizes significant funding for game-changing technologies like microelectronics, hypersonic weapons, and unmanned aircraft systems. It also provides resources to accelerate the development of the Joint All-Domain Command and Control, or the JADC2, program. This suite of technologies will help the Joint Force detect, analyze, and act on information across the battlespace, quickly using automation, artificial intelligence, and predictive analytics. When fully developed, this concept will help our forces acquire targets as early as possible and rapidly deliver information to the best operator on air, land, or sea.

To accomplish the objectives of national security and the national defense strategy, our military services and combatant commanders must have the resources they need. In recognizing this, the NDAA broadly supports the procurement of naval vessels, combat aircraft, armored vehicles, weapons systems, and munitions requested in the President's defense budget for fiscal year 2024.

The bill provides additional funding for the Navy and the Marine Corps to accelerate the procurement of surface vessels and submarines, which are critical to power projection and deterrence around the world. The bill also provides greater predictability and stability in our naval acquisition programs and improves the United States' shipbuilding infrastructure modernization efforts.

The bill authorizes the Air Force to divest of certain aircraft and to restructure parts of its fleet as it evolves to a rapidly changing global security environment, and it invests in the Army's priority modernization efforts, to include long-range fires, future vertical lift, next-generation combat vehicles, and air and missile defense.

Developing these air, land, and sea warfare capabilities will be vital to our success in long-term strategic competition with China. Simultaneously, we must enable the Department to operate successfully in evolving domains like space and cyber space. With this in mind, this bill helps strengthen the cyber security posture of the Department and the defense industrial base by providing increased funding to adopt innovative and modern cyber security strategies, tools, and technologies.

Ultimately, the key factor that makes the U.S. military the greatest in the world is our people. We need to ensure that our uniformed personnel know every day how much we appreciate what they do and that we have their backs.

Importantly, this NDAA provides a 5.2-percent pay raise to both military servicemembers and the Defense civilian workforce. As I indicated, this is one of the largest increases in pay in many, many years.

Finally, as we navigate the threats of nuclear escalation from Russia and increasing capabilities from China, the Defense bill strengthens our deterrence strategy by helping to modernize the U.S. nuclear triad. And there are many, many other provisions in this bill that will help equip the Department and our warfighters with the tools they need to succeed.

This morning, Leader SCHUMER introduced a substitute amendment to S. 2226, the committee-passed NDAA. This substitute includes 51 amendments that have been cleared on both sides, including 21 Democratic amendments, 21 Republicans amendments, and 9 bipartisan amendments. Again, I am pleased that we have brought this bill to the floor so the entire Senate has an opportunity to participate in the process.

We have worked tirelessly, and we will continue to do so. I know that Chair MURRAY is here because she has the first amendment and would like to speak to that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 300

Mrs. MURRAY. Madam President, I call up my amendment No. 300, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes an amendment numbered 300.

The amendment is as follows:

(Purpose: To amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to expand the ways beryllium sensitivity can be established for purposes of compensation under that Act and to extend the authorization of the Advisory Board on Toxic Substances and Worker Health of the Department of Labor)

At the appropriate place in title XXXI, insert the following:

SEC. _____. AMENDMENTS TO THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000.

(a) SHORT TITLE.—This section may be cited as the ''Beryllium Testing Fairness Act''.

(b) MODIFICATION OF DEMONSTRATION OF BERYLLIUM SENSITIVITY.—Section 3621(8)(A) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(8)(A)) is amended—

(1) by striking ''established by an abnormal'' and inserting the following: ''established by—

''(i) an abnormal'';

(2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(ii) three borderline beryllium lymphocyte proliferation tests performed on blood cells over a period of 3 years.''.

(c) EXTENSION OF ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.—Section 3687(j) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16(j)) is amended by striking ''10 years'' and inserting ''15 years''.

Mrs. MURRAY. Madam President, for my colleagues who don't know, during World War II, the Federal Government established the Hanford site in Central Washington State to produce the plutonium that our Nation needed for nuclear weapons.

To this day, workers are on the job in cleaning up that site. It is important but dangerous work. One of those dangers is beryllium exposure that causes serious respiratory diseases.

Now, Congress passed legislation providing care to those working on our nuclear arsenal, but here is the thing: Not everyone who needs these critical medical benefits for beryllium exposure can get them today. Right now, people have to jump through very costly, unnecessary hoops, and, even then, they could be denied—all because the statute is outdated.

Right now, a beryllium blood test that is ''borderline'' does not count toward a diagnosis even when you are experiencing the effects of beryllium exposure or when it is your third such borderline result. That is just not right. By the way, it is not consistent with the current science either.

My amendment simply updates the statute and brings it in line with an OSHA rule that was finalized under the last administration so that more workers can easily get the care that they need.

And it is a fiscally responsible measure. The CBO estimates it will cost less than $500,000 over 10 years, if anything at all, but it will make a real difference for these workers who have sacrificed so much for our country.

So I urge my colleagues to vote yes on the amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. KAINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 429

Mr. KAINE. Madam President, I rise to discuss an amendment we will vote on later. When we vote on it, it is 1 minute a side, and I think it might take a couple of more minutes to explain a vote on NATO that is very powerful.

A few years ago, people were questioning the viability of NATO. Was it still worth it? Well, what President Biden and what this body have shown is that, with American leadership, NATO is stronger today than it has ever been. NATO's capacity and NATO's willingness to link arms and provide defense to Ukraine in the midst of an illegal invasion by a human-rights-abusing Vladimir Putin has been extremely powerful, and the value of NATO has been demonstrated to such a degree that even nations that never would have contemplated entering NATO in the past—Finland and Sweden—have fought for accession and have been green-lit by this body and now the international community to join.

There is a question, though, that was coming up as people were talking about should we withdraw from NATO: How do you withdraw from a treaty? The Constitution is plain that, to enter into a treaty, you need a ratification vote by the Senate, but the Constitution is silent about withdrawal. So, in the last administration, a question came up about whether a President could withdraw from NATO unilaterally.

I have a bill that is bipartisan, together with Senator RUBIO, and we will vote on it later this afternoon. It will specify that no President can unilaterally withdraw from NATO, and any effort to withdraw from NATO would have to be either approved by Senate ratification—a two-thirds vote—or by an act of Congress. This sends a powerful message that Congress, after these decades, still believes in the power of NATO.

Our allies who worry about different Presidents—should the policy change depending upon every 4 years who is President—would take this statement of congressional support in a very, very powerful way.

I am happy to say it is an overwhelmingly bipartisan bill that came through the Foreign Regulations Committee in the 117th Congress by an overwhelmingly bipartisan vote, and the administration supports it.

Finally, the question did come up once in a Supreme Court case from 1979, Goldwater v. Carter: How do you withdraw from a treaty? What the Supreme Court said is that it was a political question for the executive and legislature to work out.

We will take a legislative step, in my hopes today, as part of this NDAA, that when it is on the President's desk, by his ratification, we will demonstrate that in America both the executive and legislative branches appreciate NATO and are committed to its success.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Madam President, I ask unanimous consent that the 3 o'clock vote commence.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Madam President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

VOTE ON AMENDMENT NO. 300

The question is on agreeing to amendment No. 300.

Mr. REED. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming, (Mr. BARRASSO).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 2, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—96

Baldwin	Capito	Cruz
Bennet	Cardin	Daines
Blackburn	Carper	Duckworth
Blumenthal	Casey	Durbin
Booker	Cassidy	Feinstein
Boozman	Collins	Fetterman
Braun	Cornyn	Fischer
Britt	Cortez Masto	Gillibrand
Brown	Cotton	Graham
Budd	Cramer	Grassley
Cantwell	Crapo	Hagerty

Hassan	Menendez	Schumer
Hawley	Merkley	Scott (FL)
Heinrich	Moran	Scott (SC)
Hickenlooper	Mullin	Shaheen
Hirono	Murkowski	Sinema
Hoeven	Murphy	Smith
Hyde-Smith	Murray	Stabenow
Johnson	Ossoff	Sullivan
Kaine	Padilla	Tester
Kelly	Paul	Thune
Kennedy	Peters	Tillis
King	Reed	Van Hollen
Klobuchar	Ricketts	Vance
Lankford	Risch	Warner
Lee	Romney	Warnock
Luján	Rosen	Warren
Lummis	Rounds	Welch
Manchin	Rubio	Whitehouse
Markey	Sanders	Wicker
Marshall	Schatz	Wyden
McConnell	Schmitt	Young

NAYS—2

Ernst	Tuberville

NOT VOTING—2

Barrasso	Coons

The PRESIDING OFFICER. On this vote, the yeas are 96, the nays are 2.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The amendment (No. 300) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, just for the information of Members, we are speeding up the vote process. There is the White House picnic tonight, and we have to get things done by then. So there are going to be 10-minute votes, and we are going to call questions quite strictly. Thank you.

The PRESIDING OFFICER. The junior Senator from Virginia.

AMENDMENT NO. 429

Mr. KAINE. Madam President, I call up amendment No. 429 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from Virginia [Mr. KAINE] proposes an amendment numbered 429.

The amendment is as follows:

(Purpose: To require the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes)

At the end of title XII, add the following:

Subtitle H—Limitation on Withdrawal From NATO

SEC. 1299O. OPPOSITION OF CONGRESS TO SUSPENSION, TERMINATION, DENUNCIATION, OR WITHDRAWAL FROM NORTH ATLANTIC TREATY.

The President shall not suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty, done at Washington, DC, April 4, 1949, except by and with the advice and consent of the Senate, provided that two-thirds of the Senators present concur, or pursuant to an Act of Congress.

SEC. 1299P. LIMITATION ON THE USE OF FUNDS.

No funds authorized or appropriated by any Act may be used to support, directly or indirectly, any decision on the part of any United States Government official to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty, done at Washington, DC, April 4, 1949, until such time as both the Senate and the House of Representatives pass, by an affirmative vote of two-thirds of Members, a joint resolution approving the withdrawal of the United States from the treaty, or pursuant to an Act of Congress.

SEC. 1299Q. NOTIFICATION OF TREATY ACTION.

(a) CONSULTATION.—Prior to the notification described in subsection (b), the President shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives in relation to any initiative to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty.

(b) NOTIFICATION.—The President shall notify the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives in writing of any deliberation or decision to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty, as soon as possible but in no event later than 180 days prior to taking such action.

SEC. 1299R. AUTHORIZATION OF LEGAL COUNSEL TO REPRESENT CONGRESS.

(a) IN GENERAL.—By adoption of a resolution of the Senate or the House of Representatives, respectively, the Senate Legal Counsel or the General Counsel to the House of Representatives may be authorized to initiate, or intervene in, in the name of the Senate or the House of Representatives, as the case may be, independently, or jointly, any judicial proceedings in any Federal court of competent jurisdiction in order to oppose any action to suspend, terminate, denounce, or withdraw the United States from the North Atlantic Treaty in a manner inconsistent with this subtitle.

(b) CONSIDERATION.—Any resolution or joint resolution introduced relating to any action to suspend, terminate, denounce or withdraw the United States from the North Atlantic Treaty and introduced pursuant to section 4(a) of this title shall be considered in accordance with the procedures of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765).

SEC. 1299S. REPORTING REQUIREMENT.

Any legal counsel operating pursuant to section 1299R shall report as soon as practicable to the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives with respect to any judicial proceedings which the Senate Legal Counsel or the General Counsel to the House of Representatives, as the case may be, initiates or in which it intervenes pursuant to section 1299R.

SEC. 1299T. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to authorize, imply, or otherwise indicate that the President may suspend, terminate, denounce, or withdraw from any treaty to which the Senate has provided its advice and consent without the advice and consent of the Senate to such act or pursuant to an Act of Congress.

SEC. 1299U. SEVERABILITY.

If any provision of this subtitle or the application of such provision is held by a Federal court to be unconstitutional, the remainder of this subtitle and the application of such provisions to any other person or circumstance shall not be affected thereby.

SEC. 1299V. DEFINITIONS.

In this subtitle, the terms ''withdrawal'', ''denunciation'', ''suspension'', and ''termination'' have the meaning given the terms in the Vienna Convention on the Law of Treaties, concluded at Vienna May 23, 1969.

Mr. KAINE. I ask unanimous consent that there be 6 minutes equally divided prior to a vote on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAINE. Madam President, this is an amendment dealing with the power of the NATO alliance. We have seen since the February 2022 invasion of Ukraine that NATO allows the democracies to link arms and stand courageously against an illegal invasion of Ukraine by the dictator Vladimir Putin.

Some had questioned the value of NATO, but NATO has demonstrated its power to protect democracy against this invasion since February of 2022.

There had been an issue raised in the last few years about whether any President could unilaterally withdraw from NATO, which was approved by the Senate in a treaty. The Constitution of the United States indicates that the Senate must ratify treaties but is silent about how to exit treaties. The U.S. Supreme Court, in 1979, said that is a political question for the legislature, the executive, to resolve.

What this amendment would do would make plain that no one can withdraw from NATO—the United States from NATO—without either a two-thirds vote in the Senate or an act of Congress.

We received a green light for this in the Goldwater v. Carter decision in 1979, and I think, of all the treaties the United States has entered into, right now at this moment, in the aftermath of the summit in Lithuania and during this war in Europe, this Congress should send a powerful message to our allies in NATO that we stand with this historic alliance.

The administration supports this amendment.

I would reserve the remainder of my time.

The PRESIDING OFFICER. The senior Senator from Mississippi.

Mr. WICKER. Madam President, to speak for a few seconds in opposition to this amendment, it is absolutely unnecessary. I cannot think of any currently serving elected official of significance who is calling for suspending or withdrawing from NATO.

If I didn't know better, I would think that this amendment might be aimed as a slap at former President Trump, but surely that is not the case.

If it is, however, we should be reminded that the former President was concerned about some of NATO's members not meeting their obligations to spend 2 percent of GDP but that he was fully committed to article 5 of NATO.

You will be pleased to know that this bill, NDAA, addresses the concern of the 2 percent. We adopted an amendment at markup, sponsored by Senator SULLIVAN, that would require the Secretary of Defense to prioritize NATO members who are meeting or exceeding the 2 percent GDP defense spending target when the DOD is making decisions on basing, training, and exercises.

I yield the balance of my time.

Mr. PAUL. How much time do I have remaining?

The PRESIDING OFFICER (Mr. MURPHY). Is the Senator opposed to the amendment?

Mr. PAUL. Yes.

The PRESIDING OFFICER. One minute and 40 seconds remaining.

Mr. PAUL. Could I ask unanimous consent to have one additional minute?

The PRESIDING OFFICER. Is there an objection?

Without objection, the Senator from Kentucky is recognized.

Mr. PAUL. It is unconstitutional for the legislature to change the Congress. While the Constitution provides a role for both the President and the Senate when entering a treaty, it is silent regarding how to exit a treaty.

When the question of treaty determination first arose in 1793, President Washington and his cabinet endorsed the view that the President's Executive power included the ability to unilaterally terminate a treaty, withdraw from the treaty obligations, permitted the U.S. to maintain neutrality in a war between France and Great Britain, and it was done unilaterally by President Washington.

The power to enter treaties is found in article 2, which vests the President with the Executive power. Unlike a legislative body, the President can act with unity and dispatch, precisely the qualities needed to negotiate a treaty. And so the Founders grounded this authority in article 2.

Passing this amendment is tantamount to altering the Constitution, because the amendment would authorize the Senate to infringe upon the Executive powers of the President. The Senate has no voice when exiting a treaty. This would amend the Constitution and is unconstitutional, and that is a good thing.

The Founders wanted it to be difficult to commit the United States to international obligations and easy to get out. We should follow the Constitution and vote ''no'' on this amendment.

Mr. KAINE. Mr. President, might I ask how much time I have remaining?

The PRESIDING OFFICER. One minute and 17 seconds.

Mr. KAINE. On the constitutional argument, my colleagues, this very question came before the Supreme Court of the United States in 1979. President Carter terminated a Taiwan-related treaty and was sued by Senator Goldwater and others. The case went to the United States Supreme Court. The Court said because the Constitution on exiting a treaty is silent, it is a political question that the legislature and Executive can resolve for themselves.

The Supreme Court refused to overturn Carter's action. That is a clear green light that if Congress, the legislative, and Executive branch agree that on this particular treaty the silence does not dictate but can be the source of legislation, we would be able to undertake this action.

Finally, I note this is widely bipartisan, and I thank Senator RUBIO and many other Democratic and Republican colleagues who have cosponsored this amendment to stand strong at this moment with me.

With that, I yield.

Mr. WICKER. Mr. President, how much time is left on this unnecessary and extraneous amendment?

The PRESIDING OFFICER. One minute and 11 seconds.

Mr. WICKER. I urge a ''no'' vote for those reasons.

VOTE ON AMENDMENT NO. 429

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 429.

Mr. KAINE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. WICKER. A parliamentary inquiry.

The PRESIDING OFFICER. The yeas and nays are ordered, but the Senator will state his inquiry.

Mr. WICKER. Do I understand this will be a 10-minute vote and those Senators who arrive after 10 minutes and a brief grace period will not be allowed to vote? Is that the position of the chair?

The PRESIDING OFFICER. Ten-minute votes have been ordered.

Mr. WICKER. I appreciate the clarity.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Vermont (Mr. WELCH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from South Carolina (Mr. SCOTT), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting: the Senator from Alabama (Mr. TUBERVILLE) would have voted ''nay.''

The result was announced—yeas 65, nays 28, as follows:

[Rollcall Vote No. 190 Leg.]

YEAS—65

Baldwin	Feinstein	Murkowski
Bennet	Gillibrand	Murphy
Blumenthal	Graham	Murray
Booker	Hagerty	Ossoff
Brown	Hassan	Padilla
Cantwell	Heinrich	Peters
Capito	Hirono	Reed
Cardin	Hyde-Smith	Risch
Carper	Kaine	Romney
Casey	Kelly	Rosen
Cassidy	Kennedy	Rubio
Collins	King	Sanders
Coons	Luján	Schatz
Cortez Masto	Lummis	Schumer
Crapo	Manchin	Shaheen
Cruz	Markey	Sinema
Daines	Menendez	Smith
Duckworth	Merkley	Stabenow
Durbin	Moran	Sullivan
Tester	Warnock	Wyden
Van Hollen	Warren	Young
Warner	Whitehouse	

NAYS—28

Blackburn	Grassley	Ricketts
Boozman	Hawley	Rounds
Braun	Hoeven	Schmitt
Britt	Johnson	Scott (FL)
Budd	Lankford	Thune
Cornyn	Lee	Tillis
Cotton	Marshall	Vance
Cramer	McConnell	Wicker
Ernst	Mullin	
Fischer	Paul	

NOT VOTING—7

Barrasso	Klobuchar	Welch
Fetterman	Scott (SC)	
Hickenlooper	Tuberville	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 28.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The amendment (No. 429) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, again, I remind Members that we now closed the vote before everybody came, and we are going to keep doing that. So please stay here, and let's try to get as much done as we can this afternoon.

Thank you.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 222

Mr. PAUL. Mr. President, I call up my amendment No. 222, and I ask unanimous consent that the debate of 4 minutes be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 222.

The amendment is as follows:

(Purpose: To express the sense of Congress that Article 5 of the North Atlantic Treaty does not supersede the constitutional requirement that Congress declare war before the United States engages in war)

At the appropriate place in title XII, insert the following:

SEC. ___. SENSE OF CONGRESS ON CONSTITUTIONAL REQUIREMENT THAT CONGRESS DECLARE WAR BEFORE THE UNITED STATES ENGAGES IN WAR.

It is the sense of Congress that Article 5 of the North Atlantic Treaty does not supersede the constitutional requirement that Congress declare war before the United States engages in war.

Mr. PAUL. Mr. President, my amendment reasserts that article 5 of the NATO treaty does not supersede Congress's power under article I, section 8, clause 11 of our Constitution to declare war.

According to our Constitution, we resort to war only after the people's elected representatives deliberate and determine that it is in our best interest.

My amendment is also consistent with the NATO treaty. Article 5 of the treaty commits allies to respond to an attack, but it allows each ally to determine whether to engage in military hostilities.

Article 11 of the NATO treaty states that its provisions are to be carried out by each country's constitutional process. We cannot delegate our responsibility to NATO, nor are we expected to.

Let's reaffirm that article 5 does not supersede Congress's responsibility to declare war.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise in opposition.

Senator PAUL's amendment is entirely unnecessary, but worse than that, it is dangerous.

There is no question that, like any other treaty, the NATO treaty does not supersede the Constitution. However, specifically calling out article 5 of the North Atlantic treaty here erroneously implies that there is a tension between it and the Constitution. This sends a damaging message about the U.S. commitment to the alliance at a time when support for NATO is as critical as ever given Russia's invasion of Ukraine.

Further, by only referencing the NATO treaty, Senator PAUL's amendment erroneously implies that other treaties may supersede the Constitution—a proposition that no Senator would accept.

Because Senator PAUL's amendment is both unnecessary and harmful at a critical time of our engagement in Ukraine, I urge all Senators to vote against it.

I reserve the balance of the time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. How much time do I have remaining?

The PRESIDING OFFICER. You have 1 minute remaining.

Mr. PAUL. I think it should be an easy vote to affirm the Constitution. To vote against affirming the Constitution actually places doubt in the Constitution.

The power to declare war is the most important power and the most important vote that any legislator will ever entertain. Why is this important? Because in 2001, people voted to go to war, and this body still thinks that vote binds us to war with no further vote.

We do need to reaffirm the power and the necessity of declaring war because we are ignoring it by continuing to be involved in military activity and war around the globe without ever having voted on it as we are mandated by the Constitution.

Mr. REED. Mr. President, is there any time remaining on our side?

The PRESIDING OFFICER. There is 63 seconds remaining.

The Senator from Rhode Island.

Mr. REED. I will be very brief. My understanding of the War Powers Act—the President of the United States may initiate hostilities for a limited period of time until Congress can act. This proposal, a sense of Congress, would call into question what the War Powers Act authorizes, and that is a constitutional provision. It has been held constitutional.

VOTE ON AMENDMENT NO. 222

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 16, nays 83, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—16

Braun	Kennedy	Rubio
Cruz	Lankford	Schmitt
Daines	Lee	Tuberville
Hagerty	Lummis	Vance
Hawley	Marshall	
Johnson	Paul	

NAYS—83

Baldwin	Gillibrand	Ricketts
Bennet	Graham	Risch
Blackburn	Grassley	Romney
Blumenthal	Hassan	Rosen
Booker	Heinrich	Rounds
Boozman	Hickenlooper	Sanders
Britt	Hirono	Schatz
Brown	Hoeven	Schumer
Budd	Hyde-Smith	Scott (FL)
Cantwell	Kaine	Scott (SC)
Capito	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Luján	Stabenow
Cassidy	Manchin	Sullivan
Collins	Markey	Tester
Coons	McConnell	Thune
Cornyn	Menendez	Tillis
Cortez Masto	Merkley	Van Hollen
Cotton	Moran	Warner
Cramer	Mullin	Warnock
Crapo	Murkowski	Warren
Duckworth	Murphy	Welch
Durbin	Murray	Whitehouse
Ernst	Ossoff	Wicker
Feinstein	Padilla	Wyden
Fetterman	Peters	Young
Fischer	Reed	

NOT VOTING—1

Barrasso

The PRESIDING OFFICER. On this vote, the yeas are 16, the nays are 83.

Under the previous order requiring 60 votes for passage, the amendment is not agreed to.

The amendment (No. 222) was rejected.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, we made some good progress this afternoon. We are going to have our fourth vote now. It will be the last vote today. The Cruz-Manchin amendment, No. 926, will be the first vote tomorrow morning. We are going to continue to work on setting up additional rollcall votes on amendments for tomorrow. Members should be aware that we will probably have a nice chunk of votes tomorrow if we can work everything out. We want to move as quickly as we can.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VANCE. Mr. President, I ask unanimous consent for 4 minutes equally divided prior to the next rollcall vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 838

Mr. VANCE. Mr. President, I call up amendment No. 838 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. VANCE], for Mr. HAWLEY and himself, proposes an amendment numbered 838.

The amendment is as follows:

(Purpose: To amend the Foreign Assistance Act of 1961 to clarify the meaning of the term ''aggregate value'' for purposes of the Presidential drawdown authority)

At the end of subtitle G of title XII, add the following:

SEC. 1299L. CLARIFICATION OF THE TERM "AGGREGATE VALUE" FOR PURPOSES OF PRESIDENTIAL DRAWDOWN AUTHORITY.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 506(a)(1) (22 U.S.C. 2318(a)(1)), in the undesignated matter following subparagraph (B), by inserting after ''fiscal year.'' the following: ''For purposes of this paragraph, the term 'aggregate value' means—

''(A) in the case of defense articles, the greater of—

''(i) the original acquisition cost to the United States Government, plus the cost of improvements or other modifications made by or on behalf of the Government; or

''(ii) the replacement cost; and

''(B) in the case of defense services, the full cost to the Government of providing the services.''; and

(2) in section 644(m)(2) (22 U.S.C. 2403(m)(2)), by inserting ''except as provided in section 506(a)(1),'' before ''with respect to''.

Mr. VANCE. Mr. President, I propose amendment No. 838 for the very simple reason that, as we spend resources to support the Ukrainian war effort against the Russians, we need to be honest with ourselves and honest with the American people about exactly what we are spending and how much we are spending.

We saw recently, in a $6 billion Department of Defense accounting error, which fails to give the American people and fails—and what our amendment does is simple. It forces the Department of Defense to use an accurate accounting method. If we ask ourselves, when the President uses his drawdown authority to send weapons systems to Ukraine, how do we account for it? Do we account for it based on an old cost with depreciation or do we account for it on its cost to the American taxpayer?

I think it is very clear that the cost to the American taxpayer is the one that we should use, and I also think this allows us to more adequately count and account for the resources we are giving to Ukraine and other nations as well.

Mr. President, I ask to reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise in opposition to the Senator's amendment. This amendment actually changes a longstanding definition related to the President's use of drawdown authority to provide critical military support to our partners in times of need.

It would artificially inflate the value placed on the defense articles—things like weapons or military items or technical data that we provide to our partners and allies, resulting in the administration hitting the cap on its authority much more quickly. That means less aid to Ukraine, less aid to Taiwan, less aid to any ally that needs assistance in the future.

This would undercut our current efforts to support the Ukrainians, limiting our ability to provide them with critical defense articles they need to defend themselves. If this amendment passes, it will be a loss for our ability to support our allies. I urge a ''no'' vote.

Mr. VANCE. Mr. President, I ask to be recognized.

The PRESIDING OFFICER. The Senator from Ohio has 47 seconds remaining.

Mr. VANCE. Mr. President, I will be brief here. First of all, the Department of Defense clarified that it has not used the proper accounting methods in Ukraine. So I don't think this is a change to a longstanding policy. I think that it reinforces proper accounting methods within the Department of Defense.

The more important point here is that a $6 billion accounting error is approximately the amount of aid that the United Kingdom has provided to Ukraine. If we are not using an accounting method that allows us to properly account for this stuff, we are missing gaping numbers. We can't possibly have a reasonable cost-benefit debate if we don't know the cost of the resources and the weapons we are sending to Ukraine.

We just need to be honest with ourselves and with the American people. That is all this amendment does. And I ask that it be called up for a vote.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there further debate?

Mr. REED. Mr. President, is there time remaining?

The PRESIDING OFFICER. The Senator from Rhode Island is recognized and has a minute and 3 seconds.

Mr. REED. Mr. President, the Army recognizes its mistake. They revised their policies. They now use something known as net book value, which is consistent with the Foreign Assistance Act, which the State Department uses.

And reinforcing Senator MURRAY's point, the bottom line here is, if we adopt this amendment, we will lower the amount of equipment we can provide to Ukraine, which is critically in need of such equipment.

I would urge a ''no'' vote.

VOTE ON AMENDMENT NO. 838

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 39, nays 60, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—39

Blackburn	Hawley	Ricketts
Braun	Hoeven	Rounds
Britt	Hyde-Smith	Rubio
Budd	Johnson	Schmitt
Cassidy	Lankford	Scott (FL)
Cornyn	Lee	Scott (SC)
Cramer	Lummis	Sullivan
Cruz	Marshall	Thune
Daines	McConnell	Tillis
Fischer	Moran	Tuberville
Graham	Mullin	Vance
Grassley	Murkowski	Wicker
Hagerty	Paul	Young

NAYS—60

Baldwin	Fetterman	Peters
Bennet	Gillibrand	Reed
Blumenthal	Hassan	Risch
Booker	Heinrich	Romney
Boozman	Hickenlooper	Rosen
Brown	Hirono	Sanders
Cantwell	Kaine	Schatz
Capito	Kelly	Schumer
Cardin	Kennedy	Shaheen
Carper	King	Sinema
Casey	Klobuchar	Smith
Collins	Luján	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Van Hollen
Cotton	Menendez	Warner
Crapo	Merkley	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Ernst	Ossoff	Whitehouse
Feinstein	Padilla	Wyden

NOT VOTING—1

Barrasso

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 39, the nays are 60.

Under the previous order requiring 60 votes for the adoption of the amendment, the amendment was not agreed to.

The amendment (No. 838) was rejected.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Madam President, I ask unanimous consent that the vote on the Cruz-Manchin amendment No. 926 be at a time to be determined by the majority leader, following consultation with the Republican leader, on Thursday, July 20, with all provisions in the previous order remaining in effect.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. BENNET. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 46 through No. 52, No. 82 through 107, No. 110 through No. 113, No. 130 through 139, No. 180 through No. 205, No. 224 through No. 226, No. 228 through No. 234, No. 236 through No. 246, No. 248 through No. 249; that the nominations be confirmed en bloc; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action; and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there an objection?

Mr. MARSHALL. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Madam President, I am certainly honored to be here and stand beside my colleague and friend, Coach TOMMY TUBERVILLE, as we work through a very, very challenging situation regarding our military nominations.

I have tried to listen to the arguments from my colleagues across the aisle, and one thing I want to just point out, a very simple solution, is to bring these to the floor and give us a vote on them.

I am happy to stay here tonight and vote. Happy to come in early tomorrow and vote as well. It is certainly something within the power of this body to do that. So that is one simple solution.

Next, I want to point out that the Pentagon is the one that picked this fight. They are the one that changed the policy. And in my opinion, this is an unlawful policy that they are ignoring the Hyde amendment, that they are using Federal funds to aid and abet in abortions.

As I dug a little deeper into this, I was shocked to find out that the Pentagon's policy allows more time off for an abortion than for a person who needs to go attend to a family funeral or to a marriage.

And I might add, of course, the military, I assume, is not paying for the travel of that soldier going back home to get married or to attend a family funeral.

There is lots of arguments why we think this is right, but I think the ultimate argument is why Coach TUBERVILLE and I are here is that we believe in the sanctity of life, that we believe that life begins at conception.

I think if my colleagues across the aisle would sit and listen for a second, if you truly believe that life begins at conception, I don't see how you could support abortions, let alone using Federal dollars to pay for these abortions.

I remember my second year of medical school, and I was assuming I was going to be a family practice doctor. We had been married for about a year and a half, had our first baby. And the second that little girl made her first cries and I saw that bond between my daughter and my wife and every time I

delivered a baby since then, I have always just been amazed at that bond between a baby and a mom, that agape love that a mom shows a baby. It was at that moment that my daughter was delivered that I decided that that was what I wanted to do for a living.

As an obstetrician, a person who believes that life begins at conception, that is why this issue is so important to us. That is why this is such an important issue that we are willing to hold up these nominations.

I think what we are asking is a simple solution: Let's take these flag officers and these generals, and let's vote on them. We can take these on. I think there are only 250 of them or so. I think we can take those on, and then let's do them.

If not, we are asking the Pentagon to go back to the previous policy and stop their unlawful use of American taxpayer dollars violating the Hyde amendment for these abortions.

The PRESIDING OFFICER. Is there an objection?

The Senator from Alabama.

Mr. TUBERVILLE. Madam President, reserving the right to object.

Last night, I spoke on the phone with Secretary of Defense Lloyd Austin. I also spoke with him last Thursday. Both conversations were very cordial. We had good conversations, respectful; but they were very brief. There was absolutely no offer—there was no offer—of a compromise. It is their way or the highway. Thus far, the Pentagon has done nothing but attack me, and I keep repeating the same claims over and over.

Since I spoke with Secretary Austin on Thursday, a few things have changed. One is that the House of Representatives has now passed their annual Defense bill. The bill contains an amendment that would explicitly repeal the memos which implemented the Pentagon's new abortion policy. It wasn't in the base text of the bill. It was added on the floor by the majority of the House Members. The majority of the House of Representatives has spoken out in opposition to this policy. It was a bipartisan vote.

Senator BENNET, Secretary Austin, and President Biden need to realize this. I am not alone. Our team is building and growing, and 60 percent of the country is opposed to taxpayer funding for abortion. That includes Democrats, Republicans, and Independents—60 percent.

The Pentagon's new abortion policy is even worse than that. It is a taxpayer-funded abortion that nobody—and I mean nobody—in the House or here voted for.

It gets worse. This morning, the Pentagon's staff who is in charge of putting this together, gave a briefing to the members of the Senate Armed Services Committee. To be honest with you, it was a complete debacle. I thought they would be prepared. The briefing confirmed a few things we know about this policy.

First of all, there are virtually no restrictions at all on the use of this policy. None. The briefers confirmed that the policy could be used to facilitate a late-term abortion for enlisted members and their dependents. Pentagon officials confirmed that this policy would facilitate abortion up to the moment of birth, depending on the State—at the moment of birth. Late-term abortion is opposed—late-term abortion is opposed—by about three-quarters of the American people.

To be clear, the DOD has the authority to perform abortions in cases of rape, incest, and the life of the mother. That was passed on this floor in 1984. Now, what we are talking about with this new policy that no one in this building voted on is taxpayer funding for elective late-term abortion. This is radical. It is extreme. It is downright wrong.

Third, the briefers essentially confirmed that the policy was not—was not—based on facts. It was based on an extreme political ideology. I asked the briefers for evidence that abortion improves readiness. They should have seen this coming before they walked in the building this morning at 9 o'clock. They knew they were going to be asked this. I have been asking this question for a year; and Pentagon officials still have absolutely no evidence whatsoever that it impedes readiness. When the administration was touting this policy, they said it could lead up to 4,000 taxpayer-funded abortions a year.

Let me explain this.

When I got a briefing last year from the Pentagon, we asked them: How many abortions is this going to consist of? Well, now we are doing two dozen a year. When this policy is put into place, RAND—their polling group out of the Pentagon—said it will affect probably around 4,000. Now, this came from the Pentagon. This wasn't made up by my team or anybody else in my party. This came directly from the Pentagon. Now, I want to say this—4,000—and that is not including dependents. It is not including dependents. So you are looking at a lot more.

Now they are backtracking and accusing me of inflating that number. Well, that is fine. They have a short memory. That argument cuts both ways. The Democrats need to explain why 2,000 abortions—if that is all it is going to be—are necessary for a military of 2 million people. They can't explain it because it has nothing to do with readiness. We are talking about elective abortion.

We already have an abortion policy for rape, incest, and the health of the mom. This policy was, in no way, affected by the Alabama law or any other State law. It has nothing to do with the Dobbs decision. This is a taxpayer-funded abortion that nobody—and I mean nobody—voted for in this building or at the other end of the building.

The Democrats say my hold is unprecedented. Well, I will say this: Their abortion policy is unprecedented. We are here to make the law, not the Pentagon.

Anyone who calls himself pro-life needs to stand up and be counted right now. That means my party included. The Democrats' media machine is throwing the kitchen sink at this hold. It doesn't bother me. I have been called everything anyway. It just makes me that much stronger to hear people complain about this, knowing that deep down, somewhere, there is a soft part in their hearts for 4,000 to 5,000 unborn babies who will never breathe life on this Earth. So the more Joe Biden attacks me, the more I am convinced I am doing the right thing.

It seems like my colleagues on the left will do anything to change the subject and distract from this issue at hand. Recently, even the White House attacked my football record. My wife did the same thing at times. It is absolutely ridiculous, though, how this thing has gotten out of hand. There has been very little conversation, very little dialogue, and that is what this place is supposed to be about. The only dialogue we have had is with Senator BENNET and several other Senators coming in and discussing this in a UC, but the people who can change this and have an opportunity to make a difference in this could sit down and talk.

I hate that we have to do this, but we are going to stick with it. So let's stick with the facts. And, after today's briefing, it is clear to me that the Pentagon doesn't have any facts.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

Mr. BENNET. Madam President, I am sorry that the Senator from Alabama has objected tonight again. I think this is the seventh time that we have been out here having this conversation, when I have been trying to move ahead the promotions of our Defense Department and he has, in an unprecedented manner, opposed it.

For 230 years, nobody in this Chamber has done what the Senator from Alabama is doing—putting a hold on the military promotions of people in uniform, of the flag officers of our Department of Defense, who ordinarily come through here in a customary way to get approved by the Senate, for obvious reasons—because we need them. They are for our national security. They have sacrificed their entire adult lives. They have sacrificed time with their families. They have sacrificed everything for this country. Now they have been put on a list to be promoted, and the Senator from Alabama has put a hold on them, which has never happened before in the history of the United States

For somebody who has put this Senate to a grinding halt month after month after month, he has picked an odd argument with which to defend his position. He has said, time and time again, that what he is doing actually doesn't matter, that what he is doing

in the face of Democratic and Republican—not that it matters, because the Secretary of Defense, you know, shouldn't think of himself as a Democrat or a Republican. But the people who have served in Democratic and Republican administrations have said over and over again that he is compromising our national security, which is, of course, exactly the conclusion that anyone who is looking at this with common sense would believe, which is that our generals and our admirals actually make a difference and that the head of the Joint Chiefs of Staff actually makes a difference.

If that is not the case, we are in worse trouble than I thought. If it is the case, if what he is saying is right and that it doesn't matter, that it doesn't make any difference, then how can he claim to be acting on this incredibly important principle since it doesn't matter?

As he says, these military positions are being fulfilled by acting officials—by acting officials. He says the generals, as I say, aren't important, that the admirals aren't important, and that they can be filled by acting officials because we don't need a Marine Corps Commandant. In his mind, it doesn't matter. We don't need an Army Chief of Staff. We don't need a Chief of Naval Operations. We don't need a nominee for the Joint Chiefs of Staff. All of those positions are up for promotion right now, and every single one is being blocked by the Senator from Alabama and by the people in this Chamber who are supporting him on this unprecedented hold.

By the way, I haven't talked about this in the seven times I have been out here, but I have heard from people about this since, so let me just mention the incredible unfairness of this hold to the families who are supporting and serving with them, who are living with these members of the Armed Forces, many of whom have spent their entire careers working to get to the point that they are in right now—to be promoted to positions with the most significant responsibilities they have ever held.

As for the decisions that have been made on the way here—to miss the soccer games of their kids; to make a decision to accept a promotion that takes you to a foreign land that is distant from your family, that is distant from your community—there is a disruption in people's lives who now don't know where to put their kids in school because the Senator from Alabama has put on his blanket hold, which he says doesn't matter. These are people who wear the uniform of the United States. They are not politicians, not that that matters either, but they are people who wear the uniform of this country, who have given their lives and their careers to this country, and he says that holding up these promotions doesn't matter.

By the way, I am not going to get distracted by this, and I am not going to criticize his coaching career tonight or his football record, as he said. The Senator from Kansas, I know, won't let me get away with that, so I am not going to do it. I would even say the Senator from Kansas would have to admit, I hope, that this is an odd position for a coach to take—that the coaches don't matter in our military and that our admirals and our generals and the people who rally the troops don't matter.

You know, this is a little bit like saying the Denver Broncos didn't need Mike Shanahan to win two consecutive Super Bowls in 1997 and 1998 or that the Denver Nuggets, this year, didn't need Michael Malone to win their first NBA championship or—not to criticize his record—that the University of Alabama didn't need Nick Saban to win eight SEC championships.

Of course, it matters. Leadership matters. Leadership matters probably more in the Armed Forces than it matters anywhere else, and that is the reason that we are here. He knows exactly what he is doing, and he understands the damage that he has inflicted, and there is a reason he is the only Senator in 230 years who has done this.

What is it? What is it that he wants to bring the country's attention to? What is he asking the country to pay attention to? He is saying that he is standing up for the sanctity of life. He said that tonight. He is claiming that it is easy to describe these policies as the woke Biden administration distorting the Defense Department to serve their woke policy goals.

What he wants the American people to believe is that he is stopping the government from paying for abortions, and that is simply not what he is doing because that is not what is happening. That is not what is at issue here.

He says that the Dobbs decision doesn't have anything to do with what he is doing or with this case, and that is totally wrong.

Last year, as everybody in America knows, the Supreme Court of the United States, for the first time since Reconstruction, stripped the American people of a fundamental freedom, a fundamental constitutional right. That has not happened in this country since Reconstruction, but it happened this year.

It happened this year in the Dobbs case. It happened when Justice Alito, writing for the majority, said that if it wasn't a freedom in 1868, it is not a freedom today. And that was the most glorious—I would say inglorious, but he would say glorious—expression of his judicial ideology of originalism that we have ever seen on the Court. It came after 50 years—it is worth going through this history because he blew it off so quickly—after 50 years of a concerted political effort to overturn a woman's right to choose in this country; to run elections based on taking that freedom away, that right away; to pack the courts with judges who would take that freedom away; to create a judicial ideology that barely existed.

The ink was barely dry on the law review articles that Justice Scalia—then-Attorney Scalia—was writing when I was in law school that were claiming that these originalists had a fundamental understanding of what the Founders' perspective was and understanding was when they founded this country, when they wrote the Constitution. Now we have seen it manifested in this opinion by Justice Alito, where he says that if it wasn't a freedom in 1868, it is not a freedom today.

I don't want the pages or anybody else who is here tonight to be fooled just because they used the word ''originalism.'' That is the most brilliant political name, the most brilliant political label that has ever been attached to any ideology probably in the history of humankind—certainly in the history of our country—because it claims that they know what the Founders' actually wanted when they founded this country, which, of course, is ridiculous on its face for a variety of reasons, not the least of which is that the Founders had fundamental disagreements with each other about all kinds of things. Anybody who has studied our constitutional history to any degree knows that and knows the Constitution was a product of compromise and consensus and agreement and disagreement.

Some of the Founders, I am sad to say, owned slaves and fought very hard for the protection of human slavery in the United States of America, and their legacy will be with us to the end of our days because of what they did at the founding. There are other Founders who fought, who were abolitionists, who said: This is wrong. We should get rid of slavery.

The Constitution, just like our pieces of legislation around here, is littered with—is littered with—those kinds of compromises. Some of them are ones that are glorious, and some of them are ones that are inglorious.

(Mr. OSSOFF assumed the Chair.)

I dwell on this, Mr. President, because it is important for people to understand that this didn't come from nowhere. It is important to understand that we are at a moment when they have achieved their 50-year ambition, which is to create an originalist majority on the Supreme Court of the United States to reverse Roe v. Wade, among other things, but that is clearly the most important thing to them.

In a moment of maybe political distress, realizing that they had actually succeeded in their wildest dreams to achieve something that, I can tell you, speaking for myself in my advanced age, when I was in law school, would have been unimaginable, which is that in the United States, we would reverse Roe v. Wade in the year 2023—that I would travel the streets of Colorado with my daughters, and we would look up at the billboards advertising certain stuff in Colorado and realize that we live in a country that was legalizing marijuana on the one hand and making

abortion illegal at the same time. That is something we couldn't have imagined. That is something we would not have foreseen.

But nobody, when I was in law school, would have believed that you could have gotten five Justices of the Supreme Court to agree with the logic that if it was not a freedom in 1868, when women didn't even have the right to vote in this country, it is not a freedom today, and it is as simple as that. It is as straightforward as that.

When that opinion was reached in Dobbs, then you started to hear people say: Well, don't worry about it. That is just a State's rights issue. You don't need to worry about that. Laboratory of democracy—we are just going to see what the States decide to do.

The first problem with that, of course, is that we are talking about a fundamental freedom. We are talking about a fundamental right. We are talking about, in my judgment, a civil right. That is the first issue. That is something that shouldn't be decided State by State by State. But it turned out that they actually meant what they said. This wasn't just an experiment in democracy; this was an attempt to ban abortion in the United States of America.

Since Dobbs was decided, 21 States have banned abortion or restricted access.

Last week, Iowa passed a 6-week abortion ban. Most women don't even know they are pregnant at 6 weeks.

The leading candidate for President on their side of the aisle, who is not named Donald Trump, signed an abortion ban in his State, the State of Florida, that 65 percent of Floridians oppose, that bans abortion at 6 weeks, and he did it at 11 o'clock at night. Why do you think he did that at 11 o'clock at night? Maybe because he knew that what seemed like the thing to do on rightwing radio was going to be a lot less popular with the voters in Florida and, I would say, the voters across the United States of America who are deeply concerned about protecting this civil right, who are deeply concerned about protecting freedom and a woman's right to choose and all the implications for equality that come to the fore when you are facing questions like this.

Those are the questions we are facing right now in the wake of the Defense Department in good faith trying to grapple with the change in the law brought about by the majority of the Supreme Court stripping away this fundamental freedom and stripping away this fundamental right.

There was a time when women serving in our military would have some assurance that they were going to have minimal access to reproductive healthcare no matter where they served. That was the law of the land before Dobbs. That is what Roe v. Wade said. But now they don't have that minimal access.

The Department of Defense, in the wake of the decision in Dobbs—not a decision, I assume, they would have wanted—is trying to grapple with that in ways that make sense for the men and women who serve in our military. They are basically trying to say: Let us treat women the same as everybody else who is serving in the military.

In response to Dobbs, the Pentagon released three policies.

Let me tell you something. Let me tell you something. We are going to have a debate in this country about what Dobbs means when it comes to access to a woman's right to choose, and the consensus that has existed around here for a long time has been upset by that. We are going to have a debate about that. I am sure about that. But I just want to say that it is absolutely false that the Defense Department has created a situation where—they are suggesting that they are funding—taxpayers—abortions. That is what the Senator from Alabama says. I hope that people who are supporting him on this floor know that is false. They know that is not true. That is not what the Defense Department is doing. The Defense Department has not violated the Hyde amendment.

The Defense Department, faced with this decision in Dobbs, did three things. They said: If you need reproductive healthcare or if you need an abortion, we will pay for your travel to go from a State like Alabama, where you can get jailed, I guess, for up to 99 years if you are a doctor who performs abortion, to a State like Colorado that has enshrined Roe v. Wade, that we will pay your way.

That is not special treatment; that is the treatment everybody gets for a medical service that is not provided near their base.

The second thing they said was that they were going to allow paid leave while you are getting your reproductive healthcare, just like everybody else who is going to get a medical procedure gets. And we are going to give you a little bit of additional time on this—what can be a very difficult subject for the reasons everybody here knows—to talk to your commanding officer and inform them that you are pregnant.

That is it. That is it. That is it. It is not more than that.

So what I would ask everybody in this Chamber, whether you are pro-life or whether you are pro-choice or something else, where everybody across America who is suffering now because we are not able to promote the flag officers in the U.S. military—what I would ask you to consider, please, is what Senator TUBERVILLE will win if he wins. What will Senator TUBERVILLE win if he wins? He will ensure that women are going to be treated worse than men in the Department of Defense.

He will ensure that women will be treated differently, unequally, and unfairly because, unlike anyone else who needs a medical procedure, they will have to pay for their own travel out of, let's just say, Alabama or other States that have banned abortion, to be able to access an abortion. Unlike everybody else—unlike everybody else—they will have to take unpaid leave while they are trying to undergo that medical procedure or a medical procedure that could lead to an abortion.

I don't think most people in this country who are pro-life would think that women should be treated differently in that respect, discriminated against. I think they would take the view that, if you are serving in the U.S. Armed Forces and you are serving in a State that has banned abortion and you are pregnant, and you have decided—you have made a judgment on your own or with your family or with your doctor—that the right answer for you and for your family is to go to another State and have an abortion—I think most people would say that you ought to have the right to do that, that you shouldn't be discriminated against if that is your judgment. That doesn't mean you are pro-choice or pro-life. It means that people can make that determination and that people shouldn't be discriminated against.

I have to say, Mr. President, it is almost as if he is punishing them for the rule that the Department of Defense has promulgated and that he wants to try to make this a case of the Biden administration overreaching, distorting the Department of Defense, bending DOD to its will, infusing the Department of Defense with some sort of woke strategy.

I think it is really important for the American people to understand what is at stake here. This is not a game. This is not a game when you are holding up every promotion of every single flag officer at DOD. This is not a game when all you are talking about is whether we are going to have a country that discriminates against people or whether people are going to be treated equally. This isn't a game when the question is, Are you going to have the ability to have your leave paid for, your travel paid for, to have a little extra time to talk to your commanding officer about the decision that you are going to have to face?

Why in the world would we want to make life more difficult for people who are in that condition or circumstance? Why are we blaming them for a rule that they had nothing to do with writing and that the DOD had the ability to promulgate? The Department of Justice has made that clear. It defies common sense. It defies common sense.

And tonight we heard him say that he is here because he is trying to defend the sanctity of life. That is what he said. And I have said out here and I will say again that I believe that people in this country have strong differences of opinion when it comes to a woman's right to choose and when it comes to abortion and that I think it is really important that people respect that. The Presiding Officer and I actually have had this conversation over

the years about that, and I believe it. I think that people can have very different moral points of view here. I think that people can have very different religious points of view about this.

I have concluded, for myself, that I think this is a decision that is much better left—partly because it is such a difficult decision, it is a much better decision to be left to a woman herself, consulting with whomever she wants to consult with—her doctor, her family—than it is for MICHAEL BENNET to impose myself on that decision or for Senator TUBERVILLE to impose himself on that decision.

Tonight, we heard him say that he thinks that DOD—that somehow this money could be used to pay for late abortions in this country and who wouldn't be for stopping late abortions in America; everybody would want to stop late abortions.

I would think, if you studied the matter, if you asked the question, ''What is a late abortion in America? What does happen?'' that what you discover is, not surprisingly, that 1 percent of abortions in America, or less than 1 percent, are late abortions in America, and they are situations where women—moms, mostly moms—have made the decision I say it—because it is going to be moms and dads—but, often, mostly moms—who have made the decision to have a child, to pick a name, to pick out the furniture for a bedroom, and then something has gone terribly wrong, something nobody in this Chamber would ever wish on anybody they knew. And sometimes those are circumstances where—against all expectations, against all promise, against all hope, against all joy—somebody has to make a decision to have a late-term abortion.

Is that really the moment that we want Senator TUBERVILLE helping to make that decision? Is that really when we want the Federal Government helping to make that decision? I don't think so. But I think we shouldn't be surprised that we are here with this extreme measure that he has taken in the Senate, a reflection of what is an extreme ideology.

He has called abortion ''infanticide.'' He has called abortion ''this generation's Holocaust.'' He won't be satisfied until he subjects women in his State to the draconian measures that Alabama has legislated. There are no exceptions for rape or incest in Alabama. If you are a doctor and you perform an abortion, you can go to jail for up to 99 years in Alabama.

Just today, Mr. President, we found out that the Alabama attorney general—like the attorney general from Mississippi, I think it was—wants to record information and is demanding that information be supplied to the government on women who have traveled out of State to seek abortion services. That is a pretty dystopian view of where we are as a country. I don't understand how you could say you are on the side of freedom and be trying to hunt the information down for American citizens who are making a decision that is in their interest or the interest of their family, to collect information on a lawful medical procedure, to try to prevent women from traveling across State lines in this country—in this country—in this democracy, this Republic.

How do you say that you are on the side of freedom when you refuse to allow women to have the same opportunity to travel for medical procedures as men, unless you think that somehow women aren't entitled to the same freedoms as men? How do you make the case—I don't know—that you stand for freedom? You might stand for something else than to stand for freedom when you say that you are in a better position, as an elected politician from a State, to make judgments about a woman's pregnancy than she is.

This is a freedom to discriminate. This is a freedom to oppress people. We are in a tough place tonight because of what the Senator from Alabama has done.

I acknowledge that his State is really different from mine. Colorado really values freedom, and Colorado really values privacy. By the way, I am sure the people of Alabama do too. I can't prove it here tonight, but I will bet you there are a lot of people in Alabama who think it is wrong to be holding up these flag officers and who, if they knew that this really was about paying, for example, for paid leave—not taxpayer-funded abortions, which is what we heard again tonight, which isn't true—that they would say: Man, this doesn't sound like the right battle that we are taking.

It is like the 65 percent of people in Florida who are saying: What? Our Governor signed a bill at 11 p.m. at night to create a 6-week abortion ban in our State when there are women in Florida all the time who don't even know that they are pregnant at that time?

Colorado has taken a different view. We are a libertarian State in some respects—a libertarian State, a Western State. We believe a decision about a woman's health belongs between a woman and her doctor and her family, if she chooses to involve them. We were the first State in America to decriminalize abortion before Roe v. Wade was even decided. We were the first State—Colorado—to codify the right to choose after Dobbs. And that is a totally different view of the world than Alabama has, and I accept that.

But the reason why we are here is we have got to figure out what to do in a post-Dobbs world, where that minimum threshold, that constitutional freedom on which so many generations of Americans—especially American women, but Americans—have relied has been stripped away. And in my opinion, in the meantime, we ought to be willing to say that this is a decision that should be left to women, to make this decision in their interest and for themselves.

It is not my job or the Senator from Alabama's job to substitute his position, his decision, to effectively say that we are going to reward your service, your willingness to serve in the Department of Defense, when you have been sent, through no fault of your own or decision of your own, to a place like Alabama that has banned abortion in this country—we are not only going to allow you to make that decision, but we are going to say that you have got to pay your own way out of here; that, unlike any other person, you can't take paid leave.

I think that is an extreme position, Mr. President, and I think it is an absurd position to believe that we are not hurting our national defense by not confirming these generals and these admirals and these other people who are up for promotion and that it doesn't somehow degrade our military readiness, when it obviously does. And every single person in this Chamber knows that it does.

At a time when Putin is in Ukraine and China is saber-rattling in the Pacific, this is the last thing we need to do. There is a reason why our friends in Ukraine are working so hard to try to take out the leadership in Putin's army, for God's sake—because it matters who is in command, as a matter of your national defense, as a matter of your national security, as a matter of your willingness or your ability to be able to effectively fight.

So I am at the end tonight, Mr. President. I apologize to the floor staff, once again, for keeping us here as late as I have. I apologize to the young pages who are here, in particular, not just for that fact but because they are coming of age at a moment in American history when we are coughing up fundamental rights, instead of extending those rights to people.

But that is what this battle has to be about. That is what this battle is about. That is why it is so important that when something like this happens, that we call it out and that even people who are natural allies or otherwise would be natural allies of a particular political position might in this instance say ''Man, that tactic is really self-defeating'' or might in this instance say ''Please at least tell the American people candidly what it is you are doing.'' I think the American people, if they understood that, would say we should do our job and approve these nominations.

I think the American people, in the years ahead and the decades ahead, are going to fix the decision that the Dobbs Court just did. There is no doubt in my mind that the American people are not going to stand for Justice Alito's America where if it wasn't a freedom in 1868, it is not a freedom today. We have come too far for that to be our point of view. We owe too much to this next generation of Americans and even the generation that is coming after them,

believe it or not, for that to be our point of view.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAN

Mr. MORAN. Mr. President, America's attention is rightfully drawn to supporting Ukraine's defense against Russia's illegal and unjustified war. At the same time, we are contending with China, which is undergoing the largest peacetime expansion of military power in history.

This morning, Congress and the American people heard from Israeli President Isaac Herzog, and I rise today to remind my colleagues of the ongoing threat posed by Iran to peace in the Middle East and beyond.

Iran is exporting more oil today than it has since 2019 despite the sanctions that were overwhelmingly passed by this Congress and that remain as current law.

Recently, the Navy's Fifth Fleet intervened to prevent two commercial oil tankers from being seized by Iran in the Gulf of Oman. Iran was recently granted membership in the Shanghai Cooperation Organisation, which fosters deeper political and economic cooperation with Russia, China, India, and other members.

All of this has taken place while Iran continues to enhance its nuclear program, provides Russia with weaponry to use in Ukraine, funds proxy fighters throughout the Middle East, holds U.S. citizens hostage, and vows to kill former American officials in revenge for the death of Soleimani.

Despite Tehran's reestablishment of diplomatic ties with Saudi Arabia and holding indirect talks with the United States, it appears that we are far from the ''deescalation'' that the Biden administration says it seeks. Instead, all evidence points to an Iranian regime intent on aggressively pursuing its aggressive objectives.

I agree that we should avoid a crisis that would be triggered by Iran enriching uranium weapons beyond a 90-percent grade or by Iran-backed militias killing U.S. servicemembers in an attack, but my concern is what behavior the President is willing to accept short of these redlines.

While I can only speculate on the content of the Biden administration's reported talks with Iran, press reports suggest a possible agreement would permit Iran to maintain nuclear enrichment at 60 percent. This level cannot be justified for peaceable purposes, and agreeing to it can have serious consequences.

In addition, the Biden administration's persistent outreach to Iran undermines its stated goal to degrade the Russian military.

Henry Rome and Eric Brewer, two scholars who follow Iran's nuclear program closely, recently wrote:

> Instead of laying the groundwork for a deal that reverses Tehran's nuclear program, this strategy risks cementing Iran's status as a nuclear threshold state [all] while shaking off its economic and political isolation.

In other words, it gets a lot of what it wants without any price to pay.

Normalizing the 60 percent enrichment level may threaten more nuclear proliferation, particularly in the Middle East. Other countries contemplating nuclear programs will take note and demand the same treatment.

Another element of a reported deal is Iran's pledging not to harm American servicemembers in the region. Ensuring the protection of Americans abroad is the President's first responsibility, and it is to be commended; however, turning a blind eye to havoc wrought against our partners in the region only sows greater instability.

At the same time Iran's oil exports were revealed earlier this month, Israel was waging a military operation against Iranian-backed Palestinian militia groups—Hamas and the Palestinian Islamic Jihad.

In Iraq, in addition to Tehran-backed militias that remain beyond government control, Iran is gaining ground in the Iraqi Government.

Scholar Michael Knights observed last month:

> Iran's allies have achieved unprecedented control of Iraq's parliament, judiciary, and executive branch. . . . Washington's complacent attitude toward these events is only setting it up for costly involvement later.

The regime's ability, through the IRGC, to fund such efforts comes directly from the failure to enforce sanctions. The Wall Street Journal reports that oil exports are double what they were a year ago—the highest, as I said, since 2018. Oil revenue is the regime's lifeblood, and reducing its cash stream is a critical component to getting Iran to negotiate.

I call on this administration to strictly enforce sanctions on Iran's oil exports and pressure countries that help to facilitate the sale of Iranian oil.

In a bipartisan letter I joined with 25 of my colleagues just recently, we wrote the President last month:

> It is crucial for your administration to remain aligned with Congressional efforts related to Iran's nuclear program and not agree to a pact that fails to achieve our nation's critical interests.

In the face of a regime in which hardliners have solidified power, President Biden's narrowly focused approach merely kicks the can down the road. But this may be to Iran's advantage. In fact, it most likely is. Current trends indicate that Iran will use the time to refill its coffers and deepen its diplomatic ties, better positioning itself to withstand pressure to make any significant concessions.

The administration must pursue more than the bare minimum in its diplomacy. Keeping a problem from developing into a crisis is good, but solving the problem is much better. I recognize the obstacles that must be overcome and that we will have to provide some concessions. To believe otherwise would ignore the history of diplomacy. But in accord with the will of Congress, an acceptable agreement can be reached. President Biden has the tools we have provided through that legislation, and he must use them.

I yield the floor.

The PRESIDING OFFICER (Ms. HASSAN). The Senator from Colorado.

MORNING BUSINESS

Mr. HICKENLOOPER. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO GRACE STEENBERGEN

Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Grace Steenbergen for her hard work as an intern in my office in Cheyenne, WY. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Grace is a native of Pine Bluffs. She is a sophomore at Baylor University, where she studies political science with a minor in legal reasoning and analysis. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Grace for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her journey.

ADDITIONAL STATEMENTS

REMEMBERING JAMES A. WADE

• Mr. BLUMENTHAL. Madam President, I rise today to recognize Mr. James ''Jim'' Wade, an expert trial attorney, towering figure in Connecticut politics, and dear friend to so many, including myself.

Born in Staten Island, NY, and raised in Simsbury, CT, Mr. Wade received his undergraduate degree from Yale University in 1959 and his J.D. from the University of Virginia School of Law in 1962. Upon graduating from law school, Jim served honorably as a lawyer for the Navy's Judge Advocate General's Corps, a testament to his dedication to public service.

Following his service with the Navy, Jim returned to Connecticut and began a distinguished career as an attorney at Robinson+Cole. He became known for his willingness to take on diverse legal cases, including unpopular clients, but Jim's strong legal principles ensured they all received zealous representation. Jim was well-known for his mentorship of countless young attorneys. Throughout his long career, he was honored with numerous awards, including induction to the American College of Trial Lawyers in 1980 and the Hennessey award, given by the Connecticut Bar Association to an attorney whose career has manifested a dedication to the highest ideals and standard of the legal profession.

In addition to his love for the law, Jim had a passion for politics and was very actively involved for decades. A lifelong Democrat, he started his political career as a selectman in the town of Simsbury. Jim later became a trusted counselor to the Democratic Party in Connecticut, representing it before the U.S. Supreme Court in a reapportionment case. He was also a longtime trusted advisor to Governors, legislators, and others in public service. Jim's commitment left an indelible mark on Connecticut politics, and our State and Nation are better because of Jim's many contributions and dedication to the law.

Jim was truly a remarkable person, who upheld the rule of law with energy and intellect and epitomized a dedication to public service. I deeply valued my friendship with Jim and always appreciated his insight and perspective. My wife Cynthia and I extend our deepest sympathies to his family during this difficult time, particularly to his wife Helene, his two children, and his grandchildren. I hope my colleagues will join me in honoring Jim's life and legacy, both large and lasting.●

REMEMBERING ROBERT LEVI JONES

● Mr. CRAPO. Madam President, with my fellow Members of Idaho's congressional delegation Senator JIM RISCH and Representatives MIKE SIMPSON and RUSS FULCHER, we pay tribute to veteran and tireless veterans' advocate, Robert ''Bob'' Jones. Bob passed away on July 8, 2023, after a long battle with cancer and heart disease. Bob's service in the U.S. Air Force, as a leader of the Veterans of Foreign Wars, VFW, and as a member of the Church of Jesus Christ of Latter-day Saints has left an indelible mark.

Bob dedicated his life to God, country, and community. He served in the U.S. Air Force for 20 years, retiring as a lieutenant colonel; his service included commanding logistics squadrons supporting combat units in the Vietnam war, serving as chief of supply for the Presidential Wing at Andrews Air Force Base, and serving at the Pentagon as a senior staff officer with the U.S. Air Force. Bob earned 24 medals for his distinguished service that include the Vietnam Service Medal with three oakleaf clusters, the Republic of Vietnam Campaign Medal, the Vietnam Gallantry Cross with Palm, the Korean Defense Service Medal, and the Bronze Star.

After his military service, Bob's civilian career included working as vice president of a defense firm in Saudi Arabia, where he met the love of his life, his wife of 40 years, Carmelita. They made their home in Riyadh, Saudi Arabia, for 13 years before moving to Rexburg in 1995. Bob and Carmelita owned the Arctic Circle Franchise in Rexburg and an independent family restaurant called Timber's Edge in Island Park for several years.

Bob translated his immense experience to support and advocate for his fellow veterans. He served in many VFW leadership positions that included his service as a VFW All-American past state commander and national legislative committee member for Idaho. He and Carmelita have been so dedicated to helping improve the lives of servicemembers, veterans, and their families that they traveled to Capitol Hill twice per year to advocate on their behalf, and Bob stayed involved despite his battle with cancer. We have always valued the time spent with Bob and Carmelita as they thoughtfully explained the need for Federal policy changes to better support military families. The Major Richard Star Act, to provide combat-injured veterans with less than 20 years of military service their full benefits, is just one example of the legislation they worked to advance as they helped make clear the personal costs of war. Bob said, ''It is our duty and obligation to see that they are cared for and not forgotten.''

Bob was also a precinct committeeman and a member of the Madison County Republican Central Committee and military liaison board member of the Rexburg Area Chamber of Commerce among his many efforts to serve the community. He understandably received numerous honors for this local and statewide service. Governor Brad Little presented Bob with the 2019 Idaho's Brightest Star Award for exemplary volunteer service to the State of Idaho and fostering an ethic of service in others. He was also a recipient of the 2020 Spirit of Freedom award for his extensive, extraordinary career of service to our country and his fellow veterans. He was recognized with the 2022–2023 VFW National Legislative Service Award at the VFW Legislative Conference on March 14, 2023, for his tireless efforts on behalf of our Nation's veterans, and he was honored with the 2022 Presidential Award by the Chamber of Commerce at the 84th Annual Farmer Merchant Banquet on April 17, 2023, for his outstanding achievements and contributions to the success of Rexburg, to name just a few of his many honors.

Bob's obituary aptly describes his service-focused mindset: ''He wanted to leave this world a better place than he had found it and pay forward for all the many blessings and opportunities with which he was blessed with.'' We offer our sincerest condolences to Carmelita and his many friends and loved ones, including their children, grandchildren, and great-grandchild. Bob is deeply missed and leaves a lasting legacy of admirable service to our country, State, community, fellow veterans, and so many others. We are fortunate to have known him and benefited from his vision, dedication and advocacy.●

100TH ANNIVERSARY OF THE LOS ANGELES MEMORIAL COLISEUM

● Mr. PADILLA. Mr. President, I rise as a proud Angeleno to celebrate the 100th anniversary of the Los Angeles Memorial Coliseum.

Few stadiums in the world have such a storied history and such a lasting cultural impact, as the LA Coliseum. Since opening in 1923, it has served as a living memorial to those who bravely fought in World War I, and it has endured as a landmark for generations of Angelenos.

The Coliseum remains the only stadium in the world to have hosted two Summer Olympics. The first games, held in 1932, helped revolutionize the format for the modern Olympic Games and displayed America's resolve through the Great Depression. The second, held in 1984, was highly regarded as a financial success and a masterclass in hosting and showcasing the Olympic Games. As a boy, I remember watching in awe as Olympic legend and California icon, Rafer Johnson, ran up the steps of the Coliseum and lit the Olympic cauldron. With plans to once again welcome athletes from around the world and showcase Los Angeles as a world-class city in 2028, the Coliseum will soon break its own record as a third-time host for the Olympic Games. The Coliseum also hosted the 2015 Special Olympics World Summer Games to showcase the skills and accomplishments of athletes with intellectual disabilities.

Many iconic sports teams have called the Coliseum home over the years. The USC Trojans' and the UCLA Bruins' athletic programs shared the stadium for over 50 years. Today, the Coliseum's timeless white arches provide the backdrop for thousands of loyal USC fans waiting to erupt each time their team plays a home game. In the National Football League, the Rams, the Raiders, and the Chargers have all called the Coliseum home at one point, and the stadium hosted three NFL championship games in 1949, 1951, and 1955, as well as the very first Super Bowl in 1967 and Super Bowl VII in 1973.

As a point of personal privilege, my Los Angeles Dodgers called the Coliseum home for several years when they first moved out west, and they would host the first World Series played on

the west coast at the Coliseum on their way to winning the 1959 World Series.

For decades, the Coliseum was where leaders would go to speak to large masses of Southern Californians. The stadium has hosted Presidents Roosevelt, Eisenhower, Kennedy, Johnson, Nixon, and Reagan, as well as notable dignitaries and civil rights leaders, such as Martin Luther King, Jr., Nelson Mandela, Cesar Chavez, and the Dalai Lama. It has also hosted decades of legendary concerts from greats like the Rolling Stones, Pink Floyd, Bruce Springsteen, Van Halen, and more. Since 2022, NASCAR has hosted the Busch Light Clash at the Coliseum, which is the first exhibition race of the NASCAR Cup Series season each year.

As we recognize 100 years of memorable events and historic firsts, I join all of Los Angeles in celebrating a century of competition, camaraderie, civic engagement, and culture, and I know the next 100 years have even more in store.●

TRIBUTE TO LINDSEY BIGELOW

● Mr. RUBIO. Madam President, I recognize Lindsey Bigelow, the Marion County Teacher of the Year from Ocala Springs Elementary School in Ocala, FL.

Lindsey brightens her students' lives and begins each school day with a warm greeting. Her colleagues describe her as a triple threat style teacher. She brings creativity, student engagement, and classroom management, which shows how committed she is to the success of her students. She views her job as not being their teacher for 1 school year but for their education careers, and they are her inspiration to continue teaching.

Lindsey teaches first grade English language arts at Ocala Springs Elementary School with 10 years of teaching experience in Marion County Public Schools. She attended Maplewood Elementary School, Osceola Middle School, and graduated from Forest High School. Lindsey earned her bachelor's and master's degrees at the University of Florida.

I extend my deepest gratitude and best wishes to Lindsey for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO PAMELA BROCKMEYER

● Mr. RUBIO. Madam President, I recognize Pamela Brockmeyer, the Brevard County Teacher of the Year from Cocoa High School in Melbourne, FL.

Pamela begins her classes by showing students that a positive attitude and competitive spirit are keys to success not only in the classroom, but also elsewhere in their lives. Her commitment to student achievement and contributions to her community show she is dedicating her talents to making a difference in the lives of her students. She believes teaching allows her to impact students significantly, and it is her purpose to help them succeed.

Pamela teaches math and Advanced Placement calculus at Cocoa High School, where she has taught for 24 of her 27 years of teaching. She is the coach of the school's girls' golf team, winning three straight Coach of the Year honors from the Cape Coast Conference and led the team to the State tournament. She is a Brevard Federation of Teachers building representative and Advanced Placement Board exam reader.

I extend my deepest gratitude and best wishes to Pamela for her commitment to her students in the classroom and sports. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO JESSICA NOBLIN

● Mr. RUBIO. Madam President, I recognize Jessica Noblin, the Lake County Teacher of the Year from Leesburg Elementary School in Fruitland Park, FL.

Jessica's students with special needs inspire her each day. She sees how they overcome obstacles to achieve their goals. She is a compassionate and motivated educator with a natural gift for instructing students and inspiring them to reach their full potential.

Jessica views Leesburg Elementary School as more than just a building; it is her safe place. She started her teaching career at the school, where her mom retired, her children attend, and where her grandson will do so in 2 years. This makes her uniquely invested in the success of students, teachers, and the school.

Jessica is a fifth grade teacher at Leesburg Elementary School, where she has taught for 10 of her 15-year teaching career. She also has worked as a curriculum resource teacher, math instructional coach, and DonorsChoose teacher ambassador.

I extend my deepest gratitude and best wishes to Jessica for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Stringer, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13581 OF JULY 24, 2011, WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS—PM 21

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011, under which additional steps were taken in Executive Order 13863 of March 15, 2019, is to continue in effect beyond July 24, 2023.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are becoming increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

Significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, *July 19, 2023.*

MESSAGES FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 57. Concurrent resolution expressing the sense of Congress supporting the State of Israel.

ENROLLED BILL SIGNED

At 5:35 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 111. An act to require each agency, in providing notice of a rulemaking, to include

a link to a 100-word plain language summary of the proposed rule.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 57. Concurrent resolution expressing the sense of Congress supporting the State of Israel; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, without amendment:

S. 534. A bill to withdraw certain Bureau of Land Management land from mineral development (Rept. No. 118–63).

S. 683. A bill to modify the boundary of the Berryessa Snow Mountain National Monument to include certain Federal land in Lake County, California, and for other purposes (Rept. No. 118–64).

S. 706. A bill to withdraw the National Forest System land in the Ruby Mountains subdistrict of the Humboldt-Toiyabe National Forest and the National Wildlife Refuge System land in Ruby Lake National Wildlife Refuge, Elko and White Pine Counties, Nevada, from operation under the mineral leasing laws (Rept. No. 118–65).

S. 736. A bill to establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System, and for other purposes (Rept. No. 118–66).

S. 776. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Gila River system in the State of New Mexico as components of the National Wild and Scenic Rivers System, to provide for the transfer of administrative jurisdiction over certain Federal land in the State of New Mexico, and for other purposes (Rept. No. 118–67).

S. 843. A bill to amend the Infrastructure Investment and Jobs Act to authorize the use of funds for certain additional Carey Act projects, and for other purposes (Rept. No. 118–68).

By Mrs. MURRAY, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2024'' (Rept. No. 118–69).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. PETERS for the Committee on Homeland Security and Governmental Affairs.

*Fara Damelin, of Virginia, to be Inspector General, Federal Communications Commission.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROMNEY (for himself and Mr. HICKENLOOPER):

S. 2366. A bill to codify certain rules regarding competency-based education programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida (for himself and Ms. SINEMA):

S. 2367. A bill to improve border security through regular assessments and evaluations of the Checkpoint Program Management Office and effective training of U.S. Border Patrol agents regarding drug seizures; to the Committee on Homeland Security and Governmental Affairs.

By Mr. YOUNG (for himself and Mr. PETERS):

S. 2368. A bill to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to conduct an interagency review of and report to Congress on ways to increase the global competitiveness of the United States in attracting foreign direct investment; to the Committee on Commerce, Science, and Transportation.

By Mr. KAINE (for himself and Ms. COLLINS):

S. 2369. A bill to amend the Higher Education Act of 1965 to provide for teacher and school leader quality enhancement and to enhance institutional aid; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNOCK (for himself and Mr. TILLIS):

S. 2370. A bill to amend the Bill Emerson Good Samaritan Food Donation Act to provide protection for the good faith donation of pet products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MORAN (for himself and Mr. KING):

S. 2371. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income interest received on certain loans secured by rural or agricultural real property; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. BENNET, Mrs. BLACKBURN, Ms. CORTEZ MASTO, Mr. BOOZMAN, Mr. BROWN, Mr. VANCE, Ms. STABENOW, Mr. HAWLEY, Mr. KELLY, Mrs. CAPITO, Ms. SINEMA, Mr. WICKER, Mr. MARKEY, Mr. VAN HOLLEN, Mr. WARNOCK, Mr. CASEY, and Ms. BALDWIN):

S. 2372. A bill to amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers across State lines, and for other purposes; to the Committee on Finance.

By Ms. ERNST:

S. 2373. A bill to establish a minimum temperature for thermostats at the headquarters of the Department of Energy and the Environmental Protection Agency; to the Committee on Environment and Public Works.

By Mr. VANCE:

S. 2374. A bill to exclude certain individuals subject to certain deferred action from eligibility for health plans offered on the Exchanges, advance payments of the premium tax credit, cost-sharing reductions, a Basic Health Program, and for Medicaid and the Children's Health Insurance Programs, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 2375. A bill to designate the facility of the United States Postal Service located at 620 East Pecan Boulevard in McAllen, Texas, as the ''Agent Raul H. Gonzalez Jr. Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND (for herself and Mr. MARSHALL):

S. 2376. A bill to reauthorize the Helen Keller National Center Act; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. PAUL, Mr. GRASSLEY, Mrs. SHAHEEN, Ms. SINEMA, Mr. WICKER, Mr. BROWN, Mr. WELCH, and Mr. KING):

S. 2377. A bill to amend title XVIII of the Social Security Act to improve coverage of audiology services under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. MARKEY (for himself, Ms. WARREN, and Mr. WHITEHOUSE):

S. 2378. A bill to amend the Internal Revenue Code of 1986 to increase excise taxes on fuel used by private jets, and for other purposes; to the Committee on Finance.

By Mrs. CAPITO (for herself, Ms. STABENOW, Mr. MENENDEZ, and Mr. WICKER):

S. 2379. A bill to amend title XVIII of the Social Security Act to provide for certain cognitive impairment detection in the Medicare annual wellness visit and initial preventive physical examination; to the Committee on Finance.

By Ms. SMITH:

S. 2380. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to improve assistance for socially disadvantaged farmers and ranchers and veteran farmers and ranchers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, and Mr. WHITEHOUSE):

S. 2381. A bill to require the search and retention of certain records with respect to conducting criminal background checks, and for other purposes; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself and Mr. GRASSLEY):

S. 2382. A bill to amend the Agricultural Foreign Investment Disclosure Act of 1978 to remove the limitation on the amount of a civil penalty, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MERKLEY (for himself, Mr. BENNET, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. PADILLA, Mr. FETTERMAN, Mr. WYDEN, and Mr. SANDERS):

S. 2383. A bill to amend the Clean Air Act to establish a grant program for supporting local communities in detecting, preparing for, communicating about, or mitigating the environmental and public health impacts of wildlife smoke and extreme heat, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself and Mr. ROUNDS):

S. 2384. A bill to provide lawful permanent resident status for certain advanced STEM degree holders, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNET (for himself, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. WARREN, Mr. WYDEN, Mr. KING, Mr. PADILLA, and Mr. SANDERS):

S. 2385. A bill to provide access to reliable, clean, and drinkable water on Tribal lands, and for other purposes; to the Committee on Indian Affairs.

By Mr. BOOKER (for himself, Mr. MENENDEZ, Ms. DUCKWORTH, and Mrs. GILLIBRAND):

S. 2386. A bill to require health insurance coverage for the treatment of infertility; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. PADILLA, Mrs. FEINSTEIN, and Mr. WYDEN):

S. 2387. A bill to authorize the President to declare a smoke emergency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. CORTEZ MASTO (for herself and Mr. ROUNDS):

S. 2388. A bill to amend the Consolidated Farm and Rural Development Act to establish a cybersecurity circuit rider program to provide cybersecurity-related technical assistance to certain entities that operate rural water or wastewater systems; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASSIDY (for himself and Mr. CRUZ):

S. 2389. A bill to require the Secretary of the Interior to conduct certain offshore lease sales under the Outer Continental Shelf Lands Act; to the Committee on Energy and Natural Resources.

By Ms. LUMMIS:

S. 2390. A bill to amend the Clean Air Act to create additional opportunities for small refineries to generate credits under the Renewable Fuel Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KENNEDY:

S. 2391. A bill to reauthorize the National Flood Insurance Program; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SINEMA (for herself, Mr. GRASSLEY, Mr. WYDEN, and Mr. CRAPO):

S. 2392. A bill to amend title VII of the Social Security Act to provide for a single point of contact at the Social Security Administration for individuals who are victims of identity theft; to the Committee on Finance.

By Mr. ROUNDS (for himself and Ms. CORTEZ MASTO):

S. 2393. A bill to establish a food and agriculture cybersecurity clearinghouse in the National Telecommunications and Information Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COTTON (for himself, Mr. VANCE, Mr. HAWLEY, and Mr. RUBIO):

S. 2394. A bill to amend the Child Abuse Prevention and Treatment Act to disqualify any State that discriminates against parents or guardians who oppose medical, surgical, pharmacological, psychological treatment, or clothing and social changes related to affirming the subjective claims of gender identity expressed by any minor if such claimed identity is inconsistent with such minor's biological sex from receiving funding under such Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself and Mrs. CAPITO):

S. 2395. A bill to reauthorize wildlife habitat and conservation programs, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WARNOCK (for himself, Mr. BROWN, Mr. BUDD, and Mr. CORNYN):

S. 2396. A bill to provide enhanced protection against debt collector harassment of members of the Armed Forces; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHMITT (for himself and Mr. MERKLEY):

S. 2397. A bill to amend section 495 of the Public Health Service Act to require inspections of foreign laboratories conducting biomedical and behavioral research to ensure compliance with applicable animal welfare requirements, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY:

S. 2398. A bill to require research into the health consequences of the environmental impacts of nuclear war, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself and Mr. BUDD):

S. 2399. A bill to require the Assistant Secretary for Preparedness and Response to conduct risk assessments and implement strategic initiatives or activities to address threats to public health and national security due to technical advancements in artificial intelligence or other emerging technology fields; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY:

S. 2400. A bill to require the Secretary of Health and Human Services to prescribe a regulation reducing the risks in gene synthesis products, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH:

S. 2401. A bill to amend section 504 of title 10, United States Code, to allow certain aliens to enlist in the Armed Forces and to clarify the naturalization process for such alien enlistees, and for other purposes; to the Committee on the Judiciary.

By Ms. HASSAN (for herself, Mr. YOUNG, Mr. KAINE, and Ms. COLLINS):

S. 2402. A bill to amend the Workforce Innovation and Opportunity Act to establish a career pathways grant program; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself and Mr. BLUMENTHAL):

S. Res. 302. A resolution expressing the sense of the Senate to support Ukraine's accession into the North Atlantic Treaty Organization (NATO); to the Committee on Foreign Relations.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. Res. 303. A resolution congratulating the University of Alaska Fairbanks rifle team for winning the 2023 National Collegiate Athletic Association championship, the program's 11th title overall; considered and agreed to.

By Mr. LANKFORD (for himself and Mr. MULLIN):

S. Res. 304. A resolution congratulating the University of Oklahoma softball team for winning the 2023 Women's College World Series, the seventh national title in program history; considered and agreed to.

ADDITIONAL COSPONSORS

S. 106

At the request of Ms. BALDWIN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 106, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

S. 127

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 127, a bill to prevent unfair and deceptive acts or practices and the dissemination of false information related to pharmacy benefit management services for prescription drugs, and for other purposes.

S. 222

At the request of Mr. CRUZ, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 222, a bill to require the designation of certain airports as ports of entry.

S. 359

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 359, a bill to amend title 28, United States Code, to provide for a code of conduct for justices of the Supreme Court of the United States, and for other purposes.

S. 448

At the request of Mr. PADILLA, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 448, a bill to codify the existing Outdoor Recreation Legacy Partnership Program of the National Park Service, and for other purposes.

S. 668

At the request of Mr. BOOZMAN, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 668, a bill to require the Secretary of the Treasury to mint coins to honor and memorialize the tragedy of the Sultana steamboat explosion of 1865.

S. 788

At the request of Mr. BOOZMAN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Delaware (Mr. CARPER) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 788, a bill to amend the Permanent Electronic Duck Stamp Act of 2013 to allow States to issue fully electronic stamps under that Act, and for other purposes.

S. 789

At the request of Mr. VAN HOLLEN, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 789, a bill to require the Secretary of the Treasury to mint a coin in recognition of the 100th anniversary of the United States Foreign Service and its contribution to United States diplomacy.

S. 813

At the request of Mr. LUJÁN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 813, a bill to direct the Secretary of Agriculture to amend regulations to allow for certain packers to have an interest in market agencies, and for other purposes.

S. 928

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 928, a bill to require the Secretary of Veterans Affairs to prepare an annual report on suicide prevention, and for other purposes.

S. 1044

At the request of Mr. FETTERMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1044, a bill to improve rail safety practices and for other purposes.

S. 1183

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1183, a bill to prohibit discrimination on the basis of mental or physical disability in cases of organ transplants.

S. 1271

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1271, a bill to impose sanctions with respect to trafficking of illicit fentanyl and its precursors by transnational criminal organizations, including cartels, and for other purposes.

S. 1330

At the request of Mr. BOOZMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1330, a bill to amend title 38, United States Code, to provide a burial and funeral allowance for certain veterans who die at home or in other settings while in receipt of hospice care furnished by the Department of Veterans Affairs, and for other purposes.

S. 1352

At the request of Ms. KLOBUCHAR, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1352, a bill to amend the Small Business Investment Act of 1958 to improve the loan guaranty program, enhance the ability of small manufacturers to access affordable capital, and for other purposes.

S. 1375

At the request of Mr. KAINE, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1375, a bill to amend title XXVII of the Public Health Service Act to apply additional payments, discounts, and other financial assistance towards the cost-sharing requirements of health insurance plans, and for other purposes.

S. 1396

At the request of Mr. COONS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1396, a bill to improve commercialization activities in the SBIR and STTR programs, and for other purposes.

S. 1467

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1467, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 1469

At the request of Ms. ERNST, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 1469, a bill to require certification of small business concerns as small business concerns owned and controlled by service-disabled veterans in order to be counted toward goals for contract awards, and for other purposes.

S. 1527

At the request of Mrs. SHAHEEN, the names of the Senator from Vermont (Mr. WELCH) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1527, a bill to amend title 10, United States Code, to ensure that members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 1560

At the request of Mr. HAWLEY, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1560, a bill to require the development of a comprehensive rural hospital cybersecurity workforce development strategy, and for other purposes.

S. 1571

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 1571, a bill to amend title XVIII of the Social Security Act to restore State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program, and for other purposes.

S. 1635

At the request of Ms. KLOBUCHAR, the names of the Senator from Delaware (Mr. COONS) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 1635, a bill to require the Secretary of Veterans Affairs to take certain actions to improve the processing by the Department of Veterans Affairs of claims for disability compensation for post-traumatic stress disorder, and for other purposes.

S. 1667

At the request of Mr. PADILLA, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1667, a bill to amend the Immigration and Nationality Act to authorize lawful permanent resident status for certain college graduates who entered the United States as children, and for other purposes.

S. 1668

At the request of Mr. WYDEN, the names of the Senator from Ohio (Mr. VANCE) and the Senator from Kansas (Mr. MARSHALL) were added as cosponsors of S. 1668, a bill to improve the Organ Procurement and Transplantation Network, and for other purposes.

S. 1672

At the request of Mr. HAGERTY, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1672, a bill to require officers and employees of the legislative and executive branches to make certain disclosures related to communications with information content providers and interactive computer services regarding restricting speech.

S. 1698

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1698, a bill to require group health plans and group or individual health insurance coverage to provide coverage for over-the-counter contraceptives.

S. 1732

At the request of Mr. SCOTT of South Carolina, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1732, a bill to require application stores to publicly list the country of origin of the applications that they distribute, and to provide consumers the ability to protect themselves.

S. 1968

At the request of Mr. TUBERVILLE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1968, a bill to modify the annual and aggregate limits of Federal Unsubsidized Stafford Loans for graduate and professional students, and to terminate Federal Direct PLUS Loans for graduate and professional students, and for other purposes.

S. 2189

At the request of Ms. ERNST, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2189, a bill to require the publication of fossil-fuel powered travel by the President, the Vice President, and political appointees, and for other purposes.

S. 2293

At the request of Mr. PETERS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2293, a bill to establish the Chief Artificial Intelligence Officers Council, Chief Artificial Intelligence Officers, and Artificial Intelligence Governance Boards, and for other purposes.

S. 2307

At the request of Mr. CRAPO, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2307, a bill to support and strengthen the fighter aircraft capabilities of the Air Force, and for other purposes.

S. 2327

At the request of Ms. KLOBUCHAR, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 2327, a bill to provide support for nationals of Afghanistan who supported the United States mission in Afghanistan, adequate vetting for parolees from Afghanistan, adjustment of status for eligible individuals, and special immigrant status for at-risk Afghan allies and relatives of certain members of the Armed Forces, and for other purposes.

S. 2357

At the request of Mr. VANCE, the name of the Senator from Alabama

(Mr. TUBERVILLE) was added as a cosponsor of S. 2357, a bill to amend chapter 110 of title 18, United States Code, to prohibit gender-affirming care on minors, and for other purposes.

S.J. RES. 32

At the request of Mr. KENNEDY, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S.J. Res. 32, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to ''Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)''.

AMENDMENT NO. 142

At the request of Mr. TESTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 142 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 180

At the request of Ms. HIRONO, the names of the Senator from Florida (Mr. RUBIO) and the Senator from California (Mr. PADILLA) were added as cosponsors of amendment No. 180 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 203

At the request of Mr. WARNOCK, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 203 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 302

At the request of Ms. KLOBUCHAR, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Wyoming (Ms. LUMMIS) were added as cosponsors of amendment No. 302 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 320

At the request of Mr. OSSOFF, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 320 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 371

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from California (Mr. PADILLA) were added as cosponsors of amendment No. 371 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 411

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 411 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 421

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 421 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 429

At the request of Mr. KAINE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 429 proposed to S. 2226, an original bill 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.

AMENDMENT NO. 430

At the request of Mr. KAINE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 430 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 470

At the request of Mr. RISCH, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 470 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 475

At the request of Mr. COONS, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 475 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 484

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of amendment No. 484 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 494

At the request of Mr. SCOTT of Florida, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 494 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 501

At the request of Ms. ERNST, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 501 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 509

At the request of Mr. CRAPO, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of amendment No. 509 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 510

At the request of Mr. SCOTT of Florida, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 510 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 521

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 521 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 523

At the request of Mr. RUBIO, the names of the Senator from Iowa (Ms. ERNST) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 523 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 536

At the request of Mrs. SHAHEEN, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Michigan (Ms. STABENOW), the Senator from New York (Mrs. GILLIBRAND), the Senator from Arizona (Mr. KELLY), the Senator from Ohio (Mr. BROWN), the Senator from Colorado (Mr. BENNET), the Senator from Washington (Mrs. MURRAY), the Senator from Nevada (Ms. ROSEN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from New Hampshire (Ms. HASSAN), the Senator from Illinois (Mr. DURBIN), the Senator from Maine (Mr. KING), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Mr. CARDIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Ms. WARREN), the Senator from Vermont (Mr. WELCH), the Senator from Vermont (Mr. SANDERS), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from New Mexico (Mr. LUJÁN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from California (Mr. PADILLA) were added as cosponsors of amendment No. 536 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 537

At the request of Mrs. SHAHEEN, the names of the Senator from Vermont (Mr. WELCH), the Senator from Hawaii (Ms. HIRONO), the Senator from Maine (Mr. KING), the Senator from Massachusetts (Ms. WARREN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Minnesota (Ms. SMITH), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Nevada (Ms. ROSEN), the Senator from Ohio (Mr. BROWN), the Senator from Colorado (Mr. BENNET), the Senator from Washington (Mrs. MURRAY), the Senator from New Hampshire (Ms. HASSAN), the Senator from Illinois (Mr. DURBIN), the Senator from Maryland (Mr. CARDIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Washington (Ms. CANTWELL), the Senator from Vermont (Mr. SANDERS), the Senator from New Mexico (Mr. LUJÁN) and the Senator from California (Mr. PADILLA) were added as cosponsors of amendment No. 537 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 563

At the request of Mr. ROUNDS, his name was added as a cosponsor of amendment No. 563 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 616

At the request of Mr. WARNER, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of amendment No. 616 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 628

At the request of Mr. KENNEDY, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of amendment No. 628 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 638

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 638 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 672

At the request of Ms. KLOBUCHAR, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 672 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 675

At the request of Ms. KLOBUCHAR, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of amendment No. 675 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 789

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 789 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 794

At the request of Ms. ROSEN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 794 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 819

At the request of Mr. RISCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of amendment No. 819 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 820

At the request of Mr. RISCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of amendment No. 820 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 826

At the request of Mr. MANCHIN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 826 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 828

At the request of Mr. BROWN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 828 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 931

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 931 intended to be proposed to S. 2226, an original bill 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.

AMENDMENT NO. 933

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 933 intended to be proposed to S. 2226, an original bill 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, and Mr. WHITEHOUSE):

S. 2381. A bill to require the search and retention of certain records with respect to conducting criminal background checks, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Madam President, today I am reintroducing legislation that would help bolster the Nation's background check system for firearms.

Under current law, incomplete background checks must be removed from the FBI's systems if they remain unresolved beyond the 88-day mark. As a result, countless firearms have been sold without completed background checks. This poses a grave danger because it allows individuals who we know are dangerous to purchase firearms.

In recent years, gun sales across America have dramatically increased. In 2022, about 17.4 million guns were sold in the United States. Unfortunately, this surge in purchases has overwhelmed our already-strained background check system.

While the vast majority of background checks are promptly completed within 3 days, the sheer volume of checks means that some checks will necessarily be delayed—and sometimes significantly delayed.

According to data compiled by NBC News, between January 2020 and November 2021, the FBI was unable to resolve 734,604 background checks within the current 88-day window. As a result of these delays, the FBI was required to wipe the incomplete checks from their systems. Since these background checks were never completed, it is impossible to know how many of these firearms were transferred to purchasers who were prohibited by law from owning a gun.

Congress must act to protect public safety by ensuring that all background checks are completed.

This bill would do exactly that. It would grant the FBI the authority to retain gun purchase records until a background check is fully completed. Put simply, this bill will let the FBI do its job.

I thank Senators BLUMENTHAL, BOOKER, MENENDEZ, MURPHY, PADILLA, and WHITEHOUSE for their support, and I urge the rest of my colleagues to support the bill as well.

By Mr. DURBIN (for himself and Mr. ROUNDS):

S. 2384. A bill to provide lawful permanent resident status for certain advanced STEM degree holders, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2384

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Keep STEM Talent Act of 2023''.

SEC. 2. VISA REQUIREMENTS.

(a) GRADUATE DEGREE VISA REQUIREMENTS.—To be approved for or maintain nonimmigrant status under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)), a student seeking to pursue an advanced degree in a STEM field (as defined in section 201(b)(1)(F)(ii) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)(F)(ii))) (as amended by section 3(a)) for a degree at the master's level or higher at a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) must apply for admission prior to beginning such advanced degree program.

(b) STRENGTHENED VETTING PROCESS.—The Secretary of Homeland Security and the Secretary of State shall establish procedures to ensure that aliens described in subsection (a) are admissible pursuant to section 212(a)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(A)). Such procedures shall ensure that such aliens seeking admission from within the United States undergo verification of academic credentials, comprehensive background checks, and interviews in a manner equivalent to that of an alien seeking admission from outside of the United States. To the greatest extent practicable, the Secretary of Homeland Security and the Secretary of State shall also take steps to ensure that such applications for admission are processed in a timely manner to allow the pursuit of graduate education.

(c) REPORTING REQUIREMENT.—The Secretary of Homeland Security and the Secretary of State shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives detailing the implementation and effectiveness of the requirement for foreign graduate students pursuing advanced degrees in STEM fields to seek admission prior to pursuing a graduate degree program. The report shall include data on visa application volumes, processing times, security outcomes, and economic impacts.

SEC. 3. LAWFUL PERMANENT RESIDENT STATUS FOR CERTAIN ADVANCED STEM DEGREE HOLDERS.

(a) ALIENS NOT SUBJECT TO DIRECT NUMERICAL LIMITATIONS.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F)(i) Aliens who—

''(I) have earned a degree in a STEM field at the master's level or higher while physically present in the United States from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) accredited by an accrediting entity recognized by the Department of Education;

''(II) have an offer of employment from, or are employed by, a United States employer to perform work that is directly related to

such degree at a rate of pay that is higher than the median wage level for the occupational classification in the area of employment, as determined by the Secretary of Labor; and

''(III) have an approved labor certification under section 212(a)(5)(A)(i); or

''(IV) are the spouses and children of aliens described in subclauses (I) through (III) who are accompanying or following to join such aliens.

''(ii) In this subparagraph, the term 'STEM field' means a field of science, technology, engineering, or mathematics described in the most recent version of the Classification of Instructional Programs of the Department of Education taxonomy under the summary group of—

''(I) computer and information sciences and support services;

''(II) engineering;

''(III) mathematics and statistics;

''(IV) biological and biomedical sciences;

''(V) physical sciences;

''(VI) agriculture sciences; or

''(VII) natural resources and conservation sciences.''.

(b) PROCEDURE FOR GRANTING IMMIGRATION STATUS.—Section 204(a)(1)(F) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(F)) is amended—

(1) by striking ''203(b)(2)'' and all that follows through ''Attorney General''; and

(2) by inserting ''203(b)(2), 203(b)(3), or 201(b)(1)(F) may file a petition with the Secretary of Homeland Security''.

(c) LABOR CERTIFICATION.—Section 212(a)(5)(D) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)(D)) is amended by inserting ''section 201(b)(1)(F) or under'' after ''adjustment of status under''.

(d) DUAL INTENT FOR F NONIMMIGRANTS SEEKING ADVANCED STEM DEGREES AT UNITED STATES INSTITUTIONS OF HIGHER EDUCATION.—Notwithstanding sections 101(a)(15)(F)(i) and 214(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i) and1184(b)), an alien who is a bona fide student admitted to a program in a STEM field (as defined in subparagraph (F)(ii) of section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1))) for a degree at the master's level or higher at a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) accredited by an accrediting entity recognized by the Department of Education may obtain a student visa, be admitted to the United States as a nonimmigrant student, or extend or change nonimmigrant status to pursue such degree even if such alien seeks lawful permanent resident status in the United States. Nothing in this subsection may be construed to modify or amend section 101(a)(15)(F)(i) or 214(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i) or 1184(b)), or any regulation interpreting these authorities for an alien who is not described in this subsection.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 302—EXPRESSING THE SENSE OF THE SENATE TO SUPPORT UKRAINE'S ACCESSION INTO THE NORTH ATLANTIC TREATY ORGANIZATION (NATO)

Mr. GRAHAM (for himself and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 302

Whereas the North Atlantic Treaty Organization (NATO) was established to provide ''for [the] collective defence and for the preservation of peace and security'' of its members through promoting cooperation and committing them to democracy, individual liberty, the rule of law, and the peaceful resolution of disputes;

Whereas, on August 24, 1991, Ukraine became a sovereign, independent nation and started a long process of reforms with the goal of achieving democracy, transparency, and rule of law;

Whereas, on December 5, 1994, Ukraine signed the Budapest Memorandum and surrendered its nuclear weapons, the third largest stockpile in the world at the time, in exchange for nonbinding security guarantees from the United States, the United Kingdom, and the Russian Federation;

Whereas, on April 3, 2008, heads of state and government of the member countries of NATO signed the Bucharest Summit Declaration, which stated, ''NATO welcomes Ukraine's and Georgia's Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO. Both nations have made valuable contributions to Alliance operations'';

Whereas, on February 20, 2014, the Russian Federation and its proxies launched an unprovoked invasion of Crimea and annexed the peninsula, and has illegally occupied the peninsula since;

Whereas, on April 6, 2014, the Russian Federation and its proxies launched an operation in the Donetsk and Luhansk provinces of Ukraine and have illegally occupied portions of the Donbas region since;

Whereas, on February 24, 2022, the Russian Federation launched a full-scale, unprovoked invasion of Ukraine, a sovereign nation that borders Poland, Slovakia, Hungary, and Romania, all of whom are members of NATO;

Whereas, on September 30, 2022, Ukraine formally applied to join NATO, and President Volodymyr Zelensky stated, ''We are taking our decisive step by signing Ukraine's application for accelerated accession to NATO.'';

Whereas, on June 17, 2023, President Vladimir Putin confirmed that the Russian Federation had begun to deploy tactical nuclear weapons within the Republic of Belarus, further increasing the threat posed by the Russian Federation to Ukraine, surrounding NATO countries, allies, partners, and United States troops stationed in the region;

Whereas, on July 7, 2023, NATO Secretary-General Jens Stoltenberg stated that, at the NATO Summit 2023, NATO leaders ''will agree a multi-year program of assistance to ensure full interoperability between the Ukrainian armed forces and NATO'' and ''will reaffirm that Ukraine will become a member of NATO and unite on how to bring Ukraine closer to its goal'';

Whereas, on August 24, Ukraine celebrates their independence day and commemorates the date on which they left the Soviet Union to become a sovereign and democratic state;

Whereas NATO members ''are determined to safeguard the freedom, common heritage and civilisation of their peoples'', which Ukraine has done since the first day of the Russian Federation's unprovoked full-scale invasion more than 500 days ago; and

Whereas, with support from NATO members and partner nations around the world, Ukraine continues to counter the Russian Federation's aggression: Now, therefore be it

Resolved,

SECTION 1. SENSE OF THE SENATE.

The Senate—

(1) stands with the people of Ukraine and supports the accession of Ukraine into NATO as soon as possible;

(2) urges the President to engage with NATO leaders to develop a clear, comprehensive pathway for Ukraine's accession into NATO;

(3) views the accession of Ukraine into NATO as critical to preventing future wars, promoting peace, and ensuring the future security of Europe and the world; and

(4) supports the Government and people of Ukraine in this unprovoked war that has stretched over 500 days, as they continue to defend their sovereignty and fight to remain an independent, free, and democratic nation.

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this resolution may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

SENATE RESOLUTION 303—CONGRATULATING THE UNIVERSITY OF ALASKA FAIRBANKS RIFLE TEAM FOR WINNING THE 2023 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION CHAMPIONSHIP, THE PROGRAM'S 11TH TITLE OVERALL

Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted the following resolution; which was considered and agreed to:

S. RES. 303

Whereas the University of Alaska Fairbanks rifle team (referred to in this preamble as the ''Nanooks'') won the 2023 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') championship where the team was awarded 12 individual and 1 team Collegiate Rifle Coaches Association (referred to in this preamble as the ''CRCA'') All–American Honors;

Whereas, the Nanooks have won—

(1) eleven NCAA championships;

(2) three consecutive NCAA championships; and

(3) the second-most national championships in NCAA rifle competition history;

Whereas, at the 2023 NCAA championship, the Nanooks placed first with a score of 4729;

Whereas the Nanooks placed first in the individual smallbore category with a score of 2349;

Whereas the Nanooks placed first in the individual air rifle category with a score of 2380;

Whereas Rylan Kissell was awarded the First Team CRCA All–American Aggregate, First Team CRCA All–American Air Rifle, First Team CRCA All–American Smallbore, and CRCA Most Valuable Shooter;

Whereas Sára Karasová was awarded the Second Team CRCA All–American Aggregate, First Team CRCA All–American Smallbore, and Second Team CRCA All–American Air Rifle;

Whereas Gavin Barnick was awarded the Second Team CRCA All–American Aggregate, First Team CRCA All–American Smallbore, and Honorable Mention CRCA All–American Air Rifle;

Whereas Rachael Charles was awarded the Honorable Mention CRCA All–American Aggregate and Second Team CRCA All–American Smallbore;

Whereas the full roster, consisting of Gavin Barnick, Tobias Bernhoft-Osa, Rachael Charles, Peter Fiori, Marina Gonzalez Mazo, Sára Karasová, Rylan Kissell, and Kellen McAferty, received the CRCA Scholastic Academic All–American honors this season; and

Whereas the Nanooks Head Coach, Will Anti, led the team to 11 wins and 0 losses during the 2022 to 2023 season, which included winning the 2023 National Collegiate Athletic Association championship: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Alaska Fairbanks rifle team for winning the 2023 National Collegiate Athletic Association championship;

(2) recognizes the exceptional standard set by—

(A) head coach Will Anti; and

(B) the athletes on the University of Alaska Fairbanks rifle team; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the president of the University of Alaska, Pat Pitney;

(B) the chancellor of the University of Alaska Fairbanks, Dan White; and

(C) the athletics director of the University of Alaska Fairbanks, Brock Anundson, and the head coach of the University of Alaska Fairbanks rifle team, Will Anti.

SENATE RESOLUTION 304—CONGRATULATING THE UNIVERSITY OF OKLAHOMA SOFTBALL TEAM FOR WINNING THE 2023 WOMEN'S COLLEGE WORLD SERIES, THE SEVENTH NATIONAL TITLE IN PROGRAM HISTORY

Mr. LANKFORD (for himself and Mr. MULLIN) submitted the following resolution; which was considered and agreed to:

S. RES. 304

Whereas the University of Oklahoma Sooners softball team (referred to in this preamble as the ''Sooners'') swept Florida State University on June 8, 2023, to win the 2023 Women's College World Series hosted in Oklahoma City, Oklahoma;

Whereas the victory is the third straight national title and the seventh overall national championship for the program;

Whereas the Sooners defeated ninth seed Stanford and third seed Florida State to win a fifth championship in 7 seasons;

Whereas the 2023 national championship is the third consecutive for the Sooners, making Oklahoma one of just 2 schools to have accomplished this feat;

Whereas the Sooners—

(1) finished the regular season with 61 wins and just 1 loss, resulting in a winning percentage of .984, the best winning percentage of any team in NCAA Division I softball history; and

(2) extended the NCAA Division 1 record winning streak to 53 games;

Whereas, over the past 3 years, the Sooners have a record of 176 wins and 8 losses;

Whereas the Sooners became the first team in history to lead the Nation in batting average, earned run average, and fielding percentage in the same season;

Whereas, under the leadership of Coach Patty Gasso, the Sooners have won the Big 12 Conference regular season title 15 times, been to the NCAA Tournament 28 times, been to the NCAA Women's College World Series 16 times, and won 7 championships;

Whereas Jayda Coleman was named Big 12 Player of the Year, which marks the fourth consecutive season a Sooner has won the award;

Whereas 7 Sooners were awarded National Fastpitch Coaches Association All-American Honors, including 5 on the first team; and

Whereas the University of Oklahoma finished number 1 in the NCAA women's softball final ranking: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Oklahoma women's softball team for winning the 2023 Women's College World Series;

(2) recognizes the exemplary standard set by Coach Patty Gasso, staff, and the student athletes;

(3) celebrates alongside the students, faculty, and staff at the University of Oklahoma and all fans of the University of Oklahoma Sooners softball team; and

(4) respectfully requests that the Secretary of the Senate send a copy of this resolution to—

(A) the president of the University of Oklahoma, Joseph Harroz, Jr.;

(B) the athletic director of the University of Oklahoma, Joe Castiglione; and

(C) the head coach of the women's softball team, Patty Gasso.

AMENDMENTS SUBMITTED AND PROPOSED

SA 935. Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) proposed an amendment to the bill S. 2226, 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.

SA 936. Mr. SCHUMER proposed an amendment to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, supra.

SA 937. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 938. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 939. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 940. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 941. Mr. DAINES submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 942. Mr. WICKER (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 935 proposed by Mr . SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, supra; which was ordered to lie on the table.

SA 943. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 944. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 945. Mrs. SHAHEEN (for herself and Mr. ROMNEY) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 946. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 947. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 948. Ms. ROSEN (for herself, Ms. ERNST, Ms. DUCKWORTH, and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 949. Mr. MORAN (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 950. Ms. ERNST (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 951. Mr. MANCHIN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 952. Mr. MANCHIN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 953. Mr. OSSOFF (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 954. Mr. LANKFORD (for himself and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 955. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 956. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 957. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 958. Mr. SULLIVAN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 959. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 960. Mrs. FEINSTEIN (for herself, Mr. RUBIO, Mr. PADILLA, Mr. BRAUN, Mr. SCOTT of Florida, and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 961. Mr. ROUNDS (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 962. Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. KAINE, Mr. SCHATZ, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, supra; which was ordered to lie on the table.

SA 963. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 964. Ms. LUMMIS submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 965. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 966. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 967. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 968. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2226, supra; which was ordered to lie on the table.

SA 969. Mr. FETTERMAN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 970. Mr. RISCH (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 971. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 972. Mr. WHITEHOUSE (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 973. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 974. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 975. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 976. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 977. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 978. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 979. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 980. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 981. Mr. DURBIN (for himself, Mrs. SHAHEEN, Mr. BOOZMAN, Mr. COONS, and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 982. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 983. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 984. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 985. Mr. KELLY (for himself, Mr. CRUZ, Mr. YOUNG, Mr. HAGERTY, Mr. BROWN, Mr. BUDD, Ms. SINEMA, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 986. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 987. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 935. Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) proposed an amendment to the bill S. 2226, 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; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2024''.

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

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Army Programs

SEC. 111. REPORT ON ARMY REQUIREMENTS AND ACQUISITION STRATEGY FOR NIGHT VISION DEVICES.

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

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

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

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

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

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

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

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

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

(D) The expected date for achieving the capabilities.

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

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

SEC. 112. ARMY PLAN FOR ENSURING SOURCES OF CANNON TUBES.

(a) UPDATED ASSESSMENT.—The Secretary of the Army shall update the assessment of the Secretary on the sufficiency of the development, production, procurement, and modernization of the defense industrial base for cannon and large caliber weapons tubes.

(b) SUBMITTAL TO CONGRESS.—Not later than February 29, 2024, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an update to the report submitted to Congress in March 2022 entitled ''Army Plan for Ensuring Sources of Cannon Tubes''.

SEC. 113. STRATEGY FOR ARMY TACTICAL WHEELED VEHICLE PROGRAM.

(a) STRATEGY REQUIRED.—In the budget justification materials submitted in support of the budget of the Department of Defense (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) for fiscal year 2025 and every five years thereafter, the Secretary of the Army shall include a report on the strategy of the Army for tactical wheeled vehicles.

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

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

(2) be designed so that the force of tactical wheeled vehicles provided under the strategy supports the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 3043); and

(3) define capabilities and capacity requirements across the entire fleet of tactical wheeled vehicles, including—

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

(B) associated trailer and support equipment.

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

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

(2) A description of the necessary force structure and capabilities of tactical wheeled vehicles to meet the requirements of the national security strategy described in subsection (b)(2).

(3) The estimated levels of annual funding, by vehicle class, in both graphical and tabular form, necessary to carry out the program described in paragraph (1), together with a discussion of the procurement strategies on which such estimated levels of annual funding are based.

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

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

(1) Objectives relating to protection, fleet operations, mission command, mobility, and the industrial base.

(2) Technological advances that will increase efficiency of and reduce demand for tactical wheeled vehicles.

(3) Technological advances that allow for the operation of tactical wheeled vehicles in a variety of climate and geographic conditions.

(4) Existing commercial technologies such as vehicle electrification, autonomous capabilities, and predictive maintenance, among others.

(5) The capabilities of autonomous equivalents to tactical wheeled vehicles.

(e) BRIEFING REQUIREMENTS.—Not later than 15 days after each budget submission described in subsection (a), in conjunction with the submission of each strategy required by such subsection, the Secretary of the Army shall provide a briefing to the congressional defense committees that addresses the investment needed for each platform of tactical wheeled vehicle across the future-years defense program.

SEC. 114. EXTENSION AND MODIFICATION OF ANNUAL UPDATES TO MASTER PLANS AND INVESTMENT STRATEGIES FOR ARMY AMMUNITION PLANTS.

Section 2834(d) of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 135 Stat. 2201) is amended—

(1) in the matter preceding paragraph (1), by striking ''March 31, 2026'' and inserting ''March 31, 2030''; and

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

''(5) A description of any changes made to the master plan based upon current global events, including pandemics and armed conflicts.''.

SEC. 115. REPORT ON ACQUISITION STRATEGIES OF THE LOGISTICS AUGMENTATION PROGRAM OF THE ARMY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army, in conjunction with the Office of the Secretary of Defense and in coordination with the geographic combatant commanders, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the

House of Representatives a report reviewing the proposed recompete of the operational task orders of the geographic combatant commands under the contract for the logistics augmentation program of the Army that will expire in 2028 (commonly referred to as ''LOGCAP V'').

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

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

(2) Input from stakeholders, including Army Sustainment Command, the geographic combatant commanders, and Army service component commanders, on the desirability and operational impacts of the proposed recompete described in subsection (a).

(3) Detailed cost estimates and timelines, including projected transition costs and timelines for the task orders described in subsection (a).

(4) An assessment of the potential impacts related to quality and timing of transitioning to the new logistics augmentation program (commonly referred to as ''LOGCAP VI'').

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

(6) An overview of potential innovations and efficiencies derived from a competition for LOGCAP VI.

(7) An explanation of the benefit of recompeting the task orders described in subsection (a) compared to an open competition for LOGCAP VI.

(8) A breakdown of additional authorities needed to move directly to LOGCAP VI.

Subtitle C—Navy Programs

SEC. 121. REDUCTION IN THE MINIMUM NUMBER OF NAVY CARRIER AIR WINGS AND CARRIER AIR WING HEADQUARTERS REQUIRED TO BE MAINTAINED.

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

(1) in paragraph (1), by striking ''until the earlier of'' and all that follows and inserting ''until the date on which additional operationally deployable aircraft carriers can fully support a 10th carrier air wing;''; and

(2) in paragraph (2), by striking ''the earlier of'' and all that follows through ''and (B) of'' and inserting ''the date referred to in''.

SEC. 122. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.

Section 130(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1665), as most recently amended by section 123(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''through 2023'' and inserting ''through 2024''.

SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

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

(b) AUTHORITY FOR ADVANCE PROCUREMENT AND ECONOMIC ORDER QUANTITY.—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2024, for advance procurement associated with the Virginia class submarines for which authorization to enter into a multiyear procurement contract is provided under subsection (a) and for equipment or subsystems associated with the Virginia class submarine program, including procurement of—

(1) long lead time material; or

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

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2025 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) LIMITATION ON TERMINATION LIABILITY.—A contract for the construction of Virginia class submarines entered into under subsection (a) shall include a clause that limits the liability of the United States to the contractor for any termination of the contract. The maximum liability of the United States under the clause shall be the amount appropriated for the submarines covered by the contract regardless of the amount obligated under the contract.

Subtitle D—Air Force Programs

SEC. 131. LIMITATIONS AND MINIMUM INVENTORY REQUIREMENT RELATING TO RQ–4 AIRCRAFT.

Section 9062 of title 10, United States Code, is amended by adding at the end the following new subsection:

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

''(A) retire an RQ–4 aircraft;

''(B) reduce funding for unit personnel or weapon system sustainment activities for RQ–4 aircraft in a manner that presumes future congressional authority to divest such aircraft;

''(C) keep an RQ–4 aircraft in a status considered excess to the requirements of the possessing command and awaiting disposition instructions (commonly referred to as 'XJ' status); or

''(D) decrease the total aircraft inventory of RQ–4 aircraft below 10 aircraft.

''(2) The prohibition under paragraph (1) shall not apply to individual RQ–4 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable and uneconomical to repair because of aircraft accidents, mishaps, or excessive material degradation and non-airworthiness status of certain aircraft.''.

SEC. 132. LIMITATION ON DIVESTITURE OF T–1A TRAINING AIRCRAFT.

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

(1) the fleet-wide implementation of the Undergraduate Pilot Training 2.5 curriculum and the effect of such implementation on the undergraduate pilot training pipeline; and

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

SEC. 133. MODIFICATION TO MINIMUM INVENTORY REQUIREMENT FOR A–10 AIRCRAFT.

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

(b) FISCAL YEAR 2016 NDAA.—Section 142(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 755), as amended by section 141(b)(2) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''153 A–10 aircraft'' and inserting ''135 A–10 aircraft''.

SEC. 134. MODIFICATION TO MINIMUM REQUIREMENT FOR TOTAL PRIMARY MISSION AIRCRAFT INVENTORY OF AIR FORCE FIGHTER AIRCRAFT.

Section 9062(i)(1) of title 10, United States Code, is amended by striking ''1,145 fighter aircraft'' and inserting ''1,112 fighter aircraft''.

SEC. 135. MODIFICATION OF LIMITATION ON DIVESTMENT OF F–15 AIRCRAFT.

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

(1) in subsection (b)(1)—

(A) in subparagraph (C)(ii), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

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

''(E) for each covered F–15 aircraft that the Secretary plans to divest, a description of—

''(i) the upgrades and modifications done to the aircraft, including the date of each modification and the value amount of each modification in current year dollars; and

''(ii) the estimated remaining service life of—

''(I) the aircraft; and

''(II) the onboard systems of the aircraft.''; and

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

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

''(1) update the report required under subsection (b); and

''(2) submit such update to the congressional defense committees.''.

SEC. 136. REPORT ON AIR FORCE EXECUTIVE AIRCRAFT.

(a) IN GENERAL.—Not later than January 1, 2025, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the following:

(1) An overview of the total missions flown by executive aircraft of the Air Force during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year, including the mission types and Government agencies supported.

(2) An identification of each mission flown by executive aircraft of the Air Force during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year, including the mission type, overall cost, average flight hour cost, and Government agency supported, disaggregated by wing and by type of aircraft.

(3) The projected mission capacity for executive aircraft of the Air Force for the five fiscal years following the fiscal year in which the report is submitted, disaggregated by fiscal year, factoring in any planned changes to aircraft inventory.

(4) A description of any anomalous conditions that may have impacted the availability, with respect to executive aircraft of the Air Force, of a specific aircraft type or wing during the five fiscal years preceding the fiscal year in which the report is submitted, such as unavailability of a specific aircraft type due to block upgrades or fleetwide maintenance issues.

(5) A description of the impact of the capacity of executive aircraft of the Air Force on the overall capacity of the Department of Defense to meet demand for executive aircraft.

(6) The total outlays of the Department of the Air Force for missions flown by executive aircraft of the Air Force, after factoring

in reimbursements received from Government agencies supported, during the five fiscal years preceding the fiscal year in which the report is submitted, disaggregated by fiscal year and by account.

(7) The projected budgets for the executive aircraft of the Air Force through the future years defense program.

(8) A narrative description of how the Air Force plans and budgets for missions flown by executive aircraft.

(9) Any other information the Secretary considers to be important.

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

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

SEC. 141. PILOT PROGRAM TO ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES.

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

''(3) The Secretary of Defense may waive the priority established pursuant to paragraph (1) for up to two solicitations for proposals per fiscal year.''.

SEC. 142. REQUIREMENT TO DEVELOP AND IMPLEMENT POLICIES TO ESTABLISH THE DATALINK STRATEGY OF THE DEPARTMENT OF DEFENSE.

(a) POLICIES REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall develop and implement policies to establish the unified datalink strategy of the Department of Defense (in this section referred to as the ''strategy'').

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

(A) The designation of an organization that will act as the lead coordinator of datalink activities across the entire Department of Defense.

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

(C) The use of a common standardized datalink network or transport protocol that ensures interoperability between independently developed datalinks, regardless of physical medium used, and ensures mesh routing. The Secretary of Defense shall consider the use of a subset of Internet Protocol.

(D) A programmatic decoupling of the physical method used to transmit data, the network or transport protocols used in the transmission and reception of data, and the applications used to process and use data.

(E) The coordination of weapon systems executing the same mission types across services of the strategy, including through the use of a common set of datalink waveforms. The Secretary shall evaluate the use of redundant datalinks for line-of-sight and beyond-line-of-sight information exchange for each weapon systems platform.

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

(G) Methods to support the rapid integration of common datalinks across the force.

(H) Support for modularity of specific datalink waveforms to enable rapid integration of future datalinks, including the use of software defined radios compliant with modular open system architecture and sensor open system architecture.

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

(1) A briefing on the proposed policies required by subsection (a)(1), with timelines for implementation.

(2) An estimated timeline of implementations of datalinks.

(3) A list of any additional resources and authorities required to execute the strategy.

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

SEC. 143. REPORT ON CONTRACT FOR CYBERSECURITY CAPABILITIES AND BRIEFING.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Department of Defense shall submit to the congressional defense committees a report on the decision to exercise options on an existing contract to use cybersecurity capabilities to protect assets and networks across the Department of Defense.

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

(A) A description of the potential effects on innovation and competition among cybersecurity vendors of the decision to exercise the cybersecurity options on the contract described in paragraph (1).

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

(C) A description of future plans of the Department of Defense to recompete the acquisition of integrated and interoperable cybersecurity tools and applications that would allow multiple vendors to compete separately and as teams.

(D) A copy of the analysis conducted by the Director of Cost Assessment and Program Evaluation of the Department of the costs and effectiveness of the cybersecurity capabilities covered by the contract described in paragraph (1).

(E) A copy of the analysis conducted by the Director of Operational Test and Evaluation of the Department of the effectiveness of the cybersecurity capabilities covered by the contract described in paragraph (1) compared to other commercially available products and vendors.

(b) BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer of the Department of Defense shall brief the congressional defense committees on the plans of the Department to ensure competition and interoperability in the security and identity and access management product market segments.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. UPDATED GUIDANCE ON PLANNING FOR EXPORTABILITY FEATURES FOR FUTURE PROGRAMS.

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

(1) Major defense acquisition programs (MDAPs) (as defined in section 4201 of title 10, United States Code), which shall include in the initial cost estimates for the programs a requirement to capture potential exportability needs.

(2) Middle tier acquisition (MTA) programs described in section 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 3201 note prec.), which shall include an assessment of potential exportability needs prior to transition from rapid fielding or prototyping.

(b) REVISION OF GUIDANCE FOR PROGRAM PROTECTION PLANS.—The Under Secretary shall revise guidance for program protection plans to integrate a requirement to determine exportability for the programs covered by such plans.

SEC. 212. SUPPORT TO THE DEFENCE INNOVATION ACCELERATOR FOR THE NORTH ATLANTIC.

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

(b) NOTIFICATION.—

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

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

(A) A detailed breakout of the funding provided.

(B) The intended purposes of such funds.

(C) The timeframe covered by such funds.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than July 1, 2024, the Under Secretary shall submit to the congressional defense committees a strategy for participation by the United States in the Initiative.

(2) CONTENTS.—The strategy submitted pursuant to paragraph (1) shall include the following:

(A) A description for how the Initiative fits into the innovation ecosystem for the North Atlantic Treaty Organization, as well as how it is synchronized with and will interact with other science, technology, and innovation activities within the Department of Defense.

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

(C) Identification of key technology focus areas to be addressed each year across the future years defense program.

(D) Anticipated areas for expansion for key nodes or locations for the Initiative, including how the Initiative will contribute to fostering the spread of innovation throughout the United States.

(d) ANNUAL REPORT.—Not later than February 1, 2024, and February 1 of each year thereafter through 2026, the Secretary shall submit to the congressional defense committees an annual report for Department supported activities of the Initiative, including the breakdown of funding provided for the previous fiscal year, and key milestones or achievements during that timeframe.

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

SEC. 213. MODIFICATION TO PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

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

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

(2) in paragraph (4), by inserting '', including, upon separation, pay the travel, transportation, and relocation expenses to return to the location of origin, at the time of the initial appointment, within the United States'' before the period at the end.

SEC. 214. ADMINISTRATION OF THE ADVANCED SENSORS APPLICATION PROGRAM.

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

(1) in subsection (a)—

(A) in paragraph (1), by striking ''The Commander of Naval Air Systems Command and the Director of Air Warfare shall jointly serve'' and inserting ''The Under Secretary of Defense for Intelligence and Security, acting through the Director of the Air Force Office of Concepts, Development, and Management Office, shall serve''; and

(B) in paragraph (2), by striking ''The resource sponsors of the Program shall be responsible'' and inserting ''The resource sponsor, in consultation with the Commander of Naval Air Systems Command, shall be responsible'';

(2) in subsection (b), by striking ''Only the Secretary of the Navy, the Under Secretary of the Navy, and the Commander of Naval Air Systems Command may'' and inserting ''Only the Under Secretary of Defense for Intelligence and Security and the Director of the Air Force Concepts, Development, and Management Office, in consultation with the Commander of Naval Air Systems Command, may''; and

(3) in subsection (d)(3), by striking ''exercised by the Commander of Naval Air Systems Command, the Secretary of the Navy, or the Under Secretary of the Navy'' and inserting ''exercised by the Under Secretary of Defense for Intelligence and Security and the Director of the Air Force Concepts, Development, and Management Office''.

SEC. 215. DELEGATION OF RESPONSIBILITY FOR CERTAIN RESEARCH PROGRAMS.

Section 980(b) of title 10, United Stated Code, is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

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

''(2) The Secretary may delegate the authority provided by paragraph (1) to the Under Secretary of Defense for Research and Engineering.''.

SEC. 216. PROGRAM OF STANDARDS AND REQUIREMENTS FOR MICROELECTRONICS.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall establish, not later than 180 days after the date of the enactment of this Act, a program within the National Security Agency to develop and continuously update, as the Secretary determines necessary, standards, commercial best practices, and requirements for the design, manufacture, packaging, test, and distribution of microelectronics acquired by the Department of Defense to provide acceptable levels of confidentiality, integrity, and availability for Department commercial-off-the-shelf (COTS) microelectronics, field programmable gate arrays (FPGAs), and custom integrated circuits (CICs).

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

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

(1) evidence-based assurance processes and techniques that sustain, build on, automate, and scale up the results and accomplishments of the Rapid Assured Microelectronics Prototypes (RAMP), RAMP-Commercial (RAMP-C), and State-of-the-Art Heterogeneous Integrated Packaging (SHIP) programs to enhance the confidentiality, integrity, and availability of microelectronics while minimizing costs and impacts to commercial manufacturing practices;

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

(3) threat models that comprehensively characterize the threat to microelectronics confidentiality, integrity, and availability across the entire supply chain, and the design, production, packaging, and deployment cycle to support risk management and risk mitigation, based on the principle of reducing risk to as low a level as reasonably practicable, including—

(A) comparative risk assessments; and

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

(4) levels of assurance and associated requirements for the production and acquisition of commercial-off-the-shelf integrated circuits, integrated circuits subject to International Traffic in Arms Regulations (ITAR) under subchapter M of chapter I of title 22, Code of Federal Regulations, or successor regulations, and classified integrated circuits using commercial foundry manufacturing process flows;

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

(6) guidance for the creation of a government organizational structure and plan to support the acquisition of fit-for-purpose microelectronics, including the role of the Defense Microelectronics Activity, the Crane Division of the Naval Surface Warfare Center, and the Joint Federated Assurance Center.

(d) MICROELECTRONICS ASSURANCE STANDARD.—The program established pursuant to subsection (a) shall establish a Department microelectronics assurance standard that includes an overarching assurance framework as well as the guides developed under subsection (c)(5), for commercial-off-the-shelf integrated circuits, integrated circuits subject to the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, or successor regulations, and classified microelectronics developed under subsection (c)(4).

(e) MICROELECTRONICS ASSURANCE EXECUTIVE AGENT.—The Secretary shall designate one individual from a military department as the Microelectronics Assurance Executive Agent to assist Federal Government program offices in acquiring fit-for-purpose microelectronics.

(f) MANAGEMENT OF RAMP AND SHIP PROGRAMS.—Effective on the date of the establishment of the program required by subsection (a), such program shall assume management of the Rapid Assured Microelectronics Prototypes, Rapid Assured Microelectronics Prototypes-Commercial (RAMP-C), and State-of-the-Art Heterogeneous Integrated Packaging programs that were in effect on the day before the date of the enactment of this Act and executed by the Under Secretary of Defense for Research and Engineering.

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

(h) REQUIREMENTS FOR CONTRACTING FOR APPLICATION-SPECIFIC INTEGRATED CIRCUITS.—The Secretary shall ensure that, for contracts for application-specific integrated circuits designed by defense industrial base contractors—

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

(2) commercial best industry practices for confidentiality, integrity, and availability are used;

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

(4) legal mechanisms are in place for data collection and sharing; and

(5) automation technology is adopted to achieve efficiency.

SEC. 217. CLARIFYING ROLE OF PARTNERSHIP INTERMEDIARIES TO PROMOTE DEFENSE RESEARCH AND EDUCATION.

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

(1) by striking ''that assists'' and inserting the following: ''that—

''(A) assists'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting a semicolon; and

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

''(B) facilitates technology transfer from industry or academic institutions to the Center; or

''(C) assists and facilitates workforce development in critical technology areas and technology transition to fulfill unmet needs of a Center.''.

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

(a) ESTABLISHMENT.—

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

(A) to facilitate the research, development, testing, evaluation, and competition of secure generative artificial intelligence detection and watermark technologies that can support each Secretary of a military department and the commanders of combatant commands to support warfighting requirements; and

(B) to transition such technologies, including technologies developed from pilot programs, prototype projects, or other research and development programs, from the prototyping phase to production.

(2) PARTICIPATION.—The participants in the competition carried out pursuant to paragraph (1) may include Federally-funded research and development centers (FFRDCs), the private sector, the defense industrial base, academia, government agencies, and such other participants as the Secretary considers appropriate.

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

(4) DESIGNATION.—The competition established and carried out pursuant to paragraph (1) shall be known as the ''Generative AI Detection and Watermark Competition''.

(b) ADMINISTRATION.—The Under Secretary of Defense for Research and Engineering

shall administer the competition required by subsection (a).

(c) FRAMEWORK.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the framework the Secretary will use to carry out the competition required by subsection (a).

(d) ANNUAL REPORTS.—Not later than October 1 of each year until the termination of the competition established and carried out under subsection (a), the Secretary shall submit to the congressional defense committees a report on the results of the competition.

(e) DEFINITIONS.—In this section:

(1) The term ''detection'' means a technology that can positively identify the presence of generative artificial intelligence in digital content.

(2) The term ''watermarking'' means embedding a piece of data onto detected artificial intelligence generated digital content, conveying attribution to the source generation.

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

Subtitle C—Plans, Reports, and Other Matters

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

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

(b) SCOPE.—

(1) IN GENERAL.—Each prize competition carried out under subsection (a) shall be structured to complement, and to the degree practicable, accelerate delivery or expand functionality of business systems capabilities being pursued by the affected Secretary, either currently in operation, in development, or for broad classes of systems covered by the business enterprise architecture required by section 2222(e) of title 10, United States Code.

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

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

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

(C) Automated updating of business architectures, business systems integration, or documentation related to existing systems or manuals.

(D) Improvements to interfaces or processes for interacting with other non-Department of Defense business systems.

(E) Updates or replacements for legacy business systems to improve operational effectiveness and efficiency, such as the Mechanization of Contract Administration Services (MOCAS).

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

(G) Pay and personnel systems, or expanded capability, that could be integrated into existing systems.

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

(I) Systems supporting industrial base and supply chain visibility, analytics, and management.

SEC. 222. UPDATE TO PLANS AND STRATEGIES FOR ARTIFICIAL INTELLIGENCE.

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

(1) establish and document procedures, including timelines, for the periodic review of the 2018 Department of Defense Artificial Intelligence Strategy, or any successor strategy, and associated annexes of the military departments to assess the implementation of the strategy and whether any revision is necessary;

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

(A) the adoption of artificial intelligence;

(B) adoption and enforcement of policies on the ethical use of artificial intelligence systems; and

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

(3) issue Department-wide guidance regarding—

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

(B) means to enforce and update ethics policy and guidelines across all adopted artificial intelligence systems; and

(C) means to identify, monitor, and mitigate bias in artificial intelligence algorithms;

(4) develop a strategic plan for the development, use, and cybersecurity of generative artificial intelligence, including a policy for use of, and defense against adversarial use of, generative artificial intelligence;

(5) assess technical workforce needs across the future years defense plan to support the continued development of artificial intelligence capabilities, including recruitment and retention policies and programs;

(6) assess the availability and adequacy of the basic artificial intelligence training and education curricula available to the broader Department civilian workforce and military personnel to promote artificial intelligence literacy to the nontechnical workforce and senior leadership with responsibilities adjacent to artificial intelligence technical development;

(7) develop and issue a timeline and guidance for the Chief Digital and Artificial Intelligence Officer of the Department and the Secretaries of the military departments to establish a common terminology for artificial intelligence-related activities;

(8) develop and implement a plan to protect and secure the integrity, availability, and privacy of artificial intelligence systems and models, including large language models, data libraries, data repositories, and algorithms, in training, development, and production environments;

(9) develop and implement a plan—

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

(B) to make those available, as appropriate, on classified networks;

(10) develop a plan to defend the people, organizations, and systems of the Department against adversarial artificial intelligence, including identification of organizations within the Department that could provide red teams capabilities for operational and developmental needs;

(11) develop and implement a policy for use by contracting officials to protect the intellectual property of commercial entities that provide their artificial intelligence algorithms to a Department repository established pursuant to section 232 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 4001 note), including policy for how to address data rights in situations in which government and commercial intellectual property may be mixed when such artificial intelligence algorithms are deployed in an operational environment;

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

(13) clarify guidance on the instances for and role of human intervention and oversight in the exercise of artificial intelligence algorithms for use in the generation of offensive or lethal courses of action for tactical operations.

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

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

(2) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the procedures, guidance, plans, assessment, and timelines established, issued, carried out, or developed under subsection (a).

SEC. 223. WESTERN REGIONAL RANGE COMPLEX DEMONSTRATION.

(a) DEMONSTRATION REQUIRED.—The Secretary shall carry out a demonstration of a joint multi-domain nonkinetic testing and training environment across military departments by interconnecting existing ranges and training sites in the western States to improve joint multi-domain nonkinetic training and further testing, research, and development.

(b) USE OF EXISTING RANGES AND CAPABILITIES.—The demonstration carried out pursuant to subsection (a) shall use existing ranges and range capability, unless capability gaps are identified in the process of planning specific demonstration activities.

(c) ACTIVITIES.—The demonstration carried out pursuant to subsection (a) shall include the following:

(1) Electromagnetic spectrum operations.

(2) Electromagnetic warfare.

(3) Operations in the information environment.

(4) Joint All Domain Command and Control (JADC2).

(5) Information warfare, including the following:

(A) Intelligence, surveillance, and reconnaissance.

(B) Offensive and defense cyber operations.

(C) Electromagnetic warfare.

(D) Space operations.

(E) Psychological operations.

(F) Public affairs.

(G) Weather operations.

(d) TIMELINE FOR COMPLETION OF INITIAL DEMONSTRATION.—In carrying out subsection (a), the Secretary shall seek to complete an initial demonstration, interconnecting two or more ranges or testing sites of two or more military departments in the western States, subject to availability of appropriations, not later than one year after the date of the enactment of this Act.

(e) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on—

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

(2) how the design architecture of the plan is in alignment with recommendations of the 2020 Department of Defense Electromagnetic Spectrum Superiority Strategy; and

(3) how the design architecture will support high-periodicity training, testing, research, and development.

(f) DEFINITION.—In this section:

(1) INFORMATION ENVIRONMENT.—The term ''information environment'' means the aggregate of individuals, organizations, and systems that collect, process, and disseminate, or act on information.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

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

SEC. 224. REPORT ON FEASIBILITY AND ADVISABILITY OF ESTABLISHING A QUANTUM COMPUTING INNOVATION CENTER.

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

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

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

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

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

(1) An assessment of the ongoing activities of the Department that are part of the National Quantum Initiative.

(2) An evaluation of the plans of the Department to develop quantum computing, sensing, and networking applications.

(3) The level of funding and resources invested by the Department to enable quantum military applications.

(4) Any established metrics or performance indicators to track the progress of quantum technology developments.

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

(6) An evaluation of any plans establishing how commercial advances in quantum technology can be leveraged for military operations.

(7) An assessment of the maturity of United States competitor efforts to develop quantum applications for adversarial use.

(8) An assessment of any processes to harmonize or coordinate activities across the Department to develop quantum computing applications.

(9) An evaluation of any Department-issued policy guidance regarding quantum computing applications.

(10) An evaluation of any Department plans to defend against adversarial use of quantum computing applications.

SEC. 225. BRIEFING ON THE IMPEDIMENTS TO THE TRANSITION OF THE SEMANTIC FORENSICS PROGRAM TO OPERATIONAL USE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall, in consultation with the Office of General Counsel of the Department of Defense and the Director of the Defense Advanced Research Projects Agency, provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the impediments to the transition of the Semantic Forensics program to operational use.

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

(1) Identification of policy and legal challenges associated with the transition described in subsection (a) and implementation of the Semantic Forensics program, including with respect to the use and operational testing of publicly available information.

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

(3) Recommendations for legislative or administrative action to mitigate the challenges identified pursuant to paragraph (1).

SEC. 226. ANNUAL REPORT ON DEPARTMENT OF DEFENSE HYPERSONIC CAPABILITY FUNDING AND INVESTMENT.

(a) IN GENERAL.—Not later than March 1 of fiscal year 2024 and March 1 of each of fiscal year thereafter through 2030, the Secretary of Defense shall submit to the congressional defense committees an annual report on funding and investments of the Department of Defense relating to hypersonic capabilities, including with respect to procurement, research, development, operations, and maintenance of offensive and defensive hypersonic weapons.

(b) REQUIREMENTS.—Each report submitted pursuant to subsection (a) shall—

(1) include cost data on the vehicles, testing, hypersonic sensors, command and control architectures, infrastructure, testing infrastructure, software, workforce, training, ranges, integration costs, and such other items as the Secretary considers appropriate;

(2) disaggregate information reported by offensive and defensive hypersonic capabilities;

(3) for research relating to hypersonic capabilities, include the program element and the name of the entity that is conducting the research, a description of the purpose of the research, and any Uniform Resource Locators to weapon programs associated with the research; and

(4) to the degree applicable, include all associated hypersonic program elements and line items.

(c) FORM.—Each report submitted pursuant to subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 227. LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL FOR OFFICE OF UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS PENDING A PLAN FOR MODERNIZING DEFENSE TRAVEL SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2024 for travel for the office of the Under Secretary of Defense for Personnel and Readiness, not more than 85 percent may be obligated or expended until the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives supporting justification material underpinning the decision to cease current modernization efforts for the Defense Travel System (DTS), and a plan going forward for modernizing or replacing such system

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

(1) The documentation from the Milestone Decision Authority (MDA) justifying cancellation of the current modernization contract, including—

(A) specific metrics used to make that determination;

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

(C) notification from the military departments when they were unable to make the desired usage rates using the current modernization prototype;

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

(E) alternatives considered prior to cancellation.

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

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

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

(3) A description from the Milestone Decision Authority on what the current plan is for modernizing the Defense Travel System, including timelines and potential costs.

SEC. 228. ANNUAL REPORT ON UNFUNDED PRIORITIES FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACTIVITIES.

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

''§ 222e. Unfunded priorities for research, development, test, and evaluation activities

''(a) ANNUAL REPORT.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to the congressional defense committees a report on the unfunded priorities of the Department of Defense-wide research, development, test, and evaluation activities.

''(b) CONTENTS.—

''(1) IN GENERAL.—Except as provided in subsection (c), each report submitted under subsection (a) shall specify, for each unfunded priority covered by such report, the following:

''(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).

''(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

''(C) Account information with respect to such priority, including the following (as applicable):

''(i) Line Item Number (LIN) for applicable procurement accounts.

''(ii) Program Element (PE) number for applicable research, development, test, and evaluation accounts.

''(2) PRIORITIZATION OF PRIORITIES.—The report under subsection (a) shall present the unfunded priorities covered by such report in order of urgency of priority.

''(c) EXCLUSION OF PRIORITIES COVERED IN OTHER REPORTS.—The report submitted under subsection (a) shall not include unfunded priorities or requirements covered in reports submitted under—

''(1) section 222a or 222b; or

''(2) section 2806 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 222a note).

''(d) FORM.—Each report submitted pursuant to subsection (a) shall be submitted in classified format, but the Secretary may also submit an unclassified version as the Secretary considers appropriate.

''(e) UNFUNDED PRIORITY DEFINED.—In this section, the term 'unfunded priority', in the case of a fiscal year, means a program, activity, or mission requirement, that—

''(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31; and

''(2) would have been recommended for funding through that budget if—

''(A) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

''(B) the program, activity, or mission requirement has emerged since the budget was formulated.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 222d the following new item:

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

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Energy and Environment

SEC. 311. REQUIREMENT FOR APPROVAL BY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT OF ANY WAIVER FOR A SYSTEM THAT DOES NOT MEET FUEL EFFICIENCY KEY PERFORMANCE PARAMETER.

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

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(1) IN GENERAL.—The Secretary of Defense''; and

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

''(2) WAIVER OF FUEL EFFICIENCY KEY PERFORMANCE PARAMETER.—

''(A) IN GENERAL.—The fuel efficiency key performance parameter implemented under paragraph (1) may be waived for a system only if such waiver is approved by the Under Secretary of Defense for Acquisition and Sustainment.

''(B) NONDELEGATION.—The waiver authority under subparagraph (A) may not be delegated.''.

SEC. 312. IMPROVEMENT AND CODIFICATION OF SENTINEL LANDSCAPES PARTNERSHIP PROGRAM AUTHORITY.

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

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

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

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

''§ 2693. Sentinel Landscapes Partnership''.

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

(1) in subsection (a), by striking ''and the Secretary of the Interior'' and inserting '', the Secretary of the Interior, and the heads of other Federal departments and agencies that elect to become full partners'';

(2) in subsection (b), by striking ''and the Secretary of the Interior, may, as the Secretaries'' and inserting ''the Secretary of the Interior, and the heads of other Federal departments and agencies that elect to become full partners may, as they'';

(3) by amending subsection (c) to read as follows:

''(c) COORDINATION OF ACTIVITIES.—The Secretaries and the heads of Federal departments and agencies, in carrying out this section, may coordinate actions between their departments and agencies and with other Federal, State, interstate, and local agencies, Indian Tribes, and private entities to more efficiently work together for the mutual benefit of conservation, resilience, working lands, and national defense, and to encourage owners and managers of land to engage in voluntary land management, resilience, and conservation activities that contribute to the sustainment of military installations, State-owned National Guard installations, and associated airspace.'';

(4) in subsection (d)—

(A) by striking the first sentence and inserting ''The Secretaries and the heads of Federal departments and agencies, in carrying out this section, may give to any eligible owner or manager of land within a designated sentinel landscape priority consideration for participation in any easement, grant, or assistance programs administered by that Secretary or head.''; and

(B) in the second sentence, by striking ''eligible landowner or agricultural producer'' and inserting ''eligible owner or manager of land''; and

(5) by redesignating subsection (f) as subsection (g);

(6) by inserting after subsection (e) the following new subsection (f):

''(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require an owner or manager of land, including a private landowner or agricultural producer, to participate in any land management, resilience, or conservation activity under this section.'';

(7) in subsection (g), as redesigned by paragraph (5)—

(A) in paragraph (1), by striking '' section 670(1) of title 16, United States Code'' and inserting '' section 100(1) of the Sikes Act (16 U.S.C. 670(1))'';

(B) in paragraph (2), by striking ''section 670(3) of title 16, United States Code'' and inserting ''section 100(3) of the Sikes Act (16 U.S.C. 670(3))''; and

(C) in paragraph (3), by amending subparagraph (B) to read as follows:

''(B) the publicly and privately owned lands that serve to protect and support the rural economy, the natural environment, outdoor recreation, and the national defense missions of a military installation or State-owned National Guard installation.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 159 of title 10, United States Code, is amended by inserting after the item relating to section 2692 the following new item:

''2693. Sentinel Landscapes Partnership.''.

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

Section 324(g) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (1) as paragraph (2);

(3) by inserting before paragraph (2), as redesignated by paragraph (2) of this section, the following new paragraph:

''(1) The term 'applicable material' means—

''(A) monoglycerides, diglycerides, and triglycerides;

''(B) free fatty acids; or

''(C) fatty acid esters.''; and

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

''(3) The term 'biomass' has the meaning given that term in section 45K(c)(3) of the Internal Revenue Code of 1986.

''(4) The term 'lifecycle greenhouse gas emissions reduction percentage' means, with respect to any sustainable aviation fuel, the percentage reduction in lifecycle greenhouse gas emissions achieved by such fuel as compared with petroleum-based aviation fuel, as determined in accordance with—

''(A) the most recent Carbon Offsetting and Reduction Scheme for International Aviation that has been adopted, as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, by the International Civil Aviation Organization with the agreement of the United States; or

''(B) the most recent determinations, as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, under the Greenhouse gases, Regulated Emissions, and Energy use in Transportation (GREET) model developed by Argonne National Laboratory.

''(5) The term 'sustainable aviation fuel' means liquid fuel, the portion of which is not kerosene, that—

''(A) meets the requirements of—

''(i) ASTM International Standard D7566; or

''(ii) the Fischer Tropsch provisions of ASTM International Standard D1655, Annex A1;

''(B) is not derived from coprocessing an applicable material (or materials derived from an applicable material) with a feedstock that is not biomass;

''(C) is not derived from palm fatty acid distillates or petroleum; and

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

SEC. 314. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTIES IN CONNECTION WITH NAVAL AIR STATION MOFFETT FIELD, CALIFORNIA.

(a) AUTHORITY TO TRANSFER FUNDS.—

(1) TRANSFER AMOUNT.—

(A) IN GENERAL.—The Secretary of the Navy may transfer an amount not to exceed $438,250 to the Hazardous Substance Superfund established under section 9507 of the Internal Revenue Code of 1986, in accordance with section 2703(f) of title 10, United States Code.

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

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

(b) PURPOSE OF TRANSFER.—Any transfer under subsection (a)(1)(A) shall be for the purpose of satisfying a stipulated penalty assessed by the Environmental Protection Agency on May 4, 2018, regarding former Naval Air Station, Moffett Field, California, under the Federal Facility Agreement for Naval Air Station, Moffett Field, which was entered into between the Navy and the Environmental Protection Agency in 1990 pursuant to section 120 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620).

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

full of the penalty described in subsection (b).

SEC. 315. TECHNICAL ASSISTANCE FOR COMMUNITIES AND INDIVIDUALS POTENTIALLY AFFECTED BY RELEASES AT CURRENT AND FORMER DEPARTMENT OF DEFENSE FACILITIES.

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

(1) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, and subject to such amounts as are provided in appropriations Acts, the Secretary of Defense, acting through the Director of the Office of Local Defense Community Cooperation, shall furnish technical assistance services described in paragraph (3) through the Technical Assistance for Public Participation (TAPP) Program of the Department of Defense to communities, or individuals who are members thereof, that have been affected by a release of a pollutant affirmatively determined to have originated from a facility under the jurisdiction of, or formerly used by or under the jurisdiction of, the Department.

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

(3) SERVICES PROVIDED.—The technical assistance services described in this paragraph are services to improve public participation in, or assist in the navigation of, environmental response efforts, including—

(A) the provision of advice and guidance to a community or individual specified in paragraph (1) regarding additional technical assistance with respect to which such community or individual may be eligible (including pursuant to subsection (b));

(B) the interpretation of site-related documents;

(C) the interpretation of health-related information;

(D) assistance with the preparation of public comments; and

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

(b) GRANTS FOR TECHNICAL ASSISTANCE.—

(1) AUTHORITY.—Beginning not later than 180 days after the date of the enactment of this Act, and subject to such amounts as are provided in appropriations Acts, the Secretary of Defense, acting through the Director of the Office of Local Defense Community Cooperation, shall administer a grant program under which the Director may award a grant to a community, or individuals who are members thereof, that have been affected by a release of a pollutant affirmatively determined to have originated from a facility under the jurisdiction of, or formerly used by or under the jurisdiction of, the Department of Defense.

(2) USE OF AMOUNTS.—Funds provided under a grant awarded pursuant to paragraph (1) in connection with a release of a pollutant at a facility may be used by the grant recipient only to obtain technical assistance and services for public participation in various stages of the processes of response, remediation, and removal actions at the facility, including—

(A) interpreting the nature of the release, including monitoring and testing plans and reports associated with site assessment and characterization at the facility;

(B) interpreting documents, plans, proposed actions, and final decisions related to—

(i) an interim remedial action;

(ii) a remedial investigation or feasibility study;

(iii) a record of decision;

(iv) a remedial design;

(v) the selection and construction of remedial action;

(vi) operation and maintenance; and

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

(C) a removal action at such facility; and

(D) services specified under subsection (a)(3).

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

(1) lobbying activities; or

(2) legal challenges of final decisions of the Department of Defense.

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 321. TREATMENT OF CERTAIN MATERIALS CONTAMINATED WITH PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

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

(b) DEFINITIONS.—In this section, the terms ''covered material'' and ''PFAS'' have the meanings given those terms in section 343(e) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2701 note).

SEC. 322. INCREASE OF TRANSFER AUTHORITY FOR FUNDING OF STUDY AND ASSESSMENT ON HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.

Section 316(a)(2)(B) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1350), as amended by section 315(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1713), section 321 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1307), section 337 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3533), section 342 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1643), and section 342 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by adding at the end the following new clause:

''(iv) Without regard to section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than $5,000,000 during fiscal year 2024 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.''.

SEC. 323. MODIFICATION OF AUTHORITY FOR ENVIRONMENTAL RESTORATION PROJECTS AT NATIONAL GUARD FACILITIES.

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

(1) by striking ''State-owned'';

(2) by striking ''owned and operated by a State when such land is''; and

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

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

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

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

(c) RESPONSE ACTIONS AT NATIONAL GUARD FACILITIES.—Section 2701(c)(1)(D) of such title is amended by striking ''State-owned''.

(d) SERVICES OF OTHER ENTITIES.—Section 2701(d)(1) of such title is amended, in the second sentence, by inserting ''or at a National Guard facility'' before the period at the end.

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

(f) TECHNICAL AND CONFORMING AMENDMENTS.—

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

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

SEC. 324. LIMITATION ON AVAILABILITY OF TRAVEL FUNDS UNTIL SUBMITTAL OF PLAN FOR RESTORING DATA SHARING ON TESTING OF WATER FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act for operation and maintenance, defense-wide, for travel for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 85 percent may be obligated or expended until the Under Secretary of Defense for Acquisition and Sustainment submits to the congressional defense committees a plan to restore data sharing pertaining to the testing of water for perfluoroalkyl or polyfluoroalkyl substances, as required under section 345 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2715 note), which shall include the following:

(1) A plan to restore data sharing with each relevant State agency tasked with regulation of environmental contamination by perfluoroalkyl or polyfluoroalkyl substances in each State or territory of the United States.

(2) A plan to restore data sharing with restoration advisory boards established under section 2705(d) of title 10, United States Code.

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

(b) INABILITY TO MEET TRANSPARENCY REQUIREMENTS.—If the Under Secretary of Defense for Acquisition and Sustainment determines that they are unable to meet the requirements under subsection (a), the Under Secretary shall brief the congressional defense committees on the rationale for why the restoration of data sharing required under such subsection is not possible, including a description of any legislative action required to restore such data sharing.

SEC. 325. DASHBOARD OF FUNDING RELATING TO PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

The Secretary of Defense shall include with the submission to Congress by the

President of the annual budget of the Department of Defense for a fiscal year under section 1105(a) of title 31, United States Code, a separate budget justification document that consolidates all information pertaining to activities of the Department of Defense relating to perfluoroalkyl substances and polyfluoroalkyl substances, including funding for and descriptions of—

(1) research and development efforts;

(2) testing;

(3) remediation;

(4) contaminant disposal; and

(5) community outreach.

SEC. 326. REPORT ON SCHEDULE AND COST ESTIMATES FOR COMPLETION OF TESTING AND REMEDIATION OF CONTAMINATED SITES AND PUBLICATION OF CLEANUP INFORMATION.

(a) REPORT.—

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

(A) a proposed schedule for the completion of testing and remediation activities, including remediation of perfluoroalkyl substances and polyfluoroalkyl substances, at military installations, facilities of the National Guard, and formerly used defense sites in the United States where the Secretary obligated funding for environmental restoration activities in fiscal year 2022;

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

(C) if such estimates are not available, estimated costs to complete such activities based on historical costs of remediation for—

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

(ii) other Federally-funded sites; or

(iii) privately-funded sites.

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

(3) MILITARY INSTALLATION DEFINED.—In this subsection, the term ''military installation'' has the meaning given such term in section 2801(c)(4) of title 10, United States Code.

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

SEC. 327. MODIFICATION OF TIMING OF REPORT ON ACTIVITIES OF PFAS TASK FORCE.

Section 2714(f) of title 10, United States Code, is amended by striking ''and quarterly thereafter,'' and inserting ''and annually thereafter through 2029,''.

SEC. 328. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON TESTING AND REMEDIATION OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

Not later than one year after the date of the enactment of this Act, and not later than five years thereafter, the Comptroller General of the United States shall submit to the congressional defense committees a report assessing the state of ongoing testing and remediation by the Department of Defense of current or former military installations contaminated with perfluoroalkyl substances or polyfluoroalkyl substances, including—

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

(2) recommendations to improve those efforts; and

(3) such other matters as the Comptroller General determines appropriate.

Subtitle D—Logistics and Sustainment

SEC. 331. ASSURING CRITICAL INFRASTRUCTURE SUPPORT FOR MILITARY CONTINGENCIES PILOT PROGRAM.

(a) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to be known as the ''Assuring Critical Infrastructure Support for Military Contingencies Pilot Program''.

(b) SELECTION OF INSTALLATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, shall select not fewer than four geographically diverse military installations at which to carry out the pilot program under subsection (a).

(2) PRIORITIZATION.—

(A) IN GENERAL.—In selecting military installations under paragraph (1), the Secretary of Defense shall give priority to any military installation that is a key component of not fewer than two Contingency Plans (CONPLANs) or Operational Plans (OPLANs), with priority given to such plans in the area of responsibility of the United States Indo-Pacific Command or the United States European Command.

(B) ADDITIONAL PRIORITY.—If two or more military installations are given equal priority under subparagraph (A), priority for selection under paragraph (1) shall be given to the military installations that are—

(i) connected to national-level infrastructure;

(ii) located near a commercial port; or

(iii) located near a national financial hub.

(c) ACTIVITIES.—In carrying out the pilot program under subsection (a), the Secretary of Defense, acting through the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, shall—

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

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

(B) to determine the recovery process needed to ensure the military installation can function and support an overseas contingency operation or a homeland defense mission, as appropriate;

(2) map dependencies of power, water, and telecommunications at the military installation and the connections to distribution and generation outside the military installation;

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

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

(d) COORDINATION WITH RELATED PROGRAMS.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, shall ensure that activities under subsection (c) are coordinated with—

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

(2) relevant military and civilian personnel; and

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

(e) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Assistant to the President for Homeland Security, the National Cyber Director, the head of any other relevant Sector Risk Management Agency, the Committees on Armed Services of the Senate and the House of Representatives, and, if appropriate, relevant private sector owners and operators of critical infrastructure a report on the activities carried out under pilot program under subsection (a), including a description of any operational challenges identified.

(f) DEFINITIONS.—In this section:

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

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

SEC. 332. STRATEGY AND ASSESSMENT ON USE OF AUTOMATION AND ARTIFICIAL INTELLIGENCE FOR SHIPYARD OPTIMIZATION.

(a) STRATEGY.—The Secretary of Navy, in coordination with the Shipyard Infrastructure Optimization Program, shall develop and implement a strategy to leverage commercial best practices used in shipyards to make operations more efficient and demonstrate a digital maintenance artificial intelligence platform that analyzes data on the maintenance and health of shipboard assets of the Navy at shipyards, which shall improve readiness of the Armed Forces, predict and diagnose issues before they occur, and lower maintenance costs.

(b) ASSESSMENT.—The Secretary of Navy shall assess the costs of maintenance delays on shipboard assets of the Navy and assess the potential cost savings of adopting artificial intelligence predictive maintenance technology techniques that help determine the condition of in-service equipment to estimate when maintenance should be performed rather than waiting until failure or end of life, including—

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

(2) an evaluation of opportunities to demonstrate commercial best practices at shipyards, including artificial intelligence technologies to ensure timely predictions for maintainers and planners at shipyards by connecting datasets, executing models, and providing outputs in near real-time;

(3) an identification of shipyard assets of the Navy with sufficient data available to enable near-term demonstrations of artificial intelligence predictive maintenance and an estimate of resources needed within the Navy to accelerate the demonstration of predictive artificial intelligence capabilities with respect to those assets; and

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

(c) BRIEFING TO COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Navy shall provide to the congressional defense committees a briefing on—

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

(2) the results of the assessment under subsection (b); and

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

Subtitle E—Briefings and Reports

SEC. 341. CRITICAL INFRASTRUCTURE CONDITIONS AT MILITARY INSTALLATIONS.

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

(1) have not been privatized pursuant to a conveyance under section 2688 of title 10, United States Code; and

(2) are located on a military installation.

(b) REPORT.—

(1) IN GENERAL.—Beginning on February 1 of the year immediately following the date on which the plan under subsection (a) is submitted, and annually thereafter, the Secretary of Defense, in coordination with the head of each military department, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a consolidated report on the condition of critical infrastructure systems owned by the Federal Government at military installations.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) Installation-level critical infrastructure system data for each critical infrastructure system owned by the Federal Government located at a military installation that includes the following for each such system:

(i) All instances of noncompliance with any applicable Federal or State law (including regulations) with which the system has been required to comply during the preceding five-year period, including information on any prior or current consent order or equivalent compliance agreement with any regulatory agency.

(ii) The year of original installation of major critical infrastructure system components, including treatment facilities, pump stations, and storage tanks.

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

(iv) The rate of system recapitalization, represented as an annual percentage replacement rate of all critical infrastructure system assets.

(v) The percentage of key system operational components inspected, and determined through actual testing to be fully operational, during the preceding one-year period, including fire hydrants, valves, and backflow preventors.

(vi) The absolute number, and a normalized measure for comparative purposes, of all unplanned system outages during the preceding one-year period.

(vii) The absolute duration, and a normalized measure for comparative purposes, of all unplanned system outages during the preceding one-year period.

(viii) The absolute number, and a normalized measure for comparative purposes, of all critical infrastructure system main breaks and leaks during the preceding one-year period.

(B) A standardized risk assessment for each military installation, identifying the current and projected level of risk related to the following:

(i) The ability to maintain compliance with all current and known future regulatory agency regulations and standards and all applicable regulations and policies of the Department of Defense and the military departments related to critical infrastructure, and the ability to operate systems in accordance with accepted industry standards.

(ii) The ability to maintain a consistent and compliant supply of water for current and projected future installation needs based on current and projected source water availability and quality, including an assessment of source water contamination risks.

(iii) The ability to withstand severe weather events, including drought, flooding, and temperature fluctuations.

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

SEC. 342. REPORT ON ESTABLISHING SUFFICIENT STABLING, PASTURE, AND TRAINING AREA FOR THE OLD GUARD CAISSON PLATOON EQUINES.

(a) IN GENERAL.—Not later than March 1, 2024, the Secretary of the Army shall submit to the congressional defense committees a report containing the results of a study to address the feasibility and advisability of establishing sufficient stabling, pasture, and training area for the equines in the Caisson Platoon of the 3rd United States Infantry (commonly known as the ''Old Guard'').

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

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

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

(B) to ensure proper animal facility sanitation for the equines in the Caisson Platoon of the 3rd United States Infantry; and

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

(c) LOCATIONS.—

(1) REVIEW OF MILITARY CONSTRUCTION AUTHORIZATION.—The report required under subsection (a) shall include a review of all physical locations under consideration as stabling, pasture, or training area described in such subsection for any withdrawals or projects that would require individual military construction authorization.

(2) CONSIDERATION.—In considering locations for stabling, pasture, or training area under subsection (a), the Secretary of the Army shall consider all viable options within a reasonable distance to Arlington National Cemetery.

(d) ELEMENTS.—The report required under subsection (a) shall include, for each location under consideration as stabling, pasture, or training area described in such subsection—

(1) a brief environmental assessment of the location;

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

(3) a narrative of how the location will be beneficial and conducive the health of the equines in the Caisson Platoon of the 3rd United States Infantry;

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

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

SEC. 343. QUARTERLY BRIEFINGS ON OPERATIONAL STATUS OF AMPHIBIOUS WARSHIP FLEET OF DEPARTMENT OF THE NAVY.

(a) IN GENERAL.—Not later than October 1, 2023, and quarterly thereafter until September 30, 2024, the Secretary of the Navy shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the operational status of the amphibious warship fleet of the Department of the Navy.

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

(1) Average quarterly Operational Availability (AO).

(2) Number of days underway as follows:

(A) Training for the purpose of supporting Mission Essential Tasks (in this section referred to as ''MET'') of the Marine Corps, including unit level well-deck or flight-deck operations training and Amphibious Ready Group and Marine Expeditionary Unit integrated training.

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

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

(4) An update on any delays in completion of scheduled and unscheduled maintenance and casualty reports impacting the following:

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

(B) MET certifications of the Marine Corps, including mobility, communications, amphibious well-deck operations, aviation operations, and warfare training.

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

(c) DEFINITIONS.—In this section:

(1) AMPHIBIOUS WARSHIP.—The term ''amphibious warship'' means a ship that is classified as an amphibious assault ship (general purpose) (LHA), an amphibious assault ship (multi-purpose) (LHD), an amphibious transport dock (LPD), or a dock landing ship (LSD) that is included in the Battle Force Inventory in accordance with instruction 5030.8D of the Secretary of the Navy, or successor instruction.

(2) AMPHIBIOUS READY GROUP; MARINE EXPEDITIONARY UNIT.—The terms ''Amphibious Ready Group'' and ''Marine Expeditionary Unit'' means a group or unit, as the case may be, that consists of a minimum of—

(A) three amphibious assault ships (general purpose) (LHA) or amphibious assault ships (multi-purpose) (LHD); and

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

SEC. 344. BRIEFING ON PLAN FOR MAINTAINING PROFICIENCY IN EMERGENCY MOVEMENT OF MUNITIONS IN JOINT REGION MARIANAS, GUAM.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall brief the congressional defense committees on a plan for maintaining the proficiency of the Navy and the Air Force, respectively, in executing the emergency movement of munitions stored in weapons

storage areas in Joint Region Marianas, Guam, onto aircraft and naval vessels, including plans to regularly exercise such capabilities.

Subtitle F—Other Matters

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

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

(1) to perform the responsibilities of the Department of Defense executive agent for the Naval Small Craft Instruction and Technical Training School pursuant to section 352(b) of title 10, United States Code; and

(2) in coordination with the Commander of the United States Special Operations Command, to provide such support, as necessary, for the continued operation of such school.

SEC. 352. RESTRICTION ON RETIREMENT OF U–28 AIRCRAFT.

None of the funds authorized to be appropriated by this Act may be used to retire U–28 aircraft until the Secretary of Defense certifies to the congressional defense committees that the future-years defense program submitted to Congress under section 221 of title 10, United States Code, with respect to the United States Special Operations Command provides for intelligence, surveillance, and reconnaissance capacity and capability that is equal to or greater than such capacity and capability provided by the current fleet of U–28 aircraft for such Command.

SEC. 353. TRIBAL LIAISONS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that each installation of the Department of Defense that has an Indian Tribe, Native Hawaiian organization, or Tribal interests in the area surrounding the installation, including if an Indian Tribe or Native Hawaiian organization is historically or culturally affiliated with the land or water managed or directly impacted by the installation, has a dedicated Tribal liaison located at the installation.

(b) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

(2) NATIVE HAWAIIAN ORGANIZATION.—The term ''Native Hawaiian organization'' has the meaning given that term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

SEC. 354. LIMITATION ON USE OF FUNDS TO EXPAND LEASED FACILITIES FOR THE JOINT MILITARY INFORMATION SUPPORT OPERATIONS WEB OPERATIONS CENTER.

None of the amounts authorized by this Act for operation and maintenance, Defense-wide to expand leased facilities for the Joint Military Information Support Operations Web Operations Center may be obligated or expended until the Secretary of Defense, acting through the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and the Commander of the United States Special Operations Command, submits to the congressional defense committees a validated manpower study for such center that includes the following:

(1) Validated estimates of the number of personnel from the United States Special Operations Command and the other combatant commands that will be housed in leased facilities of such center.

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

SEC. 355. MODIFICATIONS TO THE CONTESTED LOGISTICS WORKING GROUP OF THE DEPARTMENT OF DEFENSE.

(a) EXPANSION OF WORKING GROUP.—

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

''(D) A representative appointed by the Secretary of Defense from each of the following:

''(i) The Defense Logistics Agency.

''(ii) The Strategic Capabilities Office.

''(iii) The Defense Advanced Research Projects Agency.

''(iv) The Office of the Under Secretary of Defense for Research and Engineering.''.

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

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

''(6) The working group under paragraph (1) shall meet not less frequently than quarterly.''.

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

''(7) Not later than February 1 of each year, the working group under paragraph (1) shall submit to the congressional defense committees a report that contains a description of any shortfalls in personnel, equipment, infrastructure, energy and storage, or capabilities required to support the operational plans of the Department of Defense.''.

SEC. 356. ESTABLISHMENT OF CAISSON PLATOON TO SUPPORT MILITARY AND STATE FUNERAL SERVICES.

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

(b) PROHIBITION ON ELIMINATION.—The Secretary of the Army may not eliminate the Caisson Platoon of the 3rd Infantry Regiment of the Army established under subsection (a).

(c) BRIEFING.—

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

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

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

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

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

SEC. 357. LIMITATION ON AVAILABILITY OF FUNDS PENDING 30-YEAR SHIPBUILDING PLAN THAT MAINTAINS 31 AMPHIBIOUS WARSHIPS FOR THE DEPARTMENT OF THE NAVY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for Administration and Servicewide Activities, Operation and Maintenance, Navy, not more than 50 percent may be obligated or expended until the date on which the Secretary of the Navy submits to the congressional defense committees a 30-year shipbuilding plan that meets the statutory requirement in section 8062(b) of title 10, United States Code, to maintain 31 amphibious warships.

(b) AMPHIBIOUS WARSHIP DEFINED.—In this section, the term ''amphibious warship'' means a ship that is classified as an amphibious assault ship (general purpose) (LHA), an amphibious assault ship (multi-purpose) (LHD), an amphibious transport dock (LPD), or a dock landing ship (LSD) that is included in the Battle Force Inventory in accordance with instruction 5030.8D of the Secretary of the Navy, or successor instruction.

SEC. 358. MODIFICATION OF RULE OF CONSTRUCTION REGARDING PROVISION OF SUPPORT AND SERVICES TO NON-DEPARTMENT OF DEFENSE ORGANIZATIONS AND ACTIVITIES.

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

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

(2) in the matter preceding subparagraph (A), as redesignated by paragraph (1), by striking ''Nothing in this section'' and inserting ''(1) Nothing in this section'';

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

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

''(2) Funds available to the Secretary of a military department for operation and maintenance for the Innovative Readiness Training program may be expended under this section, upon approval by the Secretary concerned, to assist in demolition, clearing of roads, infrastructure improvements, and construction to restore an area after a natural disaster.''.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

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

(1) The Army, 452,000.

(2) The Navy, 342,000.

(3) The Marine Corps, 172,300.

(4) The Air Force, 320,000.

(5) The Space Force, 9,400.

SEC. 402. END STRENGTH LEVEL MATTERS.

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

(1) in subsection (f)(2), by striking ''not more than 2 percent'' and inserting ''not more than 3 percent''; and

(2) in subsection (g)(1), by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) vary the end strength pursuant to subsection (a)(1)(A) for a fiscal year for the armed force or forces under the jurisdiction of that Secretary by a number not equal to more than 2 percent of such authorized end strength;

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

''(C) vary the end strength pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of the reserve component of the armed force or forces under the jurisdiction of that Secretary by a number equal to not more than 2 percent of such authorized end strength.''.

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

Section 403(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking ''December 31, 2023'' and inserting ''October 1, 2025''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

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

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

(2) The Army Reserve, 174,800.

(3) The Navy Reserve, 57,200.

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

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

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

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

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

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

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

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

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

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

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

(2) The Army Reserve, 16,511.

(3) The Navy Reserve, 10,327.

(4) The Marine Corps Reserve, 2,355.

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

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

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

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

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

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

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

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

(b) LIMITATION ON NUMBER OF TEMPORARY MILITARY TECHNICIANS (DUAL STATUS).—The number of temporary military technicians (dual status) employed under the authority of subsection (a) may not exceed 25 percent of the total authorized number specified in such subsection.

(c) LIMITATION.—Under no circumstances may a military technician (dual status) employed under the authority of this section be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken against the individual or the individual's position.

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

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

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

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

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

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

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

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

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2024.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

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

(a) REPEAL OF OBSOLETE AUTHORITY; REDESIGNATION.—Chapter 32 of title 10, United States Code, is amended—

(1) by repealing section 526;

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

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

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

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

(1) in subsection (a)—

(A) by striking ''after December 31, 2022,'';

(B) in paragraph (1), by striking ''218'' and inserting ''219'';

(C) in paragraph (2), by striking ''149'' and inserting ''150'';

(D) in paragraph (3), by striking ''170'' and inserting ''171''; and

(E) in paragraph (4), by striking ''62'' and inserting ''64''; and

(2) by redesignating the second subsection designated as subsection (i) as subsection (j).

(c) REPEAL OF EXCLUSION OF OFFICERS SERVING AS LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS ON AUTHORIZED STRENGTHS.—Section 506 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 is hereby repealed.

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

(a) OFFICERS ON ACTIVE-DUTY LIST.—

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

''(B) shall not be forwarded for appointment or nomination to the Secretary of Defense, the President, or the Senate, as applicable.''.

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

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

''(B) shall not be forwarded for appointment or nomination to the Secretary of Defense, the President, or the Senate, as applicable.''.

SEC. 503. EXCLUSION OF OFFICERS WHO ARE LICENSED BEHAVIORAL HEALTH PROVIDERS FROM LIMITATIONS ON ACTIVE DUTY COMMISSIONED OFFICER END STRENGTHS.

Section 523(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(10) Officers who are licensed behavioral health providers, including clinical psychologists, social workers, and mental health nurse practitioners.''.

SEC. 504. UPDATING AUTHORITY TO AUTHORIZE PROMOTION TRANSFERS BETWEEN COMPONENTS OF THE SAME SERVICE OR A DIFFERENT SERVICE.

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

''(g) Notwithstanding subsection (d), and subject to regulations prescribed by the Secretary of Defense, in the case of a warrant officer who is selected for promotion by a selection board convened under this chapter, and prior to the placement of the warrant officer's name on the applicable promotion list is approved for transfer to a new component within the same or a different uniformed service, the Secretary concerned may place the warrant officer's name on a corresponding promotion list of the new component without regard to the warrant officer's competitive category. A warrant officer's promotion under this subsection shall be made pursuant to section 12242 of this title.''.

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

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

''(e) Notwithstanding subsection (a)(2), in the case of an officer who is selected for promotion by a selection board convened under this chapter, and prior to the placement of the officer's name on the applicable promotion list is approved for transfer to the reserve active status list of the same or a different uniformed service, the Secretary concerned may place the officer's name on a corresponding promotion list on the reserve active-status list without regard to the officer's competitive category. An officer's promotion under this subsection shall be made pursuant to section 14308 of this title.

''(f) Notwithstanding subsection (a)(3), in the case of an officer who is placed on an all-fully-qualified-officers list, and is subsequently approved for transfer to the reserve active status list, the Secretary concerned may place the officer's name on an appropriate all-fully-qualified-officers list on the reserve active status list. An officer's promotion under this subsection shall be made pursuant to section 14308 of this title.''.

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

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

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

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

SEC. 505. EFFECT OF FAILURE OF SELECTION FOR PROMOTION.

(a) EFFECT OF FAILURE OF SELECTION FOR PROMOTION: CAPTAINS AND MAJORS OF THE ARMY, AIR FORCE, MARINE CORPS, AND SPACE FORCE AND LIEUTENANTS AND LIEUTENANT COMMANDERS OF THE NAVY.—

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

(A) in the section heading, by striking ''**and Marine Corps**'' and inserting ''**Marine Corps, and Space Force**'';

(B) in subsection (a)(1), by striking ''President approves the report of the board which considered him for the second time'' and inserting ''Secretary concerned releases the promotion results of the board which considered the officer for the second time to the public''.

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

''632. Effect of failure of selection for promotion: captains and majors of the Army, Air Force, Marine Corps, and Space Force and lieutenants and lieutenant commanders of the Navy.''.

(b) RETIREMENT OF REGULAR OFFICERS OF THE NAVY FOR LENGTH OF SERVICE OR FAILURE OF SELECTION FOR PROMOTION.—Section 8372(a)(2)(A) of title 10, United States Code, is amended by striking ''President approves the report of the board which considered him for the second time'' and inserting ''Secretary concerned releases the promotion results of the board which considered the officer for the second time to the public''.

SEC. 506. PERMANENT AUTHORITY TO ORDER RETIRED MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND, LOW-DENSITY APPOINTMENTS.

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

(1) in the section heading, by striking ''**Retired aviators: temporary authority**'' and inserting ''**Authority**'';

(2) by striking subsection (f);

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

(4) in subsection (f), as redesignated by paragraph (3), by striking ''limitations in subsections (c) and (f)'' and inserting ''limitation in subsection (c)''.

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

''688a. Authority to order to active duty in high-demand, low-density assignments.''.

SEC. 507. WAIVER AUTHORITY EXPANSION FOR THE EXTENSION OF SERVICE OBLIGATION FOR MARINE CORPS CYBERSPACE OPERATIONS OFFICERS.

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

(1) in paragraph (1), by inserting ''or in the case of an unrestricted officer designated within a cyberspace occupational specialty'' before the period at the end; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

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

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

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

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

''§ 654. Minimum service requirement for certain cyberspace occupational specialties

''(a) CYBERSPACE OPERATIONS OFFICER.—The minimum service obligation for any member who successfully completes training in the armed forces in direct accession to the cyberspace operations officer occupational specialty of the Marine Corps shall be 8 years.

''(b) SERVICE OBLIGATION DEFINED.—In this section, the term 'service obligation' means the period of active duty or, in the case of a member of a reserve component who completed cyberspace operations training in an active duty for training status as a member of a reserve component, the period of service in an active status in the Selected Reserve, required to be served after completion of cyberspace operations training.''.

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

''654. Minimum service requirement for certain cyberspace occupational specialties.''.

SEC. 508. REMOVAL OF ACTIVE DUTY PROHIBITION FOR MEMBERS OF THE AIR FORCE RESERVE POLICY COMMITTEE.

Section 10305 of title 10, United States Code, is amended_

(1) in subsection (b), by striking ''not on active duty'' both places it appears; and

(2) in subsection (c)—

(A) by inserting ''of the reserve components'' after ''among the members''; and

(B) by striking ''not on active duty''.

SEC. 509. EXTENSION OF AUTHORITY TO VARY NUMBER OF SPACE FORCE OFFICERS CONSIDERED FOR PROMOTION TO MAJOR GENERAL.

Subsection (b) of section 503 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1680) is amended by striking ''shall terminate on December 31, 2022'' and inserting ''shall terminate on December 31, 2024''.

SEC. 510. REALIGNMENT OF NAVY SPOT-PROMOTION QUOTAS.

Section 605(g)(4)(B) of title 10, United States Code, is amended by striking ''325'' and inserting ''425''.

SEC. 511. MODIFICATION OF LIMITATION ON PROMOTION SELECTION BOARD RATES.

Section 616 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''The number'' and inserting ''(1) Except as provided in paragraph (2), the number''; and

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

''(2) If a promotion zone established under section 623 of this title includes less than 50 officers and is established with respect to promotions to a grade below the grade of colonel or Navy captain, the Secretary concerned may authorize selection boards convened under section 611(a) of this title to recommend for promotion a number equal to not more than 100 percent of the number of officers included in such promotion zone.''; and

(2) in subsection (e), by striking ''unless he'' and inserting ''unless the officer''.

SEC. 512. TIME IN GRADE REQUIREMENTS.

Section 1305 of title 10, United States Code, is amended—

(1) in subsection (a)(3), by inserting ''or a Marine Corps Marine Gunner warrant officer in such grade,'' after ''chief warrant officer, W–5,'';

(2) in subsection (b), by striking ''when he'' and inserting ''when the warrant officer''; and

(3) in subsection (c)—

(A) by striking ''as he'' and inserting ''as the Secretary concerned''; and

(B) by striking ''after he'' and inserting ''after the warrant officer''.

SEC. 513. FLEXIBILITY IN DETERMINING TERMS OF APPOINTMENT FOR CERTAIN SENIOR OFFICER POSITIONS.

(a) IN GENERAL.—Chapter 35 of title 10, United States Code, is amended by inserting after section 601 the following new section:

''§ 602. Flexibility in determining terms of appointment for certain senior officer positions

''The Secretary of Defense may extend or reduce the duration of an appointment made under section 152, 154, 7033, 8033, 8043, 9033, and 9082 of this title by up to six months if the Secretary determines that such an extension or reduction is necessary either in the interests of national defense, or to ensure an appropriate staggering of terms of senior military leadership.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of title 10, United States Code, is amended by inserting after the item relating to section 601 the following new item:

''602. Flexibility in determining terms of appointment for certain senior officer positions.''.

Subtitle B—Reserve Component Management

SEC. 521. ALTERNATIVE PROMOTION AUTHORITY FOR RESERVE OFFICERS IN DESIGNATED COMPETITIVE CATEGORIES.

(a) IN GENERAL.—Part III of subtitle E of title 10, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 1413—ALTERNATIVE PROMOTION AUTHORITY FOR OFFICERS IN DESIGNATED COMPETITIVE CATEGORIES

''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.

''§ 15101. Officers in designated competitive categories

''(a) AUTHORITY TO DESIGNATE COMPETITIVE CATEGORIES OF OFFICERS.—Each Secretary of a military department may designate one or more competitive categories for promotion of officers under section 14005 of this title that are under the jurisdiction of such Secretary as a competitive category of officers whose promotion, retirement, and continuation on the reserve active-status list shall be subject to the provisions of this chapter.

''(b) LIMITATION ON EXERCISE OF AUTHORITY.—The Secretary of a military department may not designate a competitive category of officers for purposes of this chapter

until 60 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report on the designation of the competitive category. The report on the designation of a competitive category shall set forth the following:

''(1) A detailed description of officer requirements for officers within the competitive category.

''(2) An explanation of the number of opportunities for consideration for promotion to each particular grade, and an estimate of promotion timing, within the competitive category.

''(3) An estimate of the size of the promotion zone for each grade within the competitive category.

''(4) A description of any other matters the Secretary considered in determining to designate the competitive category for purposes of this chapter.

''§ 15102. Selection for promotion

''(a) IN GENERAL.—Except as provided in this section, the selection for promotion of officers in any competitive category of officers designated for purposes of this chapter shall be governed by the provisions under chapter 1403 of this title.

''(b) NO RECOMMENDATION FOR PROMOTION OF OFFICERS BELOW PROMOTION ZONE.—Section 14301(d) of this title shall not apply to the selection for promotion of officers described in subsection (a).

''(c) RECOMMENDATION FOR OFFICERS TO BE EXCLUDED FROM FUTURE CONSIDERATION FOR PROMOTION.—In making recommendations pursuant to chapter 1403 of this title for purposes of the administration of this chapter, a selection board convened under section 14101(a) of this title may recommend that an officer considered by the board be excluded from future consideration for promotion under this chapter.

''§ 15103. Eligibility for consideration for promotion

''(a) IN GENERAL.—Except as provided by this section, eligibility for promotion of officers in any competitive category of officers designated for purposes of this chapter shall be governed by the provisions of sections 14301, 14303, and 14304 of this title.

''(b) INAPPLICABILITY OF CERTAIN TIME-IN-GRADE REQUIREMENTS.—Sections 14303 and 14304 of this title shall not apply to the promotion of officers described in subsection (a).

''(c) INAPPLICABILITY TO OFFICERS ABOVE AND BELOW PROMOTION ZONE.—The following provisions of this title shall not apply to the promotion of officers described in subsection (a):

''(1) The reference in section 14301(b) to an officer above the promotion zone.

''(2) Section 14301(d).

''(d) INELIGIBILITY OF CERTAIN OFFICERS.—The following officers are not eligible for promotion under this chapter:

''(1) An officer described in section 14301(c) of this title.

''(2) An officer not included within the promotion zone.

''(3) An officer who has failed of promotion to a higher grade the maximum number of times specified for opportunities for promotion for such grade within the competitive category concerned pursuant to section 15104 of this title.

''(4) An officer recommended by a selection board to be removed from consideration for promotion in accordance with section 15102(c) of this title.

''§ 15104. Opportunities for consideration for promotion

''(a) SPECIFICATION OF NUMBER OF OPPORTUNITIES FOR CONSIDERATION FOR PROMOTION.—In designating a competitive category of officers pursuant to section 15101 of this title, the Secretary of a military department shall specify the number of opportunities for consideration for promotion to be afforded officers of the armed force concerned within the category for promotion to each grade above the grade of first lieutenant or lieutenant (junior grade), as applicable.

''(b) LIMITED AUTHORITY OF SECRETARY OF MILITARY DEPARTMENT TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of a military department may modify the number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as previously specified by the Secretary pursuant subsection (a) of this subsection, not more frequently than once every five years.

''(c) DISCRETIONARY AUTHORITY OF SECRETARY OF DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of Defense may modify the number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as previously specified or modified pursuant to any provision of this section, at the discretion of the Secretary.

''(d) LIMITATION ON NUMBER OF OPPORTUNITIES SPECIFIED.—The number of opportunities for consideration for promotion to be afforded officers of an armed force within a competitive category for promotion to a particular grade, as specified or modified pursuant to any provision of this section, may not exceed five opportunities.

''(e) EFFECT OF CERTAIN REDUCTION IN NUMBER OF OPPORTUNITIES SPECIFIED.—If, by reason of a reduction in the number of opportunities for consideration for promotion under this section, an officer would no longer have one or more opportunities for consideration for promotion that were available to the officer before the reduction, the officer shall be afforded one additional opportunity for consideration for promotion after the reduction.

''§ 15105. Promotions

''Sections 14307 through 14317 of this title shall apply in promotions of officers in competitive categories of officers designated for purposes of this chapter.

''§ 15106. Failure of selection for promotion

''(a) IN GENERAL.—Except as provided in this section, sections 14501 through 14513 of this title shall apply to promotions of officers in competitive categories of officers designated for purposes of this chapter.

''(b) INAPPLICABILITY OF FAILURE OF SELECTION FOR PROMOTION TO OFFICERS ABOVE PROMOTION ZONE.—The reference in section 14501 of this title to an officer above the promotion zone shall not apply in the promotion of officers described in subsection (a).

''(c) SPECIAL SELECTION BOARD MATTERS.—The reference in section 14502(a)(1) of this title to a person above the promotion zone shall not apply in the promotion of officers described in subsection (a).

''(d) EFFECT OF FAILURE OF SELECTION.—In the administration of this chapter pursuant to subsection (a)—

''(1) an officer described in subsection (a) shall not be deemed to have failed twice of selection for promotion for purposes of section 14502(b) of this title until the officer has failed selection of promotion to the next higher grade the maximum number of times specified for opportunities for promotion to such grade within the competitive category concerned pursuant to section 15104 of this title; and

''(2) any reference in sections 14504 through 14506 of this title to an officer who has failed of selection for promotion to the next higher grade for the second time shall be deemed to refer instead to an officer described in subsection (a) who has failed of selection for promotion to the next higher grade for the maximum number of times specified for opportunities for promotion to such grade within the competitive category concerned pursuant to such section 15104.

''§ 15107. Retirement: retirement for years of service; selective early retirement

''(a) RETIREMENT FOR YEARS OF SERVICE.—Sections 14507 through 14515 of this title shall apply to the retirement of officers in competitive categories of officers designated for purposes of this chapter.

''(b) SELECTIVE EARLY RETIREMENT.—Section 14101(b) of this title shall apply to the retirement of officers described in subsection (a).

''§ 15108. Continuation on the Reserve Active-Status List

''Sections 14701 through 14703 of this title shall apply in continuation or retention on a reserve active-status list of officers designated for purposes of this chapter.

''§ 15109. Other administrative authorities

''(a) IN GENERAL.—The following provisions of this title shall apply to officers in competitive categories of officers designated for purposes of this chapter:

''(1) Section 14518, relating to continuation of officers to complete disciplinary action.

''(2) Section 14519, relating to deferment of retirement or separation for medical reasons.

''(3) Section 14704, relating to the selective early removal from the reserve active-status list.

''(4) Section 14705, relating to the selective early retirement of reserve general and flag officers of the Navy and Marine Corps.

''§ 15110. Regulations

''The Secretary of Defense shall prescribe regulations regarding the administration of this chapter. The elements of such regulations shall include mechanisms to clarify the manner in which provisions of other chapters of this part of the title shall be used in the administration of this chapter in accordance with the provisions of this chapter.''.

(b) TABLE OF CHAPTERS AMENDMENT.—The table of chapters at the beginning of part III of subtitle E of title 10, United States Code, is amended by adding at the end the following new item:

''1413. Alternative promotion authority for officers in designated competitive categories ..... 15101''.

SEC. 522. SELECTED RESERVE AND READY RESERVE ORDER TO ACTIVE DUTY TO RESPOND TO A SIGNIFICANT CYBER INCIDENT.

Section 12304 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''for any named operational mission'';

(2) by redesignating subsections (c) through (j) as subsections (d) through (k), respectively;

(3) by inserting after subsection (b) the following new subsection:

''(c) SIGNIFICANT CYBER INCIDENTS.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating may, without the consent of the member affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve or Individual Ready Reserve to active duty for a continuous period of not more than 365 days when the Secretary of Defense or, with respect to the Coast Guard, the Secretary of the Department in which the Coast Guard is operating determines it is necessary to augment the active forces for the respective responses from the Department of Defense or

the Department of Homeland Security to a covered incident.'';

(4) in paragraph (1) of subsection (d), as redesignated by paragraph (2) of this section, by inserting ''or subsection (c)'' after ''subsection (b)'';

(5) in subsection (h) (as so redesignated)—

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

(B) by striking ''Whenever any'' and inserting ''(1) Whenever any''; and

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

''(2) Whenever any unit of the Selected Reserve or any member of the Selected Reserve not assigned to a unit organized to serve as a unit, or any member of the Individual Ready Reserve, is ordered to active duty under authority of subsection (c), the service of all units or members so ordered to active duty may be terminated by—

''(A) order of the Secretary of Defense or the Secretary of the Department in which the Coast Guard is operating; or

''(B) law.''; and

(6) in subsection (k) (as so redesignated)—

(A) by redesignating paragraph (2) as paragraph (3); and

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

''(2) The term 'covered incident' means—

''(A) a cyber incident involving a Department of Defense information system, or a breach of a Department of Defense system that involves personally identifiable information, that the Secretary of Defense determines is likely to result in demonstrable harm to the national security interests, foreign relations, or the economy of the United States, or to the public confidence, civil liberties, or public health and safety of the people of the United States;

''(B) a cyber incident involving a Department of Homeland Security information system or a breach of a Department of Homeland Security system that involves personally identifiable information that the Secretary of Homeland Security determines is likely to result in demonstrable harm to the national security interests, foreign relations, or the economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States;

''(C) a cyber incident or collection of related cyber incidents that the President determines is likely to result in demonstrable harm to the national security interests, foreign relations, or economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States; or

''(D) a significant incident declared pursuant to section 2233 of the Homeland Security Act of 2002 (6 U.S.C. 677b).''.

SEC. 523. MOBILIZATION OF SELECTED RESERVE FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS.

Section 12304b(b)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking ''Units'' and inserting ''(A) Except as provided under subparagraph (B), units''; and

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

''(B) In the event the President's budget is delivered later than April 1st in the year prior to the year of the mobilization of one or more units under this section, the Secretary concerned may submit to Congress the information required under subparagraph (A) in a separate notice.''.

SEC. 524. ALTERNATING SELECTION OF OFFICERS OF THE NATIONAL GUARD AND THE RESERVES AS DEPUTY COMMANDERS OF CERTAIN COMBATANT COMMANDS.

Section 164(e)(4) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' before ''At least one deputy commander''; and

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

''(B) In carrying out the requirement in subparagraph (A) pertaining to the selection of an officer of the reserve component, the Secretary of Defense shall alternate between selecting an officer of the National Guard and an officer of the Reserves no less frequently than every two terms.

''(C) The Secretary of Defense may waive the requirement under subparagraph (B) regarding the alternating selection of reserve component officers if the Secretary of Defense determines that such action is in the national interest.''.

SEC. 525. GRADE OF VICE CHIEF OF THE NATIONAL GUARD BUREAU.

Section 10505 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) GRADE AND EXCLUSION FROM GENERAL AND FLAG OFFICER AUTHORIZED STRENGTH.—(1) The Vice Chief of the National Guard Bureau shall be appointed to serve in the grade of general.

''(2) The Secretary of Defense shall designate, pursuant to subsection (b) of section 526a of this title, the position of Vice Chief of the National Guard Bureau as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.''.

Subtitle C—General Service Authorities and Military Records

SEC. 531. MODIFICATION OF LIMITATION ON ENLISTMENT AND INDUCTION OF PERSONS WHOSE SCORE ON THE ARMED FORCES QUALIFICATION TEST IS BELOW A PRESCRIBED LEVEL.

Section 520(a) of title 10, United States Code, is amended—

(1) by striking ''The number of persons'' and inserting ''(1) The number of persons'';

(2) by striking ''may not exceed 20 percent'' and inserting ''may not exceed 4 percent''; and

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

''(2) Upon the request of the Secretary concerned, the Secretary of Defense may authorize an armed force to increase the limitation specified in paragraph (1) to not exceed 20 percent of the total number of persons originally enlisted or inducted to serve on active duty (other than active duty for training) in such armed forced during such fiscal year. The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 30 days after using such authority.''.

SEC. 532. NON-MEDICAL COUNSELING SERVICES FOR MILITARY FAMILIES.

Section 1781 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) NON-MEDICAL COUNSELING SERVICES.—(1) In carrying out its duties under subsection (b), the Office may coordinate programs and activities to provide non-medical counseling services to military families through the Department of Defense Military and Family Life Counseling Program.

''(2) A mental health care professional described in paragraph (3) may provide non-medical counseling services at any location in a State, the District of Columbia, or a territory or possession of the United States, without regard to where the professional or recipient of such services is located or delivery of such services is provided (including face-to-face and telehealth), if the provision of such services is within the scope of the authorized Federal duties of the professional.

''(3) A non-medical mental health professional described in this subsection is a person who is—

''(A) a currently licensed mental health care provider who holds a license that is—

''(i) issued by a State, the District of Columbia, or a territory or possession of the United States; and

''(ii) recognized by the Secretary of Defense as an appropriate license for the provision of non-medical counseling services;

''(B) a member of the armed forces, a civilian employee of the Department of Defense, or a contractor designated by the Secretary; and

''(C) performing authorized duties for the Department of Defense under a program or activity referred to in paragraph (1).

''(4) The authority under this subsection shall terminate three years after the date of the enactment of this subsection.

''(5) In this subsection, the term 'non-medical counseling services' means mental health care services that are non-clinical, short-term and solution focused, and address topics related to personal growth, development, and positive functioning.''.

SEC. 533. PRIMACY OF NEEDS OF THE SERVICE IN DETERMINING INDIVIDUAL DUTY ASSIGNMENTS.

(a) IN GENERAL.—Chapter 39 of title 10, United States Code, is amended by inserting after section 674 the following new section:

''§ 675. Primacy of needs of the service in determining individual duty assignments

''(a) IN GENERAL.—The Secretaries of the military departments shall make duty assignments of individual members based on the needs of the military services.

''(b) ASSIGNMENTS BASED ON SERVICE NEEDS.—A servicemember's opinion on State laws shall not take precedence over the needs of the military services in determining individual duty assignments.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting the Secretaries of the military departments from considering the general preferences of members of the armed forces in making determinations about individual duty assignments.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 674 the following new item:

''675. Primacy of needs of the service in determining individual duty assignments.''.

SEC. 534. REQUIREMENT TO USE QUALIFICATIONS, PERFORMANCE, AND MERIT AS BASIS FOR PROMOTIONS, ASSIGNMENTS, AND OTHER PERSONNEL ACTIONS.

The Secretary of Defense shall ensure that all promotions, assignments, and other personnel actions of the Armed Forces are based primarily on qualifications, performance, and merit.

SEC. 535. REQUIREMENT TO BASE TREATMENT IN THE MILITARY ON MERIT AND PERFORMANCE.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Armed Forces is the greatest civil rights program in the history of the world.

(2) Former Chairman of the Joint Chiefs General Colin Powell wrote that ''the military [has] given African-Americans more equal opportunity than any other institution in American society''.

(3) Today's Armed Forces is the most diverse large public institution in the country,

and brings together Americans from every background in the service of defending the country.

(4) Military readiness depends on the guarantee of equal opportunity, without the promise of an equal outcome, because warfare is a competitive endeavor and the nation's enemies must know that the United States Armed Forces is led by the best, brightest, and bravest Americans.

(5) The tenets of critical race theory are antithetical to the merit-based, all-volunteer, military that has served the country with great distinction for the last 50 years.

(b) DEFINITION OF EQUITY.—For the purposes of any Department of Defense Diversity, Equity, and Inclusion directive, program, policy, or instruction, the term ''equity'' is defined as ''the right of all persons to have the opportunity to participate in, and benefit from, programs, and activities for which they are qualified''.

(c) PROHIBITIONS.—

(1) DIRECTIVES.—The Department of Defense shall not direct or otherwise compel any member of the Armed Forces, military dependent, or civilian employee of the Department of Defense to personally affirm, adopt, or adhere to the tenet that any sex, race, ethnicity, religion or national origin is inherently superior or inferior.

(2) TRAINING AND INSTRUCTION.—No organization or institution under the authority of the Secretary of Defense may provide courses, training, or any other type of instruction that directs, compels, or otherwise suggests that members of the Armed Forces, military dependents, or civilian employees of the Department of Defense should affirm, adopt, or adhere to the tenet described in paragraph (1).

(3) DISTINCTIONS AND CLASSIFICATIONS.—

(A) IN GENERAL.—No organization or institution under the authority of the Secretary of Defense shall make a distinction or classification of members of the Armed Forces, military dependents, or civilian employees of the Department of Defense based on account of race, ethnicity, or national origin.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit the required collection or reporting of demographic information by the Department of Defense.

(d) MERIT REQUIREMENT.—All Department of Defense personnel actions, including accessions, promotions, assignments and training, shall be based exclusively on individual merit and demonstrated performance.

SEC. 536. TIGER TEAM FOR OUTREACH TO FORMER MEMBERS.

(a) ESTABLISHMENT OF TIGER TEAM.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a team (commonly known as a ''tiger team'' and referred to in this section as the ''Tiger Team'') responsible for conducting outreach to build awareness among former members of the Armed Forces of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1552 note) for the review of discharge characterizations by appropriate discharge boards. The Tiger Team shall consist of appropriate personnel of the Department of Defense assigned to the Tiger Team by the Secretary for purposes of this section.

(2) TIGER TEAM LEADER.—One of the persons assigned to the Tiger Team under paragraph (1) shall be a senior-level officer or employee of the Department who shall serve as the lead official of the Tiger Team (in this section referred to as the ''Tiger Team Leader'') and who shall be accountable for the activities of the Tiger Team under this section.

(3) REPORT ON COMPOSITION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report setting forth the names of the personnel of the Department assigned to the Tiger Team pursuant to this subsection, including the positions to which assigned. The report shall specify the name of the individual assigned as Tiger Team Leader.

(b) DUTIES.—

(1) IN GENERAL.—The Tiger Team shall conduct outreach to build awareness among veterans of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations by appropriate discharge boards.

(2) COLLABORATION.—In conducting activities under this subsection, the Tiger Team Leader shall identify appropriate external stakeholders with whom the Tiger Team shall work to carry out such activities. Such stakeholders shall include representatives of veterans service organizations and such other stakeholders as the Tiger Team Leader considers appropriate.

(3) INITIAL REPORT.—Not later than 210 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress the following:

(A) A plan setting forth the following:

(i) A description of the manner in which the Secretary, working through the Tiger Team and in collaboration with external stakeholders described in paragraph (2), shall identify individuals who meet the criteria in section 527(b) of the National Defense Authorization Act for Fiscal Year 2020 for review of discharge characterization.

(ii) A description of the manner in which the Secretary, working through the Tiger Team and in collaboration with the external stakeholders, shall improve outreach to individuals who meet the criteria in section 527(b) of the National Defense Authorization Act for Fiscal Year 2020 for review of discharge characterization, including through—

(I) obtaining contact information on such individuals; and

(II) contacting such individuals on the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations.

(B) A description of the manner in which the work described in clauses (i) and (ii) of subparagraph (A) will be carried out, including an allocation of the work among the Tiger Team and the external stakeholders.

(C) A schedule for the implementation, carrying out, and completion of the plan required under subparagraph (A).

(D) A description of the additional funding, personnel, or other resources of the Department required to carry out the plan required under subparagraph (A), including any modification of applicable statutory or administrative authorities.

(4) IMPLEMENTATION OF PLAN.—

(A) IN GENERAL.—The Secretary shall implement and carry out the plan submitted under subparagraph (A) of paragraph (3) in accordance with the schedule submitted under subparagraph (C) of that paragraph.

(B) UPDATES.—Not less frequently than once every 90 days after the submittal of the report under paragraph (3), the Tiger Team shall submit to Congress an update on the carrying out of the plan submitted under subparagraph (A) of that paragraph.

(5) FINAL REPORT.—Not later than 3 years after the date of the enactment of this Act, the Tiger Team shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the activities of the Tiger Team under this subsection. The report shall set forth the following:

(A) The number of individuals discharged under Don't Ask, Don't Tell or a similar policy prior to the enactment of Don't Ask, Don't Tell.

(B) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization (whether through discharge review or correction of military records) through a process established prior to the enactment of this Act.

(C) The number of individuals contacted through outreach conducted pursuant to this section.

(D) The number of individuals described in subparagraph (A) who availed themselves of a review of discharge characterization through the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020.

(E) The number of individuals described in subparagraph (D) whose review of discharge characterization resulted in a change of characterization to honorable discharge.

(F) The total number of individuals described in subparagraph (A), including individuals also covered by subparagraph (E), whose review of discharge characterization since September 20, 2011 (the date of repeal of Don't Ask, Don't Tell), resulted in a change of characterization to honorable discharge.

(6) TERMINATION.—On the date that is 60 days after the date on which the final report required by paragraph (5) is submitted, the Secretary shall terminate the Tiger Team.

(c) ADDITIONAL REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020.

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(d) DON'T ASK, DON'T TELL DEFINED.—In this section, the term ''Don't Ask, Don't Tell'' means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111–321).

SEC. 537. DIVERSITY, EQUITY, AND INCLUSION PERSONNEL GRADE CAP.

(a) IN GENERAL.—The Secretary concerned may not appoint to, or otherwise employ in, any position with sole duties as described in subsection (b) a military or civilian employee paid annual pay at a rate that exceeds the equivalent of the rate payable for GS–10, not adjusted for locality.

(b) COVERED DUTIES.—The duties referred to in subsection (a) are as follows:

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

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

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

(c) APPLICABILITY TO CURRENT EMPLOYEES.—Any military or civilian employee appointed to a position with duties described in subsection (b) who is paid annual pay at a rate that exceeds the amount allowed under subsection (a) shall be reassigned to another position not later than 180 days after the date of the enactment of this Act.

Subtitle D—Military Justice and Other Legal Matters

SEC. 541. ESTABLISHMENT OF STAGGERED TERMS FOR MEMBERS OF THE MILITARY JUSTICE REVIEW PANEL.

(a) APPOINTMENT TO STAGGERED TERMS.—Subsection (b) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

''(4) ESTABLISHMENT OF STAGGERED TERMS.—Notwithstanding subsection (e), members of the Panel appointed to serve on the Panel to fill vacancies that exist due to terms of appointment expiring during the period beginning on August 1, 2030, and ending on August 31, 2030, shall be appointed to terms as follows:

''(A) Three members designated by the Secretary of Defense shall serve a term of two years.

''(B) Three members designated by the Secretary of Defense shall serve a term of four years.

''(C) Three members designated by the Secretary of Defense shall serve a term of six years.

''(D) Four members designated by the Secretary of Defense shall serve a term of eight years.''.

(b) TERM; VACANCIES.—Subsection (e) of such section is amended to read as follows:

''(e) TERM; VACANCIES.—

''(1) TERM.—Subject to subsection (b)(4) and paragraphs (2) and (3) of this subsection, each member shall be appointed for a term of eight years, and no member may serve more than one term.

''(2) VACANCY.—Any vacancy in the Panel shall be filled in the same manner as the original appointment. A member appointed to fill a vacancy in the Panel that occurs before the expiration of the term of appointment of the predecessor of such member shall be appointed for the remainder of the term of such predecessor.

''(3) AVAILABILITY OF REAPPOINTMENT FOR CERTAIN MEMBERS.—Notwithstanding paragraph (1), a member of the Panel may be appointed to a single additional term if—

''(A) the appointment of the member is to fill a vacancy described in subsection (b)(4); or

''(B) the member was initially appointed to—

''(i) a term of four years or less in accordance with subsection (b)(4); or

''(ii) fill a vacancy that occurs before the expiration of the term of the predecessor of such member and for which the remainder of the term of such predecessor is four years or less.''.

SEC. 542. TECHNICAL AND CONFORMING AMENDMENTS TO THE UNIFORM CODE OF MILITARY JUSTICE.

(a) TECHNICAL AMENDMENT RELATING TO GUILTY PLEAS FOR MURDER.—Section 918 of title 10, United States Code (article 118 of the Uniform Code of Military Justice), is amended—

(1) by striking ''he'' both places it appears and inserting ''such person''; and

(2) in the matter following paragraph (4), by striking the period and inserting '', unless such person is otherwise sentenced in accordance with a plea agreement entered into between the parties under section 853a (article 53a).''.

(b) TECHNICAL AMENDMENTS RELATING TO THE MILITARY JUSTICE REFORMS IN THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—

(1) ARTICLE 16.—Subsection (c)(2)(A) of section 816 of title 10, United States Code (article 16 of the Uniform Code of Military Justice), is amended by striking ''by the convening authority''.

(2) ARTICLE 25.—Section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), is amended—

(A) in subsection (d)—

(i) in paragraph (1), by striking ''may, after the findings are announced and before any matter is presented in the sentencing phase, request, orally on the record or in writing, sentencing by the members'' and inserting ''shall be sentenced by the military judge''; and

(ii) by amending paragraph (2) to read as follows:

''(2) In a capital case, if the accused is convicted of an offense for which the court-martial may sentence the accused to death, the accused shall be sentenced in accordance with section 853(c) of this title (article 53(c)).'';

(B) in subsection (e)—

(i) in paragraph (1), by striking ''him'' and inserting ''the member being tried''; and

(ii) in paragraph (2)—

(I) in the first sentence, by striking ''his opinion'' and inserting ''the opinion of the convening authority''; and

(II) in the second sentence, by striking ''he'' and inserting ''the member''; and

(C) in subsection (f)—

(i) by striking ''his authority'' and inserting ''the authority of the convening authority''; and

(ii) by striking ''his staff judge advocate or legal officer'' and inserting ''the staff judge advocate or legal officer of the convening authority''.

(c) AUTHORITY OF SPECIAL TRIAL COUNSEL WITH RESPECT TO CERTAIN OFFENSES OCCURRING BEFORE EFFECTIVE DATE OF MILITARY JUSTICE REFORMS ENACTED IN THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—

(1) AUTHORITY.—Section 824a of title 10, United States Code, as added by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), is amended by adding at the end the following new subsection:

''(d) SPECIAL TRIAL COUNSEL AUTHORITY OVER CERTAIN OTHER OFFENSES.—

''(1) OFFENSES OCCURRING BEFORE EFFECTIVE DATE.—A special trial counsel may, at the sole and exclusive discretion of the special trial counsel, exercise authority over the following offenses:

''(A) An offense under section 917a (article 117a), 918 (article 118), section 919 (article 119), section 920 (article 120), section 920b (article 120b), section 920c (article 120c), section 928b (article 128b), or the standalone offense of child pornography punishable under section 934 (article 134) of this title that occurred on or before December 27, 2023.

''(B) An offense under section 925 (article 125), section 930 (article 130), or section 932 (article 132) of this title that occurred on or after January 1, 2019, and before December 28, 2023.

''(C) An offense under section 920a (article 120a) of this title, an offense under section 925 (article 125) of this title alleging an act of nonconsensual sodomy, or the standalone offense of kidnapping punishable under section 934 (article 134) of this title that occurred before January 1, 2019.

''(D) A conspiracy to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 881 of this title (article 81).

''(E) A solicitation to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 882 of this title (article 82).

''(F) An attempt to commit an offense specified in subparagraph (A), (B), (C), (D), or (E) as punishable under section 880 of this title (article 80).

''(2) EFFECT OF EXERCISE OF AUTHORITY.—

''(A) TREATMENT AS COVERED OFFENSE.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the offense over which the special trial counsel exercises authority shall be considered a covered offense for purposes of this chapter.

''(B) KNOWN OR RELATED OFFENSES.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the special trial counsel may exercise the authority of the special trial counsel under subparagraph (B) of subsection (c)(2) with respect to other offenses described in that subparagraph without regard to the date on which the other offenses occur.''.

(2) CONFORMING AMENDMENT TO EFFECTIVE DATE.—Section 539C(a) of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 801 note; Public Law 117–81) is amended by striking ''and shall'' and inserting ''and, except as provided in section 824a(d) of title 10, United States Code (article 24a of the Uniform Code of Military Justice), shall''.

(d) CLARIFICATION OF APPLICABILITY OF DOMESTIC VIOLENCE AND STALKING TO DATING PARTNERS.—

(1) ARTICLE 128B; DOMESTIC VIOLENCE.—Section 928b of title 10, United States Code (article 128b of the Uniform Code of Military Justice), is amended—

(A) in the matter preceding paragraph (1), by striking ''Any person'' and inserting ''(a) IN GENERAL.—Any person'';

(B) in subsection (a), as designated by paragraph (1) of this section, by inserting ''a dating partner,'' after ''an intimate partner,'' each place it appears; and

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

''(b) DEFINITIONS.—In this section (article), the terms 'dating partner', 'immediate family', and 'intimate partner' have the meaning given such terms in section 930 of this title (article 130 of the Uniform Code of Military Justice).''.

(2) ARTICLE 130; STALKING.—Section 930 of such title (article 130 of the Uniform Code of Military Justice) is amended—

(A) in subsection (a), by striking ''or to his or her intimate partner'' each place it appears and inserting ''to his or her intimate partner, or to his or her dating partner''; and

(B) in subsection (b)—

(i) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

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

''(3) The term 'dating partner', in the case of a specific person, means a person who is or has been in a social relationship of a romantic or intimate nature with such specific person based on a consideration of—

''(A) the length of the relationship;

''(B) the type of relationship;

''(C) the frequency of interaction between the persons involved in the relationship; and

''(D) the extent of physical intimacy or sexual contact between the persons involved in the relationship.''.

(e) EFFECTIVE DATE.—The amendments made by subsection (b) and subsection (c)(1) shall take effect immediately after the coming into effect of the amendments made by part 1 of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) as provided in section 539C of that Act (10 U.S.C. 801 note).

Subtitle E—Member Education, Training, Transition

SEC. 551. FUTURE SERVICEMEMBER PREPARATORY COURSE.

(a) REQUIREMENT.—If the number of nonprior service enlisted personnel covered under section 520 of title 10, United States Code, exceeds 10 percent of the total number

of persons originally enlisted in an Armed Force during a fiscal year, the Secretary concerned shall establish a future servicemember preparatory course within the Armed Force concerned.

(b) PURPOSE.—The course established under subsection (a) shall be designed to improve the physical and aptitude qualifications of military recruits.

(c) CRITERIA.—Each course established under this section shall comply with the following requirements:

(1) ENROLLMENT.—All nonprior service enlisted persons whose score on the Armed Forces Qualification Test is at or above the twentieth percentile and below the thirty-first percentile must be enrolled in the course prior to attending initial basic training.

(2) GRADUATION REQUIREMENT.—Prior to attending initial basic training, all enlisted persons attending the course established under this section must achieve a score that exceeds the thirty-first percentile of the Armed Forces Qualification Test.

(3) EFFECT OF COURSE FAILURE.—Any enlisted person who fails to achieve course graduation requirements within 180 days of enlistment shall be separated under regulations prescribed by the Secretary concerned.

SEC. 552. DETERMINATION OF ACTIVE DUTY SERVICE COMMITMENT FOR RECIPIENTS OF FELLOWSHIPS, GRANTS, AND SCHOLARSHIPS.

Section 2603(b) of title 10, United States Code, is amended by striking ''at least three times the length of the period of the education or training.'' and inserting ''determined by the Secretary concerned. Notwithstanding sections 2004(c), 2004a(f), and 2004b(e) of this title, the service obligation required under this subsection may run concurrently with any service obligations incurred under chapter 101 of this title in accordance with regulations established by the Secretary concerned.''.

SEC. 553. MILITARY SERVICE ACADEMY PROFESSIONAL SPORTS PATHWAY REPORT AND LEGISLATIVE PROPOSAL REQUIRED.

(a) LEGISLATIVE PROPOSAL.—Not later than March 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report including the following elements:

(1) A legislative proposal that would—

(A) update and clarify the legislative framework related to the ability of military service academy graduates to pursue employment as a professional athlete prior to serving at least 5 years on active duty; and

(B) retain the existing requirement that all military service academy graduates must serve for 2 years on active duty before affiliating with the reserves to pursue employment as a professional athlete.

(2) A description of amendments to current law that would be necessary to implement the legislative proposal described under paragraph (1).

(b) REPORT REQUIRED.—Not later than March 1, 2024, and annually thereafter, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a report that includes the following information:

(1) The name, military service, and sport of each military service graduate released or deferred from active service in order to participate in professional sports.

(2) A description of the sports career progress of each participant, such as drafted, signed, released, or returned to military service.

(3) A summary by participant of marketing strategy and recruiting related activities conducted.

(4) A description by participant of the assessments conducted by the military services to determine the recruiting value associated with approved releases from active duty.

(5) The current status of each participant, including, as appropriate, affiliated franchise.

SEC. 554. COMMUNITY COLLEGE ENLISTED TRAINING CORPS DEMONSTRATION PROGRAM.

(a) DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—Not later than August 1, 2025, the Secretary concerned shall establish within each military department an Enlisted Training Corps demonstration program for the purpose of introducing students to the military, and preparing selected students for enlisted service in the Army, Navy, Air Force, Marine Corps, or Space Force.

(2) LOCATION.—Demonstration programs established under this section shall be located at a community or junior college. No program may be established at a military college or military junior college as defined for purposes of section 2107a of title 10, United States Code.

(b) ELIGIBILITY FOR MEMBERSHIP.—To be eligible for membership in a program under this section, a person must be a student at an institution where a unit of the Enlisted Training Corps is located.

(c) INSTRUCTORS.—The Secretary concerned may assign as an instructor for a unit established under this section an individual eligible to serve as an instructor under section 2111 or section 2031 of title 10, United States Code. Instructors who are not currently members on active duty shall be paid in a manner consistent with section 2031 of title 10, United States Code.

(d) FINANCIAL ASSISTANCE.—The Secretary of the military department concerned may provide financial assistance to persons enrolled in a unit of the Enlisted Training Corps in exchange for an agreement in writing that the person enlist in the active component of the military department concerned upon graduation or disenrollment from the community college. Financial assistance provided under this subsection may include tuition, living expenses, stipend, or other payment.

(e) CURRICULUM.—The Secretary concerned shall ensure that any programs created under this section include as part of the curriculum the following:

(1) An introduction to the benefits of military service.

(2) Military history.

(3) Military customs and courtesies.

(4) Physical fitness requirements.

(5) Instruction on ethical behavior and decisionmaking.

(f) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified by subsection (g), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the demonstration program required by this section.

(g) SUNSET.—The requirements of this provision shall sunset on September 30, 2030.

SEC. 555. LANGUAGE TRAINING CENTERS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

Section 529 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2001 note prec.) is amended—

(1) in subsection (a), by striking ''may carry out a program'' and inserting ''shall carry out a program'';

(2) by redesignating subsection (e) as subsection (f);

(3) by inserting after subsection (d) the following new subsection:

''(e) CONTRACT AUTHORITY.—The Secretary of Defense may enter into one or more contracts, cooperative agreements, or grants with private national organizations having an expertise in foreign languages, area studies, and other international fields, for the awarding of grants to accredited universities, senior military colleges, or other similar institutions of higher education to establish and maintain language training centers authorized by subsection (a).''; and

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

(A) by striking ''one year after the date of the establishment of the program authorized by subsection (a)'' and inserting ''180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024'';

(B) by striking ''report on the program'' and inserting ''report on the Language Training Center program'';

(C) by redesignating paragraph (4) as paragraph (5);

(D) by inserting after paragraph (3) the following new paragraph:

''(4) An assessment of the resources required to carry out the Language Training Center program by year through fiscal year 2027.''; and

(E) in paragraph (5), as redesignated by subparagraph (C), by striking ''A recommendation whether the program should be continued and, if so, recommendations as to any modifications of the program'' and inserting ''Recommendations as to any modifications to the Language Training Center program''.

SEC. 556. LIMITATION ON AVAILABILITY OF FUNDS FOR RELOCATION OF ARMY CID SPECIAL AGENT TRAINING COURSE.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Army to relocate an Army CID special agent training course may be obligated or expended until—

(1) the Secretary of the Army submits to the Committees on Armed Services of the Senate and the House of Representatives a separate report on any plans of the Secretary to relocate an Army CID special agent training course, including an explanation of the business case for any transfer of training personnel proposed as part of such plan; and

(2) the Secretary provides to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the contents of the report specified in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) The term ''relocate'', when used with respect to an Army CID special agent training course, means the transfer of such course to a location different than the location used for such course as of the date of the enactment of this Act.

(2) The term ''Army CID special agent training course'' means a training course provided to members of the Army to prepare such members for service as special agents in the Army Criminal Investigation Division.

SEC. 557. ARMY PHYSICAL FITNESS TEST.

(a) IN GENERAL.—The physical fitness test of record for the United States Army in compliance with Department of Defense Instruction 1308.03, or any successor regulation, is the Army Physical Fitness Test according to the grading and evaluation scale as it existed on January 1, 2020. This test shall be the baseline test of physical fitness for members of the Army and administered at least annually, except when operational requirements or contingency operations would make such test administration impracticable.

(b) UPDATES AND MODIFICATIONS.—Notwithstanding subsection (a), the Army may update, replace, or modify the events and scoring standards in the Army Physical Fitness

Test as the needs of the Army require after a robust pilot and testing period of at least 24 months. Such modifications shall not take effect until the date that is one year after the Secretary of the Army has provided a briefing on the planned changes to the Committees on Armed Services of the Senate and the House of Representatives.

(c) RULE OF CONSTRUCTION.—Nothing in this section prohibits the Army from using the Army Combat Fitness Test, or any other physical assessment the Army may develop, as a supplemental tool to assess physical fitness for all or parts of the force. Army Commanders may also require higher standards than the Army-wide grading scale for promotions, awards, schools and similar actions. Such supplemental assessment shall not constitute the baseline physical fitness assessment of record for the Army unless it is incorporated into the Army Physical Fitness Test using the procedure described in subsection (b).

SEC. 558. OPT-OUT SHARING OF INFORMATION ON MEMBERS RETIRING OR SEPARATING FROM THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Section 570F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1142 note) is amended—

(1) in subsection (c)—

(A) by striking ''out the form to indicate an email address'' and inserting the following: ''out the form to indicate—

''(1) an email address; and''; and

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

''(2) if the individual would like to opt-out of the transmittal of the individual's information to and through a State veterans agency as described in subsection (a).''; and

(2) by amending subsection (d) to read as follows:

''(d) OPT-OUT OF INFORMATION SHARING.—Information on an individual shall be transmitted to and through a State veterans agency as described in subsection (a) unless the individual indicates pursuant to subsection (c)(2) that the individual would like to opt out of such transmittal.''.

SEC. 559. ESTABLISHMENT OF PROGRAM TO PROMOTE PARTICIPATION OF FOREIGN STUDENTS IN THE SENIOR RESERVE OFFICERS' TRAINING CORPS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than January 1, 2025, the Secretary of Defense shall establish a program using the authority provided under section 2103(b) of title 10, United States Code, to promote the participation of foreign students in the Senior Reserve Officers' Training Corps (in this section referred to as the ''Program'').

(2) ORGANIZATION.—The Secretary of Defense, in consultation with the Director of the Defense Security Cooperation Agency, the Secretaries of the military departments, the commanders of the combatant commands, the participant institutions in the Senior Reserve Officers' Training Corps program, and any other individual the Secretary of Defense considers appropriate, shall be responsible for, and shall oversee, the Program.

(b) OBJECTIVE.—The objective of the Program is to promote the readiness and interoperability of the United States Armed Forces and the military forces of partner countries by providing a high-quality, cost effective military-based educational experience for foreign students in furtherance of the military-to-military program objectives of the Department of Defense and to enhance the educational experience and preparation of future United States military leaders through increased, extended interaction with highly qualified potential foreign military leaders.

(c) ACTIVITIES.—

(1) IN GENERAL.—Under the Program, the Secretary of Defense shall—

(A) identify to the military services' Senior Reserve Officers' Training Corps program the foreign students who, based on criteria established by the Secretary, the Secretary recommends be considered for admission under the Program;

(B) coordinate with partner countries to evaluate interest in and promote awareness of the Program;

(C) establish a mechanism for tracking an alumni network of foreign students who participate in the Program; and

(D) to the extent practicable, work with the participant institutions in the Senior Reserve Officers' Training Corps program and partner countries to identify academic institutions and programs that—

(i) have specialized academic programs in areas of study of interest to participating countries; or

(ii) have high participation from or significant diaspora populations from participating countries.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than September 30, 2024, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a strategy for the implementation of the Program.

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

(A) A governance structure for the Program, including—

(i) the officials tasked to oversee the Program;

(ii) the format of the governing body of the Program;

(iii) the functions and duties of such governing body with respect to establishing and maintaining the Program; and

(iv) mechanisms for coordinating with partner countries whose students are selected to participate in the Program.

(B) A list of additional authorities, appropriations, or other congressional support necessary to ensure the success of the Program.

(C) A description of targeted partner countries and participant institutions in the Senior Reserve Officers' Training Corps for the first three fiscal years of the Program, including a rationale for selecting such initial partners.

(D) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(E) A description of the mechanism for tracking the alumni network of participants of the Program.

(F) Any other information the Secretary of Defense considers appropriate.

(e) REPORT.—

(1) IN GENERAL.—Not later than September 20, 2025, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on the Program.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following elements:

(A) A narrative summary of activities conducted as part of the Program during the preceding fiscal year.

(B) An overview of participant Senior Reserve Officers' Training Corps programs, individuals, and countries, to include a description of the areas of study entered into by the students participating in the Program.

(C) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(D) Any other information the Secretary of Defense considers appropriate.

(f) LIMITATION ON AUTHORITY.—The Secretary of Defense may not use the authority provided under this section to pay for tuition or room and board for foreign students who participate in the Program.

(g) TERMINATION.—The Program shall terminate on December 31, 2029.

SEC. 560. CONSIDERATION OF STANDARDIZED TEST SCORES IN MILITARY SERVICE ACADEMY APPLICATION PROCESS.

The Secretary of Defense shall ensure that the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy require the submission and consideration of standardized test scores as part of the their application processes.

Subtitle F—Military Family Readiness and Dependents' Education

SEC. 561. PILOT PROGRAM ON RECRUITMENT AND RETENTION OF EMPLOYEES FOR CHILD DEVELOPMENT PROGRAMS.

(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.

(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.

(c) SELECTION OF LOCATIONS.—

(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.

(2) CONSIDERATIONS.—In selecting military installations under paragraph (1), the Secretary shall consider military installations with child development programs—

(A) with a shortage of qualified employees; or

(B) subject to other conditions identified by the Secretary that affect the ability of the programs to operate at full capacity.

(d) REGULATIONS.—The Secretary may prescribe such regulations as are necessary to carry out this section.

(e) DURATION OF PILOT PROGRAM.—If the Secretary implements the pilot program authorized by subsection (a), the pilot program shall—

(1) commence on the date on which the Secretary prescribes regulations under subsection (d); and

(2) terminate on the date that is 3 years after the date described in paragraph (1).

(f) BRIEFINGS REQUIRED.—

(1) INITIAL BRIEFING.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall, when the pilot program commences in accordance with subsection (e)(1), brief the Committees on Armed Services of the Senate and the House of Representatives on—

(A) the military installations selected under subsection (c) for purposes of carrying out the pilot program; and

(B) the data that informed those selections.

(2) FINAL BRIEFING.—If the Secretary implements the pilot program authorized by subsection (a), the Secretary shall, not later than 180 days before the pilot program terminates in accordance with subsection (e)(2),

brief the Committees on Armed Services of the Senate and the House of Representatives on the outcomes and findings of the pilot program, including—

(A) data collected and analyses conducted under the pilot program with respect to the relationship between increased compensation for employees of child development programs and improved recruitment or retention of those employees; and

(B) any recommendations with respect to increases in compensation for employees of child development programs across the Department of Defense as a result of the pilot program.

(g) CHILD DEVELOPMENT PROGRAM DEFINED.—In this section, the term ''child development program'' means a program to provide child care services for children, between birth through 12 years of age, of members of the Armed Forces and civilian employees of the Department of Defense.

SEC. 562. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MILITARY AND CIVILIAN PERSONNEL.

(a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.—

(1) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2024 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(2) LOCAL EDUCATIONAL AGENCY DEFINED.—In this subsection, the term ''local educational agency'' has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2024 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(2) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated for fiscal year 2024 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $20,000,000 shall be available for use by the Secretary of Defense to make payments to local educational agencies determined by the Secretary to have higher concentrations of military children with severe disabilities.

(3) REPORT.—Not later than March 31, 2024, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the Department's evaluation of each local educational agency with higher concentrations of military children with severe disabilities and subsequent determination of the amounts of impact aid each such agency shall receive.

SEC. 563. MODIFICATIONS TO ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.

(a) IN GENERAL.—Section 575 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (20 U.S.C. 7703d) is amended—

(1) in subsection (a)—

(A) by striking ''year, the local educational agency'' and all that follows through ''(as determined'' and inserting ''year, the local educational agency had (as determined'';

(B) by striking paragraph (2);

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by moving such paragraphs, as so redesignated, two ems to the left; and

(D) in paragraph (2), as redesignated by subparagraph (C), by striking ''; or'' and inserting a period;

(2) in subsection (f)—

(A) by striking ''The Secretary of Defense'' and inserting the following:

''(1) IN GENERAL.—The Secretary of Defense, acting through the Director of the Office of Local Defense Community Cooperation,''; and

(B) by adding at the end the following:

''(2) METHOD OF DISBURSEMENT.—The Director shall make disbursements under paragraph (1) using existing authorities of the Office.'';

(3) by striking subsection (h); and

(4) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively.

(b) BRIEFING REQUIRED.—Not later than March 1, 2024, the Director of the Office of Local Defense Community Cooperation shall brief the Committees of the Armed Services of the Senate and the House of Representatives on—

(1) any additional authorities that would be helpful to the Office in its efforts to better support local educational agencies; and

(2) any actions taken to implement the recommendations outlined in the March 2008 report entitled ''Update to the Report on Assistance to Local Educational Agencies for Defense Dependents Education'' and required by section 574(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2227) (as in effect on the date of the enactment of that Act).

SEC. 564. ASSISTANCE FOR MILITARY SPOUSES TO OBTAIN DOULA CERTIFICATIONS.

Section 1784a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) DOULA CERTIFICATIONS.—In carrying out the programs authorized by subsection (a), the Secretary shall provide assistance to the spouse of a member of the armed forces described in subsection (b) in obtaining a doula certification provided by an organization that receives reimbursement under the extramedical maternal health providers demonstration project required by section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note).''.

Subtitle G—Junior Reserve Officers' Training Corps

SEC. 571. EXPANSION OF JUNIOR RESERVE OFFICERS' TRAINING CORPS.

Section 2031 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''The President shall promulgate'' and inserting ''The Secretary of Defense shall promulgate''; and

(B) by striking ''maintained, and shall provide'' and all that follows through the period at the end and inserting ''maintained.''; and

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

''(g)(1) The Secretary of Defense shall establish and support not less than 3,400, and not more than 4,000, units of the Junior Reserve Officers' Training Corps.

''(2) The requirement under paragraph (1) shall not apply—

''(A) if the Secretary fails to receive an adequate number of requests for Junior Reserve Officer's Training Corps units by public and private secondary educational institutions; and

''(B) during a time of national emergency when the Secretaries of the military departments determine that funding must be allocated elsewhere.''.

SEC. 572. JROTC PROGRAM CERTIFICATION.

Section 2031 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i)(1) The Secretary of Defense may suspend or place on probation a Junior Reserve Officers' Training Corps unit that fails to comply with provisions of the standardized memorandum of understanding required pursuant to subsection (b).

''(2) Not later than one year after the date of the enactment of this subsection, and annually thereafter for four years, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report including information on units suspended or placed on probation pursuant to this subsection and a justification for the reinstatement of any such unit.

''(3) A unit may be placed on probation for a period of up to three years for failing to comply with the provisions of the standardized memorandum of understanding or any other requirement in this section. A unit may be suspended if, after the three-year probationary period, such unit remains out of compliance with the requirements of this section, and the Secretary of the military department concerned determines that such suspension is necessary to mitigate program deficiencies or to protect the safety of program participants.''.

SEC. 573. MEMORANDUM OF UNDERSTANDING REQUIRED.

Section 2031(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E);

(2) by inserting ''(1)'' after ''(b)'';

(3) in subparagraph (A), as redesignated by paragraph (1)—

(A) by striking ''(A)'' and inserting ''(i)''; and

(B) by striking ''(B)'' and inserting ''(ii)'';

(4) by amending subparagraph (E), as so redesignated, to read as follows: ''the unit meets such other requirements as the Secretary of the military department concerned proscribes in the memorandum of understanding required under this subsection.''; and

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

''(2) The Secretary of Defense shall issue regulations establishing a standardized memorandum of understanding to be signed by the Secretary of the military department concerned and each institution operating a unit under this section. The memorandum shall address the following matters:

''(A) A requirement for institutions to notify the appropriate armed force of allegations of misconduct against an instructor receiving retired or other pay from such armed force, including procedures that would require such institutions to report allegations

of sexual misconduct, including harassment, against an instructor, within 48 hours of learning of such allegations;

''(B) Processes by which the military departments certify instructors, including the conduct of appropriate background checks by the military service and the institution concerned.

''(C) Processes by which the military service will conduct oversight of their certified instructors, including the requirement to recertify instructors not less often than once every five years.

''(D) Processes by which such institution's program will be inspected by the military department concerned prior to establishment of a new unit, or not less often than once every four years in the case of units existing as of January 1, 2024, staggered as the Secretary determines appropriate.

''(E) A requirement that each institution certifies it—

''(i) has created a process for students to report violations of their rights under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), as applicable, and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), including the rights of students to not be subject to discrimination or subject to retaliation for reporting a violation of those laws, if such laws apply to the institution;

''(ii) has implemented policies ensuring students and instructors are notified of those rights, as well as the process for reporting violations of those rights, including information on available mandatory reporters, if such laws apply to the institution;

''(iii) has implemented annual training to inform students of methods to prevent, respond to, and report sexual assault and harassment;

''(iv) agrees to report all allegations of violations described under this subparagraph to the military department concerned and, if subject to the jurisdiction of the Department of Education, the Department of Education's Office of Civil Rights not less often than annually;

''(v) has developed processes to ensure that each student enrolled in a unit under this section has done so voluntarily; and

''(vi) agrees to provide the data necessary to compile the report required under subsection (j).''.

SEC. 574. JUNIOR RESERVE OFFICERS' TRAINING CORPS INSTRUCTOR COMPENSATION.

Section 2031 of title 10, United States Code, is amended—

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

''(d)(1) Instead of, or in addition to, detailing officers and noncommissioned officers on active duty under subsection (c)(1), the Secretary of the military department concerned may authorize qualified institutions to employ, as administrators and instructors in the program—

''(A) retired officers and noncommissioned officers whose qualifications are approved by the Secretary and the institution concerned and who request such employment;

''(B) officers and noncommissioned officers who are separated with an honorable discharge within the past 5 years with at least 8 years of service and are approved by the Secretary and the institution concerned and who request such employment; or

''(C) officers and noncommissioned officers who are active participating members of the selected reserve at the time of application, for purposes of section 101(d) of this title, and have not yet reached retirement eligibility and are approved by the Secretary and the institution concerned and who request such employment.

''(2) Employment under this subsection shall be subject to the following conditions:

''(A) The Secretary concerned shall pay to the institution an amount equal to one-half of the Department's prescribed JROTC Standardized Instructor Pay Scale (JSIPS) amount paid to the member by the institution for any period.

''(B) The Secretary concerned may pay to the institution more than one-half of the amount paid to the member by the institution if (as determined by the Secretary)—

''(i) the institution is in an educationally and economically deprived area; and

''(ii) the Secretary determines that such action is in the national interest.

''(C) Payments by the Secretary concerned under this subsection shall be made from funds appropriated for that purpose.

''(D) The Secretary concerned may require successful applicants to transfer to the Individual Ready Reserve (IRR).'';

(2) by striking subsections (e) and (f); and

(3) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

SEC. 575. ANNUAL REPORT ON ALLEGATIONS OF SEXUAL MISCONDUCT IN JROTC PROGRAMS.

Section 2031 of title 10, United States Code, as amended by section 572 of this Act, is further amended by adding at the end the following new subsection:

''(j)(1) Not later than March 31, 2024, and annually thereafter through March 31, 2029, the Secretary of Defense shall submit to Committees on Armed Services of the Senate and the House of Representatives a report on allegations of sexual misconduct, sexual harassment, and sex discrimination in JROTC programs during the preceding year.

''(2) Each report required under paragraph (1) shall set forth the following:

''(A) The number of reported allegations of violations under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) in school-affiliated JROTC programs, including—

''(i) the number of such reported allegations that were investigated;

''(ii) the outcome of those investigations; and

''(iii) the number of such reported allegations by State, the District of Columbia, or overseas location where these reports occurred.

''(B) The number of reports that the Department of Defense or military services have received during the reporting period involving allegations of acts of violence, including sexual abuse or harassment, by instructors against students in the JROTC program, including—

''(i) the offense involved;

''(ii) the military service involved;

''(iii) the number of instructors and number of allegations they each received;

''(iv) the number of reports of sexual misconduct and harassment that have been investigated;

''(v) the number of reports or investigations that have led to the removal of instructors from JROTC programs; and

''(vi) the number of such reported allegations by State, the District of Columbia, or overseas location where these reports occurred.

''(C) Any steps the Department of Defense has taken to mitigate sexual misconduct and harassment in JROTC programs during the preceding year.

''(3) Each report required under paragraph (1) shall be submitted in unclassified form and may not be marked as controlled unclassified information.

''(4) The Secretary shall annually report to the Committees on Armed Services of the Senate and the House of Representatives regarding compliance with this subsection by the JROTC program, including an up-to-date report on the Secretary's monitoring of such compliance.

''(5) The Secretary may seek the advice and counsel of the Attorney General and the Secretary of Health and Human Services concerning the development and dissemination to the JROTC program of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.

''(6) No officer, employee, or agent of an institution participating in any program under this chapter shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

SEC. 576. COMPTROLLER GENERAL REPORT ON EFFORTS TO INCREASE TRANSPARENCY AND REPORTING ON SEXUAL VIOLENCE IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on efforts to increase transparency and reporting on sexual violence in the Junior Reserve Officers' Training Corps Program.

(b) ELEMENTS.—The report required under subsection (a) shall include a description of the following:

(1) The implementation of section 2031 of title 10, United States Code, as amended by sections 572, 573, and 575 of this Act.

(2) The adequacy of the Department of Defense's vetting process for Junior Reserve Officers' Training Corps instructors.

(3) The Department of Defense and the Department of Education's oversight of compliance of units with respect to title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

(4) Any changes in the numbers of sexual harassment, assault, or stalking incidents reported to institutions or law enforcement agencies.

(5) The sufficiency of military department unit inspections.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees''means the Committee on Armed Services of the Senate and the House of Representatives.

Subtitle H—Decorations and Other Awards, Miscellaneous Reports and Other Matters

SEC. 581. EXTENSION OF DEADLINE FOR REVIEW OF WORLD WAR I VALOR MEDALS.

Section 584(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 7271 note) is amended by striking ''six years after the date of the enactment of this Act'' and inserting ''December 31, 2028''.

SEC. 582. PROHIBITION ON FORMER MEMBERS OF THE ARMED FORCES ACCEPTING POST-SERVICE EMPLOYMENT WITH CERTAIN FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 989. Prohibition on former members of the armed forces accepting post-service employment with certain foreign governments

''(a) IN GENERAL.—Except as provided by subsection (b), a covered individual may not occupy a covered post-service position.

''(b) TEMPORARY WAIVER.—

''(1) IN GENERAL.—The Secretary of Defense shall establish a process under which a covered individual may be granted a temporary

waiver of the prohibition under subsection (a) if—

''(A) the individual, or a Federal agency on behalf of, and with the consent of, the individual, submits to the Secretary a written application for a waiver in such form and manner as the Secretary determines appropriate; and

''(B) the Secretary determines that the waiver is necessary to advance the national security interests of the United States.

''(2) PERIOD OF WAIVER.—A waiver issued under paragraph (1) shall apply for a period not exceeding 5 years. The Secretary may renew such a waiver.

''(3) REVOCATION.—The Secretary may revoke a waiver issued under paragraph (1) to a covered individual with respect to a covered-post service position if the Secretary determines that the employment of the individual in the covered-post service position poses a threat to national security.

''(4) NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days after the date on which the Secretary issues a waiver under paragraph (1) or revokes a waiver under paragraph (3), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives written notification of the waiver or revocation, as the case may be.

''(B) ELEMENTS.—A notification required by subparagraph (A) shall include the following:

''(i) With respect to a waiver issued to a covered individual—

''(I) the details of the application, including the position held by the individual in the armed forces;

''(II) the nature of the post-service position of the individual;

''(III) a description of the national security interests that will be advanced by reason of issuing such a waiver; and

''(IV) the specific reasons why the Secretary determines that issuing the waiver will advance such interests.

''(ii) With respect to a revocation of a waiver issued to a covered individual—

''(I) the details of the waiver, including any renewals of the waiver, and the dates of such waiver and renewals; and

''(II) the specific reasons why the Secretary determined that the revocation is warranted.

''(c) CERTIFICATION OF PROHIBITION.—In implementing the prohibition under subsection (a), the Secretary shall establish a process under which each member of the armed forces is, before the member retires or is otherwise separated from the armed forces—

''(1) informed in writing of the prohibition, and the penalties for violations of the prohibition; and

''(2) is required to certify that the member understands the prohibition and those penalties.

''(d) PENALTIES.—In the case of a covered individual who knowingly and willfully fails to comply with the prohibition under subsection (a), the Secretary shall, as applicable—

''(1) withhold any pay, allowances, or benefits that would otherwise be provided to the individual by the Department of Defense; and

''(2) revoke any security clearance of the individual.

''(e) ANNUAL REPORTS.—

''(1) REQUIREMENT.—Not later than March 31, 2024, and annually thereafter, the Secretary shall submit to the congressional defense committees a report on covered post-service employment occurring during the year covered by the report.

''(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

''(A) The number of former covered individuals who occupy a covered post-service position, broken down by—

''(i) the name of the employer;

''(ii) the foreign government, including by the specific foreign individual, agency, or entity, for whom the covered post-service employment is being performed; and

''(iii) the nature of the services provided as part of the covered post-service employment.

''(B) An assessment by the Secretary of whether—

''(i) the Department of Defense maintains adequate systems and processes for ensuring that former members of the armed forces are submitting required reports relating to their employment by foreign governments;

''(ii) all covered individuals who occupy a covered post-service position are in compliance with this section;

''(iii) the services provided by the covered individuals who occupy a covered post-service position pose a current or future threat to the national security of the United States; and

''(iv) there is any credible information or reporting that any covered individual who occupies a covered post-service position has engaged in activities that violate Federal law.

''(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

''(f) NOTIFICATIONS OF DETERMINATIONS OF CERTAIN THREATS.—

''(1) REQUIREMENT.—In addition to the annual reports under subsection (d), if the Secretary determines that the services provided by a covered individual who occupies a covered post-service position pose a threat described in clause (iii) of paragraph (2)(B) of that subsection, or include activities described in clause (iv) of such paragraph, the Secretary shall notify the congressional defense committees of that determination by not later than 30 days after making the determination.

''(2) ELEMENTS.—A notification required by paragraph (1) shall include the following:

''(A) The name of the covered individual.

''(B) The name of the employer.

''(C) The foreign government, including the specific foreign individual, agency, or entity, for whom the covered post-service employment is being performed.

''(D) As applicable, a description of the risk to national security and the activities that may violate Federal law.

''(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed to indemnify or shield covered individuals from prosecution under any relevant provision of title 18.

''(h) DEFINITIONS.—In this section:

''(1) COVERED INDIVIDUAL.—The term 'covered individual' means an individual who has retired or otherwise separated from an active or reserve component of the Armed Forces.

''(2) COVERED POST-SERVICE EMPLOYMENT.—The term 'covered post-service employment' means direct or indirect employment by, representation of, or any provision of advice or services relating to national security, intelligence, the military, or internal security to—

''(A) the government of—

''(i) a country of concern (as defined in section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m))); or

''(ii) a country the Secretary of Defense determines acts as a proxy or passthrough for services for a country of concern; or

''(B) any company, entity, or other person the activities of which are directly or indirectly supervised, directed, controlled, financed, or subsidized, in whole or in major part, by a government described in subparagraph (A).

''(3) COVERED POST-SERVICE POSITION.—The term 'covered post-service position' means a position of employment described in paragraph (2).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of such title is amended 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.''.

(c) CONFORMING AMENDMENT.—Section 908 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(f) PROHIBITION ON FORMER MEMBERS OF ARMED FORCES ACCEPTING EMPLOYMENT WITH CERTAIN FOREIGN GOVERNMENTS.—For a provision of law prohibiting former members of the armed forces from accepting post-service employment with certain foreign governments, see section 989 of title 10.''.

SEC. 583. PROHIBITION ON REQUIRING LISTING OF GENDER OR PRONOUNS IN OFFICIAL CORRESPONDENCE.

The Department of Defense is prohibited from requiring members of the Armed Forces or civilian employees of the Department of Defense to list their gender or pronouns in official correspondence, whether such correspondence is written or electronic.

Subtitle I—Enhanced Recruiting Efforts

SEC. 591. SHORT TITLE.

This subtitle may be cited as the ''Military Service Promotion Act of 2023''.

SEC. 592. INCREASED ACCESS TO POTENTIAL RECRUITS AT SECONDARY SCHOOLS.

Section 503(c) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''; and'' and inserting a semicolon;

(ii) by redesignating clause (ii) as clause (iii);

(iii) by inserting after clause (i) the following new clause:

''(ii) shall provide to military recruiters access to career fairs or similar events upon a request made by military recruiters for military recruiting purposes; and''; and

(iv) in clause (iii), as redesignated by subparagraph (B), by inserting '', not later than 60 days after receiving such request,'' after ''provide''; and

(B) in subparagraph (B), by striking ''subparagraph (A)(ii)'' and inserting ''subparagraph (A)(iii)'';

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following new paragraph:

''(6) The Secretary of Defense shall submit an annual report to Congress not later than February 1 each calendar year, detailing each notification of denial of recruiting access issued under paragraph (3).''.

SEC. 593. INCREASED ACCESS TO POTENTIAL RECRUITS AT INSTITUTIONS OF HIGHER EDUCATION.

Section 983(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2)—

(A) by striking ''to the following information pertaining'' and inserting '', with respect'';

(B) by striking ''institution):'' and inserting ''institution)—'';

(C) in subparagraph (A)—

(i) by striking ''Names'' and inserting ''names''; and

(ii) by striking ''telephone listings.'' and inserting ''telephone listings, which information shall be made available not later than

the 60th day following the date of a request; and''; and

(D) in subparagraph (B), by striking ''Date'' and inserting ''date''.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. PAY OF MEMBERS OF RESERVE COMPONENTS FOR INACTIVE-DUTY TRAINING TO OBTAIN OR MAINTAIN AN AERONAUTICAL RATING OR DESIGNATION.

(a) IN GENERAL.—Chapter 3 of title 37, United States Code, is amended by inserting after section 206 the following new section:

''§ 206a. Pay of members of reserve components for inactive-duty training to obtain or maintain an aeronautical rating or designation

''Under regulations prescribed by the Secretary concerned, a member of the National Guard or a member of a reserve component of a uniformed service who is receiving aviation incentive pay under section 334(a) of this title and is entitled to compensation under section 206 of this title is entitled to such compensation for a number of periods of inactive-duty training each month sufficient for the member to obtain or maintain an aeronautical rating or designation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by inserting after the item relating to section 206 the following new item:

''206a. Pay of members of reserve components for inactive-duty training to obtain or maintain an aeronautical rating or designation.''.

SEC. 602. MODIFICATION OF CALCULATION METHOD FOR BASIC ALLOWANCE FOR HOUSING TO MORE ACCURATELY ASSESS HOUSING COSTS OF JUNIOR MEMBERS OF UNIFORMED SERVICES.

Section 403(b)(5) of title 37, United States Code, is amended, in the second sentence, by striking ''and shall be based on the following:'' and all that follows through ''determined in subparagraph (A)''.

SEC. 603. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS ASSIGNED TO VESSELS UNDERGOING MAINTENANCE.

Section 403(f)(2) of title 37, United States Code, is amended—

(1) in subparagraph (A), by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraphs (B), (C), and (D)''; and

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

''(D)(i) Under regulations prescribed by the Secretary concerned, the Secretary may authorize the payment of a basic allowance for housing to a member of a uniformed service without dependents who is serving in a pay grade below E–6 and has orders to a naval vessel during a shipyard availability or maintenance period.

''(ii) In prescribing regulations under clause (i), the Secretary concerned shall consider the availability of quarters for members serving in pay grades below E–6 before authorizing the payment of a basic allowance for housing for such members.''.

SEC. 604. DUAL BASIC ALLOWANCE FOR HOUSING FOR TRAINING FOR CERTAIN MEMBERS OF RESERVE COMPONENTS.

Section 403(g)(3) of title 37, United States Code, is amended—

(1) by striking ''Paragraphs'' and inserting ''(A) Except as provided by subparagraph (B), paragraphs''; and

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

''(B) Paragraphs (1) and (2) shall apply with respect to a member of a reserve component without dependents who is called or ordered to active duty to attend training for a period of 140 days or more but fewer than 365 days and for whom transportation of household goods is authorized under section 453(c) of this title as part of the call or order to active duty.''.

SEC. 605. MODIFICATION OF CALCULATION OF GROSS HOUSEHOLD INCOME FOR BASIC NEEDS ALLOWANCE TO ADDRESS AREAS OF DEMONSTRATED NEED.

(a) IN GENERAL.—Section 402b(k)(1)(B) of title 37, United States Code, is amended by inserting ''or that otherwise has a demonstrated need'' after ''high cost of living''.

(b) IMPLEMENTATION GUIDANCE.—The Secretary of Defense shall revise the guidance issued with respect to implementation of the basic needs allowance under section 402b of title 37, United States Code, to reflect the amendment made by subsection (a).

SEC. 606. EXPANSION OF ELIGIBILITY FOR REIMBURSEMENT OF QUALIFIED LICENSURE, CERTIFICATION, AND BUSINESS RELOCATION COSTS INCURRED BY MILITARY SPOUSES.

Section 453(g)(1) of title 37, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking ''member is reassigned'' and inserting the following: ''member is—

''(i) reassigned'';

(B) by striking ''; and'' and inserting ''; or''; and

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

''(ii) transferred from a regular component of a uniformed service into the Selected Reserve of the Ready Reserve of a uniformed service, if the member is authorized a final move from the last duty station to the new jurisdiction or geographic area; and''; and

(2) in subparagraph (B), by inserting ''or transfer'' after ''reassignment''.

SEC. 607. COST-OF-LIVING ALLOWANCE IN THE CONTINENTAL UNITED STATES: HIGH COST AREAS.

Section 403b(c) of title 37, United States Code, is amended—

(1) in the second sentence, by striking ''8 percent'' and inserting ''5 percent''; and

(2) in the third sentence, by striking ''shall prescribe'' and inserting ''may prescribe''.

SEC. 608. OCONUS COST-OF-LIVING ALLOWANCE: ADJUSTMENTS.

Section 617 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in the section heading, by striking ''**; NOTICE TO CERTAIN CONGRESSIONAL COMMITTEES**''; and

(2) by striking subsections (a), (b), and (c) and inserting the following:

''(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary of Defense may announce reductions in the cost-of-living allowance for a member of the uniformed services assigned to a duty station located outside the continental United States—

''(1) not more than two times per year; or

''(2) in connection with a permanent change of station for such member.

''(b) LIMITATION ON SIZE OF REDUCTIONS.—The Secretary may not make a reduction under subsection (a) in the allowance described in that subsection by an amount that exceeds 10 percent of the amount of the allowance before the reduction.

''(c) TREATMENT OF REDUCTIONS RELATING TO FOREIGN CURRENCY EXCHANGE RATES.—The limitations under subsections (a) and (b) shall not apply to reductions in the allowance described in subsection (a) relating to changes in foreign currency exchange rates.

''(d) IMPLEMENTATION OF REDUCTIONS.—The Secretary may phase in the reductions described in subsection (a).

''(e) INCREASES.—The Secretary may increase the allowance described in subsection (a) for a member of the uniformed services at any time.''.

SEC. 609. EXTENSION OF ONE-TIME UNIFORM ALLOWANCE FOR OFFICERS WHO TRANSFER TO THE SPACE FORCE.

Section 606(d)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 37 U.S.C. 416 note) is amended by striking ''September 30, 2023'' and inserting ''September 30, 2025''.

SEC. 610. REVIEW OF RATES OF MILITARY BASIC PAY.

(a) IN GENERAL.—The Secretary of Defense shall conduct a review of the rates of monthly basic pay authorized for members of the uniformed services to determine if the current basic pay table adequately compensates junior enlisted personnel in pay grades E–1 through E–4.

(b) FACTORS FOR REVIEW.—In conducting the review required by subsection (a), the Secretary shall conduct the following:

(1) An assessment of the adequacy of the rates of monthly basic pay for members of the uniformed services in light of current and predicted recruiting difficulties.

(2) An analysis of how such basic pay, when combined with other elements of regular compensation for members of the uniformed services, compares with private sector wages for potential recruits to the uniformed services.

(3) An assessment of how sustained periods of cost inflation affect pay for the uniformed services and comparable private sector wages.

(4) An historical analysis of how percentage differences between junior enlisted basic pay, senior enlisted basic pay, junior officer basic pay, and senior officer basic pay, have changed since the rates of basic pay for members of the uniformed services were authorized by section 601 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 37 U.S.C. 1009 note).

(c) REPORT AND LEGISLATIVE PROPOSAL REQUIRED.—Not later than March 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) a report on the results of the review required by subsection (a); and

(2) a comprehensive legislative proposal for the rates of basic pay for members of the uniformed services.

SEC. 611. GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON PROCESS FOR DETERMINING COST-OF-LIVING ALLOWANCES FOR MEMBERS OF THE UNIFORMED SERVICES ASSIGNED TO THE CONTINENTAL UNITED STATES, HAWAII, ALASKA, AND OVERSEAS LOCATIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the process for determining cost-of-living allowances for members of the uniformed services stationed in the continental United States, Hawaii, Alaska, and at overseas locations.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Comptroller General shall assess—

(1) the fairness and equity of the process for determining cost-of-living allowances described in subsection (a) and methods for improving that process;

(2) the advantages and disadvantages of averaging the results of continental United States Living Pattern Surveys and Retail Price Schedules without regard to the geographic concentration of members of the uniformed services within the continental United States when determining the baseline

cost of living for the continental United States;

(3) if additional out-of-pocket expenses, including the costs for a member of the uniformed services to travel to and from the home of record of the member from the assigned duty station of the member, should be included in the calculations of the Department of Defense for determining overseas cost-of-living allowances to better equalize the true costs of living for members stationed outside the continental United States with such costs for members stationed inside the continental United States; and

(4) the process by which the Department of Defense conducts Living Pattern Surveys and develops Retail Price Schedules.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report—

(1) setting forth the results of the study required by subsection (a); and

(2) making any recommendations the Comptroller General considers appropriate based on those results, including any recommendations for changes to section 403b or 405 of title 37, United States Code.

Subtitle B—Bonus and Incentive Pays

SEC. 621. MODIFICATION OF SPECIAL AND INCENTIVE PAY AUTHORITIES FOR MEMBERS OF RESERVE COMPONENTS.

(a) IN GENERAL.—Section 357 of title 37, United States Code, is amended—

(1) by striking ''incentive pay'' and inserting ''special or incentive pay''; and

(2) by striking the period at the end and inserting the following: ''if the Secretary concerned is paying the member of the reserve component the special or incentive pay for the purpose of—

''(1) maintaining a skill certification or proficiency identical to a skill certification or proficiency required of the member in the regular component; or

''(2) compensating the member of the reserve component for exposure to hazards or risks identical to hazards or risks to which the member in the regular component was exposed.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—The section heading for section 357 of title 37, United States Code, is amended by striking ''**Incentive**'' and inserting ''**Special and incentive**''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 5 of such title is amended by striking the item relating to section 357 and inserting the following new item:

''357. Special and incentive pay authorities for members of the reserve components of the armed forces.''.

(c) MODIFICATION OF IMPLEMENTATION DETERMINATION.—Section 602(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 37 U.S.C. 357 note) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, two ems to the right;

(2) by striking ''The Secretary may'' and inserting the following:

''(1) IN GENERAL.—The Secretary shall'';

(3) in subparagraph (A), as redesignated by paragraph (1), by striking ''subsection (b)'' and inserting ''subsection (c)''; and

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

''(2) EVALUATION OF TYPES OF SPECIAL AND INCENTIVE PAY.—In making the determination and certification described in paragraph (1)(B), the Secretary shall evaluate each type or category of special and incentive pay separately and may make the determination and certification based on the effect on an Armed Force concerned of a particular type or category of special or incentive pay.''.

SEC. 622. EXPANSION OF CONTINUATION PAY ELIGIBILITY.

(a) CONTINUATION PAY: FULL TSP MEMBERS WITH 8 TO 12 YEARS OF SERVICE.—Section 356 of title 37, United States Code, is amended—

(1) in the section heading, by striking ''**8**'' and inserting ''**7**''; and

(2) in subsections (a)(1) and (d), by striking ''8'' and inserting ''7''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 356 and inserting the following new item:

''356. Continuation pay: full TSP members with 7 to 12 years of service.''.

SEC. 623. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2023'' and inserting ''December 31, 2024'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—Section 333(i) of title 37, United States Code, is amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2023'' and inserting ''December 31, 2024'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITIES TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b) of title 37, United States Code, is amended—

(1) in paragraph (7)(E), relating to temporary increases in rates of basic allowance for areas covered by a major disaster declaration or containing an installation experiencing a sudden influx of military personnel, by striking ''December 31, 2023'' and inserting ''December 31, 2024''; and

(2) in paragraph (8)(C), relating to temporary adjustments in rates of basic allowance for housing for localities where actual housing costs differ from current rates of basic allowance for housing by more than 20 percent, by striking ''September 30, 2023'' and inserting ''December 31, 2024''.

SEC. 624. REQUIREMENT TO ESTABLISH REMOTE AND AUSTERE CONDITION ASSIGNMENT INCENTIVE PAY PROGRAM FOR AIR FORCE.

The Secretary of the Air Force shall—

(1) evaluate the Remote and Austere Condition Assignment Incentive Pay program of the Army; and

(2) not later than October 1, 2025, establish a similar program for the Air Force, unless the Secretary can certify to Congress that there are no critically manned units at any Air Force installation in Alaska.

Subtitle C—Other Matters

SEC. 631. MODIFICATION OF REQUIREMENTS FOR APPROVAL OF FOREIGN EMPLOYMENT BY RETIRED AND RESERVE MEMBERS OF UNIFORMED SERVICES.

Section 908 of title 37, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''A person'' and inserting ''(1) A person'';

(B) by inserting ''after determining that such approval is not contrary to the national interests of the United States'' after ''approve the employment''; and

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

''(2) The Secretary of a military department may delegate the determination of the Secretary required by paragraph (1) only to an official of the military department at or above the level of an Assistant Secretary or, in the event of a vacancy in the position of such an official, a civilian official performing the duties of that position.''; and

(2) in subsection (d)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''an officer'' and inserting ''a person''; and

(ii) by striking subparagraphs (B) and (C) and inserting the following new subparagraphs:

''(B) A description of the duties, if any, the person is to perform and the compensation the person is to receive for such duties, as reflected in the person's application for approval of the employment or compensation or payment or award.

''(C) The position the person held or holds in the armed forces, including the rank of the person and the armed force in which the person served.

''(D) Any other information the Secretaries of the military departments consider relevant, except that such information may not include the person's date of birth, Social Security number, home address, phone number, or any other personal identifier other than the name and rank of the person and the armed force in which the person served.''; and

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

''(3) Not later than 60 days after the date on which a report required by paragraph (1) is submitted, the Secretaries of the military departments shall make the report, and all contents of the report, available on a publicly accessible internet website.''.

SEC. 632. RESTRICTIONS ON RETIRED AND RESERVE MEMBERS OF THE ARMED FORCES RECEIVING EMPLOYMENT AND COMPENSATION INDIRECTLY FROM FOREIGN GOVERNMENTS THROUGH PRIVATE ENTITIES.

Section 908(a) of title 37, United States Code, is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking ''Subject to'' and inserting the following:

''(1) IN GENERAL.—Subject to'';

(3) in subparagraph (C), as redesignated, by striking ''Commissioned Reserve Corps'' and inserting ''Ready Reserve Corps''; and

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

''(2) APPLICATION TO PRIVATE ENTITIES.—

''(A) IN GENERAL.—The acceptance by a person described in subparagraph (B) of employment (and compensation related to that employment) or payments or awards for work performed for a foreign government through a private entity shall be subject to the provisions of this section to the same extent and in the same manner as such provisions apply to employment (and compensation related to that employment) and payments and awards described in paragraph (1).

''(B) PERSONS DESCRIBED.—A person described in this subparagraph is—

''(i) a retired member of the Army, Navy, Air Force, Marine Corps, or Space Force; or

''(ii) a member of a reserve component of an armed force specified in clause (i), except a member serving on active duty under a call or order to active duty for a period in excess of 30 days.''.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. EXTENSION OF PERIOD OF ELIGIBILITY FOR HEALTH BENEFITS UNDER TRICARE RESERVE SELECT FOR SURVIVORS OF A MEMBER OF THE SELECTED RESERVE.

(a) IN GENERAL.— Section 1076d(c) of title 10, United States Code, is amended by striking ''six months'' and inserting ''three years''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2025.

SEC. 702. AUTHORITY TO PROVIDE DENTAL CARE FOR DEPENDENTS LOCATED AT CERTAIN REMOTE OR ISOLATED LOCATIONS.

Section 1077(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

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

''(3)(A) Dependents who reside within a specified geographic area and are covered by a dental plan established under section 1076a may receive dental care in a dental treatment facility of the uniformed services on a space available basis if the Secretary of Defense determines that—

''(i) civilian dental care within the specified geographic area is inadequate or is not sufficiently available; and

''(ii) adequate resources exist to provide space available dental care to the dependents at the facility.

''(B) Care under subparagraph (A) shall be provided on a reimbursable basis.''.

SEC. 703. INCLUSION OF ASSISTED REPRODUCTIVE TECHNOLOGY AND ARTIFICIAL INSEMINATION AS REQUIRED PRIMARY AND PREVENTIVE HEALTH CARE SERVICES FOR MEMBERS OF THE UNIFORMED SERVICES AND DEPENDENTS.

(a) MEMBERS OF THE UNIFORMED SERVICES.—Section 1074d of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by striking ''entitled to preventive'' and inserting ''entitled to—

''(A) preventive'';

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking the period at the end and inserting ''; and''; and

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

''(B) for male members of the uniformed services (excluding former members of the uniformed services), services relating to infertility described in subsection (b)(4).''; and

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

''(c) INFERTILITY SERVICES INCLUDED FOR MEMBERS OF THE UNIFORMED SERVICES.—Services relating to infertility required to be provided under subsections (a)(2)(B) and (b)(4) for members of the uniformed services (excluding former members of the uniformed services) shall include the following:

''(1) Treatments or procedures using assisted reproductive technology (as defined in section 8 of the Fertility Clinic Success Rate and Certification Act of 1992 (42 U.S.C. 263a–7(1)), excluding in vitro fertilization).

''(2) The provision of artificial insemination, including intrauterine insemination, without regard to coital conception.''.

(b) DEPENDENTS.—Section 1077(a) of such title is amended by adding at the end the following new paragraph:

''(19) Services relating to infertility, including the services specified in section 1074d(c) of this title, except that the services specified in such section may be provided only to a dependent of a member of the uniformed services (excluding any dependent of a former member of the uniformed services).''.

(c) EXCLUSION FROM CONTRACTS FOR FORMER MEMBERS AND THEIR DEPENDENTS.—Section 1086 of such title is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d) and (j)''; and

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

''(j) A plan contracted for under subsection (a) may not include coverage for services under section 1077(a)(19) of this title for former members of the uniformed services or dependents of former members of the uniformed services.''.

(d) APPLICATION.—The amendments made by this section shall apply to services provided on or after January 1, 2025.

(e) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed provide new benefits to or alter existing benefits for former members of the uniformed services or the dependents of former members of the uniformed services.

SEC. 704. PROGRAM ON TREATMENT OF MEMBERS OF THE ARMED FORCES FOR POST-TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN INJURIES, AND CO-OCCURRING DISORDERS RELATED TO MILITARY SEXUAL TRAUMA.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074o the following new section:

''§ 1074p. Program on treatment of members of the armed forces for post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma

''(a) IN GENERAL.—The Secretary of Defense shall carry out a program to provide intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions.

''(b) DISCHARGE THROUGH PARTNERSHIPS.—The Secretary shall carry out the program under subsection (a) through partnerships with public, private, and non-profit health care organizations, universities, and institutions that—

''(1) provide health care to members of the armed forces;

''(2) provide evidence-based treatment for psychological and neurological conditions that are common among members of the armed forces, including post-traumatic stress disorder, traumatic brain injury, substance abuse, and depression;

''(3) provide health care, support, and other benefits to family members of members of the armed forces; and

''(4) provide health care under the TRICARE program.

''(c) PROGRAM ACTIVITIES.—Each organization, university, or institution that participates in a partnership under the program under subsection (a) shall—

''(1) carry out intensive outpatient programs of short duration to treat members of the armed forces suffering from post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions;

''(2) use evidence-based and evidence-informed treatment strategies in carrying out such programs;

''(3) share clinical and outreach best practices with other organizations, universities, and institutions participating in the program under subsection (a); and

''(4) annually assess outcomes for members of the armed forces individually and among the organizations, universities, and institutions participating in the program under subsection (a) with respect to the treatment of conditions described in paragraph (1).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074o the following new item:

''1074p. Program on treatment of members of the armed forces for post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma.''.

(b) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the program under section 1074p of title 10, United States Code, as added by subsection (a), which shall include a description of the program and such other matters on the program as the Secretary considers appropriate.

(2) ADDITIONAL REPORT.—Not later than two years after commencement of implementation of the program under section 1074p of title 10, United States Code, as added by subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the program, which shall include the following:

(A) A description of the program, including the partnerships under the program as described in subsection (b) of such section, as so added.

(B) An assessment of the effectiveness of the program and the activities under the program.

(C) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the program.

(c) CONFORMING REPEAL.—

(1) IN GENERAL.—Section 702 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1092 note) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by striking the item relating to section 702.

SEC. 705. WAIVER OF COST-SHARING FOR THREE MENTAL HEALTH OUTPATIENT VISITS FOR CERTAIN BENEFICIARIES UNDER THE TRICARE PROGRAM.

(a) TRICARE SELECT.—Section 1075(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4)(A) Consistent with other provisions of this chapter and subject to requirements to be prescribed by the Secretary, the Secretary may waive cost-sharing requirements for the first three outpatient mental health visits each year of any of the following beneficiaries:

''(i) Beneficiaries in the active-duty family member category.

''(ii) Beneficiaries covered by section 1110b of this title.

''(B) This paragraph shall terminate on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.''.

(b) TRICARE PRIME.—Section 1075a(a) of such title is amended by adding at the end the following new paragraph:

''(4)(A) Consistent with other provisions of this chapter and subject to requirements to be prescribed by the Secretary, the Secretary may waive cost-sharing requirements for the first three outpatient mental health visits each year of a beneficiary in the active-duty family member category (as described in section 1075(b)(1)(A) of this title).

''(B) This paragraph shall terminate on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.''.

SEC. 706. EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

(a) EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT.—Section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note) is amended—

(1) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) COVERAGE OF DOULA CARE.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Secretary shall ensure that the demonstration project includes coverage of labor doula care, or reimbursement for such care, for all beneficiaries under the TRICARE program, including access—

''(1) by members of the Armed Forces on active duty;

''(2) by beneficiaries outside the continental United States; and

''(3) at military medical treatment facilities.''.

(b) HIRING OF DOULAS.—The hiring authority for each military medical treatment facility may hire a team of doulas to work in coordination with lactation support personnel or labor and delivery units at such facility.

Subtitle B—Health Care Administration

SEC. 711. INCREASE IN STIPEND FOR PARTICIPANTS IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAMS.

Section 2121(d) of title 10, United States Code, is amended, in the matter preceding paragraph (1), by striking ''$30,000'' and inserting ''$50,000''.

SEC. 712. FINANCIAL RELIEF FOR CIVILIANS TREATED IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) INTERIM FINAL RULE REQUIRED.—The Secretary of Defense shall issue an interim final rule to implement as soon as possible after the date of the enactment of this Act section 1079b of title 10, United States Code.

(b) TREATMENT OF CLAIMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall hold in abeyance any claims under section 1079b of title 10, United States Code, until the interim final rule required under subsection (a) is in effect.

(2) EXCEPTION.—Paragraph (1) does not apply to—

(A) claims to third-party payers; or

(B) administrative support provided to the Secretary by another Federal agency to assist the Secretary in the administration of section 1079b of title 10, United States Code.

SEC. 713. DEPARTMENT OF DEFENSE OVERDOSE DATA ACT OF 2023.

(a) SHORT TITLE.—This section may be cited as the ''Department of Defense Overdose Data Act of 2023''.

(b) ANNUAL REPORT ON MILITARY OVERDOSES.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the appropriate congressional committees a report on the number of annual overdoses among servicemembers.

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

(A) The total number of servicemembers who suffered a fatal or nonfatal overdose during the previous calendar year, including—

(i) demographic information, including gender, race, age, military department, military rank, pay grade, and station;

(ii) the location of the fatal overdose, including whether the overdose was on a military base; and

(iii) a list of the substances involved in the fatal overdose.

(B) Of the servicemembers identified in subparagraph (A)—

(i) the number of servicemembers who received mental health or substance use disorder services prior to a fatal or nonfatal overdose, including a description of whether such services were received from a private sector provider;

(ii) the number of servicemembers with comorbid mental health diagnoses;

(iii) the number of servicemembers who had been prescribed opioids, benzodiazepines, or stimulants;

(iv) the number of servicemembers who had been categorized as high-risk and prescribed or provided naloxone prior to a fatal or nonfatal overdose;

(v) the number of servicemembers who had a positive drug test prior to the fatal overdose, including any substance identified in such test;

(vi) the number of servicemembers referred to, including by self-referral, or engaged in medical treatment, including medication treatment for opioid use disorder;

(vii) with respect to each servicemember identified in clause (vi), whether the servicemember was referred after a positive drug test and the source of such referral; and

(viii) the number of fatal overdoses and intentional overdoses.

(C) An analysis of discernable patterns in fatal and nonfatal overdoses of servicemembers.

(D) A description of existing or anticipated response efforts to fatal and nonfatal overdoses at military bases that have rates of fatal overdoses that exceed the average rate of fatal overdoses in the United States.

(E) An assessment of the availability of substance use disorder treatment for servicemembers.

(F) The number of medical facilities of, or affiliated with, the Department of Defense that have opioid treatment programs.

(G) A description of punitive measures taken by the Secretary of Defense in response to substance misuse, substance use disorder, or overdose by servicemembers.

(3) PRIVACY.—

(A) IN GENERAL.—Nothing in this subsection shall be construed to authorize the disclosure by the Secretary of Defense of personally identifiable information of servicemembers or military family members, including anonymized personal information that could be used to re-identify servicemembers or military family members.

(B) APPLICATION OF HIPAA.—In carrying out this subsection, the Secretary of Defense shall take steps to protect the privacy of servicemembers and military family members pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note; Public Law 104–191).

(c) STANDARDS FOR THE USE OF MATERIALS TO PREVENT OVERDOSE AND SUBSTANCE USE DISORDER.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall establish standards for the distribution of, and training for the use of, naloxone or other medication for overdose reversal, opioid disposal materials, fentanyl test strips, and other materials to prevent or reverse overdoses, substance use disorder, or impacts related to substance misuse.

(d) SUNSET.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) MILITARY FAMILY MEMBER.—The term ''military family member'' means a family member of a servicemember, including the spouse, parent, dependent, or child of a servicemember, or anyone who has legal responsibility for the child of a servicemember.

(3) SERVICEMEMBER.—The term ''servicemember'' means—

(A) a member of the Armed Forces; or

(B) a member of the National Guard.

SEC. 714. MODIFICATION OF ADMINISTRATION OF MEDICAL MALPRACTICE CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Section 2733a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (f)'' and inserting ''subsection (j)'';

(2) in subsection (b)(6), by striking ''subsection (f)'' and inserting ''subsection (j)'';

(3) in subsection (d)(1), by striking ''subsection (f)'' and inserting ''subsection (j)'';

(4) by redesignating subsections (f) through (i) as subsections (j) through (m), respectively; and

(5) by inserting after subsection (e) the following new subsections:

''(f) EXPERT MEDICAL OPINIONS.—(1) The Secretary of Defense may not use an expert

medical opinion from an individual in determining whether to allow, settle, and pay a claim under this section unless the individual is a board-certified physician.

''(2) No claim under this section may be denied on medical grounds until the Secretary obtains an expert medical opinion on the medical malpractice alleged under such claim from an individual who—

''(A) is not a member of the uniformed services or a civilian employee of the Department of Defense; and

''(B) does not have a business, medical, or personal relationship with the claimant.

''(3) If a claim under this section is denied, the Secretary shall provide to the claimant information regarding the identity and qualifications of any individual who provided an expert medical opinion upon which such denial is based.

''(g) JUSTIFICATION OF DENIAL.—If a claim under this section is denied, the Secretary of Defense shall provide the claimant with detailed reasoning justifying the denial of the claim, including—

''(1) copies of any written reports prepared by any expert upon which the denial is based; and

''(2) all records and documents relied upon in preparing such written reports.

''(h) APPEALS.—(1) Any appeal from the denial of a claim under this section shall be considered by a third-party review board jointly established by the Chief Judge of the United States Court of Appeals for the Armed Forces and the Secretary of Defense.

''(2) The third-party review board established under paragraph (1) shall consist of not more than five members, all of whom who possess sufficient legal or medical background, or both.

''(3) A claimant under this section that seeks an appeal under paragraph (1) may submit the appeal directly to the third-party review board established under such paragraph.

''(4) In considering an appeal from the denial of a claim under this section, the third-party review board established under paragraph (1) shall, at the request of the claimant, allow for a hearing on the merits of the appeal in an adversarial nature.

''(5) The Secretary of Defense shall provide to a claimant seeking an appeal under paragraph (1) a copy of any response to the appeal that is submitted on behalf of the Department of Defense.

''(6) The third-party review board established under paragraph (1) shall not consist of any member of the uniformed services or civilian employee of the Department of Defense.

''(i) TREATMENT OF NON-ECONOMIC DAMAGES.—(1) Any non-economic damages provided to a member of the uniformed services under this section may not be offset by compensation provided or expected to be provided by the Department of Defense or the Department of Veterans Affairs.

''(2)(A) The Secretary of Defense shall establish a cap on non-economic damages to be provided with respect to a claim under this section.

''(B)(i) The cap established under subparagraph (A) shall be determined by calculating the average of non-economic damage caps for medical malpractice claims applicable in California, Texas, North Carolina, and Virginia.

''(ii) If a State specified in clause (i) provides a different cap for cases involving death and cases not involving death, the cap for cases not involving death shall be used.

''(C) The cap established under paragraph (1) shall be recalculated not less frequently than once every three years.''.

(b) APPOINTMENT OF MEMBERS.—Not later than 180 days after the date of the enactment of this Act, the Chief Judge of the United States Court of Appeals for the Armed Forces and the Secretary of Defense shall jointly appoint members to the board established under subsection (h)(1) of section 2733a of title 10, United States Code, as added by subsection (a)(5).

(c) REPORT.—Not later than 180 days after the establishment of the board required under subsection (h)(1) of section 2733a of title 10, United States Code, as added by subsection (a)(5), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report indicating—

(1) the membership of the board;

(2) the qualifying background of each member of the board; and

(3) a statement indicating the independence of each member of the board from the Department of Defense.

Subtitle C—Reports and Other Matters

SEC. 721. MODIFICATION OF PARTNERSHIP PROGRAM BETWEEN UNITED STATES AND UKRAINE FOR MILITARY TRAUMA CARE AND RESEARCH.

Section 736 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

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

(2) by inserting after paragraph (6) the following new paragraph (7):

''(7) The provision of training and support to Ukraine for the treatment of individuals with extremity trauma, amputations, post-traumatic stress disorder, traumatic brain injuries, and any other mental health conditions associated with post-traumatic stress disorder or traumatic brain injuries, including—

''(A) the exchange of subject matter expertise;

''(B) training and support relating to advanced clinical skills development; and

''(C) training and support relating to clinical case management support.''.

SEC. 722. REQUIREMENT THAT DEPARTMENT OF DEFENSE DISCLOSE EXPERT REPORTS WITH RESPECT TO MEDICAL MALPRACTICE CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES.

Section 2733a of title 10, United States Code, as amended by section 714, is further amended—

(1) by redesignating subsections (l) and (m) as subsections (m) and (n), respectively; and

(2) by inserting after subsection (k) the following new subsection (l):

''(l) DISCLOSURE BY DEPARTMENT OF DEFENSE.—(1) The Secretary of Defense shall disclose to a claimant under this section a copy of all written reports, other than medical quality assurance records (as defined in section 1102(j) of this title), prepared by a medical expert of the Department of Defense or any medical expert consulted by the Department with respect to the claim.

''(2) Any disclosure under paragraph (1) with respect to an expert described in such paragraph shall include the following:

''(A) The records and documents considered by the expert.

''(B) A description of the bases and reasons for the opinion of the expert.

''(C) The opinion or opinions of the expert regarding standard of care.

''(D) The opinion or opinions of the expert regarding causation.

''(E) A description of any disagreement by the expert with any opinion or opinions of the expert of the claimant.

''(3) Any disclosure under paragraph (1) with respect to an expert described in such paragraph shall not include an identification of the expert.

''(4) If an expert described in paragraph (1) does not prepare a written report, the Secretary shall disclose the information required under this section to the claimant in writing.''.

SEC. 723. COMPTROLLER GENERAL STUDY ON IMPACT OF PERINATAL MENTAL HEALTH CONDITIONS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS ON MILITARY READINESS AND RETENTION.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on perinatal mental health conditions among members of the Armed Forces and dependents of such members during the five-year period preceding the date of the enactment of this Act.

(2) ELEMENTS.—The study required under paragraph (1) shall include the following:

(A) An assessment of beneficiaries under the TRICARE program, including members of the Armed Forces and dependents of such members, who attempted suicide or died by suicide or substance use overdose during the perinatal period.

(B) An assessment of members of the Armed Forces discharged from active duty due to a mental health condition within two years after the perinatal period.

(C) An assessment of beneficiaries under the TRICARE program, including members of the Armed Forces and dependents of such members, diagnosed with a perinatal mental health condition who were relocated during the perinatal period.

(D) An assessment of the effects of retention and promotion policies of the Department of Defense relating to perinatal mental health conditions on members of the Armed Forces seeking and accessing screening, referral, and treatment.

(E) The number of members of the Armed Forces who were separated from the Armed Forces or did not receive a promotion due to a diagnosed perinatal mental health condition.

(F) An assessment of whether policies of the Department can be modified to provide clear standards for retention and pathways for promotion of members of the Armed Forces diagnosed with a perinatal mental health condition.

(G) An assessment of resources needed to integrate behavioral health specialists into all obstetric care practices, pediatric practices, and women's clinics.

(H) A disaggregated demographic assessment of the population included in the study with respect to race, ethnicity, sex, age, family status (including dual service and single parent families), military occupation, military service, and rank, as applicable.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the study conducted under subsection (a), including—

(1) recommendations for actions to be taken by the Secretary of Defense to improve mental health among members of the Armed Forces and dependents of such members during the perinatal period;

(2) recommendations for legislative or administrative action to mitigate the effects of retention and promotion policies of the Department of Defense on members of the Armed Forces seeking and accessing mental health care during the perinatal period; and

(3) such other recommendations as the Comptroller General determines appropriate.

(c) DEFINITIONS.—In this section:

(1) DEPENDENT; TRICARE PROGRAM.—The terms ''dependent'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

(2) PERINATAL MENTAL HEALTH CONDITION.—The term ''perinatal mental health condition'' means a mental health disorder that onsets during the perinatal period.

(3) PERINATAL PERIOD.—The term ''perinatal period'' means the period during pregnancy and the one-year period following childbirth, still birth, or miscarriage.

SEC. 724. REPORT ON MENTAL AND BEHAVIORAL HEALTH SERVICES PROVIDED BY DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that contains the following:

(1) The current wait times for members of the Armed Forces, including members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who are enrolled in TRICARE Reserve Select under section 1076d of title 10, United States Code, to receive mental and behavioral health services, disaggregated by State.

(2) An assessment of the number of additional mental and behavioral health care providers needed for the Department of Defense to meet established metrics associated with access to mental and behavioral health services.

(3) An explanation of the credentialing standards for mental and behavioral health care providers of the Department, including a comparison of those standards to the standards for other Federal and private sector health care providers.

SEC. 725. REPORT ON ACTIVITIES OF DEPARTMENT OF DEFENSE TO PREVENT, INTERVENE, AND TREAT PERINATAL MENTAL HEALTH CONDITIONS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities of the Department of Defense to address the mental health of pregnant and postpartum members of the Armed Forces and dependents of such members.

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

(1) An identification of the military medical treatment facilities at which the Secretary offers members of the Armed Forces and their dependents evidence-based programs during the perinatal period that are proven to prevent perinatal mental health conditions.

(2) An assessment of such programs offered at such facilities, including an assessment of—

(A) the types of programs;

(B) the number and location of programs;

(C) the number of members of the Armed Forces and their dependents who have participated in such programs, disaggregated by Armed Force, military occupation, sex, age, race, and ethnicity, when applicable; and

(D) whether such programs are delivered in-person or virtually and the frequency of the availability of such programs;

(3) The number of behavioral health specialists for pregnant and postpartum members of the Armed Forces and dependents integrated into obstetric care practices, pediatrics, and women's clinics at military medical treatment facilities.

(4) An assessment of the implementation of, or plans to implement, a pilot program to provide a reproductive behavioral health consultation service by the Secretary as outlined in the White House Blueprint for Addressing the Maternal Health Crisis, dated June 2022, including—

(A) the number of providers the pilot program has served or plans to serve, disaggregated by provider type, specialty, and location;

(B) the number and type of trainings providers received or will receive through the consultation line on evidence-based practices to prevent, screen, refer, and treat perinatal mental health conditions;

(C) the locations that have had or will have access to the pilot program;

(D) the types of expertise services that the consultation line provides or will provide; and

(E) methods currently used or that will be used to promote the availability of the consultation line to providers.

(5) Any recommendations for legislative or administrative action to improve prevention, intervention, and treatment of perinatal mental health conditions for members of the Armed Forces and their dependents.

(c) DEFINITIONS.—In this section:

(1) DEPENDENT.—The term ''dependent'' has the meaning given that term in section 1072(2) of title 10, United States Code.

(2) PERINATAL MENTAL HEALTH CONDITION.—The term ''perinatal mental health condition'' means a mental health disorder that occurs during pregnancy or within one year following childbirth, stillbirth, or miscarriage.

SEC. 726. STUDY ON FAMILY PLANNING AND CRYOPRESERVATION OF GAMETES TO IMPROVE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study on—

(1) the number of members of the Armed Forces who elect to leave the Armed Forces for family planning reasons, disaggregated by gender, age, and military occupational specialty;

(2) whether the option of cryopreservation of gametes would lead to greater retention of members of the Armed Forces;

(3) methods for the Department of Defense to offer cryopreservation of gametes for the purposes of retention of members of the Armed Forces;

(4) the cost to the Department of offering cryopreservation of gametes to active duty members of the Armed Forces; and

(5) such other matters relating to family planning and cryopreservation of gametes for members of the Armed Forces as the Secretary considers relevant.

(b) BRIEFING.—Not later than April 1, 2024, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the results of the study conducted under subsection (a).

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

Subtitle A—Acquisition Policy and Management

SEC. 801. AMENDMENTS TO MULTIYEAR PROCUREMENT AUTHORITY.

Section 3501 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''will result in significant savings'' and inserting the following: ''will result in—

''(A) significant savings''; and

(B) by striking ''annual contracts.'' and inserting the following: ''annual contracts; or

''(B) necessary industrial base stability not otherwise achievable through annual contracts.''; and

(2) by striking ''$500,000,000'' each place it appears and inserting ''$1,000,000,000''.

SEC. 802. MODERNIZING THE DEPARTMENT OF DEFENSE REQUIREMENTS PROCESS.

(a) MODERNIZING THE DEPARTMENT OF DEFENSE REQUIREMENTS PROCESS.—Not later than October 1, 2025, the Secretary of Defense, acting through the Vice Chairman of the Joint Chiefs of Staff, in cooperation with the Secretaries of the military departments and the commanders of the combatant commands, and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall develop and implement a streamlined Department of Defense requirements process, to include modernizing the Joint Capabilities Integration and Development System, in order to improve alignment between modern warfare concepts, technologies, and system development and reduce the time to delivery of needed capabilities to Department users.

(b) REFORM ELEMENTS.—The modernization activities conducted under subsection (a) shall include the following elements:

(1) Streamlining requirements documents, reviews, and approval processes, especially for programs below the major defense acquisition program threshold described in section 4201 of title 10, United Stated Code.

(2) Revisiting requirements management practices from a first principles perspective based on mission outcomes and assessed threats, enabling a more iterative and collaborative approach with the services to shape requirements and technology driven opportunities.

(3) Developing a capability needs and requirements framework and pathways that are aligned to the Department's Adaptive Acquisition Framework pathways, and better aligned and integrated with the Department's science and technology processes.

(4) Enabling the military departments to develop an enduring set of requirements according to a set of capability portfolios to provide a structure across acquisition programs and research, which shall be articulated in a concise model and document with a set of mission impact measures that capability deliveries will seek to continuously improve.

(5) Establishing a process to rapidly validate the military utility of commercial solutions to meet capability needs or opportunities in lieu of the traditional program-centric requirements definition.

(6) Retiring and replacing the Department of Defense Architecture Framework with a new structure focused on enabling interoperability through application program interfaces, enterprise architectures and platforms, and government and commercial standards.

(7) Ensuring that requirements processes for software, artificial intelligence, data, and related capability areas enable a rapid, dynamic, and iterative approach than traditional hardware systems.

(c) ELEMENTS.—The implementation of streamlined requirements shall include the following elements:

(1) Collaboration with industry, traditional and non-traditional defense companies, and the science and technology community to capture their inputs and feedback on shaping the Department's requirements processes to ensure it effectively harnesses the innovation ecosystem.

(2) Development of a formal career path, training, and structure for requirements management professionals and chief architects.

(3) Publication of new policies, guidance, and templates for the operational, requirements, and acquisition workforce in online digital formats instead of large policy documents.

(d) INTERIM REPORT.—Not later than October 1, 2024, the Secretary of Defense shall submit to the congressional defense committees an interim report on the modernization conducted by the Secretary under subsection (a), including—

(1) a description of the modernization efforts;

(2) the Department of Defense's plans to implement, communicate, and continuously improve the modernization of the Department's requirements processes and structure; and

(3) any additional recommendations for legislation that the Secretary determines appropriate.

(e) FINAL REPORT.—Not later than October 1, 2025, the Secretary of Defense shall submit to the Secretary of Defense and the congressional defense committees a final report describing activities carried out pursuant to subsections (b) and (c).

SEC. 803. HEAD OF CONTRACTING AUTHORITY FOR STRATEGIC CAPABILITIES OFFICE.

(a) AUTHORITY.—The Director of the Strategic Capabilities Office shall have the authority to conduct acquisition activities within the Strategic Capabilities Office.

(b) ACQUISITION EXECUTIVE.—

(1) IN GENERAL.—The staff of the Director shall include an acquisition executive, who shall be responsible for the overall supervision of acquisition matters for the Strategic Capabilities Office. The acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with the military departments and Department of Defense components to carry out the acquisition of equipment, capabilities, and services on behalf of the Office;

(B) to supervise the acquisition of equipment, capabilities, and services on behalf of the Office;

(C) to represent the Office in discussions with the military departments regarding acquisition programs for which the Office is a customer; and

(D) to work with the military departments to ensure that the Office is appropriately represented in any joint working group or integrated product team regarding acquisition programs for which the Office is a customer.

(2) DELIVERY OF ACQUISITION SOLUTIONS.—The acquisition executive of the Strategic Capabilities Office shall be—

(A) responsible to the Director for rapidly delivering acquisition solutions to meet validated cyber operations-peculiar requirements;

(B) subordinate to the defense acquisition executive in matters of acquisition;

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(c) IMPLEMENTATION PLAN REQUIRED.—The authority granted in subsection (a) shall become effective 30 days after the date on which the Secretary of Defense provides to the congressional defense committees a plan for implementation of those authorities under subsection (a). The plan shall include the following:

(1) Summaries of the components to be negotiated in the memoranda of agreement with the military departments and other Department of Defense components to carry out the development, acquisition, and sustainment of equipment, capabilities, and services described in subsection (b)(1).

(2) Negotiation and approval timelines for memorandum of agreement.

(3) A plan for oversight of the acquisition executive established under subsection (b).

(4) An assessment of the acquisition workforce needs of the Strategic Capabilities Office to support the authority provided under subsection (a) until 2028.

(5) Other matters as appropriate.

(d) ANNUAL END-OF-YEAR ASSESSMENT.—Each year, the Under Secretary of Defense for Acquisition and Sustainment shall review and assess the acquisition activities of the Strategic Capabilities Office, including contracting and acquisition documentation, for the previous fiscal year and provide any recommendations or feedback to the acquisition executive of the Strategic Capabilities Office.

(e) SUNSET.—

(1) IN GENERAL.—The authority provided under this section shall terminate on September 30, 2028.

(2) LIMITATION ON DURATION OF ACQUISITIONS.—The authority under this section does not include major defense acquisition programs, major automated information system programs, or acquisitions of foundational infrastructure or software architectures the duration of which is expected to last more than five years.

SEC. 804. PILOT PROGRAM FOR THE USE OF INNOVATIVE INTELLECTUAL PROPERTY STRATEGIES.

(a) IN GENERAL.—As soon as practicable, the Secretary of each military department shall designate one acquisition program within their service and the Under Secretary of Defense for Acquisition and Sustainment shall designate one acquisition program within the Department of Defense Agencies and Field Activities for the use of innovative intellectual property strategies in order to acquire the necessary technical data rights required for the operations and maintenance of that system.

(b) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretaries of the military departments, shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives with a detailed plan to implement the requirements of this section.

(c) ANNUAL REPORT.—Upon selection of the programs to be covered by this section and until the termination of this authority, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretaries of the military departments, shall provide an annual report to the Committees on Armed Services of the Senate and the House of Representatives on the effectiveness of the pilot program in acquiring the data necessary to support timely, cost-effective maintenance and sustainment of the system and any recommendations for the applicability of lessons learned from this pilot program to future acquisition programs.

(d) DEFINITIONS.—In this section:

(1) DEPARTMENT OF DEFENSE AGENCIES AND FIELD ACTIVITIES.—The terms ''Department of Defense Agency'' and ''Department of Defense Field Activity'' have the meanings given those terms in section 101 of title 10, United States Code.

(2) INNOVATIVE INTELLECTUAL PROPERTY STRATEGIES.—The term ''innovative intellectual property strategies'' includes the following:

(A) The use of an escrow account to verify and hold intellectual property data.

(B) The use of royalties or licenses.

(C) Other innovative strategies to acquire the necessary level of intellectual property and data rights to support the operations, maintenance, installation, and training (OMIT) of the selected program.

(e) SUNSET.—The authority to initiate a program under this section shall terminate on December 31, 2028.

SEC. 805. FOCUSED COMMERCIAL SOLUTIONS OPENINGS OPPORTUNITIES.

(a) REQUIREMENT.—The Secretary of Defense, in coordination with the service acquisition executives of each military department, shall create not less than three new commercial solutions opening (CSO) opportunities pursuant to section 3458 of title 10, United States Code, each fiscal year. Each such CSO opportunities shall be dedicated to addressing the mission needs and integrated priority lists of a single geographic combatant command.

(b) EXECUTION.—In creating the CSO opportunities required under subsection (a), the Secretary of Defense shall—

(1) assign the responsibility for issuing a CSO to a single military department, with a program executive officer from that military department assigned as lead; and

(2) ensure that any program executive office (PEO) assignment should be made to align the needs of the CSO with a PEO that has similar existing requirements and funding for transitioning technologies within the focus area.

(c) SUNSET.—The requirement in subsection (a) shall expire on September 30, 2027.

SEC. 806. STUDY ON REDUCING BARRIERS TO ACQUISITION OF COMMERCIAL PRODUCTS AND SERVICES.

(a) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall conduct a study on the feasibility and advisability of—

(1) establishing a default determination that products and services acquired by the Department of Defense are commercial and do not require commercial determination as provided under section 3456 of title 10, United States Code;

(2) establishing a requirement for non-commercial determinations to be made for acquisitions to use procedures other than part 12 of the Federal Acquisition Regulation; and

(3) mandating use of commercial procedures under part 12 of the Federal Acquisition Regulation unless a justification of non-commerciality is determined.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the study conducted under subsection (a). The report shall include specific findings with relevant data and proposed recommendations, including for any necessary and desirable modifications to applicable statute for any changes the Department seeks to make regarding paragraphs (1) through (3) of subsection (a).

SEC. 807. SENSE OF THE SENATE ON INDEPENDENT COST ASSESSMENT.

It is the sense of the Senate that—

(1) to implement the National Defense Strategy, the Department of Defense requires thoughtful and thorough analysis to ensure efficient and effective use of each taxpayer dollar to inform tradeoff analysis that delivers the optimum portfolio of military capabilities;

(2) the Secretary of Defense requires timely, insightful, and unbiased analysis on cost estimation for major defense acquisition programs; and

(3) the Office of the Director of Cost Assessment and Program Evaluation supports implementation of the National Defense Strategy by—

(A) providing insight into the costs of major defense acquisition programs and other technology development initiatives that enables responsible budgeting and proactive management decisions so that the Department can control cost, drive efficiency, and achieve savings;

(B) ensuring that the cost estimation workforce of the Department of Defense is using the most modern and realistic cost estimation methodologies, tools, and tradecraft, including the collection and distribution of data through the Cost Assessment Data Enterprise; and

(C) providing timely review and oversight of cost estimates performed by the defense agencies and military departments.

SEC. 808. EMERGENCY ACQUISITION AUTHORITY FOR PURPOSES OF REPLENISHING UNITED STATES STOCKPILES.

Section 3601(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)(iv), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

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

''(C) for purposes of—

''(i) replenishing United States stockpiles with like defense articles when those stockpiles are diminished as a result of the United States providing defense articles in response to an armed attack by a country of concern (as that term is defined in section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)) against—

''(I) a United States ally (as that term is defined in section 201(d) of the Act of December 2, 1942, entitled, 'To provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes' (56 Stat. 1028, chapter 668; 42 U.S.C. 1711(d))); or

''(II) a United States partner; or

''(ii) contracting for the movement or delivery of defense articles transferred to such ally or partner through the President's drawdown authorities in connection with such response,

provided that the United States is not a party to the hostilities.''.

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

SEC. 811. COMMANDER INITIATED RAPID CONTRACTING ACTIONS.

(a) IN GENERAL.—The commander of a combatant command, upon providing a written determination to a supporting head (or heads) of contracting activity (HCA), may request emergency, rapid contracting response using special authorities described in subsection (b)—

(1) in support of a contingency operation (as defined in section 101(a) of title 10, United States Code);

(2) to facilitate the defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack against the United States;

(3) in support of a humanitarian or peacekeeping operation (as the term is defined in section 3015(2) of title 10, United States Code); and

(4) for purposes of protecting the national security interests of the United States during directed operations that fall below the level of armed conflict.

(b) APPLICABILITY.—In carrying out subsection (a), the HCA may utilize the following authorities to rapidly respond to time-sensitive or unplanned emergency situations:

(1) For actions taken under subsection (a) in the case of a contract to be awarded and performed, or purchase to be made, in the United States, simplified procedures for a single contracting action may be used up to $15,000.

(2) For actions taken under subsection (a) in the case of a contract to be awarded and performed, or purchase to be made, outside the United States, simplified procedures for a single contracting action may be used up to $25,000.

(3) For purposes of section 3205(a)(2) of title 10, United States Code, the applicable threshold is deemed to be $10,000,000.

(4) The property or service being procured may be treated as a commercial product or a commercial service for the purpose of carrying out the procurement.

(c) DETERMINATION.—A written determination required under subsection (a) may be used to cover more than one requested action, and may be directed to more than one HCA, and shall include:

(1) The rationale for initiating the request in accordance with paragraphs (1) though (4) of such subsection.

(2) A description of the actions being requested of the HCA.

(3) A declaration that funds are available for such requested contracting support.

(d) SUNSET.—The authority under subsection (a) shall terminate on September 30, 2028.

(e) ANNUAL REPORT.—Not later than January 15, 2025, and annually thereafter for four years, the Chairman of the Joint Chiefs of Staff, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall provide a report to the congressional defense committees on the use of the authority under this section for the previous fiscal year. The report shall include a summary of each instance of the authority being used, including—

(1) the combatant command initiating the action or actions;

(2) the supporting HCA or HCAs; and

(3) the specific actions requested, including the contract performer and value of contracting action.

SEC. 812. EXTENSION AND REVISIONS TO NEVER CONTRACT WITH THE ENEMY.

(a) IN GENERAL.—Section 841 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 4871 note prec.) is amended—

(1) by striking the section heading and inserting ''**THREAT MITIGATION IN COMMERCIAL SUPPORT TO OPERATIONS**'';

(2) in subsection (a)—

(A) by striking the subsection heading and inserting ''PROGRAM ESTABLISHED'';

(B) by striking ''and in consultation with the Secretary of State'' and all that follows through the period at the end and inserting ''and the Secretary of State, establish a program to enable combatant commanders to identify and manage risks introduced by covered persons and entities providing commercial support to military operations. The Secretary of Defense shall publish policy establishing this program with responsibilities for program execution and oversight and procedures for use of available intelligence, security, and law enforcement information to identify threats and employment of a range of strategies, including the covered procurement actions described in this section, to manage risks posed by covered persons and entities that are engaged in covered activities.'';

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

''(b) AUTHORITY.—

''(1) IDENTIFICATION.—The combatant commander shall identify covered persons or entities engaged in covered activities through the program established under subsection (a). Upon identification of a covered person or entity, combatant commanders, or their designated deputies, shall notify and provide rationale for such an identification to the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Intelligence and Security, and the Under Secretary of Defense for Policy.

''(2) COVERED PROCUREMENT ACTIONS.—

''(A) IN GENERAL.—The head of a contracting activity may exercise a covered procurement action on a covered persons or entity.

''(B) LIMITATION ON COVERED PROCUREMENT ACTIONS.—The head of a contracting activity may exercise a covered procurement action only after receiving a notification and recommendation from the Under Secretary of Defense for Acquisition and Sustainment, based on a risk assessment by the identifying combatant commander, that states that—

''(i) the person or entity identified by the combatant commander meets the criteria for a covered person or entity and was or is actively engaged in one or more covered activities; and

''(ii) less intrusive measures are not reasonably available to manage the risk.'';

(4) by amending subsection (c) to read as follows:

''(c) NOTIFICATION TO COVERED PERSON OR ENTITY.—

''(1) ADVANCE NOTICE.—Contracting activities shall notify covered persons and entities through covered solicitations and contracts, grants, or cooperative agreements of the following matters:

''(A) The program established under subsection (a).

''(B) The authorities established under subsection (b).

''(C) The responsibilities of covered persons or entities to exercise due diligence to mitigate their engagement in covered activities.

''(2) NOTICE OF COVERED PROCUREMENT ACTIONS.—

''(A) IN GENERAL.—Upon exercising a covered procurement action, the head of a contracting activity shall notify the covered person or entity of the action. The covered person or entity shall be permitted the opportunity to challenge the covered procurement action by requesting an administrative review of the action under the procedures of the Department of Defense not later than 30 days after receipt of notice of the action.

''(B) LIMITATION ON DISCLOSURE OF INFORMATION.—Full disclosure of information to a covered person or entity justifying an identification made under subsection (b)(1) or a covered procurement action need not be provided when such a disclosure would compromise national security or would pose an unacceptable threat to personnel of the United States or partners and allies.

''(C) PROTECTION OF CLASSIFIED INFORMATION.—Classified information relied upon to exercise a covered procurement action may not be disclosed to a covered person or entity, or to their representatives, unless a protective order issued by a court of competent jurisdiction established under article I or article III of the Constitution of the United States specifically addresses the conditions under which such classified information may be disclosed.'';

(5) by amending subsection (d) to read as follows:

''(d) COVERED PROCUREMENT ACTION REPORTING.—All covered procurement actions shall be reported to the Under Secretary of Defense for Acquisition and Sustainment and reported in the Federal Awardee Performance and Integrity Information System (FAPIIS) or other formal systems or record. Exclusions shall also be reported in the System for Award Management (SAM).'';

(6) by amending subsection (e) to read as follows:

''(e) ANNUAL REVIEW.—The Secretary of Defense, in coordination with the Director of National Intelligence and the Secretary of State, shall, on an annual basis, review the lists of persons and entities having been subject to a covered procurement action under subsection (b)(2) to determine whether or not such persons and entities continue to warrant use of the covered procurement action.'';

(7) by amending subsection (f) to read as follows:

''(f) WAIVER.—The Secretary of Defense, in conjunction with the Secretary of State, may grant a waiver for actions taken under subsection (b) if it is in the best interest of national security.'';

(8) by amending subsection (g) to read as follows:

''(g) DELEGATION OF AUTHORITY.—The authority provided by subsection (b) to make a determination to use a covered procurement action, in whole or in part, may not be delegated below the level of head of contracting activity, or equivalent official for purposes of grants or cooperative agreements.'';

(9) by amending subsection (h) to read as follows:

''(h) UPDATING REGULATIONS.—The Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement shall be revised to implement the provisions of this subtitle.'';

(10) in subsection (i)—

(A) in paragraph (1)—

(i) by striking ''Director of the Office of Management and Budget'' and inserting ''Secretary of Defense'';

(ii) by striking ''appropriate committees of Congress'' and inserting ''congressional defense committees'';

(iii) in subparagraph (A)—

(I) by striking ''an executive agency exercised the authority to terminate, void, or restrict a contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection (b)'' and inserting ''a head of contracting activity exercised a covered procurement action'';

(II) in clause (i) by striking ''executive agency'' and inserting ''head of contracting activity'';

(III) in clause (ii), by striking ''the action taken'' and inserting ''exercising the covered procurement action'';

(IV) in clause (iii), by striking ''voided or terminated'' and inserting ''subject to the covered procurement action''; and

(V) in clause (iv)—

(aa) by striking ''executive agency in force'' and inserting ''Department of Defense has'' and

(bb) by striking ''concerned at the time the contract, grant, or cooperative agreement was terminated or voided'' and replacing with ''at the time of exercise of the covered procurement action''; and

(iv) in subparagraph (B)—

(I) by striking ''an executive agency did not exercise the authority to terminate, void, or restrict a contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection (b)'' and inserting ''a head of contracting activity did not exercise a covered procurement action following an identification from a combatant commander'';

(II) in clause (i), by striking ''executive agency'' and inserting ''head of contracting activity''; and

(III) in clause (ii), by inserting ''covered procurement'' before ''action''; and

(B) in paragraph (2), by striking ''Director'' and inserting ''Secretary of Defense'';

(11) by striking subsection (j) and (m) and redesignating subsections (k), (l), and (n) as subsections (j), (k), and (l), respectively;

(12) in subsection (k), as redesignated by paragraph (11), by striking ''Except as provided in subsection (l), the'' and inserting ''The''; and

(13) in subsection (l), as so redesignated, by striking ''December 31, 2025'' and inserting ''December 31, 2033''.

(b) ACCESS TO RECORDS.—Section 842 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking subsections (a) through (c) and inserting the following:

''(a) ADDITIONAL ACCESS TO RECORDS.—The Secretary of Defense may examine any records of persons or entities that have existing contracts with, or are active recipients of a grant or cooperative agreement from, the Department of Defense, including any subcontractors or subgrantees, to the extent necessary to support the program established under section 841 of this Act.

''(b) LIMITATION.—The examination authorized under subsection (a) may only take place after a written determination is made by the contracting officer, informed by a finding from the combatant commander, stating that this examination will support the program established under such section 841, and less intrusive measures are not reasonably available to manage the risk.''.

(c) DEFINITIONS.—Section 843 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 is amended—

(1) by striking paragraphs (1), (2), (3), (4), (7), and (9) and redesignating paragraphs (5), (6), and (8) as paragraphs (2), (3), and (6);

(2) by inserting before paragraph (2), as redesignated by paragraph (1) of this section, the following new paragraph:

''(1) COVERED ACTIVITIES.—The term 'covered activities' means activities where a covered person or entity is—

''(A) engaging in acts of violence against personnel of the United States or partners and allies;

''(B) providing financing, logistics, training, or intelligence to a person described in subparagraph (A);

''(C) engaging in foreign intelligence activities against the United States or partners and allies;

''(D) engaging in transnational organized crime or criminal activities; or

''(E) engaging in other activities that present a direct or indirect risk to United States or partner and allied missions and forces.'';

(3) in paragraph (2), as so redesignated, by striking ''with an estimated value in excess of $50,000 that is performed outside the United States, including its territories and possessions, in support'' and all that follows through the period at the end and inserting ''that is performed outside the United States, including its territories and possessions.'';

(4) by amending paragraph (3), as so redesignated, to read as follows:

''(3) COVERED PERSON OR ENTITY.—The term 'covered person or entity' means any person, corporation, company, limited liability company, limited partnership, business trust, business association, or other similar entity outside of the United States or any foreign reporting company in accordance with section 5336(a)(11)(A)(ii) of title 31, United States Code, that is responding to a covered solicitation or performing work on a covered contract, grant, or cooperative agreement.''; and

(5) by inserting after paragraph (3), as so redesignated, the following new paragraphs:

''(4) COVERED PROCUREMENT ACTION.—The term 'covered procurement action'means an action taken by a head of contracting activity to—

''(A) exclude a person or commercial entity from award with or without an existing contract, grant, or cooperative agreement;

''(B) terminate an existing contract, grant, or cooperative agreement for default; or

''(C) void in whole or in part an existing contract, grant, or cooperative agreement.

''(5) COVERED SOLICITATION.—The term 'covered solicitation' means any Department of Defense solicitation for work for which the place of performance is outside of the United States.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect not later than 180 days after the enactment of this Act, and shall apply to covered solicitations issued and covered contracts, grants, or cooperative agreements (as that term is defined in section 843 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015, as amended by subsection (c)) awarded on or after such date, and to task and delivery orders that have been issued on or after such date pursuant to covered contracts, grants, or cooperative agreements that are awarded before, on, or after such date.

SEC. 813. ENHANCEMENT OF DEPARTMENT OF DEFENSE CAPABILITIES TO PREVENT CONTRACTOR FRAUD.

(a) WITHHOLDING OF CONTRACTUAL PAYMENTS.—Subsection (a) of section 4651 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2)—

(A) by striking ''clause (1)'' and inserting ''paragraph (1)''; and

(B) by striking ''at least three, but not more than 10, as determined by the Secretary or his designee, times the cost incurred by the contractor in giving gratuities to the officer, official, or employee concerned.'' and inserting ''of up to 10 percent of the total contract award amount;'';

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

''(3) with respect to a contract that could have been terminated under paragraph (1) but for the completion of performance of the contract, the United States is entitled to exemplary damages as set forth in paragraph (2); and

''(4) the Secretary of Defense or the Secretary of a military department may, after providing notice to the contractor and pending the determination concerning exemplary damages referred to in paragraph (2), withhold from payments otherwise due to the contractor under any contract between the contractor and the United States an amount not to exceed 10 percent of the total contract award amount.''; and

(4) in the matter following paragraph (4), as added by paragraph (3) of this subsection, by striking ''clause (1)'' and inserting ''paragraph (1)''.

(b) BURDEN OF PROOF.—Paragraph (1) of section 4651(a) of title 10, United States Code, as amended by subsection (a) of this section, is further amended by inserting ''and by a preponderance of the evidence'' after ''after notice and hearing''.

SEC. 814. MODIFICATION OF APPROVAL AUTHORITY FOR HIGH DOLLAR OTHER TRANSACTION AGREEMENTS FOR PROTOTYPES.

(a) AMENDMENTS RELATING TO AUTHORITY.—Section 4022(a)(2)(C)(i)(I) of title 10, United States Code, is amended by inserting after ''subsection (d)'' the following: ''were met for the prior transaction for the prototype project that provided for the award of the follow-on production contract or transaction, and the requirements of subsection (f)''.

(b) AMENDMENT RELATING TO APPROPRIATE USE OF AUTHORITY.—Section 4022(d) of such title is amended by adding at the end the following new paragraph:

''(3) The requirements of this subsection do not apply to follow-on production contracts or transactions under subsection (f).''.

SEC. 815. MODIFICATIONS TO EARNED VALUE MANAGEMENT SYSTEM REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary for Acquisition and

Sustainment shall update appropriate policies related to Earned Value Management (EVM) as follows:

(1) Update subpart 234.2 of the Defense Federal Acquisition Regulation Supplement (DFARS) to exempt all software contracts and subcontracts from EVM requirements.

(2) Update sections 234.201, 234.203, 252.234–7001, and 252.242–7002 of the DFARS—

(A) to increase contract value thresholds associated with requiring EVM on cost or incentive contracts from $20,000,000 to $50,000,000; and

(B) to increase the contract value threshold for the contractor to use an EVM System from $50,000,000 to $100,000,000.

(b) IMPLEMENTATION.—If the Under Secretary of Defense for Acquisition and Sustainment is unable to update the regulations specified in subsection (a) before the deadline specified in such subsection, the Under Secretary of Defense for Acquisition and Sustainment shall providing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing explaining the timeline for implementation.

SEC. 816. INVENTORY OF INFLATION AND ESCALATION INDICES.

(a) INVENTORY REQUIRED.—

(1) IN GENERAL.—Not later than September 30, 2024, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Service Acquisition Executives, shall conduct an inventory of inflation and escalation indices currently used for contracting and pricing purposes across the Department and make the inventory available as a resource for all government and industry contracting and pricing professionals.

(2) ELEMENTS.—The inventory required under paragraph (1)—

(A) shall include indices used for products and indices used for services, including accessibility instructions;

(B) may include relevant indices derived from or leveraged by commercial, academic, or nongovernmental sources; and

(C) shall separately identify indices for which the Department of Defense purchases access.

(b) ASSESSMENT.—As part of the inventory required under subsection (a), the Under Secretary of Defense for Acquisition and Sustainment shall also conduct an assessment of the available inflation and escalation indices in order to determine—

(1) gaps in any available indices where identification or development of new indices may be necessary; and

(2) in instances where there are multiple indices being used—

(A) whether consolidation on a single index or smaller subset of indices is possible or advisable; and

(B) whether commercial, academic, or nongovernmental indices have any comparative benefit or advantage over governmental sources.

(c) PERIODIC UPDATES.—The Under Secretary of Defense for Acquisition and Sustainment shall periodically, and not less than once every 5 years, review and update the inventory required under subsection (a).

(d) GUIDANCE.—Not later than March 30, 2025, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Service Acquisition Executives, shall issue guidance providing for the consistent application and maintenance of data included in the inventory required under subsection (a) for use by government contracting and pricing personnel.

SEC. 817. PILOT PROGRAM TO INCENTIVIZE PROGRESS PAYMENTS.

(a) PILOT PROGRAM.—The Under Secretary of Defense for Acquisition and Sustainment shall establish and implement a pilot program to incentivize large business concerns awarded Department of Defense contracts to qualify for progress payments up to 10 percentage points higher than the standard progress payment rate.

(b) INCENTIVES.—The Under Secretary for Acquisition and Sustainment shall establish clear and measurable criteria to provide for the payment to contractors of higher progress payments as described in subsection (a), including meeting one or more of the following criteria:

(1) Adherence to delivery dates for contract end items and contract data requirement lists or compliance with the performance milestone schedule during the preceding fiscal year.

(2) The lack of any open level III or IV corrective action requests.

(3) Acceptability of the contractor's business systems without significant deficiencies.

(4) Meeting small business subcontracting goals during the preceding fiscal year.

(c) REPORT.—The Under Secretary for Acquisition and Sustainment shall submit to the Committees on Armed Services of the Senate and House of Representatives an annual report on the implementation of the pilot program established under subsection (a), including a comprehensive list of contractors and the contracts that received the increased progress payments.

(d) DEFINITIONS.—In this section:

(1) STANDARD PROGRESS PAYMENT RATE.—The term ''standard progress payment rate'' refers to the rate of progress payments provided for under section 3804 of title 10, United States Code, and payable in accordance with the applicable provisions of the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement.

(2) LARGE BUSINESS CONCERNS.—The term ''large business concerns'' means a business concern that exceeds the small business size code standards established by the Small Business Administration as set forth in part 121 of title 13, Code of Federal Regulations.

(e) SUNSET.—The authority to carry out the pilot program established under subsection (a) shall terminate on January 1, 2026.

SEC. 818. EXTENSION OF PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING PROCESSES.

Section 890 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), as most recently amended by section 818 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, is further amended in subsection (c) by striking ''January 2, 2024'' and inserting ''January 2, 2028''.

SEC. 819. PREVENTING CONFLICTS OF INTEREST FOR DEPARTMENT OF DEFENSE CONSULTANTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall amend the Defense Federal Acquisition Regulation—

(1) to require any entity that provides the services described in North American Industry Classification System (NAICS) code 5416, prior to entering into the Department of Defense contract, to certify that—

(A) neither the entity nor any of its subsidiaries or affiliates hold a contract with one or more covered foreign entities; or

(B) the entity maintains a Conflict of Interest Mitigation Surveillance Plan described under subsection (b) that is auditable by contract oversight entities; and

(2) to restrict Department of Defense contracts from being awarded to an entity that provides the services described under the NAICS code 5416, if the entity or any of its subsidiaries or affiliates are determined, based on the self-certification required under paragraph (1) or other information, to be a contractor of, or otherwise providing services to, a covered foreign entity unless such contractor maintains an enforceable Conflict of Interest Mitigation Surveillance Plan.

(b) CONFLICT OF INTEREST MITIGATION SURVEILLANCE PLAN.—Contractors that are unable to certify under subsection (a)(1)(A) that neither they nor any of their subsidiaries or affiliates hold a contract with one or more covered foreign entities shall maintain a Conflict of Interest Mitigation Surveillance Plan that is updated annually and shall be provided to applicable contract oversight entities upon request. The plan shall include—

(1) identification of the contracts with the covered foreign entity (or entities) including the specific entity, the dollar value of the contract, and the specific personnel working on the contract;

(2) mitigation measures being taken to prevent conflicts of interest (corporately as well as for individuals working on the contract) that might arise by also supporting Department of Defense contracts; and

(3) notification procedures to the contract oversight entities within 15 days of determining an unmitigated conflict of interest has arisen.

(c) WAIVER.—The Secretary of Defense, or designee, shall have the authority to waive conflicts of interest restrictions under subsection (a) on a case-by-case basis as may be necessary to continue contracting for certain national security requirements. The Secretary of Defense may not delegate such authority to an official below the level of a Presidentially appointed, Senate-confirmed official.

(d) WAIVER NOTIFICATION.—Not later than 30 days after issuing a waiver under subsection (c) of this section, the Secretary of Defense shall provide a written notification to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives regarding the use of such waiver authority. The notification shall include—

(1) the specific justification for providing the waiver;

(2) the covered foreign entity with which the waiver recipient is working which gives rise to the conflict of interest;

(3) the number of bidders on a contract on which the waiver was required;

(4) the number of bidders on a contract for which a waiver would not have been required to have been issued; and

(5) the total dollar value of the contract.

(e) DEFINITIONS.—In this section:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means any of the following:

(A) The Government of the People's Republic of China, any Chinese state-owned entity, or other entity under the ownership, or control, directly or indirectly, of the Government of the People's Republic of China or the Chinese Communist Party that is engaged in one or more national security industries.

(B) The Government of the Russian Federation, any Russian state-owned entity, or any entity sanctioned by the Secretary of the Treasury under Executive Order 13662 titled ''Blocking Property of Additional Persons Contributing to the Situation in Ukraine''(79 Fed. Reg. 16169).

(C) The government or any state-owned entity of any country if the Secretary of State determines that such government has repeatedly provided support for acts of international terrorism pursuant to—

(i) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

(ii) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(iii) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

(iv) any other provision of law.

(D) Any entity included on any of the following lists maintained by the Department of Commerce:

(i) The Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations.

(ii) The Denied Persons List as described in section 764.3(a)(2) of the Export Administration Regulations.

(iii) The Unverified List set forth in Supplement No. 6 to part 744 of the Export Administration Regulations.

(iv) The Military End User List set forth in Supplement No. 7 to part 744 of the Export Administration Regulations.

(2) CONTRACT OVERSIGHT ENTITIES.—The term ''contract oversight entities'' means any of the following:

(A) The contracting officer.

(B) The contracting officer representative.

(C) The Defense Contract Management Agency.

(D) The Defense Contract Audit Agency.

(E) The Office of Inspector General (OIG) of the Department of Defense or any subcomponent of OIG.

(F) The Government Accountability Office.

SEC. 820. PROHIBITION ON REQUIRING DEFENSE CONTRACTORS TO PROVIDE INFORMATION RELATING TO GREENHOUSE GAS EMISSIONS.

(a) DEFINITIONS.—In this section:

(1) GREENHOUSE GAS.—The term ''greenhouse gas'' means—

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) nitrogen trifluoride;

(E) hydrofluorocarbons;

(F) perfluorcarbons; or

(G) sulfur hexafluoride.

(2) GREENHOUSE GAS INVENTORY.—The term ''greenhouse gas inventory'' means a quantified list of an entity's annual greenhouse gas emissions.

(3) NONTRADITIONAL DEFENSE CONTRACTOR.—The term ''nontraditional defense contractor'' has the meaning given the term in section 3014 of title 10, United States Code.

(b) PROHIBITION ON DISCLOSURE REQUIREMENTS.—

(1) NONTRADITIONAL DEFENSE CONTRACTORS.—The Secretary of Defense may not require any nontraditional defense contractor recipient of a defense contract to provide a greenhouse gas inventory or to provide any other report on greenhouse gas emissions.

(2) OTHER THAN NONTRADITIONAL DEFENSE CONTRACTORS.—During the two-year period beginning on the date of the enactment of this Act, the Secretary of Defense may not require any other than nontraditional defense contractor recipient of a defense contract to provide a greenhouse gas inventory or to provide any other report on greenhouse gas emissions.

SEC. 821. PROHIBITION ON CONTRACTS FOR THE PROVISION OF ONLINE TUTORING SERVICES BY ENTITIES OWNED BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Secretary of Defense may not, on or after the date of the enactment of this Act, enter into or renew a contract for the provision of online tutoring services by an entity owned or controlled by the Government of the People's Republic of China.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary may waive the prohibition under subsection (a).

(2) NONDELEGATION.—The Secretary may not delegate the authority to issue a waiver under paragraph (1).

SEC. 822. MODIFICATION OF TRUTHFUL COST OR PRICING DATA SUBMISSIONS AND REPORT.

Section 3705(b)(2)(B) of title 10, United States Code, is amended by striking ''should-cost analysis.'' and all that follows through ''past performance.'' and inserting ''should-cost analysis and shall identify such offerors that incur a delay greater than 200 days in submitting such cost or pricing data. The Secretary of Defense shall include a public notation on such offerors.''.

Subtitle C—Industrial Base Matters

SEC. 831. DEFENSE INDUSTRIAL BASE ADVANCED CAPABILITIES PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall carry out a pilot program through a public-private partnership to accelerate the scaling, production, and acquisition of advanced defense capabilities determined by the Under Secretary to be critical to the national security by creating incentives for investment in domestic small businesses or nontraditional businesses to create a robust and resilient defense industrial base.

(2) GOALS.—The goals of the public-private partnership pilot program are as follows:

(A) To bolster the defense industrial base through acquisition and deployment of advanced capabilities necessary to field Department of Defense modernization programs and priorities.

(B) To strengthen domestic defense supply chain resilience and capacity by investing in innovative defense companies.

(C) To leverage private equity capital to accelerate domestic defense scaling, production, and manufacturing.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—

(1) IN GENERAL.—In carrying out subsection (a), the Under Secretary shall enter into one or more public-private partnerships, consistent with the phased implementation provided for in subsection (e), with for-profit persons using the criteria set forth in paragraph (2).

(2) CRITERIA.—The Under Secretary shall establish criteria for entering into one or more public-private partnerships and shall submit to the congressional defense committees such criteria, which shall not take effect for the purposes of entering into any agreement until 30 days after submission.

(3) OPERATING AGREEMENT.—The Under Secretary and a person or persons with whom the Under Secretary enters a partnership under paragraph (1) shall enter into an operating agreement that sets forth the roles, responsibilities, authorities, reporting requirements, term, and governance framework for the partnership and its operations. Such operating agreements may not take effect until 30 days after they have been submitted to the congressional defense committees.

(c) INVESTMENT OF EQUITY.—

(1) IN GENERAL.—Pursuant to public-private partnerships entered into under subsection (b), a person or persons with whom the Under Secretary has entered into a partnership may invest equity in domestic small businesses or nontraditional businesses consistent with subsection (a), with investments selected based on technical merit, economic value, and the Department's modernization priorities. The partnership shall require investment in not less than 10 businesses, with no business representing greater than 20 percent of total investment and no capability area exceeding 40 percent of total investment

(2) AUTHORITIES.—A person or persons described in paragraph (1) shall have sole authority to operate, manage, and invest.

(d) LOAN GUARANTEE.—

(1) IN GENERAL.—Pursuant to the authority established under [section ____] the Under Secretary shall provide an up to 80 percent loan guarantee, pursuant to the public-private partnerships entered into under subsection (b), with investment of equity that qualifies under subsection (c) and consistent with the goals set forth under subsection (a)(2).

(2) PILOT PROGRAM AUTHORITY.—The temporary loan guarantee authority described under paragraph (1) is exclusively for the public-private partnerships authorized under this section and may not be utilized for other programs or purposes.

(3) SUBJECT TO OPERATING AGREEMENT.—The loan guarantee under paragraph (1) shall be subject to the operating agreement entered into under subsection (b)(3).

(4) USE OF FUNDS.—Obligations incurred by the Under Secretary under this paragraph shall be subject to the availability of funds provided in advance specifically for the purpose of such loan guarantees.

(e) PHASED IMPLEMENTATION SCHEDULE AND REQUIRED REPORTS AND BRIEFINGS.—The program established under subsection (a) shall be carried out in two phases as follows:

(1) PHASE 1.—

(A) IN GENERAL.—Phase 1 shall consist of an initial pilot program with one public-private partnership, consistent with subsection (b), to assess the feasibility and advisability of expanding the scope of the program. The Under Secretary shall begin implementation of phase 1 not later than 180 days after the date of the enactment of this Act.

(B) IMPLEMENTATION SCHEDULE AND FRAMEWORK.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit an implementation plan to the congressional defense committees on the design of phase 1. The plan shall include—

(i) an overview of, and the activities undertaken, to execute the public-private partnership;

(ii) a description of the advanced capabilities and defense industrial base areas under consideration for investment;

(iii) an overview of the operating agreement described in subsection (b)(3); and

(iv) implementation milestones and metrics.

(C) REPORT AND BRIEFING REQUIRED.—Not later than 27 months after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a report and briefing on the implementation of this section and the feasibility and advisability of expanding the scope of the pilot program. The report and briefing shall include, at minimum—

(i) an overview of program performance, and implementation and execution milestones and outcomes;

(ii) an overview of progress in—

(I) achieving new products in production aligned with Department of Defense needs;

(II) scaling businesses aligned to targeted industrial base and capability areas;

(III) generating defense industrial base job growth;

(IV) increasing supply chain resilience and capacity; and

(V) enhancing competition on advanced capability programs;

(iii) an accounting of activities undertaken and outline of the opportunities and benefits of expanding the scope of the pilot program; and

(iv) a recommendation by the Secretary regarding the feasibility and desirability of expanding the pilot program.

(2) PHASE 2.—

(A) IN GENERAL.—Not later than 30 months after the date of the enactment of this Act, the Secretary may expand the scope of the

phase 1 pilot program with the ability to increase to not more than three public-private partnerships, consistent with subsection (b).

(B) REPORT AND BRIEFING REQUIRED.—Not later than five years after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a report and briefing on the outcomes of the pilot program under subsection (a), including the elements described in paragraph (1)(C), and the feasibility and advisability of making the program permanent.

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

(g) DEFINITIONS.—In this section:

(1) DOMESTIC BUSINESS.—The term ''domestic business'' has the meaning given the term ''U.S. business'' in section 800.252 of title 31, Code of Federal Regulations, or successor regulation.

(2) DOMESTIC SMALL BUSINESSES OR NONTRADITIONAL BUSINESSES.—The term ''domestic small businesses or nontraditional businesses'' means—

(A) a small business that is a domestic business; or

(B) a nontraditional business that is a domestic business.

(3) NONTRADITIONAL BUSINESS.—The term ''nontraditional business'' has the meaning given the term ''nontraditional defense contractor'' in section 3014 of title 10, United States Code.

(4) SMALL BUSINESS.—The term ''small business'' has the meaning given the term ''small business concern'' in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 832. DEPARTMENT OF DEFENSE NOTIFICATION OF CERTAIN TRANSACTIONS.

(a) IN GENERAL.—The parties to a covered transaction required to file the notification and provide supplementary information to the Department of Justice or the Federal Trade Commission under section 7A of the Clayton Act (15 U.S.C. 18a) shall concurrently provide such information to the Department of Defense during the waiting period under section 7A of the Clayton Act (15 U.S.C. 18a).

(b) DEFINITIONS.—In this section:

(1) COVERED TRANSACTION.—The term ''covered transaction'' means an actual or proposed merger, acquisition, joint venture, strategic alliance, or investment—

(A) for which the parties are required to file a notification under section 7A of the Clayton Act (15 U.S.C. 18a); and

(B) any party to which is, owns, or controls a major defense supplier.

(2) MAJOR DEFENSE SUPPLIER.—The term ''major defense supplier'' means—

(A) a current prime contractor of a major defense acquisition program as defined in chapter 201 of title 10, United States Code;

(B) a current prime contractor of a middle tier acquisition as defined pursuant to section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 882);

(C) a current prime contractor of a software acquisition program described under section 800 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1478);

(D) a current prime contractor of a defense business system as defined in section 2222 of title 10, United States Code; or

(E) a current prime contractor of a service contract with the Department of Defense, as defined in part 237 of the Defense Federal Acquisition Regulation Supplement, above the simplified acquisition threshold.

SEC. 833. ANALYSES OF CERTAIN ACTIVITIES FOR ACTION TO ADDRESS SOURCING AND INDUSTRIAL CAPACITY.

(a) ANALYSIS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials, shall review the items under subsection (c) to determine and develop appropriate actions, consistent with the policies, programs, and activities required under subpart I of part V of subtitle A of title 10, United States Code, chapter 83 of title 41, United States Code, and the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), including—

(A) restricting procurement, with appropriate waivers for cost, emergency requirements, and non-availability of suppliers, including restricting procurement to—

(i) suppliers in the United States;

(ii) suppliers in the national technology and industrial base (as defined in section 4801 of title 10, United States Code);

(iii) suppliers in other allied nations; or

(iv) other suppliers;

(B) increasing investment through use of research and development or procurement activities and acquisition authorities to—

(i) expand production capacity;

(ii) diversify sources of supply; or

(iii) promote alternative approaches for addressing military requirements;

(C) prohibiting procurement from selected sources or nations;

(D) taking a combination of actions described under subparagraphs (A), (B), and (C); or

(E) taking no action.

(2) CONSIDERATIONS.—The analyses conducted pursuant to paragraph (1) shall consider national security, economic, and treaty implications, as well as impacts on current and potential suppliers of goods and services.

(b) REPORTING ON ANALYSES, RECOMMENDATIONS, AND ACTIONS.—

(1) BRIEFING REQUIRED.—Not later than January 15, 2025, the Secretary of Defense shall submit to the congressional defense committees, in writing—

(A) a summary of the findings of the analyses undertaken for each item pursuant to subsection (a);

(B) relevant recommendations resulting from the analyses; and

(C) descriptions of specific activities undertaken as a result of the analyses, including schedule and resources allocated for any planned actions.

(2) REPORTING.—The Secretary of Defense shall include the analyses conducted under subsection (a), and any relevant recommendations and descriptions of activities resulting from such analyses, as appropriate, in each of the following during the 2025 calendar year:

(A) The annual report or quarterly briefings to Congress required under section 4814 of title 10, United States Code.

(B) The annual report on unfunded priorities of the national technology and industrial base required under section 4815 of such title.

(C) Department of Defense technology and industrial base policy guidance prescribed under section 4811(c) of such title.

(D) Activities to modernize acquisition processes to ensure the integrity of the industrial base pursuant to section 4819 of such title.

(E) Defense memoranda of understanding and related agreements considered in accordance with section 4851 of such title.

(F) Industrial base or acquisition policy changes.

(G) Legislative proposals for changes to relevant statutes which the Department shall consider, develop, and submit to the Committees on Armed Services of the Senate and the House of Representatives not less frequently than once per fiscal year.

(H) Other actions as the Secretary of Defense determines appropriate.

(c) LIST OF GOODS AND SERVICES FOR ANALYSES, RECOMMENDATIONS, AND ACTIONS.—The items described in this subsection are the following:

(1) Traveling Wave Tubes and Traveling Wave Tube Amplifiers.

SEC. 834. PILOT PROGRAM ON CAPITAL ASSISTANCE TO SUPPORT DEFENSE INVESTMENT IN THE INDUSTRIAL BASE.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program under this section to use capital assistance to support the duties and elements of sections 901 and 907.

(b) ELIGIBILITY AND APPLICATION PROCESS.—

(1) IN GENERAL.—An eligible entity seeking capital assistance for an eligible investment under this section shall submit to the Secretary of Defense an application at such time, in such manner, and containing such information as the Secretary may require.

(2) SELECTION OF INVESTMENTS.—The Secretary shall establish criteria for selecting among eligible investments for which applications are submitted under subsection (c)(2). The criteria shall include—

(A) the extent to which an investment supports the national security of the United States;

(B) the likelihood that capital assistance provided for an investment would enable the investment to proceed sooner than the investment would otherwise be able to proceed; and

(C) the creditworthiness of an investment.

(c) CAPITAL ASSISTANCE.—

(1) LOANS AND LOAN GUARANTEES.—

(A) IN GENERAL.—The Secretary may provide loans or loan guarantees to finance or refinance the costs of an eligible investment selected pursuant to subsection (b)(2).

(B) ADMINISTRATION OF LOANS.—

(i) INTEREST RATE.—

(I) IN GENERAL.—Except as provided under subclause (II), the interest rate on a loan provided under subparagraph (A) shall be not less than the yield on marketable United States Treasury securities of a similar maturity to the maturity of the loan on the date of execution of the loan agreement.

(II) EXCEPTION.—The Secretary may waive the requirement under subclause (I) with respect to an investment if the investment is determined by the Secretary of Defense to be vital to the national security of the United States.

(III) CRITERIA.—The Secretary shall establish separate and distinct criteria for interest rates for loan guarantees with private sector lending institutions.

(ii) FINAL MATURITY DATE.—The final maturity date of a loan provided under subparagraph (A) shall be not later than 50 years after the date of substantial completion of the investment for which the loan was provided.

(iii) PREPAYMENT.—A loan provided under subparagraph (A) may be paid earlier than is provided for under the loan agreement without a penalty.

(iv) NONSUBORDINATION.—

(I) IN GENERAL.—A loan provided under subparagraph (A) shall not be subordinated to the claims of any holder of investment obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

(II) EXCEPTION.—The Secretary may waive the requirement under subclause (I) with respect to the investment in order to mitigate risks to loan repayment.

(v) SALE OF LOANS.—The Secretary may sell to another entity or reoffer into the capital markets a loan provided under subparagraph (A) if the Secretary determines that

the sale or reoffering can be made on favorable terms.

(vi) LOAN GUARANTEES.—Any loan guarantee provided under subparagraph (A) shall specify the percentage of the principal amount guaranteed. If the Secretary determines that the holder of a loan guaranteed by the Department of Defense defaults on the loan, the Secretary shall pay the holder as specified in the loan guarantee agreement.

(vii) INVESTMENT-GRADE RATING.—The Secretary shall establish a credit rating system to ensure a reasonable reassurance of repayment. The system may include use of existing credit rating agencies where appropriate.

(viii) TERMS AND CONDITIONS.—Loans and loan guarantees provided under subparagraph (A) shall be subject to such other terms and conditions and contain such other covenants, representations, warranties, and requirements (including requirements for audits) as the Secretary determines appropriate.

(ix) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—Loans and loan guarantees provided under subparagraph (A) shall be subject to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) EQUITY INVESTMENTS.—

(A) IN GENERAL.—The Secretary may, as a minority investor, support an eligible investment selected pursuant to subsection (b)(2) with funds or use other mechanisms for the purpose of purchasing, and may make and fund commitments to purchase, invest in, make pledges in respect of, or otherwise acquire, equity or quasi-equity securities (such as warrants), or shares or financial interests of the eligible entity receiving support for the eligible investment, including as a limited partner or other investor in investment funds, upon such terms and conditions as the Secretary may determine.

(B) SALES AND LIQUIDATION OF POSITION.—The Secretary shall seek to sell and liquidate any support for an investment provided under subparagraph (A) as soon as commercially feasible, commensurate with other similar investors in the investment and taking into consideration the national security interests of the United States.

(3) TECHNICAL ASSISTANCE.—Subjection to Appropriations acts, the Secretary may provide technical assistance with respect to developing and financing investments to eligible entities seeking capital assistance for eligible investments and eligible entities receiving capital assistance under this section.

(4) TERMS AND CONDITIONS.—

(A) AMOUNT OF CAPITAL ASSISTANCE.—The Secretary shall provide to an eligible investment selected pursuant to subsection (b)(2) the amount of assistance necessary to carry out the investment.

(B) USE OF UNITED STATES DOLLARS.—All financial transactions conducted under this section shall be conducted in United States dollars.

(d) ESTABLISHMENT OF ACCOUNTS.—

(1) CREDIT PROGRAM ACCOUNT.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a Department of Defense Credit Program Account to execute loans and loan guarantees in accordance with section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(B) FUNDING.—The Credit Program Account shall consist of amounts appropriated pursuant to the authorization of appropriations and fees collected pursuant to subparagraph (C).

(C) FEE AUTHORITY.—The Secretary may charge and collect fees for providing capital assistance in amounts to be determined by the Secretary. The Secretary shall establish the amount of such fees in regulations at an amount sufficient to cover but not exceed the administrative costs to the Office of providing capital assistance.

(2) EQUITY ACCOUNT.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a Department of Defense Strategic Capital Equity Account.

(B) FUNDING.—The Strategic Capital Equity Account shall consist of all amounts appropriated pursuant to the authorization of appropriations.

(3) USE OF FUNDS.—Subject to appropriations Acts, the Secretary is authorized to pay, from the Department of Defense Credit Program Account or the Department of Defense Strategic Capital Equity Account—

(A) the cost, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a), of loans and loan guarantees and other capital assistance;

(B) administrative expenses associated with activities under this section;

(C) project-specific transaction costs;

(D) the cost of providing support authorized by this section; and

(E) the costs of equity investments.

(e) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as are necessary to carry out this section. The Secretary may not exercise the authorities available under this section until such time as these regulations have been issued and adopted by the Department.

(f) ANNUAL REPORT.—Not later than the first Monday in February of a fiscal year, the Secretary of Defense shall submit to the congressional defense committees an annual report describing activities carried out pursuant to this section in the preceding fiscal year and the goals of the Department of Defense in accordance with this section for the next fiscal year.

(g) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall notify the congressional defense committees not later than 30 days after a use of loans, loan guarantees, equity investments, insurance, or reinsurance under this section.

(h) SUNSET.—The authorities provided under this section shall expire on October 1, 2028.

(i) DEFINITIONS.—In this section:

(1) CAPITAL ASSISTANCE.—The term ''capital assistance'' means loans, loan guarantees, equity investments, insurance and reinsurance, or technical assistance provided under subsection (c).

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an individual;

(B) a corporation, including a limited liability corporation;

(C) a partnership, including a public-private, limited, or general partnership;

(D) a joint venture, including a strategic alliance;

(E) a trust;

(F) a State of the United States, including a political subdivision or any other instrumentality of a State;

(G) a Tribal government or consortium of Tribal governments;

(H) any other governmental entity or public agency in the United States, including a special purpose district or public authority, including a port authority; or

(I) a multi-State or multi-jurisdictional group of public entities within the United States.

(3) ELIGIBLE INVESTMENT.—The term ''eligible investment'' means an investment that facilitates the efforts of the Office—

(A) to identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, or repair of tangible and intangible assets vital to national security; or

(B) to protect vital tangible and intangible assets from theft, acquisition, and transfer by adversaries of the United States.

(4) OBLIGOR.—The term ''obligor'' means a party that is primarily liable for payment of the principal of or interest on a loan.

SEC. 835. REQUIREMENT TO BUY CERTAIN SATELLITE COMPONENTS FROM NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) IN GENERAL.—Section 4864(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) TRAVELING-WAVE TUBE AND TRAVELING WAVE TUBE AMPLIFIERS.—A traveling-wave tube and traveling wave tube amplifier, that meets established technical and reliability requirements, used in a satellite weighing more than 400 pounds whose principle purpose is to support the national security, defense, or intelligence needs of the United States Government.''.

(b) EXCEPTION.—Paragraph (6) of section 4864(a) of title 10, United States Code, as added by subsection (a), shall not apply with respect to programs that received Milestone A approval (as defined in section 2431a of such title) before October 1, 2022.

(c) CLARIFICATION OF DELEGATION AUTHORITY.—Subject to subsection (i) of section 4864 of title 10, United States Code, the Secretary of Defense may delegate to a service acquisition executive the authority to make a waiver under subsection (d) of such section with respect to the limitation under subsection (a)(6) of such section, as added by subsection (a) of this section.

Subtitle D—Small Business Matters

SEC. 841. AMENDMENTS TO DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

Section 4061 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''to enable and assist small businesses'' after ''merit-based program'';

(ii) by striking ''fielding of technologies'' and inserting ''commercialization of various technologies, including critical technologies''; and

(iii) by inserting ''capabilities developed through competitively awarded prototype agreements'' after ''defense laboratories,''; and

(B) in paragraph (2), by inserting ''support full-scale integration,'' after ''evaluation outcomes,'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''primarily major defense acquisition programs, but also other'' after ''candidate proposals in support of''; and

(B) in paragraph (2), by striking ''by each military department'' and inserting ''by each component small business office of each military department''; and

(3) in subsection (d)(2), by striking ''$3,000,000'' and inserting ''$6,000,000''.

SEC. 842. DEPARTMENT OF DEFENSE MENTOR-PROTÉGÉ PROGRAM.

Section 4902(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;

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

(3) by striking ''Before providing assistance'' and inserting ''(1) Before providing assistance''; and

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

''(2) An agreement under this subsection may be a contract, cooperative agreement, or a partnership intermediary agreement.''.

SEC. 843. CONSIDERATION OF THE PAST PERFORMANCE OF AFFILIATE COMPANIES OF SMALL BUSINESSES.

Not later than July 1, 2024, the Secretary of Defense shall amend section 215.305 of the Defense Federal Acquisition Supplement (or any successor regulation) to require that when small business concerns bid on Department of Defense contracts, the past performance evaluation and source selection processes shall consider, if relevant, the past performance information of affiliate companies of the small business concerns.

SEC. 844. TIMELY PAYMENTS FOR DEPARTMENT OF DEFENSE SMALL BUSINESS SUBCONTRACTORS.

(a) REDUCTION IN TIME FOR CONTRACTOR EXPLANATION AND PAST PERFORMANCE CONSIDERATION OF UNJUSTIFIED WITHHOLDING OF PAYMENTS TO DEPARTMENT OF DEFENSE SMALL BUSINESS SUBCONTRACTORS.—Section 8(d)(13)(B)(i) of the Small Business Act (15 U.S.C. 637(d)(13)(B)(i)) is amended by inserting '', or, for a covered contract awarded by the Department of Defense, more than 30 days past due,'' after ''90 days past due''.

(b) CLARIFICATION THAT CONTRACTING OFFICERS OF THE DEPARTMENT OF DEFENSE ARE AUTHORIZED TO ENTER OR MODIFY PAST PERFORMANCE INFORMATION RELATED TO UNJUSTIFIED NON-PAYMENT OR REDUCED PAYMENT BEFORE OR AFTER CONTRACT CLOSE-OUT.—Section 8(d)(13)(C) of the Small Business Act (15 U.S.C. 637(d)(13)(C)) is amended—

(1) by striking ''A contracting officer'' and inserting the following:

''(i) IN GENERAL.—A contracting officer''; and

(2) by adding at the end the following:

''(ii) PAST PERFORMANCE INFORMATION FOR DOD CONTRACTS.—The contracting officer for a covered contract awarded by the Department of Defense may enter or modify past performance information of the prime contractor in connection with the unjustified failure to make a full or timely payment to a subcontractor before or after close-out of the covered contract.''.

(c) DUTY OF COOPERATION TO CORRECT AND MITIGATE UNJUSTIFIED FAILURE BY DEPARTMENT OF DEFENSE PRIME CONTRACTORS TO MAKE FULL OR TIMELY PAYMENTS TO SUBCONTRACTORS.—Section 8(d)(13) of the Small Business Act (15 U.S.C. 637(d)(13)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F);

(2) by inserting after subparagraph (D) the following:

''(E) COOPERATION ON DOD CONTRACTS.—

''(i) IN GENERAL.—If a contracting officer of the Department of Defense determines, with respect to a prime contractor's past performance, that there was an unjustified failure by the prime contractor on a covered contract awarded by the Department of Defense to make a full or timely payment to a subcontractor covered by subparagraph (B) or (C), such prime contractor is required to cooperate with the contracting officer, who shall consult with the Director of Small Business Programs or Director of Small and Disadvantaged Business Utilization acting pursuant to section 15(k)(6) and other representatives of the Department of Defense, with regards to correcting and mitigating such unjustified failure to make a full or timely payment to the subcontractor.

''(ii) PERIOD.—The duty of cooperation under this subparagraph continues until the subcontractor is made whole or the contracting officer's determination is no longer effective, and regardless of performance or close-out status of the covered contract.''; and

(3) in subparagraph (D), by striking ''subparagraph (E)'' and inserting ''subparagraph (F)''.

(d) APPLICABILITY.—The amendments made by this section shall apply to any covered contract (as defined in section 8(d)(13)(A) of the Small Business Act (15 U.S.C. 637(d)(13)(A)) that is entered into or modified by the Department of Defense on or after the date of enactment of this Act.

SEC. 845. EXTENSION OF PILOT PROGRAM FOR STREAMLINED TECHNOLOGY TRANSITION FROM THE SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF DEFENSE.

Section 1710(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is amended by striking ''September 30, 2023'' and inserting ''September 30, 2028''.

SEC. 846. ANNUAL REPORTS REGARDING THE SBIR PROGRAM OF THE DEPARTMENT OF DEFENSE.

Section 279(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3507) is amended by striking ''each fiscal years 2021, 2022, and 2023'' and replacing with ''each fiscal year through fiscal year 2028''.

SEC. 847. MODIFICATIONS TO THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM.

(a) DEFINITIONS.—Section 4951 of title 10, United States Code, is amended—

(1) in paragraph (1)(C), by striking ''private, nonprofit organization'' and inserting ''nonprofit organization''; and

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

''(5) The term 'business entity' means a corporation, association, partnership, limited liability company, limited liability partnership, consortia, not-for-profit, or other legal entity.''.

(b) COOPERATIVE AGREEMENTS.—Section 4954 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(B) by inserting ''(1)'' before ''Under''; and

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

''(2) The Secretary shall have the ability to waive or modify the percentages specified in paragraph (1), on a case-by-case basis, if the Secretary determines that it would be in the best interest of the program.'';

(2) by striking subsection (c) and redesignating subsections (d), (e), and (f) as subsections (e), (f), and (h); and

(3) by inserting after subsection (f), as redesignated by paragraph (2), the following new subsection:

''(g) WAIVER OF GOVERNMENT COST SHARE RESTRICTION.—If the Secretary of Defense determines it to be in the best interests of the Federal Government, the Secretary may waive the restrictions on the percentage of eligible costs covered by the program under section (b). The Secretary shall submit to the congressional defense committees a written justification for such determination.''.

(c) AUTHORITY TO PROVIDE CERTAIN TYPES OF TECHNICAL ASSISTANCE.—Section 4958(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) under clause 252.204-7012 of the Defense Acquisition Regulation Supplement, or any successor regulation, and on compliance with those requirements (and any successor requirements); and

''(4) under section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1505), and on compliance with those requirements (and any such successor requirements).''.

SEC. 848. EXTENSION OF PILOT PROGRAM TO INCENTIVIZE CONTRACTING WITH EMPLOYEE-OWNED BUSINESSES.

Section 874 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 3204 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and prescribe regulations'' after ''establish a pilot program''; and

(B) in paragraph (3), by striking ''A qualified'' and inserting ''Each contract held by a qualified'';

(2) in subsection (c)(2), by striking ''expended on subcontracts, subject to such necessary and reasonable waivers'' and inserting the following: ''expended on subcontracts, except—

''(A) to the extent subcontracted amounts exceeding 50 percent are subcontracted to other qualified businesses wholly-owned through an Employee Stock Ownership Plan;

''(B) in the case of contracts for products, to the extent subcontracted amounts exceeding 50 percent are for materials not available from another qualified business wholly-owned through an Employee Stock Ownership Plan; or

''(C) pursuant to such necessary and reasonable waivers''; and

(3) in subsection (e), by striking ''five years after'' and inserting ''eight years after''.

Subtitle E—Other Matters

SEC. 861. LIMITATION ON THE AVAILABILITY OF FUNDS PENDING A PLAN FOR IMPLEMENTING THE REPLACEMENT FOR THE SELECTED ACQUISITION REPORTING SYSTEM.

Of the funds authorized to be appropriated by this Act for Operation and Maintenance, Defense-Wide, for travel for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 85 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees a plan for implementing the replacement for the Selected Acquisition Reporting system as required by section 809 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), including—

(1) a timeline and process for implementing the requirements of such section 809;

(2) a timeline and process for implementing quarterly reporting versus annually for the replacement system, including identification of policy, procedural, or technical challenges to implementing that reporting periodicity;

(3) a timeline and process for providing access to the replacement reporting system to congressional staff; and

(4) a timeline and process for providing access to the replacement reporting system to the Government Accountability Office, the public, and other relevant stakeholders.

SEC. 862. EXTENSION OF PILOT PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR WEAPONS SYSTEMS CONTRACTORS.

Section 883 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 4292 note prec.) is amended—

(1) in subsection (a), by striking ''seven-year pilot program'' and inserting ''eight-year pilot program''; and

(2) in subsection (g), by striking ''seven years'' and inserting ''eight years''.

SEC. 863. MODIFICATION OF EFFECTIVE DATE FOR EXPANSION ON THE PROHIBITION ON ACQUIRING CERTAIN METAL PRODUCTS.

Section 844(b) of the William M. (Mac) Thornberry National Defense Authorization

Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3766) is amended by striking ''5 years'' and inserting ''6 years''.

SEC. 864. FOREIGN SOURCES OF SPECIALTY METALS.

Section 4863(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

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

(3) by inserting ''(1)'' before ''Subsection (a)(1)''; and

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

''(2) Any specialty metal procured as mill product or incorporated into a component other than an end item pursuant to this subsection shall be melted or produced—

''(A) in the United States;

''(B) in the country from which the mill product or component is procured; or

''(C) in another country covered under paragraph (1)(A)(ii).''.

SEC. 865. UNIVERSITY AFFILIATED RESEARCH CENTER FOR CRITICAL MINERALS.

(a) PLAN TO ESTABLISH A UNIVERSITY AFFILIATED RESEARCH CENTER FOR CRITICAL MINERALS.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Under Secretary of Defense for Research and Engineering, shall develop a plan to establish a new University Affiliated Research Center (UARC), or to expand a current relevant UARC or consortia of universities, for the purposes of contributing to the capacity of the Department to conduct research, development, engineering or workforce expansion related to critical minerals for national security needs. The plan should focus on institutional capacity at a mining school or schools with expertise in engineering, applied research, commercial and workforce development activities related to critical minerals.

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

(A) An assessment of the engineering, applied research, commercialization, and workforce development capabilities relating to critical minerals of mining schools, including an assessment of the workforce and physical research infrastructure of such schools.

(B) An assessment of the ability of mining schools—

(i) to participate in defense-related engineering, applied research, commercialization, and workforce development activities relating to critical minerals;

(ii) to effectively compete for defense-related engineering, applied research, commercialization, and workforce development contracts and grants; and

(iii) to support the mission of the Under Secretary to extend the capabilities of current war fighting systems, develop breakthrough capabilities, hedge against an uncertain future through a set of scientific and engineering options, and counter strategic surprise.

(C) An assessment of the activities and investments necessary—

(i) to augment facilities or educational programming at mining schools or a consortium of mining schools—

(I) to support the mission of the Under Secretary;

(II) to access, secure, and conduct research relating to sensitive or classified information; and

(III) to respond quickly to emerging engineering, applied research, commercialization, and workforce needs relating to critical minerals.

(ii) to increase the participation of mining schools in defense-related engineering, applied research, commercialization, and workforce development activities; and

(iii) to increase the ability of mining schools to effectively compete for defense-related engineering, applied research, commercialization, and workforce development contracts and grants.

(D) Recommendations identifying actions that may be taken by the Secretary, the Under Secretary, Congress, mining schools, and other organizations to increase the participation of mining schools in defense-related engineering, applied research, commercialization, and workforce development activities, contracts, and grants.

(E) The specific goals, incentives, and metrics developed by the Secretary under subparagraph (D) to increase and measure the capacity of mining schools to address the engineering, applied research, commercialization, and workforce development needs of the Department of Defense.

(3) CONSULTATIONS.—In developing the plan required by paragraph (1), the Secretary and the Under Secretary shall consult with such other public and private sector organizations as the Secretary and the Under Secretary determine appropriate.

(4) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary shall—

(A) submit to the congressional defense committees a report that includes the plan developed under paragraph (1); and

(B) make the plan available on a publicly accessible website of the Department of Defense.

(b) ACTIVITIES TO SUPPORT THE ENGINEERING, APPLIED RESEARCH, COMMERCIALIZATION, AND WORKFORCE DEVELOPMENT CAPACITY OF MINING SCHOOLS.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Under Secretary may establish a program to award contracts, grants, or other agreements on a competitive basis, and to perform other appropriate activities, for the purposes described in paragraph (2).

(2) PURPOSES.—The purposes described in this paragraph are the following:

(A) Developing the capability, including workforce and research infrastructure, for mining schools to more effectively compete for Federal engineering, applied research, commercialization, and workforce development funding opportunities.

(B) Improving the capability of mining schools to recruit and retain research faculty, and to participate in appropriate personnel exchange programs and educational and career development activities.

(C) Any other purposes the Under Secretary determines appropriate for enhancing the defense-related engineering, applied research, commercialization, and development capabilities of mining schools.

(c) INCREASING PARTNERSHIPS FOR MINING SCHOOLS WITH NATIONAL SECURITY RESEARCH AND ENGINEERING ORGANIZATIONS.—

(1) IN GENERAL.—Chapter 305 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4145. Research and educational programs and activities: critical minerals

''(a) PROGRAM ESTABLISHED.—

''(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering and the Secretary of each military department, shall carry out a program to provide assistance to covered educational institutions to assist the Department of Defense in defense-related critical minerals engineering, applied research, commercialization, and workforce development activities.

''(2) LIMITATION ON DELEGATION.—The Secretary of Defense may not delegate or transfer to an individual outside the Office of the Secretary of Defense the authority regarding the programming or budgeting of the program established by this section that is carried out by the Under Secretary of Defense for Research and Engineering.

''(b) PROGRAM OBJECTIVE.—The objective of the program established by subsection (a)(1) is to enhance defense-related critical minerals research and education at covered educational institutions. Such objective shall be accomplished through initiatives designed to—

''(1) enhance the critical minerals research and educational capabilities of such institutions in areas of importance to national defense, as determined by the Secretary;

''(2) encourage the participation of such institutions in the research, development, testing, and evaluation programs and activities of the Department of Defense relating to critical minerals;

''(3) increase the number of graduates from such institutions engaged in critical minerals-related disciplines important to the national security functions of the Department of Defense, as determined by the Secretary; and

''(4) encourage research and educational collaborations between such institutions and other institutions of higher education, Government defense organizations, and the defense industry relating to critical minerals.

''(c) ASSISTANCE PROVIDED.—Under the program established under subsection (a)(1), the Secretary of Defense may provide covered educational institutions with funding or technical assistance, including any of the following:

''(1) Support for research, development, testing, evaluation, or educational enhancements in areas important to national defense through the competitive awarding of grants, cooperative agreements, contracts, scholarships, fellowships, or the acquisition of research equipment or instrumentation.

''(2) Support to assist in the attraction and retention of faculty in scientific disciplines important to the national security functions of the Department of Defense.

''(3) Establishing partnerships between such institutions and defense laboratories, Government defense organizations, the defense industry, and other institutions of higher education in research, development, testing, and evaluation in areas important to the national security functions of the Department of Defense.

''(4) Other such non-monetary assistance as the Secretary finds appropriate to enhance defense-related research, development, testing, and evaluation activities at such institutions.

''(d) INCENTIVES.—

''(1) IN GENERAL.—The Secretary of Defense may develop incentives to encourage critical minerals-related research and educational collaborations between covered educational institutions and other institutions of higher education.

''(2) GOALS.—The Secretary of Defense shall establish goals and incentives to encourage Federally funded research and development centers, science and technology reinvention laboratories, and University Affiliated Research Centers funded by the Department of Defense—

''(A) to assess the capacity of covered educational institutions to address the critical minerals research and development needs of the Department through partnerships and collaborations; and

''(B) if appropriate, to enter into partnerships and collaborations with such institutions.

''(e) CRITERIA FOR FUNDING.—The Secretary of Defense may establish procedures under which the Secretary may limit funding

under this section to institutions that have not otherwise received a significant amount of funding from the Department of Defense for research, development, testing, and evaluation programs supporting the national security functions of the Department.

''(f) DEFINITION OF COVERED EDUCATIONAL INSTITUTION.—

''(1) IN GENERAL.—In this section, the term 'covered educational institution' means—

''(A) a mining, metallurgical, geological, or mineral engineering program—

''(i) accredited by the Accreditation Board for Engineering and Technology, Inc.; and

''(ii) located at an institution of higher education; or

''(B) an institution of higher learning or community college with a geology or engineering program or department that has experience in mining research or work with the mining industry.

''(2) INSTITUTION OF HIGHER EDUCATION.—For purposes of paragraph (1), the term 'institution of higher education' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 305 of such title is amended by adding at the end the following new item:

''4145. Research and educational programs and activities: critical minerals.''.

(d) MINING SCHOOL DEFINED.—

(1) IN GENERAL.—In this section, the term ''mining school'' means—

(A) a mining, metallurgical, geological, or mineral engineering program—

(i) accredited by the Accreditation Board for Engineering and Technology, Inc.; and

(ii) located at an institution of higher education; or

(B) an institution of higher learning or community college with a geology or engineering program or department that has experience in mining research or work with the mining industry.

(2) INSTITUTION OF HIGHER EDUCATION.—For purposes of paragraph (1), the term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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

SEC. 901. ESTABLISHMENT OF OFFICE OF STRATEGIC CAPITAL.

(a) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 148. Office of Strategic Capital

''(a) ESTABLISHMENT.—There is in the Office of the Secretary of Defense an office to be known as the Office of Strategic Capital (in this section referred to as the 'Office').

''(b) DIRECTOR.—The Office shall be headed by a Director (in this section referred to as the 'Director'), who shall be appointed by the Secretary from among employees of the Department of Defense in Senior Executive Service positions (as defined in section 3132 of title 5).

''(c) DUTIES.—The Office shall—

''(1) develop, integrate, and implement proven capital strategies of partners of the Department of Defense to shape and scale investment in critical technologies and assets;

''(2) identify and prioritize promising critical technologies and assets for the Department in need of capital assistance; and

''(3) fund investments in such technologies and assets, including supply chain technologies not always supported through direct investment.

''(d) APPLICATIONS.—An eligible entity seeking capital assistance for an eligible investment shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

''(e) SELECTION OF INVESTMENTS.—

''(1) IN GENERAL.—The Director shall establish criteria for selecting among eligible investments for which applications are submitted under subsection (d). Such criteria shall include—

''(A) the extent to which an investment is significant to the national security of the United States;

''(B) the likelihood that capital assistance provided for an investment would enable the investment to proceed sooner than the investment would otherwise be able to proceed; and

''(C) the creditworthiness of an investment.

''(2) NOTICE AND WAIT REQUIREMENT.—The criteria established under paragraph (1) shall not apply until—

''(A) the Secretary of Defense submits the criteria to the congressional defense committees; and

''(B) a period of 30 days has elapsed after such submission.

''(f) NOTIFICATION.—Not less than 30 days before exercising the authority provided by section 834 of the National Defense Authorization Act for Fiscal Year 2024, the Director, in coordination with the Under Secretary of Defense for Acquisition and Sustainment and the Under Secretary of Defense for Research and Engineering, shall notify the congressional defense committees of the purpose and terms of any capital assistance proposed to be provided under that section. Such notification may be made in classified form, if necessary.

''(g) STRATEGIC CAPITAL ADVISORY BOARD.—The Secretary of Defense shall establish a Strategic Capital Advisory Board to advise the Director with respect to activities carried out under this section.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section, including regulations to ensure internal and external coordination to avoid duplication of effort, reduce inefficiency, and ensure policy coherence across the Department.

''(i) EFFECTIVE DATE.—The authorities made available under this section may not be exercised until the date that is 30 days after the regulations required by subsection (i) have been—

''(1) prescribed and adopted by the Department; and

''(2) submitted to the congressional defense committees.

''(j) ANNUAL REPORT.—Not later than December 31 of each year, the Director shall submit to the congressional defense committees a report that—

''(1) describes the activities of the Office during the most recent fiscal year ending before submission of the report, including—

''(A) an identification of entities that received capital assistance from the Office during that fiscal year;

''(B) a description of the status of the financial obligations of those entities as a result of receiving such assistance; and

''(C) any success stories as a result of such assistance;

''(2) assesses the status of the finances of the Office as of the end of that fiscal year; and

''(3) describes the goals of the Office for the fiscal year that begins after submission of the report.

''(k) DEFINITIONS.—In this section:

''(1) CAPITAL ASSISTANCE.—The term 'capital assistance' means loans, loan guarantees, equity investments, or technical assistance provided under section 834.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) an individual;

''(B) a corporation;

''(C) a partnership, including a public-private partnership;

''(D) a joint venture;

''(E) a trust;

''(F) a State, including a political subdivision or any other instrumentality of a State;

''(G) a Tribal government or consortium of Tribal governments;

''(H) any other governmental entity or public agency in the United States, including a special purpose district or public authority, including a port authority; or

''(I) a multi-State or multi-jurisdictional group of public entities.

''(3) ELIGIBLE INVESTMENT.—The term 'eligible investment' means an investment that facilitates the efforts of the Office—

''(A) to identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, or repair of tangible and intangible assets vital to United States national security; or

''(B) to protect tangible and intangible assets vital to United States national security from theft, acquisition, and transfer by countries that are adversaries of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:

''148. Office of Strategic Capital.''.

SEC. 902. REINSTATEMENT OF POSITION OF CHIEF MANAGEMENT OFFICER OF DEPARTMENT OF DEFENSE.

(a) REINSTATEMENT OF POSITION.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by inserting after the item relating to section 132 the following new item:

''§ 132a. Chief Management Officer

''(a) APPOINTMENT AND QUALIFICATIONS.—(1) There is a Chief Management Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Management Officer shall be appointed from among persons who have an extensive management or business background and experience with managing large or complex organizations. A person may not be appointed as Chief Management Officer within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

''(b) RESPONSIBILITIES.—Subject to the authority, direction, and control of the Secretary of Defense and the Deputy Secretary of Defense, the Chief Management Officer shall perform such duties and exercise such powers as the Secretary or the Deputy Secretary may prescribe, including the following:

''(1) Serving as the chief management officer of the Department of Defense with the mission of managing enterprise business operations and shared services of the Department of Defense.

''(2) Serving as the principal advisor to the Secretary and the Deputy Secretary on establishing policies for, and directing, all enterprise business operations of the Department, including planning and processes, business transformation, and performance measurement and management activities and programs, including the allocation of resources for enterprise business operations and unifying business management efforts across the Department.

''(3) Exercising authority, direction, and control over the Defense Agencies and Department of Defense Field Activities providing shared business services for the Department.

''(4) Authority to direct the Secretaries of the military departments and the heads of all other elements of the Department with regard to matters for which the Chief Management Officer has responsibility under this section.

''(5) Serving as the official with principal responsibility in the Department for minimizing the duplication of efforts, maximizing efficiency and effectiveness, and establishing metrics for performance among and for all organizations and elements of the Department.

''(c) BUDGET AUTHORITY.—(1)(A) Beginning in fiscal year 2025, the Secretary of Defense, acting through the Under Secretary of Defense (Comptroller), shall require the head of each Defense Agency and Department of Defense Field Activity (other than such agencies and activities that are under the direction of the Director of National Intelligence or are elements of the intelligence community) to transmit the proposed budget of such Agency or Activity for enterprise business operations for a fiscal year, and for the period covered by the future-years defense program submitted to Congress under section 221 of this title for that fiscal year, to the Chief Management Officer for review under subparagraph (B) at the same time the proposed budget is submitted to the Under Secretary of Defense (Comptroller).

''(B) The Chief Management Officer shall review each proposed budget transmitted under subparagraph (A) and, not later than January 31 of the year preceding the fiscal year for which the budget is proposed, shall submit to the Secretary a report containing the comments of the Chief Management Officer with respect to all such proposed budgets, together with the certification of the Chief Management Officer regarding whether each such proposed budget achieves the required level of efficiency and effectiveness for enterprise business operations, consistent with guidance for budget review established by the Chief Management Officer.

''(C) Not later than March 31 each year, the Secretary shall submit to Congress a report that includes the following:

''(i) Each proposed budget for the enterprise business operations of a Defense Agency or Department of Defense Field Activity that was transmitted to the Chief Management Officer under subparagraph (A).

''(ii) Identification of each proposed budget contained in the most recent report submitted under subparagraph (B) that the Chief Management Officer did not certify as achieving the required level of efficiency and effectiveness for enterprise business operations.

''(iii) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address inadequate levels of efficiency and effectiveness for enterprise business operations achieved by the proposed budgets identified in the report.

''(iv) Any additional comments that the Secretary considers appropriate regarding inadequate levels of efficiency and effectiveness for enterprise business operations achieved by the proposed budgets.

''(2) Nothing in this subsection shall be construed to modify or interfere with the budget-related responsibilities of the Director of National Intelligence.

''(d) PRECEDENCE.—The Chief Management Officer takes precedence in the Department of Defense after the Secretary of Defense and the Deputy Secretary of Defense.

''(e) ENTERPRISE BUSINESS OPERATION DEFINED.—In this section, the term 'enterprise business operations' means those activities that constitute the cross-cutting business operations used by multiple components of the Department of Defense, but not those activities that are directly tied to a single military department or Department of Defense component. The term includes business-support functions designated by the Secretary of Defense or the Deputy Secretary of Defense for purposes of this section, such as aspects of financial management, healthcare, acquisition and procurement, supply chain and logistics, certain information technology, real property, and human resources operations.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by inserting after the item relating to section 132 the following new item:

''132a. Chief Management Officer.''.

(b) MANAGEMENT AND OVERSIGHT OF DEFENSE BUSINESS SYSTEMS.—Section 2222 of such title is amended—

(1) in subsection (c)(2), by striking ''the Chief Information Officer of the Department of Defense'' and inserting ''the Chief Management Officer of the Department of Defense'';

(2) in subsection (e)—

(A) in paragraph (1), by striking ''the Chief Information Officer'' and inserting ''the Chief Management Officer''; and

(B) in paragraph (6)—

(i) in subparagraph (A), in the matter preceding clause (i)—

(I) in the first sentence, by striking ''The Chief Information Officer of the Department of Defense, in coordination with the Chief Data and Artificial Intelligence Officer,'' and inserting ''The Chief Management Officer of the Department of Defense''; and

(II) in the second sentence, by striking ''the Chief Information Officer shall'' and inserting ''the Chief Management Officer shall'';

(ii) in subparagraph (B), in the matter preceding clause (i), by striking ''The Chief Information Officer'' and inserting ''The Chief Management Officer'';

(3) in subsection (f)(1), in the second sentence, by inserting ''the Chief Management Officer and'' after ''chaired by'';

(4) in subsection (g)(2), by striking ''the Chief Information Officer of the Department of Defense'' each place it appears and inserting ''the Chief Management Officer of the Department of Defense''; and

(5) in subsection (i)(5)(B), by striking ''the Chief Information Officer'' and inserting ''the Chief Management Officer''.

(c) CONFORMING AMENDMENT.—Section 131(b) of title 10, United States Code, is amended by inserting after paragraph (1) the following new paragraph (2):

''(2) The Chief Management Officer of the Department of Defense.''.

(d) GUIDANCE REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) issue guidance to clearly delineate the authorities and responsibilities of the Chief Management Officer of the Department of Defense; and

(2) provide a charter for the position of the Chief Management Officer to fully vest the authority of the Chief Management Officer within the Department of Defense.

(e) REPORT ON EFFECT OF LAPSE IN MANAGEMENT OVERSIGHT ON DEFENSE BUSINESS SYSTEMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall submit to the congressional defense committees a report on the effect on defense business systems of the abolishment of the position of Chief Management Officer and the failure to reassign the responsibilities of the Chief Management Officer with respect to defense business systems for two years.

(2) DEFENSE BUSINESS SYSTEM DEFINED.—In this subsection, the term ''defense business system'' has the meaning given that term in section 2222(i) of title 10, United States Code.

SEC. 903. MODIFICATION OF RESPONSIBILITIES OF DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.

(a) IN GENERAL.—Subsection (d) of section 139a of title 10, United States Code, is amended—

(1) in paragraph (5)—

(A) by striking '', ensuring'' and inserting ''and ensuring''; and

(B) by striking '', and assessing'' and all that follows through ''economy''; and

(2) in paragraph (8), by inserting after ''defense resources'' the following: '', including the standardization of analytical methodologies and the establishment and maintenance of a centralized knowledge repository of physical attributes or other data for modeling and simulation purposes''.

(b) ANNUAL REPORTS.—Such section is amended by adding at the end the following new subsection:

''(e) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than February 1, 2024, and annually thereafter, the Director shall submit to the congressional defense committees a report on activities to conduct strategic and operational analysis under paragraphs (2), (3), (6), (7), and (8) of subsection (d) that includes—

''(A) a review of strategic portfolio reviews completed in the fiscal year preceding submission of the report and a description of such reviews planned for the fiscal year that begins after submission of the report;

''(B) a review of analyses of alternatives completed in the fiscal year preceding submission of the report and a description of such analyses planned for the fiscal year that begins after submission of the report; and

''(C) a review of defense program projections completed in the fiscal year preceding submission of the report and a description of such projections planned for the fiscal year that begins after submission of the report.

''(2) FORM.—Each report required by paragraph (1) shall be submitted in classified form, but shall include an unclassified summary.

''(3) BRIEFINGS.—Not later than 15 days after submission of each report required by paragraph (1), the Director shall brief the congressional defense committees on the contents of the report.''.

(c) PROGRAM EVALUATION COMPETITIVE ANALYSIS CELL.—Such section is further amended by adding after subsection (e), as added by subsection (b), the following new subsection:

''(f) PROGRAM EVALUATION COMPETITIVE ANALYSIS CELL.—

''(1) IN GENERAL.—Not later than June 1, 2024, the Secretary of Defense shall—

''(A) establish a team, to be known as the 'Program Evaluation Competitive Analysis Cell', to critically assess the analytical methodologies, assumptions, and data used in key strategic and operational analyses conducted by the Director; and

''(B) ensure that the team has a sufficient number of personnel to carry out the duties of the team.

''(2) INDEPENDENCE.—The Program Evaluation Competitive Analysis Cell shall be independent of the Director and shall report only to the Secretary of Defense.''.

(d) PILOT PROGRAM ON ALTERNATIVE ANALYSIS.—

(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall establish a pilot program on alternative analysis.

(2) STRUCTURE.—The Director shall establish, under the pilot program established under paragraph (1), three analytical groups, focused on programmatic analysis in the following:

(A) Year 1 of the future-years defense program under section 221 of title 10, United States Code.

(B) Years 2 through 5 of the future-years defense program.

(C) Years outside the future-years defense program.

(3) REQUIREMENTS.—The pilot program established under paragraph (1) shall run at least one strategic portfolio review or equivalent analytical effort per year.

(e) ESTABLISHMENT OF ANALYSIS WORKING GROUP.—

(1) IN GENERAL.—Not later than May 1, 2024, the Secretary of Defense shall—

(A) establish the Analysis Working Group in the Department of Defense; and

(B) ensure that the Analysis Working Group possesses sufficient full-time equivalent support personnel to carry out the duties of the Group.

(2) MEMBERSHIP.—The Analysis Working Group shall be composed of representatives of the following components of the Department of Defense:

(A) The Office of the Director of Cost Assessment and Program Evaluation.

(B) The Directorate for Joint Force Development (J7) of the Joint Staff.

(C) The Directorate for Force Structure, Resources, and Assessment (J8) of the Joint Staff.

(D) The Office of the Secretary of Defense for Policy.

(E) The Chief Data and Artificial Intelligence Office.

(F) The Office of the Chief Information Officer.

(G) The United States Indo-Pacific Command.

(H) The United States European Command.

(3) DUTIES.—The Analysis Working Group shall—

(A) establish clear priorities and standards to focus analysts on decision support;

(B) improve transparency of methodologies, tools, and tradecraft across the analytic community, including testing and validation for new or emerging methodologies, tools, and tradecraft;

(C) improve quality of and expand access to data, including evaluation of new data sets, or application of existing data sets in new or novel ways;

(D) evolve the methodologies, tools, and tradecraft methods and tools used in strategic analysis;

(E) resolve classified access and infrastructure challenges;

(F) foster a workforce and organizations that are innovative, creative, and provide high-quality strategic decision support; and

(G) conduct such other tasks as the Secretary of Defense considers appropriate.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to interfere with the requirements of the Chiefs of Staff of the Armed Forces to establish military requirements, performance requirements, and joint performance requirements, or the requirement of the Joint Requirements Oversight Council to validate such requirements under section 181 of title 10, United States Code.

SEC. 904. ROLES AND RESPONSIBILITIES FOR COMPONENTS OF OFFICE OF SECRETARY OF DEFENSE FOR JOINT ALL-DOMAIN COMMAND AND CONTROL IN SUPPORT OF INTEGRATED JOINT WARFIGHTING.

(a) IN GENERAL.—The Secretary of Defense shall establish the roles and responsibilities of components of the Office of the Secretary of Defense for development and delivery to combatant commands of capabilities that are essential to integrated joint warfighting capabilities, as follows:

(1) The Deputy Chief Technology Officer for Mission Capabilities of the Office of the Under Secretary of Defense for Research and Engineering shall be responsible for—

(A) identifying new technology and operational concepts for experimentation and prototyping for delivery to the Joint Force to address key operational challenges;

(B) providing technical support for the Joint Force in exploring and analyzing new capabilities, operational concepts, and systems-of-systems composition, including through advanced modeling and simulation; and

(C) executing associated experimentation, through the Rapid Defense Experimentation Reserve (RDER) or another mechanism.

(2) The Executive Director for Acquisition, Integration, and Interoperability of the Office of the Under Secretary of Defense for Acquisition and Sustainment shall be responsible for—

(A) enabling the acquisition of cross-domain, joint, and cross-system kill chains and mission capabilities, including resourcing of modifications necessary for integration and interoperability among kill chain and mission components; and

(B) ensuring the effectiveness of cross-domain, joint, and cross-system kill chains and mission capabilities through analysis and testing.

(3) The Chief Digital and Artificial Intelligence Officer shall be responsible for creating and operating a factory-based approach for software development that allows for iterative, secure, and continuous deployment of developmental, prototype, and operational tools and capabilities from multiple vendors to test networks and operational networks for combatant commanders to—

(A) gain operational awareness, make decisions, and take actions;

(B) integrate relevant data sources to support target selection, target prioritization, and weapon-target pairing; and

(C) prosecute targets through military service and combat support agency networks, tools, and systems.

(b) COORDINATION.—The officials referred to in paragraphs (1), (2), and (3) of subsection (a) shall coordinate and align their plans and activities to implement subsection (a) among themselves and with the combatant commanders.

(c) INITIAL PRIORITIZATION.—In developing an initial set of capabilities described in subsection (a), the officials referred to in paragraphs (1), (2), and (3) of that subsection shall prioritize the requirements of the United States Indo-Pacific Command.

(d) BRIEFINGS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter through December 31, 2026, the officials referred to in paragraphs (1), (2), and (3) of subsection (a) shall provide briefings to the congressional defense committees on their plans and activities to implement subsection (a).

(e) REPORT REQUIRED.—Not later than March 1, 2024, the Chief Data and Artificial Intelligence Officer, in consultation with the Deputy Chief Technology Officer for Mission Capabilities of the Office of the Under Secretary of Defense for Research and Engineering and the Executive Director for Acquisition, Integration, and Interoperability of the Office of the Under Secretary of Defense for Acquisition and Sustainment, shall submit to the congressional defense committees a report that includes—

(1) a plan and associated timelines for deploying and demonstrating a joint data integration layer prototype in the United States Indo-Pacific Command area of operations;

(2) a plan and associated timelines for transitioning such a prototype, upon its successful demonstration, to fielding as soon as practicable given the urgent need for a joint all-domain command and control (commonly referred to as ''JADC2'') capability;

(3) a plan and associated timelines for reaching initial operational capability for a joint data integration layer within the United States Indo-Pacific Command area of operations;

(4) a plan and associated timelines for scaling that capability to future areas of operation across the combatant commands;

(5) an assessment of the required type and number of personnel at the United States Indo-Pacific Command to enable sustained growth in JADC2 capabilities; and

(6) a plan and associated timelines for—

(A) identifying specific critical effects chains necessary to overcome anti-access and area denial capabilities and offensive military operations of foreign adversaries; and

(B) creating, demonstrating, deploying, and sustaining such chains.

SEC. 905. PRINCIPAL DEPUTY ASSISTANT SECRETARIES TO SUPPORT ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.

The Secretary of Defense may appoint two Principal Deputy Assistant Secretaries to report to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict—

(1) one of whom may be assigned to support the Assistant Secretary in the discharge of responsibilities specified in clause (i) of section 138(b)(2)(A) of title 10, United States Code; and

(2) one of whom may be assigned to support the Assistant Secretary in the discharge of responsibilities specified in clause (ii) of that section.

SEC. 906. MODIFICATION OF CROSS-FUNCTIONAL TEAM TO ADDRESS EMERGING THREAT RELATING TO DIRECTED ENERGY CAPABILITIES.

Section 910 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 111 note) is amended—

(1) in the section heading, by striking ''**ANOMALOUS HEALTH INCIDENTS**'' and inserting ''**DIRECTED ENERGY CAPABILITIES**'';

(2) in subsection (a), by striking ''anomalous health incidents (as defined by the Secretary)'' and inserting ''emerging directed energy capabilities, including such capabilities that could plausibly result in anomalous health incidents (as defined by the Secretary),'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting ''to assist the Secretary of Defense'' after ''shall be'';

(B) by amending paragraph (1) to read as follows:

''(1) to address the threat posed by emerging directed energy capabilities, such as anti-personnel weapons, including the detection and mitigation of, and development of countermeasures for, such capabilities;'';

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(D) by inserting after paragraph (1) the following new paragraph (2):

''(2) to conduct necessary investigation and activities to understand the causation, attribution, mitigation, identification, and treatment for anomalous health incidents;''; and

(E) in paragraph (4), as redesignated by subparagraph (C), by striking ''any other efforts regarding such incidents'' and inserting ''with any other efforts regarding emerging directed energy capabilities, hazards of electromagnetic radiation to personnel, and anomalous health incidents'';

(4) in subsection (d), by striking ''in consultation with the Director of National Intelligence and''; and

(5) in subsection (e)(2)—

(A) by striking ''March 1, 2026'' and inserting ''March 1, 2028''; and

(B) by striking ''anomalous health incidents'' and inserting ''emerging directed energy capabilities, including such capabilities that could plausibly result in anomalous health incidents''.

SEC. 907. PILOT PROGRAM ON PROTECTING ACCESS TO CRITICAL ASSETS.

(a) IN GENERAL.—The Secretary of Defense shall establish a pilot program within the Office of the Under Secretary of Defense for Acquisition and Sustainment under which the Under Secretary will conduct and coordinate assessments, support industrial base decision-making, and provide mitigation measures to counter adversarial capital flows into industries or businesses of interest to the Department of Defense intended to undermine or deny—

(1) the access of the United States to key capabilities; or

(2) the ability of the United States to place such capabilities in physical locations necessary for national security functions.

(b) ELEMENTS.—

(1) IN GENERAL.—Under the pilot program required by subsection (a), the Under Secretary may perform the following tasks:

(A) Conduct coordinated and integrated analysis of adversarial capital flows into industries or businesses of interest to the Department of Defense.

(B) Support coordination and outreach with technology scouting and acquisition elements of the Department to support the investment decision-making of those elements and consideration of how to counteract entities employing adversarial capital flows against industries or businesses described in subparagraph (A), including the employment of relevant authorities vested in other components of the Department and the Federal Government.

(C) Identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, modernization, and repair of tangible and intangible assets vital to the national security of the United States.

(D) Protect tangible and intangible assets vital to the national security of the United States from theft, acquisition, and transfer by adversaries or strategic competitors of the United States.

(E) Provide capital assistance to entities engaged in investments that facilitate the efforts of the Under Secretary under subparagraphs (C) and (D) utilizing existing authorities available to the Department, such as the authority provided under section 834.

(F) Experiment, prototype, test, or validate Government-developed or commercially developed analytical tools, processes, and tradecraft to improve the due diligence and investment analysis processes for the Department.

(2) USE OF CERTAIN FINANCIAL INSTRUMENTS.—The Under Secretary may perform the tasks described in paragraph (1) using the authorities provided by section 834.

(c) COORDINATION.—In establishing the pilot program required by subsection (a), the Secretary shall coordinate the activities being carried out under the pilot program with the following entities:

(1) The Air Force Office of Concepts, Development, and Management.

(2) The Air Force Office of Commercial and Economic Analysis.

(3) The Special Operations Command.

(4) The Defense Innovation Unit.

(5) The Office of Strategic Capital established under section 148 of title 10, United States Code, as added by section 901.

(6) Such other entities as the Secretary considers appropriate.

(d) REGULATIONS.—The Secretary of Defense shall prescribe such regulations as are necessary to carry out this section.

(e) EFFECTIVE DATE.—The Secretary may not carry out activities or exercise authorities under this section until the date that is 30 days after the date on which the Secretary submits to the congressional defense committees the regulations required by subsection (d).

(f) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary shall provide a briefing to the congressional defense committees that details implementation of the pilot program required by subsection (a).

(g) TERMINATION.—The pilot program required by subsection (a) shall terminate on September 30, 2028.

(h) DEFINITIONS.—In this section:

(1) ADVERSARIAL CAPITAL FLOW.—The term ''adversarial capital flow'' means an investment by—

(A) the government of a country that is an adversary of the United States; or

(B) an entity organized under the laws of, or otherwise subject to the jurisdiction of, such a country.

(2) CAPITAL ASSISTANCE.—The term ''capital assistance'' has the meaning given that term in section 834.

SEC. 908. EXTENSION OF MISSION MANAGEMENT PILOT PROGRAM.

Section 871 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 191 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''IN GENERAL.—Except'' and inserting the following: ''IN GENERAL.—

''(A) SELECTION.—Except''; and

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

''(B) DELEGATION OF OVERSIGHT AND MANAGEMENT.—The Deputy Secretary of Defense may delegate one or more mission managers to oversee the selected missions and provide management around mission outcomes.''; and

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

''(4) IDENTIFICATION OF FUNDING.—For each mission selected under paragraph (1), the Deputy Secretary of Defense shall identify funding sources in detail in defense budget materials for budgets submitted to Congress pursuant to section 1105 of title 31, United States Code, with selected missions and solution detailed in materials for each budgetary item associated with a selected mission.'';

(2) in subsection (c)(2)—

(A) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following new subparagraph:

''(F) assist the Deputy Secretary of Defense in the identification of funding that could contribute to the mission, including through existing authorized methods to realign, reprogram, or transfer funds; and'';

(3) in subsection (f)(1)(A), by striking ''every six months thereafter until the date that is five years after the date of the enactment of this Act'' and inserting ''annually thereafter until September 30, 2031''; and

(4) in subsection (h), by striking ''terminate on the date that is five years after the date of the enactment of this Act'' and inserting ''terminate on September 30, 2031''.

SEC. 909. CONFORMING AMENDMENTS TO CARRY OUT ELIMINATION OF POSITION OF CHIEF MANAGEMENT OFFICER.

(a) REMOVAL OF REFERENCES TO CHIEF MANAGEMENT OFFICER IN PROVISIONS OF LAW RELATING TO PRECEDENCE.—Chapter 4 of title 10, United States Code, is amended—

(1) in section 133a(c)—

(A) in paragraph (1), by striking '', the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense'' and inserting ''and the Deputy Secretary of Defense''; and

(B) in paragraph (2), by striking ''the Chief Management Officer,'';

(2) in section 133b(c)—

(A) in paragraph (1), by striking ''the Chief Management Officer of the Department of Defense,''; and

(B) in paragraph (2), by striking ''the Chief Management Officer,'';

(3) in section 137a(d), by striking ''the Chief Management Officer of the Department of Defense,''; and

(4) in section 138(d), by striking ''the Chief Management Officer of the Department of Defense,''.

(b) ASSIGNMENT OF PERIODIC REVIEW OF DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES TO SECRETARY OF DEFENSE.—Section 192(c) of such title is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), in the first sentence, by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''the Secretary of Defense''; and

(B) in subparagraphs (B) and (C), by striking ''the Chief Management Officer'' and inserting ''the Secretary''; and

(2) in paragraph (2), by striking ''the Chief Management Officer'' each place it appears and inserting ''the Secretary''.

(c) ASSIGNMENT OF RESPONSIBILITY FOR FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION TO UNDER SECRETARY OF DEFENSE (COMPTROLLER).—Section 240b of such title is amended—

(1) in subsection (a)(1), by striking ''The Chief Management Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense (Comptroller),'' and inserting ''The Under Secretary of Defense (Comptroller) shall, in consultation with the Performance Improvement Officer of the Department of Defense,''; and

(2) in subsection (b)(1)(C)(ii), by striking ''the Chief Management Officer'' and inserting ''the Performance Improvement Officer''.

(d) REMOVAL OF CHIEF MANAGEMENT OFFICER AS RECIPIENT OF REPORTS OF AUDITS BY EXTERNAL AUDITORS.—Section 240d(d)(1)(A) of such title is amended by striking ''and the Chief Management Officer of the Department of Defense''.

(e) CONFORMING AMENDMENTS TO PROVISIONS OF LAW RELATED TO FREEDOM OF INFORMATION ACT EXEMPTIONS.—Such title is further amended—

(1) in section 130e—

(A) by striking subsection (d);

(B) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(C) in subsection (d), as so redesignated—

(i) in the first sentence, by striking '', or the Secretary's designee,''; and

(ii) in the second sentence, by striking '', through the Office of the Director of Administration and Management''; and

(2) in section 2254a—

(A) by striking subsection (c);

(B) by redesignating subsection (d) as subsection (c); and

(C) in subsection (c), as so redesignated—

(i) in the first sentence, by striking '', or the Secretary's designee,''; and

(ii) in the second sentence, by striking '', through the Office of the Director of Administration and Management''.

(f) REMOVAL OF CHIEF MANAGEMENT OFFICER AS REQUIRED COORDINATOR ON DEFENSE RESALE MATTERS.—Section 631(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2481 note) is amended by striking '', in coordination with the Chief Management Officer of the Department of Defense,''.

Subtitle B—Other Department of Defense Organization and Management Matters

SEC. 921. JOINT ENERGETICS TRANSITION OFFICE.

(a) IN GENERAL.—The Secretary of Defense shall realign roles, responsibilities, and resources as necessary to establish a Joint Energetics Transition Office (in this section referred to as the ''Office'').

(b) RESPONSIBILITIES.—The Office shall—

(1) develop and periodically update an energetic materials strategic plan and investment strategy to guide current and future investments in new and legacy energetic materials and technologies, including by—

(A) developing or supporting the development of strategies and roadmaps, under the future-years defense program under section 221 of title 10, United States Code, and the program objective memorandum process, for energetic materials and technologies; and

(B) initiating special studies or analyses to inform the program objective memorandum process;

(2) coordinate and synchronize existing research, development, test, and evaluation efforts in energetic materials across the Department of Defense to identify promising new energetic materials and technologies—

(A) to mature, integrate, prototype, and demonstrate novel energetic materials and technologies, including classification and characterization testing of new materials and manufacturing technologies;

(B) to expedite testing, evaluation, and acquisition of energetic materials and technologies to meet the emergent needs of the Department, including the rapid integration of promising new materials and other promising energetic compounds into existing and planned weapons platforms; and

(C) to identify existing or establish new prototyping demonstration venues to integrate advanced technologies that speed the maturation and deployment of future energetic materials;

(3) oversee a process to expedite the qualification process for energetic materials, from discovery through integration into weapon systems, and recommend changes to laws, regulations, and policies that present barriers that extend timelines for that process; and

(4) carry out such other responsibilities relating to energetic materials as the Secretary shall specify.

(c) REPORT REQUIRED.—The Deputy Secretary of Defense shall submit to the congressional defense committees—

(1) not later than 60 days after the date of the enactment of this Act, a report on the status of the establishment of the Office under subsection (a); and

(2) not later than one year after such date of enactment, a report on the measures taken to provide the Office with the staff and resources necessary for the Office to carry out its responsibilities under subsection (b).

SEC. 922. TRANSITION OF OVERSIGHT RESPONSIBILITY FOR THE DEFENSE TECHNOLOGY SECURITY ADMINISTRATION.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop a transition plan to realign the Defense Technology Security Administration under the authority, direction, and control of the Assistant Secretary of Defense for Industrial Base Policy.

(b) SUBMISSION OF PLAN.—Not later than 7 days after the date on which the Secretary completes development of the plan required by subsection (a), the Secretary shall submit the plan to the congressional defense committees.

(c) IMPLEMENTATION OF PLAN.—Not later than 180 days after the date on which the Secretary completes development of the plan required by subsection (a), the Secretary shall realign the Defense Technology Security Administration under the authority, direction, and control of the Assistant Secretary of Defense for Industrial Base Policy.

SEC. 923. INTEGRATED AND AUTHENTICATED ACCESS TO DEPARTMENT OF DEFENSE SYSTEMS FOR CERTAIN CONGRESSIONAL STAFF FOR OVERSIGHT PURPOSES.

Section 1046(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in paragraph (1)(B), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) to the extent feasible, be integrated with software used by the Department of Defense Parking Management Office to validate parking requests.''.

SEC. 924. INTEGRATION OF PRODUCTIVITY SOFTWARE SUITES FOR SCHEDULING DATA.

The Secretary of Defense shall ensure that the Department of Defense is capable of scheduling congressional engagements in a digitally interoperable manner by not later than February 25, 2024, either through—

(1) integrating the productivity software suite of the Department of Defense with the productivity software suite of the congressional defense committees; or

(2) enabling the automated transmission of scheduling data through another software solution.

SEC. 925. OPERATIONALIZING AUDIT READINESS.

(a) METRICS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop a set of command audit metrics that link existing audit readiness goals and metrics for the financial management community with unit leadership goals and metrics to provide operationally relevant performance measures for use by unit commanders.

(2) LEVERAGING SUPPORT.—In developing the metrics required by paragraph (1), the Secretary may leverage support from an existing federally funded research and development center or university-affiliated research center.

(3) DEADLINE.—An initial set of metrics shall be developed and implemented under paragraph (1) not later than April 30, 2025.

(b) TRAINING.—

(1) IN GENERAL.—The President of the Defense Acquisition University shall develop training curricula to support the workforce of the Department of Defense in understanding, implementing, and utilizing the metrics developed under subsection (a) in the day-to-day performance of their command and leadership duties.

(2) DEADLINE.—An initial training curriculum shall be developed and implemented under paragraph (1) not later than April 30, 2025.

(c) LEADER PERFORMANCE ASSESSMENTS.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall evaluate means by which the metrics developed under subsection (a) can be used in the performance evaluation of unit commanders.

(2) BRIEFING REQUIRED.—Not later than September 30, 2024, the Secretary shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the evaluation conducted under paragraph (1). The briefing shall include the following elements:

(A) Identification of the appropriate command echelon at which to assess unit leader performance using the metrics developed under subsection (a).

(B) Evaluations of available measures to reward superior or above average performance with respect to such metrics.

(C) Assessment of the potential value, and challenges, to integrating such measures into the annual performance evaluations for designated unit leaders.

(D) Any other issues the Secretary considers appropriate.

SEC. 926. NEXT GENERATION BUSINESS HEALTH METRICS.

(a) METRICS REQUIRED.—The Secretary of Defense, acting through the Director of Administration and Management and in coordination with the Secretaries of the military departments, shall develop an updated set of business health metrics to inform decision-making by senior leaders of the Department of Defense.

(b) ELEMENTS.—In developing the metrics required by subsection (a), the Director shall—

(1) using the current literature on performance measurement, determine what additional new metrics should be implemented, or current metrics should be adapted, to reduce output-based measures and emphasize objective, measurable indicators aligned to enduring strategic goals of the Department of Defense;

(2) assess the current business processes of the Department and provide recommendations to align the metrics with available data sources to determine what gaps might exist in such processes;

(3) ensure that data can be collected automatically and, on a long-term basis, in a manner that provides for longitudinal analysis;

(4) link the metrics with the Strategic Management Plan and other performance documents guiding the Department;

(5) identify any shortfalls in resources, data, training, policy, or law that could be an impediment to implementing the metrics;

(6) revise leading and lagging indicators associated with each such metric to provide a benchmark against which to assess progress;

(7) improve visualization of and comprehension for the use of the metrics in data-driven decision-making, including adoption of new policies and training as needed;

(8) incorporate the ability to aggregate and disaggregate data to provide the ability to focus on functional, component-level metrics; and

(9) increase standardization of the use and collection of business health metrics across the Department.

(c) ADDITIONAL SUPPORT.—In developing the metrics required by subsection (a), the Director may leverage support from an existing federally funded research and development center or university-affiliated research center.

(d) BRIEFING REQUIRED.—Not later than January 30, 2025, the Director shall brief the Committees on Armed Services of the Senate and the House of Representatives on the development of the metrics required by subsection (a).

SEC. 927. INDEPENDENT ASSESSMENT OF DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.

(a) IN GENERAL.—The Secretary of Defense shall select a federally funded research and development center or a university affiliated research center to conduct an independent assessment of the defense business enterprise architecture developed under section 2222(e) of title 10, United States Code.

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

(1) An assessment of the effectiveness of the defense business enterprise architecture as of the date of the enactment of this Act in providing an adequate and useful framework for planning, managing, and integrating the business systems of the Department of Defense.

(2) A comparison of the defense business enterprise architecture with similar models in use by other government agencies in the United States, foreign governments, and major commercial entities, including an assessment of any lessons from such models that might be applied to the defense business enterprise architecture.

(3) An assessment of the adequacy of the defense business enterprise architecture in informing business process reengineering and being sufficiently responsive to changes in business processes over time.

(4) An identification of any shortfalls or implementation challenges in the utility of the defense business enterprise architecture.

(5) Recommendations for replacement of the existing defense business enterprise architecture or for modifications to the existing architecture to make that architecture and the process for updating that architecture more effective and responsive to the business process needs of the Department.

(c) INTERIM BRIEFING.—Not later than April 1, 2024, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the status of the assessment required by subsection (a).

(d) FINAL REPORT.—Not later than January 30, 2025, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the assessment required by subsection (a).

SEC. 928. LIMITATION ON ESTABLISHMENT OF NEW DIVERSITY, EQUITY, AND INCLUSION POSITIONS; HIRING FREEZE.

(a) IN GENERAL.—During the period described in subsection (b), the Secretary of Defense may not—

(1) establish any new positions within the Department of Defense with responsibility for matters relating to diversity, equity, and inclusion; or

(2) fill any vacancies in positions in the Department with responsibility for such matters.

(b) PERIOD DESCRIBED.—The period described in this subsection is the period—

(1) beginning on the date of the enactment of this Act; and

(2) ending on the date on which the Comptroller General of the United States submits to Congress the review of the Department of Defense diversity, equity, and inclusion workforce required by the report of the Committee on Armed Services of the Senate accompanying the National Defense Authorization Act for Fiscal Year 2024.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2024 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $6,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. ANNUAL REPORT ON BUDGET PRIORITIZATION BY SECRETARY OF DEFENSE AND MILITARY DEPARTMENTS.

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

''§ 222e. Programs, projects, and activities that were internally reduced or eliminated in the submission of the President's budget: annual report

''(a) IN GENERAL.—The Secretary of Defense, acting through the Secretaries of the military departments and the officers of Department of Defense agencies and offices not under the control of a Secretary of a military department, shall submit to the congressional defense committees each year, not later than 15 days after the submission of the budget of the President for the fiscal year beginning in such year under section 1105(a) of title 31, a report that includes organized tabulations of programs, projects, and activities the total obligational authority for which was reduced or eliminated in the current budget year proposal compared to the prior-year projection for the current year.

''(b) ELEMENTS.—The tabulations required under subsection (a) shall include, for each program, project, or activity that was internally reduced or eliminated, the following elements:

''(1) Whether the program, project, or activity was eliminated or reduced and which fiscal year it was eliminated or reduced in.

''(2) Appropriations sub-account.

''(3) The appropriate program element, line item number, or sub-activity group.

''(4) Program, project, or activity name.

''(5) Prior year enacted appropriation.

''(6) Prior year projected current year budget.

''(7) Current year budget request.

''(8) If applicable, the amount reduced or saved by the current year elimination or reduction over the future years defense plan.

''(9) The rationale for reduction or elimination.

''(c) FORM.—The report required under subsection (a) shall be submitted in machine readable, electronic form.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 222d the following new item:

''222e. Programs, projects, and activities that were internally reduced or eliminated in the submission of the President's budget: annual report.''.

SEC. 1003. ADDITIONAL REPORTING REQUIREMENTS RELATED TO UNFUNDED PRIORITIES.

Section 222a(c)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) For each priority—

''(i) the requirement that will be addressed which is not in the base budget request;

''(ii) the reason why the priority was not included in the base budget request;

''(iii) a description of previous funding to address the requirement;

''(iv) an assessment of the impact of the priority on the future years defense plan.''.

SEC. 1004. SENSE OF THE SENATE ON NEED FOR EMERGENCY SUPPLEMENTAL APPROPRIATIONS.

It is the sense of the Senate that—

(1) section 101 of the Fiscal Responsibility Act of 2023 (Public Law 118–5) imposes limits on discretionary spending in the defense and nondefense categories;

(2) if those spending limits for either category are breached, then across-the-board sequestration cuts are triggered on that category to eliminate the breach;

(3) the enactment of authorization and appropriations legislation for the Department of Defense will provide inherent cost savings that continuing resolutions do not provide;

(4) there are growing national security concerns that require additional funds beyond the revised security spending limit, to include continued support to the Ukrainian armed forces, additional munitions production, additional large surface combatants, shipbuilding industrial base modernization investments, submarine industrial base and supply chain management, additional production of wheeled and tracked combat vehicles, and emergent capabilities and exercises in the United States Indo-Pacific Command;

(5) as the Senate Majority Leader Chuck Schumer stated on June 1, 2023, ''This debt ceiling deal does nothing to limit the Senate's ability to appropriate emergency/supplemental funds to ensure our military capabilities are sufficient to deter China, Russia, and our other adversaries and respond to ongoing and growing national security threats, including Russia's ongoing war of aggression against Ukraine, our ongoing competition with China and its growing threat to Taiwan, Iranian threats to American interests and those of our partners in the Middle East, or any other emerging security crisis; nor does this debt ceiling deal limit the Senate's ability to appropriate emergency/supplemental funds to respond to various national issues, such as disaster relief, or combating the fentanyl crisis, or other issues of national importance.''; and

(6) the President should expeditiously send emergency funding requests to the Senate

for consideration so that those needs can receive sufficient and additional funds.

Subtitle B—Counterdrug Activities

SEC. 1011. DISRUPTION OF FENTANYL TRAFFICKING.

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

(1) fentanyl trafficking across the borders of the United States, and the consequences of that trafficking, constitute an unprecedented, nontraditional, and long-term threat to the national security of the United States;

(2) transnational criminal organizations have established effective control over significant areas within Mexico, which has enabled the development of fentanyl production and trafficking infrastructure;

(3) combating fentanyl trafficking demands—

(A) improved interagency command, control, communications, and intelligence sharing to enhance the effectiveness of the interdiction of fentanyl at the borders of the United States; and

(B) whole-of-government solutions comprised of an integrated and synchronized interagency organizational construct committed to dismantling the process of trafficking fentanyl from chemical precursor to production to delivery in the United States and enabling partner nations to do the same;

(4) it is within the national security interest of the United States for Federal, State, and local law enforcement agencies, the Department of Defense, the Department of State, other counter-drug agencies, and stakeholders to effectively communicate and that the failure of effective communication affects the prevention, interdiction, and prosecution of fentanyl trafficking and distribution into and within the United States; and

(5) the United States must partner with Mexico and Canada to combat fentanyl trafficking through institution building, the dismantling of cartels, and seizures of fentanyl in Mexico, Canada, and intrastate transit zones.

(b) DEVELOPMENT OF STRATEGY TO COUNTER FENTANYL TRAFFICKING AND REPORT.—

(1) STRATEGY.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with other Federal agencies as the Secretary considers appropriate, shall develop and submit to the appropriate congressional committees a strategy to use existing authorities, including the authorities under section 124 of title 10, United States Code, as appropriate, to target, disrupt, or degrade threats to the national security of the United States caused or exacerbated by fentanyl trafficking.

(B) CONTENTS.—The strategy required by subparagraph (A) shall outline how the Secretary of Defense will—

(i) leverage existing authorities regarding counterdrug and counter-transnational organized crime activities with a counter-fentanyl nexus to detect and monitor activities related to fentanyl trafficking;

(ii) support operations to counter fentanyl trafficking carried out by other Federal agencies, State, Tribal, and local law enforcement agencies, or foreign security forces;

(iii) coordinate efforts of the Department of Defense for the detection and monitoring of aerial, maritime, and surface traffic suspected of carrying fentanyl bound for the United States, including efforts to unify the use of technology, surveillance, and related resources across air, land, and maritime domains to counter fentanyl trafficking, including with respect to data collection, data processing, and integrating sensors across such domains;

(iv) provide military-unique capabilities to support activities by the United States Government and foreign security forces to detect and monitor the trafficking of fentanyl and precursor chemicals used in fentanyl production, consistent with section 284(b)(10) of title 10, United States Code;

(v) leverage existing counterdrug and counter-transnational organized crime programs of the Department to counter fentanyl trafficking;

(vi) assess existing training programs of the Department and provide training for Federal, State, Tribal, and local law enforcement agencies conducted by special operations forces to counter fentanyl trafficking, consistent with section 284(b) of title 10, United States Code;

(vii) engage with foreign security forces to ensure the counterdrug and counter-transnational organized crime programs of the Department—

(I) support efforts to counter fentanyl trafficking; and

(II) build capacity to interdict fentanyl in foreign countries, including programs to train security forces in partner countries to counter fentanyl trafficking, including countering illicit flows of fentanyl precursors, consistent with sections 284(c) and 333 of title 10, United States Code;

(viii) use the North American Defense Ministerial and the bilateral defense working groups and bilateral military cooperation round tables with Canada and Mexico to increase domain awareness to detect and monitor fentanyl trafficking; and

(ix) evaluate existing policies, procedures, processes, and resources that affect the ability of the Department to counter fentanyl trafficking consistent with existing counterdrug and counter-transnational organized crime authorities.

(C) FORM.—The strategy required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(D) BRIEFING.—Not later than 45 days after the submission of the strategy required by subparagraph (A), the Secretary shall provide to the appropriate congressional committees a briefing on the strategy and plans for its implementation.

(2) REPORT ON LAW ENFORCEMENT REIMBURSEMENT.—The Secretary of Defense shall submit to the appropriate congressional committees a report on—

(A) any goods or services provided under section 1535 of title 31, United States Code (commonly known as the ''Economy Act''), during the period beginning on January 1, 2010, and ending on the date on which the report is submitted, by the Department of Defense to Federal civilian law enforcement agencies for counterdrug and counter-transnational organized crime operations on the southern border of the United States; and

(B) any payments made for such goods or services under such section during such period.

(c) COOPERATION WITH MEXICO.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enhance cooperation with defense officials of the Government of Mexico to target, disrupt, and degrade transnational criminal organizations within Mexico that traffic fentanyl.

(2) REPORT ON ENHANCED SECURITY COOPERATION.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on efforts to enhance cooperation with defense officials of the Government of Mexico specified in paragraph (1).

(B) CONTENTS.—The report required by subparagraph (A) shall include—

(i) an assessment of the impact of the efforts to enhance cooperation described in paragraph (1) on targeting, disrupting, and degrading fentanyl trafficking;

(ii) a description of limitations on such efforts, including limitations imposed by the Government of Mexico;

(iii) recommendations by the Secretary on actions to further improve cooperation with defense officials of the Government of Mexico;

(iv) recommendations by the Secretary on actions of the Department of Defense to further improve the capabilities of the Government of Mexico to target, disrupt, and degrade fentanyl trafficking; and

(v) any other matter the Secretary considers relevant.

(C) FORM.—The report required by subparagraph (A) may be submitted in unclassified form but shall include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) FENTANYL.—The term ''fentanyl'' means fentanyl and any fentanyl-related substance.

(3) FENTANYL-RELATED SUBSTANCE.—The term ''fentanyl-related substance''—

(A) means any substance that is structurally related to fentanyl by 1 or more modifications of—

(i) replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(ii) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(iii) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

(iv) replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and

(v) replacement of the N-propionyl group with another acyl group; and

(B) does not include a substance described in subparagraph (A) that is—

(i) controlled by action of the Attorney General pursuant to section 201 of the Controlled Substances Act (21 U.S.C. 811);

(ii) expressly listed in Schedule I of section 202(c) of that Act (21 U.S.C. 812) or another schedule by a statutory provision; or

(iii) removed from Schedule I, or rescheduled to another schedule, pursuant to section 201(k) of that Act (21 U.S.C. 811(k)).

(4) ILLEGAL MEANS.—The term ''illegal means'' includes the trafficking of money, human trafficking, illicit financial flows, illegal trade in natural resources and wildlife, trade in illegal drugs and weapons, and other forms of illegal means determined by the Secretary of Defense.

(5) SECURITY COOPERATION PROGRAM.—The term ''security cooperation program'' has the meaning given that term in section 301 of title 10, United States Code.

(6) TRANSNATIONAL CRIMINAL ORGANIZATION.—

(A) IN GENERAL.—The term ''transnational criminal organization'' means a group, network, and associated individuals who operate transnationally for the purpose of obtaining power, influence, or monetary or commercial gain, wholly or in part by illegal means, while advancing their activities through a

pattern of crime, corruption, or violence and protecting their illegal activities through a transnational organizational structure and the exploitation of public corruption or transnational logistics, financial, or communication mechanisms.

(B) ADDITIONAL ORGANIZATIONS.—The term ''transnational criminal organization'' includes any transnational criminal organization identified in the most recent Drug Threat Assessment of the Drug Enforcement Agency.

SEC. 1012. ENHANCED SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME.

Section 284(b)(9) of title 10, United States Code, is amended by striking ''linguist and intelligence analysis'' and inserting ''linguist, intelligence analysis, and planning''.

SEC. 1013. MODIFICATION OF SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME: INCREASE IN CAP FOR SMALL SCALE CONSTRUCTION PROJECTS.

Section 284(i)(3) of title 10, United States Code, is amended by striking ''$750,000'' and inserting ''$1,500,000''.

SEC. 1014. BUILDING THE CAPACITY OF ARMED FORCES OF MEXICO TO COUNTER THE THREAT POSED BY TRANSNATIONAL CRIMINAL ORGANIZATIONS.

(a) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall establish a pilot program to assess the feasibility and advisability of building the capacity of armed forces of Mexico in the United States on goals, jointly agreed to by the Governments of the United States and Mexico, to counter the threat posed by transnational criminal organizations, including through—

(1) operations designed, at least in part, by the United States, to counter that threat; and

(2) in consultation with the appropriate civilian government agencies specializing in countering transnational criminal organizations—

(A) joint network analysis;

(B) counter threat financing;

(C) counter illicit trafficking (including narcotics, weapons, and human trafficking, and illicit trafficking in natural resources); and

(D) assessments of key nodes of activity of transnational criminal organizations.

(b) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a plan for implementing the pilot program required by subsection (a) over a period of five years, including the costs of administering the program during such period.

(2) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle C—Naval Vessels

SEC. 1021. MODIFICATION OF AUTHORITY TO PURCHASE USED VESSELS UNDER THE NATIONAL DEFENSE SEALIFT FUND.

Section 2218(f)(3) of title 10, United States Code, is amended—

(1) by striking subparagraphs (C), (E) and (G); and

(2) by redesignating subparagraphs (D) and (F) as subparagraphs (C) and (D), respectively.

SEC. 1022. AMPHIBIOUS WARSHIP FORCE AVAILABILITY.

Section 8062 of title 10, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

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

''(4) the Navy adjusts scheduled maintenance and repair actions to maintain a minimum of 24 amphibious warfare ships operationally available for worldwide deployment.''; and

(2) by redesignating the second subsection (g) (defining amphibious warfare ship) as subsection (h).

SEC. 1023. PROHIBITION ON RETIREMENT OF CERTAIN NAVAL VESSELS.

None of the funds authorized to be appropriated by this Act for fiscal year 2024 may be obligated or expended to retire, prepare to retire, or place in storage any of the following naval vessels:

(1) USS Germantown (LSD 42).

(2) USS Gunston Hall (LSD 44).

(3) USS Tortuga (LSD 46).

(4) USS Shiloh (CG 67).

SEC. 1024. REPORT ON THE POTENTIAL FOR AN ARMY AND NAVY JOINT EFFORT FOR WATERCRAFT VESSELS.

(a) REPORT REQUIRED.—Not later than February 29, 2024, the Secretary of the Navy, in coordination with the Secretary of the Army, shall submit to the congressional defense committees a report on the feasibility of conducting a joint Army and Navy effort to develop and field a family of watercraft vessels to support the implementation of the Marine Corps concept of expeditionary advanced base operations and Army operations in maritime environments.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of whether a shared base platform could meet requirements of the Department of the Navy and the Department of the Army, and, if so, an assessment of the benefits and challenges of procuring a technical data package to allow simultaneous construction of such platform by multiple builders and using block buy authorities.

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1551), as most recently amended by section 1034 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236), is further amended by striking ''2023'' and inserting ''2024''.

SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1953), as most recently amended by section 1031 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236), is further amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1034(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1032 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236), is further amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1033 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236), is further amended by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. EXTENSION OF ADMISSION TO GUAM OR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN NONIMMIGRANT H–2B WORKERS.

Section 6(b)(1)(B) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (48 U.S.C. 1806(b)(1)(B)), is amended, in the matter preceding clause (i), by striking ''December 31, 2023'' and inserting ''December 31, 2029''.

SEC. 1042. AUTHORITY TO INCLUDE FUNDING REQUESTS FOR THE CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM IN BUDGET ACCOUNTS OF MILITARY DEPARTMENTS.

Section 1701(d)(2) of the National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 1522(d)(2)) is amended by striking ''may not be included in the budget accounts'' and inserting ''may be included in the budget accounts''.

SEC. 1043. UNFAVORABLE SECURITY CLEARANCE ELIGIBILITY DETERMINATIONS AND APPEALS.

(a) ADMINISTRATIVE DUE PROCESS PROCEDURES FOR COVERED INDIVIDUALS SEEKING OR HAVING ACCESS TO CLASSIFIED INFORMATION OR SENSITIVE COMPARTMENT INFORMATION.—

(1) IN GENERAL.—Each head of a component of the Department of Defense shall provide to each covered individual described in paragraph (2) of such component seeking or having access to classified information or sensitive compartment information with administrative due process procedures described in paragraph (3) through the Defense Office of Hearings and Appeals.

(2) COVERED INDIVIDUAL DESCRIBED.—A covered individual described in this paragraph is a member of the Armed Forces, a civilian employee employed by a component of the Department of Defense, or a contractor employee described in Department of Defense Manual 5220.22, Volume 2 (relating to National Industrial Security Program: Industrial Security Procedures for Government Activities), or successor manual.

(3) ADMINISTRATIVE DUE PROCESS PROCEDURES DESCRIBED.—The administrative due process procedures described in this paragraph are the administrative due process

procedures described in Department of Defense Directive 5220.6 (relating to Defense Industrial Personnel Security Clearance Review Program), or successor directive, and Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry).

(b) HEARINGS, APPEALS, AND FINAL DENIALS AND REVOCATIONS OF SECURITY CLEARANCE ELIGIBILITY.—In order to simplify, centralize, and unify the administrative processes for unfavorable security clearance eligibility determinations for covered individuals described in subsection (a)(2), the Secretary of Defense shall ensure that all hearings, appeals, and final denials and revocations of security clearance eligibility are performed by the Defense Office of Hearings and Appeals with administrative due process procedures.

(c) UPDATES TO DEPARTMENT OF DEFENSE MANUALS.—The Secretary of Defense shall update Department of Defense Manual 5200.02 (relating to procedures for Department of Defense Personnel Security Program) and Department of Defense Manual 5220.22, Volume 2 (relating to National Industrial Security Program: Industrial Security Procedures for Government Activities) to conform with the requirements of subsections (a) and (b).

(d) AUTHORITY OF DIRECTOR OF DEFENSE OFFICE OF HEARINGS AND APPEALS TO RENDER ELIGIBILITY DETERMINATIONS FOR ACCESS TO CLASSIFIED INFORMATION AND SENSITIVE COMPARTMENTED INFORMATION.—The Director of the Defense Office of Hearings and Appeals may render eligibility determinations for access to classified information and sensitive compartmented information pursuant to procedures and guidelines that the Director shall issue in consultation with the Director of National Intelligence.

(e) DISSEMINATION OF SECURITY RELEVANT INFORMATION.—

(1) REQUEST FOR SHARING REQUIRED.—In a case in which a contractor or civilian employee of the Federal Government holding an active security clearance is seeking to transfer that clearance for a new position in the Department of Defense and in which an agency or department of the Federal Government possesses security relevant information about that clearance holder that is related to eligibility for access to classified information and makes known the existence of such security relevant information in the commonly accessible security clearance databases of the Federal Government, but without taking any action to suspend or revoke that clearance holder's security clearance, the Department of Defense component considering the transfer of a clearance shall promptly make a request to receive the security relevant information from the agency or department in possession of such information.

(2) FAILURE TO SHARE.—In a case in which an agency or department of the Federal Government receives a request to share security relevant information about a clearance holder pursuant to paragraph (1) but fails to do so within 30 days of the date on which the request is made, such failure shall trigger procedural and substantive due process rights, established for the purposes of carrying out this section, for the clearance holder to challenge the security relevant information as if the information were the equivalent of a suspension, denial, or revocation of the underlying clearance.

(f) PROTECTIONS.—Members of the Armed Forces and civilian employees of the Department of Defense may not be suspended without pay because a security clearance is suspended or revoked prior to the conclusion of any appeal process to enable such members and employee to support themselves during an appeal process and to support themselves without resigning from Government employment and thereby losing standing to appeal the suspension or revocation of access to classified information.

(g) EFFECTIVE DATE; APPLICABILITY.—

(1) EFFECTIVE DATE.—This section shall take effect on the earlier of—

(A) the date on which the General Counsel of the Department of Defense certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the Defense Office of Hearings and Appeals is prepared for the provisions of this section to take effect; or

(B) September 30, 2024.

(2) APPLICABILITY.—This section shall apply to revocations of eligibility to access classified information or sensitive compartmented information that occur on or after the date on which this section takes effect pursuant to paragraph (1).

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to diminish or otherwise affect the authority of the head of a component of the Department to suspend access to classified information or a special access program, including sensitive compartmented information, in exigent circumstances, should the head determine that continued access of a covered individual is inconsistent with protecting the national security of the United States.

SEC. 1044. ASSISTANCE IN SUPPORT OF DEPARTMENT OF DEFENSE ACCOUNTING FOR MISSING UNITED STATES GOVERNMENT PERSONNEL.

(a) IN GENERAL.—Section 408 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**Equipment and training of foreign personnel to assist in**'' and inserting ''**Assistance in support of**'';

(2) in subsection (b), by adding at the end the following new paragraph:

''(5) Funds.'';

(3) by striking subsections (d) and (f);

(4) by redesignating subsection (e) as subsection (d); and

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

''(e) ANNUAL REPORT.—Not later than December 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on the assistance provided under this section during the preceding fiscal year.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 20 of title 10, United States Code, is amended by striking the item relating to section 408 and inserting the following new item:

''408. Assistance in support of Department of Defense accounting for missing United States Government personnel.''.

SEC. 1045. IMPLEMENTATION OF ARRANGEMENTS TO BUILD TRANSPARENCY, CONFIDENCE, AND SECURITY.

Section 2241 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) IMPLEMENTATION OF VIENNA DOCUMENT 2011.—Amounts appropriated for operation and maintenance may be used by the Secretary of Defense for travel, transportation, and subsistence expenses for meetings and demonstrations hosted by the Department of Defense for the implementation of the Vienna Document 2011 on Confidence and Security-Building Measures.''.

SEC. 1046. ACCESS TO AND USE OF MILITARY POST OFFICES BY UNITED STATES CITIZENS EMPLOYED OVERSEAS BY THE NORTH ATLANTIC TREATY ORGANIZATION WHO PERFORM FUNCTIONS IN SUPPORT OF MILITARY OPERATIONS OF THE ARMED FORCES.

(a) REQUIREMENT TO AUTHORIZE USE OF POST OFFICE.—Section 406 of title 39, United States Code, is amended by striking ''may authorize the use'' and inserting ''shall authorize the use''.

(b) BRIEFING REQUIREMENT.—Not later than March 1, 2024, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on the revision of the Financial Management Regulation to authorize individuals under subparagraph (A) of section 406(c)(1) of title 39, United States Code, as amended by subsection (a), to utilize the authority provided under such subparagraph. If there is a determination that this authority is not feasible for a legal or financial reason, the Secretary shall include the background for those determinations in the briefing.

SEC. 1047. REMOVAL OF TIME LIMITATIONS OF TEMPORARY PROTECTION AND AUTHORIZATION OF REIMBURSEMENT FOR SECURITY SERVICES AND EQUIPMENT FOR FORMER OR RETIRED DEPARTMENT OF DEFENSE PERSONNEL.

(a) REMOVAL OF TIME LIMITATIONS.—Section 714(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7);

(2) in paragraph (5)—

(A) by redesignating subparagraph (C) as paragraph (6) and moving such paragraph, as so redesignated, two ems to the left; and

(B) by striking ''DURATION OF PROTECTION.—'' and all that follows through the period at the end of subparagraph (B) and inserting ''DURATION OF PROTECTION.—The Secretary of Defense shall require periodic reviews, not less than once every six months, of the duration of protection provided to individuals under this subsection.'';

(3) in subparagraph (A) of paragraph (7), as redesignated by paragraph (1) of this subsection, by striking ''and of each determination under paragraph (5)(B) to extend such protection and security''.

(b) AUTHORIZATION OF REIMBURSEMENT OR ACQUISITION OF SECURITY SERVICES.—Section 714 of title 10, United States Code, is further amended by adding at the end the following new subsection:

''(e) REIMBURSEMENT.—The Secretary of Defense may reimburse a former or retired official who faces serious and credible threats arising from duties performed while employed by the Department for security services and equipment procured at the personal expense of the official, not to exceed an aggregate of $15,000,000 in any fiscal year for all former and retired officials authorized by the Secretary of Defense for such reimbursement.''.

SEC. 1048. ANNUAL DEFENSE POW/MIA ACCOUNTING AGENCY (DPAA) CAPABILITIES REQUIRED TO EXPAND ACCOUNTING FOR PERSONS MISSING FROM DESIGNATED PAST CONFLICTS.

(a) IN GENERAL.—Not later than March 1, 2024, and annually thereafter, the Defense POW/MIA Accounting Agency (DPAA) shall post on a publicly available internet website a list of capabilities required to expand accounting for persons missing from designated past conflicts and provide a briefing to Congress on those capabilities.

(b) AUTHORITY TO ENTER INTO AGREEMENTS.—The Defense POW/MIA Accounting Agency may enter into agreements with universities or research organizations to provide additional capabilities for specialized missions or research requirements.

Subtitle F—Studies and Reports

SEC. 1051. ANNUAL REPORT AND BRIEFING ON IMPLEMENTATION OF FORCE DESIGN 2030.

(a) IN GENERAL.—Not later than March 31, 2024, and annually thereafter through March 31, 2030, the Commandant of the Marine Corps shall submit to the congressional defense committees a report detailing the programmatic choices made to implement Force Design 2030, including both new developmental and fielded capabilities, as well as capabilities and capacity divested to accelerate implementation of Force Design 2030.

(b) BRIEFING REQUIREMENT.—Not later than September 30, 2024, and annually thereafter through September 30, 2030, the Commandant of the Marine Corps shall provide a briefing on the elements described under subsection (c).

(c) ELEMENTS.—The report required under subsection (a) and briefing required under subsection (b) shall include the following elements:

(1) An assessment of changes in the National Defense Strategy, Defense Planning Guidance, Joint Warfighting Concept (and associated Concept Required Capabilities), and other planning processes that informed Force Design 2030.

(2) An inventory and assessment of Force Design-related exercises and experimentation beginning in fiscal year 2020, including which capabilities were involved and the extent to which such exercises and experiments validated or militated against proposed capability investments.

(3) An inventory of divestments of capability or capacity, whether force structure or equipment, starting in fiscal year 2020, including—

(A) a timeline of the progress of each divestment;

(B) the type of force structure or equipment divested or reduced;

(C) the percentage of force structure or equipment divested or reduced, including any equipment entered into inventory management or another form of storage;

(D) the rationale and context behind such divestment;

(E) an identification of whether such divestment affects the Marine Corps' ability to meet the requirements of Global Force Management process and the operational plans, including an explanation of how the Marine Corps plans to mitigate the loss of such capability or capacity if the divestment affects the Marine Corps' ability to meet the requirements of the Global Force Management process and the operational plans, including through new investments, additional joint planning and training, or other methods; and

(F) an assessment of the Marine Corps' recruitment and retention actual and projected percentages starting in fiscal year 2020.

(4) An inventory of extant or planned investments as a part of Force Design 2030, disaggregated by integrated air and missile defense, littoral mobility and maneuver, sea denial, and reconnaissance and counter-reconnaissance forces, including—

(A) capability name;

(B) capability purpose and context;

(C) capability being replaced (or not applicable);

(D) date of initial operational capability;

(E) date of full operational capability;

(F) deliveries of units by year; and

(G) approved acquisition objective or similar inventory objective.

(5) A description of the amphibious warfare ship and maritime mobility requirements the Marine Corps submitted to the Department of the Navy in support of the Marine Corps organization and concepts under Force Design 2030 and its statutory requirements, including a detailed statement of the planning assumptions about readiness of amphibious warfare ships and maritime mobility platforms that were used in developing the requirements.

(6) An assessment of how the capability investments described in paragraph (4) contribute to joint force efficacy in new ways, including through support of other military services.

(7) An assessment of the ability of the Marine Corps to generate required force elements for the Immediate Ready Force and the Contingency Ready Force over the previous two fiscal years and the expected ability to generate forces for the next two fiscal years.

(8) An assessment of Marine Corps force structure and the readiness of Marine Expeditionary Units compared to availability of amphibious ships comprising an Amphibious Ready Group over the previous two fiscal years and the expected availability for the next two fiscal years.

(9) An assessment by the Marine Corps of its compliance with the statutory organization prescribed in section 8063 of title 10, United States Code, that ''[t]he Marine Corps, within the Department of the Navy, shall be so organized as to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein''.

(10) An assessment by the Marine Corps of its compliance with the statutory functions prescribed in section 8063 of title 10, United States Code, that ''[t]he Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign''.

SEC. 1052. PLAN FOR CONVERSION OF JOINT TASK FORCE NORTH INTO JOINT INTERAGENCY TASK FORCE NORTH.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the head of any relevant Federal department or agency and acting through the Under Secretary of Defense for Policy, shall submit to the congressional defense committees a plan for converting the Joint Task Force North of the United States Northern Command into a joint interagency task force to be known as the ''Joint Interagency Task Force North''.

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

(1) A description of the mission of the Joint Interagency Task Force North.

(2) A detailed description of the resources of the Department of Defense, including personnel, facilities, and operating costs, necessary to convert the Joint Task Force North into a joint interagency task force.

(3) An identification of—

(A) each relevant department and agency of the United States Government the participation in the Joint Interagency Task Force North of which is necessary in order to enable the Joint Interagency Task Force North to effectively carry out its mission; and

(B) the interagency arrangements necessary to ensure effective participation by each such department and agency.

(4) An identification of each international liaison necessary for the Joint Interagency Task Force North to effectively carry out its mission.

(5) A description of the bilateral and multilateral agreements with foreign partners and regional and international organizations that would support the implementation of the mission of the Joint Interagency Task Force North.

(6) A description of the relationship between the Joint Interagency Task Force North and the Joint Interagency Task Force South of the United States Southern Command.

(7) A description of the relationship between the Joint Interagency Task Force North and the relevant security forces of the Government of Mexico and the Government of the Bahamas.

(8) A recommendation on whether the Joint Interagency Task Force North should be an enduring entity and a discussion of the circumstances under which the mission of the Joint Interagency Task Force North would transition to one or more entities within the United States Government other than the United States Northern Command.

(9) Any recommendations for additional legal authority needed for the Joint Interagency Task Force North to effectively carry out its mission.

(c) FORM.—The plan required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) INTERIM BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall provide a briefing to the congressional defense committees on progress made in developing the plan required by subsection (a).

SEC. 1053. REPORT ON USE OF TACTICAL FIGHTER AIRCRAFT AND BOMBER AIRCRAFT FOR DEPLOYMENTS AND HOMELAND DEFENSE MISSIONS.

(a) IN GENERAL.—Not later than May 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report including the results of a study on the use of tactical fighter aircraft and bomber aircraft for deployments and homeland defense missions.

(b) SCOPE.—The study conducted pursuant to subsection (a) shall—

(1) review both deployment and exercise requirements for tactical fighter aircraft and bomber aircraft levied by each geographic combatant command;

(2) assess deployable forces currently available to fulfill each of those requirements, and whether those forces are adequate to meet the global requirements;

(3) review any relevant tactical fighter forces or bomber forces that are not considered deployable or available to meet combatant command requirements, and consider whether that status can or should change;

(4) assess whether adequate consideration has been put into fighter coverage of the homeland during these deployments, in particular within the Alaska Area of Responsibility and the Hawaii Area of Responsibility; and

(5) assess Air Force and Navy active duty, Air National Guard, and reserve land-based tactical fighter units that could be considered for inclusion into homeland defense mission requirements.

SEC. 1054. MODIFICATIONS OF REPORTING REQUIREMENTS.

(a) CONSOLIDATED BUDGET QUARTERLY REPORT ON USE OF FUNDS.—Section 381(b) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''QUARTERLY REPORT'' and inserting ''SEMI-ANNUAL REPORT'';

(2) by striking ''calendar quarter'' and inserting ''calendar half''; and

(3) by striking ''such calendar quarter'' and inserting ''such calendar half''.

(b) MONTHLY COUNTERTERRORISM OPERATIONS BRIEFING.—

(1) IN GENERAL.—Section 485 of title 10, United States Code, is amended—

(A) in the section heading, by striking ''**Monthly**'' and inserting ''**Quarterly**''; and

(B) in subsection (a), by striking ''monthly'' and inserting ''quarterly''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 485 and inserting the following new item:

''485. Quarterly counterterrorism operations briefings.''.

(c) NATIONAL SECURITY STRATEGY FOR THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section 4811(a) of title 10, United States Code, is amended by striking ''The Secretary shall submit such strategy to Congress not later than 180 days after the date of submission of the national security strategy report required under section 108 of the National Security Act of 1947 (50 U.S.C. 3043).'' and inserting ''The Secretary shall submit such strategy to Congress as an integrated part of the report submitted under section 4814 of this title.''.

(d) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE REPORT AND QUARTERLY BRIEFING.—

(1) IN GENERAL.—Section 4814 of title 10, United States Code, is amended—

(A) by amending the section heading to read as follows:

''§ 4814. National Technology and Industrial Base: biennial report'';

(B) by striking ''(a) ANNUAL REPORT.—'';

(C) by striking ''March 1 of each year'' and inserting ''March 1 of each odd-numbered year''; and

(D) by striking subsection (b).

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 382 of such title is amended by striking the item relating to section 4814 and inserting the following:

''4814. National Technology and Industrial Base: biennial report.''.

(3) CONFORMING AMENDMENT.—Section 858(b)(2) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking subparagraph (A).

(e) ANNUAL MILITARY CYBERSPACE OPERATIONS REPORT.—Section 1644 of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 394 note; Public Law 116–92) is amended—

(1) in subsection (a) in the matter preceding paragraph (1) in the first sentence—

(A) by inserting ''effects'' after ''all named military cyberspace''; and

(B) by striking '', operations, cyber effects enabling operations, and cyber operations conducted as defensive operations'' and inserting ''conducted for either offensive or defensive purposes''; and

(2) in subsection (c), by inserting ''or cyber effects operations for which Congress has otherwise been provided notice'' before the period.

(f) INDEPENDENT STUDIES REGARDING POTENTIAL COST SAVINGS WITH RESPECT TO THE NUCLEAR SECURITY ENTERPRISE AND FORCE STRUCTURE.—Section 1753 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92, 133 Stat. 1852) is hereby repealed.

(g) EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.—Section 1231(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in the subsection heading, by striking ''QUARTERLY'' and inserting ''SEMIANNUAL''; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''quarterly'' and inserting ''semiannual''; and

(B) in subparagraph (A), by striking ''90-day'' and inserting ''180-day''.

(h) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.—Section 1233(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in the heading, by striking ''QUARTERLY'' and inserting ''SEMIANNUAL''; and

(2) in paragraph (1) in the second sentence of the matter preceding subparagraph (A), by striking ''quarterly'' and inserting ''semiannual''.

(i) THEFT, LOSS, OR RELEASE OF BIOLOGICAL SELECT AGENTS OR TOXINS INVOLVING DEPARTMENT OF DEFENSE.—Section 1067(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 1528(a)) is amended to read as follows:

''(a) NOTIFICATION.—(1) Subject to paragraph (2), not later than 45 days after a covered report of any theft, loss, or release of a biological select agent or toxin involving the Department of Defense is filed with the Centers for Disease Control and Prevention or the Animal and Plant Health Inspection Service, the Secretary of Defense, acting through the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs, shall provide to the congressional defense committees notice of such theft, loss, or release.

''(2) The Secretary shall provide to the congressional defense committees notice of a release under paragraph (1) only if the Secretary, acting through the Assistant Secretary, determines that the release is outside the barriers of secondary containment into the ambient air or environment or is causing occupational exposure that presents a threat to public safety.

''(3) In this subsection, the term 'covered report' means a report filed under any of the following (or any successor regulations):

''(A) Section 331.19 of title 7, Code of Federal Regulations.

''(B) Section 121.19 of title 9, Code of Federal Regulations.

''(C) Section 73.19 of title 42, Code of Federal Regulations.''.

(j) DEPARTMENT OF DEFENSE SECURITY COOPERATION WORKFORCE DEVELOPMENT.—Section 1250(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2529) is amended—

(1) in paragraph (1), by striking ''each year'' and inserting ''every other year''; and

(2) in paragraph (2) in the matter preceding subparagraph (A), by striking ''for the fiscal year'' and inserting ''for the fiscal years''.

(k) AUDIT OF DEPARTMENT OF DEFENSE FINANCIAL STATEMENTS.—Section 240a of title 10, United States Code, is amended—

(1) by striking ''(a) ANNUAL AUDIT REQUIRED.—''; and

(2) by striking subsection (b).

(l) FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION PLAN.—Section 240b(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''June 30, 2019, and annually thereafter'' and inserting ''July 31 each year'';

(B) in subparagraph (B)—

(i) by striking clauses (vii) through (x); and

(ii) by redesignating clauses (xi), (xii), and (xiii) as clauses (vii), (viii), and (ix), respectively; and

(C) by striking subparagraph (C); and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking ''June 30'' and inserting ''July 31''; and

(ii) by striking the second sentence; and

(B) in subparagraph (b)—

(i) by striking ''June 30'' and inserting ''July 31''; and

(ii) by striking the second sentence.

(m) ANNUAL REPORTS ON FUNDING.—Section 1009(c) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 240b note) is amended by striking ''five days'' and inserting ''10 days''.

SEC. 1055. REPORT ON EQUIPPING CERTAIN GROUND COMBAT UNITS WITH SMALL UNMANNED AERIAL SYSTEMS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the congressional defense committees a report on equipping platoon-sized ground combat formations with covered small unmanned aerial systems.

(b) ELEMENTS.—The report submitted pursuant to subsection (a) shall address the following:

(1) The use of covered small unmanned aerial systems in the Ukraine conflict and best practices learned.

(2) The potential use of covered small unmanned aerial systems to augment small unit tactics and lethality in the ground combat forces.

(3) Procurement challenges, legal restrictions, training shortfalls, operational limitations, or other impediments to fielding covered small unmanned aerial systems at the platoon level.

(4) A plan to equip platoon-sized ground combat formations in the close combat force with covered small unmanned aerial systems at a basis of issue deemed appropriate by the relevant secretary, including a proposed timeline and fielding strategy.

(5) A plan to equip such other ground combat units with covered small unmanned aerial systems as deemed appropriate by the relevant secretaries.

(6) An assessment of appropriate mission allocation between Group 3 unmanned aerial systems, Group 1 unmanned aerial systems, and covered small unmanned aerial systems.

(c) DEFINITION OF COVERED SMALL UNMANNED AERIAL SYSTEM.—In this section, the term ''covered small unmanned aerial system'' means a lightweight, low-cost, and commercially available unmanned aerial system or drone able to be quickly deployed for—

(1) intelligence, surveillance, target acquisition, and reconnaissance;

(2) conducting offensive strikes; or

(3) other functions as deemed appropriate by the relevant secretaries.

SEC. 1056. COMPREHENSIVE ASSESSMENT OF MARINE CORPS FORCE DESIGN 2030.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a Federally Funded Research and Development Center to conduct an independent review, assessment, and analysis of the Marine Corps modernization initiatives. The required report shall be submitted to the congressional defense committees in written report form not later than one year after entering into the contract.

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

(1) An assessment of changes in the National Defense Strategy, Defense Planning Guidance, the Joint Warfighting Concept, and other strategic documents and concepts that informed Force Design modernization requirements.

(2) An assessment of how the Marine Corps, consistent with authorized end strength, can be structured, organized, trained, equipped, and postured to meet the challenges of future competition, crisis, and conflict to include discussion of multiple structural options as relevant and the tradeoffs between different options.

(3) An assessment of the ability of the defense innovation base and defense industrial

base to develop and produce the technologies required to implement the Marine Corps' published Force Design modernization plan on a timeline and at production rates sufficient to sustain military operations.

(4) An assessment of forward infrastructure and the extent to which installations are operationalized to deter, compete, and prevail during conflict in support of the Marine Corps modernization.

(5) An assessment of whether the Marine Corps is in compliance with the statutory organization and functions prescribed in section 8063 of title 10, United States Code.

(6) An assessment of the current retention and recruiting environment and the ability of the Marine Corps to sustain manpower requirements necessary for operational requirements levied by title 10, in light of the published Force Design plan.

(7) The extent to which the modernization initiatives within the Marine Corps are nested within applicable joint warfighting concepts.

(8) An assessment of whether the Marine Corps' modernization is consistent with the strategy of integrated deterrence.

(9) An assessment of the ability of the Marine Corps to generate required force elements for the Immediate Ready Force and the Contingency Ready Force, based on current and planned end strength and structure.

(10) The extent to which the Marine Corps' published plan for modernized capabilities can be integrated across the Joint Force, to include warfighting concepts at the combatant command level.

(11) The extent to which the Marine Corps' modernization efforts currently meet the requirements of combatant commanders' current plans and global force management operations, to include a description of what mechanisms exist to ensure geographic combatant requirements inform Marine Corps modernization efforts.

(12) The extent to which modeling and simulation, experimentation, wargaming, and other analytic methods support the changes incorporated into the Marine Corps' modernization initiatives, to include underlying assumptions and outcomes of such analyses.

(13) An inventory of extant or planned investments as part of the Marine Corps' modernization efforts, disaggregated by the following capability areas and including actual or projected dates of Initial Operational Capability and Full Operational Capability:

(A) Command and Control.

(B) Information.

(C) Intelligence.

(D) Fires.

(E) Movement and Maneuver.

(F) Protection.

(G) Sustainment.

(14) An inventory of divestments of capability or capacity, whether force structure or equipment, starting in fiscal year 2020, including—

(A) a timeline of the progress of each divestment;

(B) the type of force structure or equipment divested or reduced;

(C) the percentage of force structure of equipment divested or reduced, including any equipment entered into inventory management or other form of storage;

(D) the rationale and context behind such divestment; and

(E) an identification of whether such divestment affects the Marine Corps' ability to meet the requirements of Global Force Management process and the operational plans.

(15) An assessment of how observations regarding the invasion and defense of Ukraine affect the feasibility, advisability, and suitability of the Marine Corps' published modernization plans.

(c) CLASSIFICATION OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified appendix to the extent required to ensure that the report is accurate and complete.

SEC. 1057. STRATEGY TO ACHIEVE CRITICAL MINERAL SUPPLY CHAIN INDEPENDENCE FOR THE DEPARTMENT OF DEFENSE.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate committees of Congress a strategy to develop supply chains for the Department of Defense that are not dependent on mining or processing of critical minerals in or by covered countries, prioritizing production and processing in the United States, in order to achieve critical mineral supply chain independence from covered countries for the Department by 2035.

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

(A) identify and assess significant vulnerabilities in the supply chains of contractors and subcontractors of the Department of Defense involving critical minerals that are mined or processed in or by covered countries;

(B) identify and recommend changes to the acquisition laws, regulations, and policies of the Department of Defense to ensure contractors and subcontractors of the Department use supply chains involving critical minerals that are not mined or processed in or by covered countries to the greatest extent practicable, prioritizing production and processing in the United States;

(C) evaluate the utility and desirability of using authorities provided by the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to expand supply chains and processing capacity for critical minerals in the United States;

(D) evaluate the utility and desirability of expanding authorities provided by the Defense Production Act of 1950 to be used to expand supply chains and processing capacity for critical minerals by countries that are allies or partners of the United States;

(E) evaluate the utility and desirability of leveraging the process for acquiring shortfall materials for the National Defense Stockpile under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) to expand supply chains and processing capacity for critical minerals in the United States and in countries that are allies or partners of the United States;

(F) identify areas of potential engagement and partnership with the governments of countries that are allies or partners of the United States to jointly reduce dependence on critical minerals mined or processed in or by covered countries;

(G) identify and recommend other policy changes that may be needed to achieve critical mineral supply chain independence from covered countries for the Department;

(H) identify and recommend measures to streamline authorities and policies with respect to critical minerals and supply chains for critical minerals; and

(I) prioritize the recommendations made in the strategy to achieve critical mineral supply chain independence from covered countries for the Department, prioritizing production and processing in the United States, and taking into consideration economic costs and varying degrees of vulnerability posed to the national security of the United States by reliance on different types of critical minerals.

(3) FORM OF STRATEGY.—The strategy required by paragraph (1) shall be submitted in classified form but shall include an unclassified summary.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) COVERED COUNTRY.—The term ''covered country'' means—

(A) a covered nation, as defined in section 4872, title 10, United States Code; and

(B) any other country determined by the Secretary of Defense to be a geostrategic competitor or adversary of the United States for purposes of this Act.

(3) CRITICAL MINERAL.—The term ''critical mineral'' means a critical mineral (as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a))) that the Secretary of Defense determines to be important to the national security of the United States for purposes of this Act.

(4) SHORTFALL MATERIAL.—The term ''shortfall material'' means materials determined to be in shortfall in the most recent report on stockpile requirements submitted to Congress under subsection (a) of section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5) and included in the most recent briefing required by subsection (f) of that section.

SEC. 1058. QUARTERLY BRIEFING ON HOMELAND DEFENSE PLANNING.

(a) IN GENERAL.—Not later than February 1, 2024, and every 90 days thereafter through February 1, 2026, the Secretary of Defense shall provide a briefing to the congressional defense committees on efforts to bolster homeland defense, which is the top priority under the 2022 National Defense Strategy.

(b) CONTENTS.—Each briefing required by subsection (a) shall include the following:

(1) A summary of any update made to the homeland defense planning guidance of the Department of Defense during the preceding quarter.

(2) An update on the latest threats to the homeland posed by the Government of the People's Republic of China, the Government of the Russian Federation, the Government of the Democratic People's Republic of Korea, the Government of Iran, and any other adversary.

(3) A description of actions taken by the Department during the preceding quarter to mitigate such threats.

(4) An assessment of threats to the homeland in the event of a conflict with any adversary referred to in paragraph (2).

(5) A description of actions taken by the Department during the preceding quarter to bolster homeland defense in the event of such a conflict.

(6) An update on coordination by the Department with Federal, State, and Tribal agencies to bolster homeland defense.

(7) Any other matter the Secretary considers relevant.

SEC. 1059. SPECIAL OPERATIONS FORCE STRUCTURE.

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

(1) special operations forces have a vital and increasing role to play in strategic competition in addition to conducting counterterrorism operations and responding to crises;

(2) the demand for special operations forces and related capabilities by combatant commanders continues to exceed supply;

(3) special operations forces cannot be mass produced during a crisis;

(4) most special operations require non-special operations forces support, including

engineers, technicians, intelligence analysts, and logisticians;

(5) reductions to special operations forces, including critical enablers, would dramatically and negatively impact available options for combatant commanders to engage in strategic competition, carry out counterterrorism operations, and respond to crises; and

(6) the Secretary of Defense should not consider any reductions to special operations force structure until after the completion of a comprehensive analysis of special operations force structure and a determination that any planned changes would not have a negative impact on the ability of combatant commanders to support strategic competition, counter terrorism, and respond to crises.

(b) REPORT.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report assessing the optimal force structure for special operations forces that includes the following elements:

(1) A description of the role of special operations forces in implementing the most recent national defense strategy under section 113(g) of title 10, United States Code.

(2) A description of ongoing special operations activities, as described in section 167(k) of title 10, United States Code.

(3) An assessment of potential future national security threats to the United States across the spectrum of competition and conflict.

(4) A description of ongoing counterterrorism and contingency operations of the United States.

(5) A detailed accounting of the demand for special operations forces by geographic combatant command.

(6) A description of the role of emerging technology on special operations forces.

(7) An assessment of current and projected capabilities of other United States Armed Forces that could affect force structure capability and capacity requirements of special operations forces.

(8) An assessment of the size, composition, and organizational structure of the military services' special operations command headquarters and subordinate headquarters elements.

(9) An assessment of the readiness of special operations forces for assigned missions and future conflicts.

(10) An assessment of the adequacy of special operations force structure for meeting the goals of the National Military Strategy under section 153(b) of title 10, United States Code.

(11) A description of the role of special operations forces in supporting the Joint Concept for Competing.

(12) Any other matters deemed relevant by the Secretary.

SEC. 1060. BRIEFING ON COMMERCIAL TOOLS EMPLOYED BY THE DEPARTMENT OF DEFENSE TO ASSESS FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on countering industrial espionage.

(b) ELEMENTS.—The request required under subsection (a) shall include the following elements:

(1) A description of commercial and organically developed tools employed by the Department of Defense to—

(A) assess the risks of foreign malign ownership, control, or influence within the defense industrial base;

(B) mitigate vulnerability associated with, but no limited to, the People's Republic of China's, the Russian Federation's, Iran's, or North Korea's foreign ownership, control, or influence of any part of the acquisition supply chain; and

(C) vet program personnel to identify technologies and program components most at risk for industrial espionage.

(2) A description of specific commercial solutions the Department is currently leveraging to assess and mitigate these risks.

SEC. 1061. PLAN ON COUNTERING HUMAN TRAFFICKING.

(a) PLAN.—Not later than 120 days after the date of enactment of this Act, the Secretary of Defense shall submit a plan to the congressional defense committees for coordinating with defense partners in North America and South America and supporting interagency departments and agencies, as appropriate, in countering human trafficking operations, including human trafficking by transnational criminal organizations.

(b) ELEMENTS OF PLAN.—The plan under subsection (a) shall include—

(1) a description of the threat to United States security from human trafficking operations;

(2) a description of the authorities of the Department of Defense for the purposes specified in subsection (a);

(3) a description of any current or proposed Department of Defense programs or activities to coordinate with defense partners or provide support to interagency departments and agencies as described in subsection (a); and

(4) any recommendations of the Secretary of Defense for additional authorities for the purposes of countering human trafficking, including by transnational criminal organizations.

(c) BRIEFING.—Not later than 180 days after the submission of the plan required under subsection (a), the Secretary of Defense shall brief the congressional defense committees regarding the authorities, programs, and activities of the Department of Defense to counter human trafficking operations.

SEC. 1062. BRIEFING AND REPORT ON USE AND EFFECTIVENESS OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Not later than April 30, 2024, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing and report on whether United States Naval Station, Guantanamo Bay, Cuba, is being used effectively to defend the national security interests of the United States.

(b) ELEMENTS.—The briefing and report required by subsection (a) shall—

(1) consider—

(A) the presence and activities in Cuba of the militaries of foreign governments, such as the Russian Federation and the People's Republic of China; and

(B) to what extent the presence and activities of those militaries could compromise the national security of the United States or of United States allies and partners; and

(2) discuss—

(A) options for dealing with the presence and activities of those militaries in Cuba; and

(B) how different use by the United States of United States Naval Station, Guantanamo Bay, might mitigate risk.

Subtitle G—Other Matters

SEC. 1071. MATTERS RELATED TO IRREGULAR WARFARE.

(a) AFFIRMING THE AUTHORITY OF THE SECRETARY OF DEFENSE TO CONDUCT IRREGULAR WARFARE.—Congress affirms that the Secretary of Defense is authorized to conduct irregular warfare operations, including clandestine irregular warfare operations, to defend the United States, allies of the United States, and interests of the United States.

(b) DEFINITION REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, for the purposes of joint doctrine, define the term ''irregular warfare''.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to constitute a specific statutory authorization for any of the following:

(1) The conduct of a covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

(2) The introduction of United States Armed Forces, within the meaning of the War Powers Resolution (Public Law 93–148; 50 U.S.C. 1541 et seq.), into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

SEC. 1072. JOINT CONCEPT FOR COMPETING IMPLEMENTATION UPDATES.

(a) IMPLEMENTATION UPDATE AND BRIEFINGS REQUIRED.—Not later than March 1, 2024, and every 180 days thereafter through March 1, 2026, the Chairman of the Joint Chiefs of Staff shall provide the congressional defense committees with a written update with accompanying briefing on the implementation of the Joint Concept for Competing, released on February 10, 2023.

(b) ELEMENTS.—At a minimum, the written updates and briefings required by subsection (a) shall include—

(1) a detailed description of the Joint Staff's efforts to develop integrated competitive strategies to address the challenges posed by specific adversaries, including those designed to—

(A) deter aggression;

(B) prepare for armed conflict, if necessary;

(C) counter the competitive strategies of adversaries; and

(D) support the efforts of interagency, allies and foreign partners, and interorganizational partners;

(2) an identification of relevant updates to joint doctrine and professional military education;

(3) an update on the Joint Concept for Competing's concept required capabilities;

(4) an explanation of the integration of the Joint Concept for Competing with other ongoing and future joint force development and design efforts;

(5) a description of efforts to operationalize the Joint Concept for Competing through a structured approach, including to provide strategic guidance and direction, identify and optimize Joint Force interdependencies with interagency and allied partners, and inform and guide joint force development and design processes;

(6) an articulation of concept-required capabilities that are necessary for joint force development and design in support of the Joint Concept for Competing;

(7) a description of efforts to coordinate and synchronize Department of Defense activities with those of other interagency and foreign partners for the purpose of integrated campaigning;

(8) an identification of any recommendations to better integrate the role of the Joint Force, as identified by the Joint Concept for Competing, with national security efforts of other interagency and foreign partners;

(9) an identification of any changes to authorities and resources necessary to fully implement the Joint Concept for Competing; and

(10) a description of any other matters deemed relevant by the Chairman of the Joint Chiefs of Staff.

SEC. 1073. LIMITATION ON CERTAIN FUNDING UNTIL SUBMISSION OF THE CHAIRMAN'S RISK ASSESSMENT AND BRIEFING REQUIREMENT.

(a) OFFICE OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.—Of the amounts authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Chairman of the Joint Chiefs of Staff, not more than 50 percent may be obligated or expended until the date that is 15 days after the date on which the following reports are submitted to the Committees on Armed Services of the Senate and the House of Representatives:

(1) The 2021 risk assessment mandated by paragraph (2) of subsection (b) of section 153 of title 10, United States Code, and required to be delivered pursuant to paragraph (3) of such subsection by not later than February 15, 2021.

(2) The 2023 risk assessment mandated by paragraph (2) of subsection (b) of section 153 of title 10, United States Code, and required to be delivered pursuant to paragraph (3) of such subsection by not later than February 15, 2023.

(b) OFFICE OF THE SECRETARY OF DEFENSE.—Of the amounts authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 50 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives:

(1) The risk mitigation plan required to be submitted as part of the assessment described under subsection (a)(1), if applicable.

(2) The risk mitigation plan required to be submitted as part of the assessment described under subsection (a)(2), if applicable.

(c) BRIEFING REQUIREMENT.—Section 153 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) BRIEFING REQUIREMENT.—(1) Not later than 15 days after the submission of the risk assessment required under subsection (b)(2) or March 1 of each year, whichever is earlier, the Chairman shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the activities of the Chairman under this section.

''(2) The briefing shall include—

''(A) a detailed review of the risk assessment required under paragraph (2) of subsection (b), including how it addresses the elements required in subparagraph (B) of such paragraph;

''(B) an analysis of how the risk assessment informs, and supports, other Joint Staff assessments, including joint capability development assessments, joint force development assessments, comprehensive joint readiness assessments, and global military integration assessments; and

''(C) if the risk assessment is not delivered at the time of the briefing, a timeline for when the risk assessment will be submitted to the Committees on Armed Services of the Senate and the House of Representatives.''.

SEC. 1074. NOTIFICATION OF SAFETY AND SECURITY CONCERNS AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) IN GENERAL.—The Secretary of Defense shall notify the congressional defense committees within 7 days after ceasing operations at any Department of Defense laboratory or facility rated at biosafety level (BSL)-3 or higher for safety or security reasons.

(b) CONTENT.—The notification required under subsection (a) shall include—

(1) the reason why operations have ceased at the laboratory or facility;

(2) whether appropriate notification to other Federal agencies has occurred;

(3) a description of the actions taken to determine the root cause of the cessation; and

(4) a description of the actions taken to restore operations at the laboratory or facility.

SEC. 1075. ASSESSMENT AND RECOMMENDATIONS RELATING TO INFRASTRUCTURE, CAPACITY, RESOURCES, AND PERSONNEL IN GUAM.

(a) ASSESSMENT.—The Secretary of Defense, in coordination with the Commander of United States Indo-Pacific Command, shall assess the capacity of existing infrastructure, resources, and personnel available in Guam to meet Indo-Pacific Command strategic objectives.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following elements:

(1) An appraisal of the potential role Guam could play as a key logistics and operational hub for the United States military in the Indo-Pacific region.

(2) An assessment of whether current infrastructure, capacity, resources, and personnel in Guam is sufficient to meet the expected demands during relevant operations and contingency scenarios.

(3) An assessment of the adequacy of civilian infrastructure in Guam for supporting the requirements of United States Indo-Pacific Command, including the resilience of such infrastructure in the event of a natural disaster and the vulnerability of such infrastructure to cyber threats.

(4) Recommendations to improve current infrastructure, capacity, resources, and personnel in Guam, to include the need for recruiting and retention programs, such as cost-of-living adjustments, initiatives for dealing with any shortages of civilian employees, and programs to improve quality-of-life for personnel assigned to Guam.

(5) An assessment of the implementation of Joint Task Force Micronesia, including the Commander's assessment of requirements for funding, resources, and personnel as compared to what has been programmed in the fiscal year 2024 Future Years Defense Program.

(6) Timeline and estimated costs by location and project to support both existing and future roles in the region.

(7) Any other matters determined relevant by the Secretary.

(c) REPORT.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report including the results of the assessment required under subsection (a).

SEC. 1076. PROGRAM AND PROCESSES RELATING TO FOREIGN ACQUISITION.

(a) PILOT PROGRAM FOR COMBATANT COMMAND USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT.—Each geographic combatant command may use amounts from the Defense Acquisition Workforce Development Account established under section 1705 of title 10, United States Code, to hire not more than two acquisition specialists or contracting officers to advise the combatant command on foreign arms transfer processes, including the foreign military sales and direct commercial sales processes, for the purpose of facilitating the effective implementation of such processes.

(b) INDUSTRY DAY.—

(1) IN GENERAL.—Not later than March 1, 2024, and not less frequently than annually thereafter, the Secretary of Defense shall conduct an industry day—

(A) to raise awareness and understanding among officials of foreign governments, embassy personnel, and industry representatives with respect to the role of the Department of Defense in implementing the foreign military sales and direct commercial sales processes; and

(B) to raise awareness—

(i) within the United States private sector with respect to—

(I) foreign demand for United States weapon systems; and

(II) potential foreign industry partnering opportunities; and

(ii) among officials of foreign governments and embassy personal with respect to potential United States material solutions for capability needs.

(2) FORMAT.—In conducting each industry day under paragraph (1), the Secretary of Defense, to the extent practicable, shall seek to maximize participation by representatives of the commercial defense industry and government officials while minimizing cost, by—

(A) convening the industry day at the unclassified security level;

(B) making the industry day publicly accessible through teleconference or other virtual means; and

(C) disseminating any supporting materials by posting the materials on a publicly accessible internet website.

(c) SENIOR-LEVEL INDUSTRY ADVISORY GROUP.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with representatives of the commercial defense industry, shall establish a senior-level industry advisory group, modeled on the Defense Trade Advisory Group of the Department of State and the Industry Trade Advisory Committees of the Department of Commerce, for the purpose of focusing on the role of the Department of Defense in the foreign military sales process.

(2) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on plans to establish the group described in paragraph (1).

(d) DEPARTMENT OF DEFENSE POINTS OF CONTACT FOR FOREIGN MILITARY SALES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment and the Secretary of each military department shall each establish a single point of contact—

(A) to coordinate information and outreach on Department of Defense implementation of the foreign military sales process; and

(B) to respond to inquiries from representatives of the commercial defense industry and partner countries.

(2) POINTS OF CONTACT.—The Under Secretary of Defense for Acquisition and Sustainment and the Secretary of each military department shall each ensure that the contact information for the corresponding point of contact established under paragraph (1) is—

(A) publicized at each industry day conducted under subsection (b); and

(B) disseminated among the members of the advisory group established under subsection (f).

(e) COMBATANT COMMAND NEEDS FOR EXPORTABILITY.—Not later than July 1 each year until 2030, the commander of each geographic combatant command shall provide to the Under Secretary of Defense for Acquisition and Sustainment a list of systems relating to research and development or sustainment that would benefit from investment for exportability features in support of the security cooperation objectives of the commander.

(f) SUNSET.—This section shall cease to have effect on December 31, 2028.

SEC. 1077. TECHNICAL AND CONFORMING AMENDMENTS RELATED TO THE SPACE FORCE.

(a) APPOINTMENT OF CHAIRMAN; GRADE AND RANK.—Section 152(c) of title 10, United States Code, is amended by striking ''or, in the case of an officer of the Space Force, the equivalent grade,''.

(b) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Section 181(c)(1)(F) of such title is amended by striking ''in the grade equivalent to the grade of general in the Army, Air Force, or Marine Corps, or admiral in the Navy'' and inserting ''in the grade of general''.

(c) ORIGINAL APPOINTMENTS OF COMMISSIONED OFFICERS.—Section 531(a) of such title is amended—

(1) in paragraph (1), by striking ''and Regular Marine Corps in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy, and in the equivalent grades in the Regular Space Force'' and inserting ''Regular Marine Corps, and Regular Space Force, and in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy''; and

(2) in paragraph (2), by striking ''and Regular Marine Corps in the grades of lieutenant commander, commander, and captain in the Regular Navy, and in the equivalent grades in the Regular Space Force'' and inserting ''Regular Marine Corps, and Regular Space Force, and in the grades of lieutenant commander, commander, and captain in the Regular Navy''.

(d) SERVICE CREDIT UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 533(b)(2) of such title is amended—

(1) by striking '', or Marine Corps, captain in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force or captain in the Navy''.

(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Section 601(e) of such title is amended—

(1) by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force, or''; and

(2) by striking ''or the commensurate grades in the Space Force,''.

(f) CONVENING OF SELECTION BOARDS.—Section 611(a) of such title is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(g) INFORMATION FURNISHED TO SELECTION BOARDS.—Section 615(a)(3) of such title is amended—

(1) in subparagraph (B)(i), by striking '', in the case of the Navy, lieutenant, or in the case of the Space Force, the equivalent grade'' and inserting ''or, in the case of the Navy, lieutenant''; and

(2) in subparagraph (D), by striking ''in the case of the Navy, rear admiral, or, in the case of the Space Force, the equivalent grade'' and inserting ''or, in the case of the Navy, rear admiral''.

(h) SPECIAL SELECTION REVIEW BOARDS.—Section 628a(a)(1)(A) of such title is amended by striking '', rear admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''or rear admiral in the Navy''.

(i) RANK: COMMISSIONED OFFICERS OF THE ARMED FORCES.—Section 741(a) of such title is amended in the table by striking ''and Marine Corps'' and inserting ''Marine Corps, and Space Force''.

(j) REGULAR COMMISSIONED OFFICERS.—Section 1370 of such title is amended—

(1) in subsection (a)(2), by striking ''rear admiral in the Navy, or the equivalent grade in the Space Force'' both places it appears and inserting ''or rear admiral in the Navy'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''or Marine Corps, lieutenant in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or lieutenant in the Navy''; and

(ii) in subparagraph (B), by striking ''or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or rear admiral in the Navy'';

(B) in paragraph (4), by striking ''or Marine Corps, captain in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or captain in the Navy'';

(C) in paragraph (5)—

(i) in subparagraph (A), by striking ''or Marine Corps, lieutenant commander in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or lieutenant commander in the Navy'';

(ii) in subparagraph (B), by striking ''or Marine Corps, commander or captain in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or commander or captain in the Navy''; and

(iii) in subparagraph (C), by striking ''or Marine Corps, rear admiral (lower half) or rear admiral in the Navy'' and inserting ''Marine Corps, or Space Corps, or rear admiral (lower half) or rear admiral in the Navy''; and

(D) in paragraph (6), by striking '', or an equivalent grade in the Space Force,'';

(3) in subsection (c)(1), by striking ''or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or vice admiral or admiral in the Navy'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or rear admiral in the Navy''; and

(B) in paragraph (3), by striking ''or Marine Corps, captain in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or captain in the Navy'';

(5) in subsection (e)(2), by striking ''or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or vice admiral or admiral in the Navy'';

(6) in subsection (f)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking ''or Marine Corps, rear admiral in the Navy, or the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or rear admiral in the Navy''; and

(ii) in subparagraph (B), by striking ''or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or vice admiral or admiral in the Navy''; and

(B) in paragraph (6)—

(i) in subparagraph (A), by striking ''or Marine Corps, rear admiral in the Navy, or the equivalent grade in the Space Force'' and inserting '', Marine Corps, or Space Force, or rear admiral in the Navy''; and

(ii) in subparagraph (B), by striking ''or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or vice admiral or admiral in the Navy''; and

(7) in subsection (g), by striking ''or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force, or rear admiral in the Navy''.

(k) OFFICERS ENTITLED TO RETIRED PAY FOR NON-REGULAR SERVICE.—Section 1370a of such title is amended—

(1) in subsection (d)(1), by striking ''or Marine Corps'' both places it appears and inserting ''Marine Corps, or Space Force''; and

(2) in subsection (h), by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(l) RETIRED BASE PAY.—Section 1406(i)(3)(B)(v) of such title is amended by striking ''The senior enlisted advisor of the Space Force'' and inserting ''Chief Master Sergeant of the Space Force''.

(m) FINANCIAL ASSISTANCE PROGRAM FOR SPECIALLY SELECTED MEMBERS.—Section 2107 of such title is amended—

(1) in subsection (a)—

(A) by striking '', as a'' and inserting ''or as a''; and

(B) by striking ''or Marine Corps, or as an officer in the equivalent grade in the Space Force'' and inserting ''Marine Corps, or Space Force''; and

(2) in subsection (d), by striking ''lieutenant, ensign, or an equivalent grade in the Space Force,'' and inserting ''lieutenant or ensign,''.

(n) DESIGNATION OF SPACE SYSTEMS COMMAND AS A FIELD COMMAND OF THE UNITED STATES SPACE FORCE.—Section 9016(b)(6)(B)(iv)(II) of title 10, United States Code, is amended by striking ''Space and Missile Systems Center'' and inserting ''Space Systems Command''.

(o) CHIEF OF SPACE OPERATIONS.—Section 9082 of such title is amended—

(1) in subsection (a), by striking '', flag, or equivalent'' both places it appears; and

(2) in subsection (b), by striking ''grade in the Space Force equivalent to the grade of general in the Army, Air Force, and Marine Corps, or admiral in the Navy'' and inserting ''grade of general''.

(p) DISTINGUISHED FLYING CROSS.—Section 9279(a) of such title is amended–

(1) by adding ''or Space Force'' after ''Air Force''; and

(2) by adding ''or space'' after ''aerial''.

(q) AIRMAN'S MEDAL.—Section 9280(a)(1) of such title is amended by adding ''or Space Force'' after ''Air Force''.

(r) RETIRED GRADE OF COMMISSIONED OFFICERS.—Section 9341 of such title is amended—

(1) in subsection (a)(2), by striking ''or the Space Force''; and

(2) in subsection (b), by striking ''or Reserve''.

(s) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY: ADMINISTRATION.—Section 9414b(a)(2)(B) of such title is amended by striking ''or the equivalent grade in the Space Force''.

(t) AIR FORCE ACADEMY PERMANENT PROFESSORS; DIRECTOR OF ADMISSIONS.—Section 9436 of such title is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''in the Air Force or the equivalent grade in the Space Force'';

(B) in the second sentence—

(i) by inserting ''or Regular Space Force'' after ''Regular Air Force''; and

(ii) by striking ''and a permanent professor appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force''; and

(C) in the third sentence, by striking ''in the Air Force or the equivalent grade in the Space Force''; and

(2) in subsection (b)—

(A) in the first sentence, by striking ''in the Air Force or the equivalent grade in the Space Force'' both places it appears; and

(B) in the second sentence—

(i) by inserting ''or Regular Space Force'' after ''Regular Air Force''; and

(ii) by striking ''and a permanent professor appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force''.

(u) CADETS: DEGREE AND COMMISSION ON GRADUATION.—Section 9453(b) of such title is amended by striking ''in the equivalent grade in''.

(v) BASIC PAY RATES FOR ENLISTED MEMBERS.—Footnote 2 of the table titled ''ENLISTED MEMBERS'' in section 601(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 37 U.S.C. 1009 note) is amended by striking ''the senior enlisted advisor of the Space Force'' and inserting ''Chief Master Sergeant of the Space Force''.

(w) PAY OF SENIOR ENLISTED MEMBERS.—Section 210(c)(5) of title 37, United States Code, is amended by striking ''the senior enlisted advisor of the Space Force'' and inserting ''the Chief Master Sergeant of the Space Force''.

(x) PERSONAL MONEY ALLOWANCE.—Section 414(b) of title 37, United States Code, is amended by striking ''the senior enlisted advisor of the Space Force'' and inserting ''the Chief Master Sergeant of the Space Force''.

SEC. 1078. AUTHORITY TO ESTABLISH COMMERCIAL INTEGRATION CELLS WITHIN CERTAIN COMBATANT COMMANDS.

(a) IN GENERAL.—The Commander of the United States Africa Command, the Commander of the United States European Command, the Commander of the United States Indo-Pacific Command, the Commander of the United States Northern Command, and the Commander of the United States Southern Command may each establish—

(1) a commercial integration cell within their respective combatant command for the purpose of closely integrating public and private entities with capabilities relevant to the area of operation of such combatant command; and

(2) a chief technology officer position within their respective combatant command, who may—

(A) oversee such commercial integration cell; and

(B) report directly to the commander of the applicable combatant command.

(b) REQUIREMENTS AND AUTHORITIES.—In establishing the commercial integration cells under subsection (a)(1), each commander described in that paragraph may—

(1) make the applicable commercial integration cell available to commercial entities with existing Government contracts up to the Top Secret/Sensitive Compartmented Information clearance level;

(2) ensure that such commercial integration cell is an information-sharing partnership rather than a service contract;

(3) in the case of a solution identified within the commercial integration cell that requires resources, work within existing resources or processes to request such resources; and

(4) integrate lessons learned from the commercial integration cells of the United States Space Command and the United States Central Command.

(c) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Commander of the United States Africa Command, the Commander of the United States European Command, the Commander of the United States Indo-Pacific Command, the Commander of the United States Northern Command, and the Commander of the United States Southern Command shall each provide to the Committees on Armed Services of the Senate and the House of Representatives—

(1) a briefing on whether a commercial integration cell was implemented and any related progress, including any challenges to implementation;

(2) in the case of a commander of a combatant command who chooses not to use the authority provided in this section to establish a commercial integration cell or a chief technology officer—

(A) an explanation for not using such authority; and

(B) a description of the manner in which such commander is otherwise addressing the need to integrate commercial solutions; and

(3) in the case of a combatant command that has an official performing a role similar to the role described for a chief technology officer under subsection (a)(2), a detailed description of the role performed by such official.

SEC. 1079. MODIFICATION ON LIMITATION ON FUNDING FOR INSTITUTIONS OF HIGHER EDUCATION HOSTING CONFUCIUS INSTITUTES.

Section 1062 of the William M. (''Mac'') Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2241 note) is amended by striking subsection (b).

SEC. 1080. MODIFICATION OF DEFINITION OF DOMESTIC SOURCE FOR TITLE III OF DEFENSE PRODUCTION ACT OF 1950.

(a) IN GENERAL.—Section 702(7) of such Act (50 U.S.C. 4552(7)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term'';

(3) in clause (ii), as redesignated by paragraph (1), by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(4) by adding at the end the following new subparagraph (B):

''(B) DOMESTIC SOURCE FOR TITLE III.—

''(i) IN GENERAL.—For purposes of title III, the term 'domestic source' means a business concern that—

''(I) performs substantially all of the research and development, engineering, manufacturing, and production activities required of such business concern under a contract with the United States relating to a critical component or a critical technology item in—

''(aa) the United States or Canada; or

''(bb) subject to clause (ii), Australia or the United Kingdom; and

''(II) procures from business concerns described in subclause (I) substantially all of any components or assemblies required under a contract with the United States relating to a critical component or critical technology item.

''(ii) LIMITATIONS ON USE OF BUSINESS CONCERNS IN AUSTRALIA AND UNITED KINGDOM.—

''(I) IN GENERAL.—A business concern described in clause (i)(I)(bb) may be treated as a domestic source only for purposes of the exercise of authorities under title III relating to national defense matters that cannot be fully addressed with business concerns described in clause (i)(I)(aa).

''(II) NATIONAL DEFENSE MATTERS.—For purposes of subclause (I), a national defense matter is a matter relating to the development or production of—

''(aa) a defense article, as defined in section 301 of title 10, United States Code; or

''(bb) a material critical to national defense or national security, as defined in section 10(f) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–1(f)).''.

(b) REPORTS ON EXERCISE OF TITLE III AUTHORITIES.—Title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) is amended by adding at the end the following new section:

''SEC. 305. REPORTS ON EXERCISE OF AUTHORITIES.

''(a) IN GENERAL.—The President, or the head of an agency to which the President has delegated authorities under this title, shall submit a report and provide a briefing to the appropriate congressional committees with respect to any action taken pursuant to such authorities—

''(1) except as provided by paragraph (2), not later than 30 days after taking the action; and

''(2) in the case of an action that involves a business concern in the United Kingdom or Australia, not later than 30 days before taking the action.

''(b) ELEMENTS.—

''(1) IN GENERAL.—Each report and briefing required by subsection (a) with respect to an action described in that subsection shall include—

''(A) a justification of the necessity of the use of authorities under this title; and

''(B) a description of the financial terms of any related financial transaction.

''(2) ADDITIONAL ELEMENTS RELATING TO BUSINESS CONCERNS IN THE UNITED KINGDOM OR AUSTRALIA.—Each report and briefing required by subsection (a) with respect to an action described in paragraph (2) of that subsection shall include, in addition to the elements under paragraph (1)—

''(A) a certification that business concerns in the United States or Canada were not available with respect to the action; and

''(B) an analysis of why such business concerns were not available.

''(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives; and

''(2) in the case of an action described in subsection (a) involving strategic and critical materials relating to national defense matters (as described in section 702(7)(B)(ii)(II)), the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.''.

SEC. 1081. COMPREHENSIVE STRATEGY FOR TALENT DEVELOPMENT AND MANAGEMENT OF DEPARTMENT OF DEFENSE COMPUTER PROGRAMMING WORKFORCE.

(a) POLICY.—It shall be a policy of the Armed Forces, including the reserve components, to establish appropriate and effective talent development and management policies and practices that allow for the military departments to present an adaptable, qualified workforce training and education standard with respect to computer programming skill needs for the workforce of the Department of Defense, including technical and nontechnical skills related to artificial intelligence and software coding.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretaries of each military department and the Chairman of the Joint Chiefs of Staff, shall develop a strategy to achieve the policy set forth in subsection (a).

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

(A) the development, funding, and execution of a coherent approach and transparent strategy across digital platforms and applications that enable development and presentation of forces with appropriate programmatic oversight for both active and reserve component workforces;

(B) the evaluation of the potential need for career field occupational codes or other service-specific talent management mechanisms

aligned with the work roles related to computer programming, artificial intelligence and machine learning competency, and software engineering under the Department of Defense Cyber Workforce Framework to allow for the military departments to identify, assess, track, manage, and assign personnel with computer programming, coding, and artificial intelligence skills through established mechanisms, under the policies of the military departments with respect to career field management, including—

(i) development, modification, or revalidation of a career field or separate occupational code for computer programming occupational areas aligned with such work roles; and

(ii) development, modification, or revalidation of a unique special skills or experience designator or qualification, tracked independently of a career field, for computer programming occupational areas aligned with such work roles;

(C) the evaluation of current talent management processes to incorporate equivalency assessment as part of the qualification standard to accommodate experiences, training, or skills developed as a result of other work experience or training opportunities, including potentially from civilian occupations or commercially-available training courses

(D) assessment of members of the Armed Forces who have completed the qualification process of the military department concerned or who qualify based on existing skills and training across computer programming occupational areas; and

(E) maintaining data on, and longitudinal tracking of, members of the Armed Forces described in subparagraph (D).

(c) RESPONSIBILITIES.—The Secretary of each military department, in consultation with the Assistant Secretary of the military department for Manpower and Reserve Affairs, the Chief Information Officer of the Department of Defense, and the Chief Digital and Artificial Intelligence Officer of the Office of the Secretary of Defense, shall—

(1) be responsible for development and implementation of the policy set forth in subsection (a) and strategy required by subsection (b); and

(2) carry out that responsibility through an officer or employee of the military department assigned by the Secretary for that purpose.

(d) DUTIES.—In developing and providing for the implementation of the policy set forth in subsection (a) and strategy required by subsection (b), the Secretary of each military department, in consultation with the Assistant Secretary of the military department for Manpower and Reserve Affairs, the Chief Information Officer of the military department, the Chief Information Officer of the Department of Defense, and the Chief Digital and Artificial Intelligence Officer of the Office of the Secretary of Defense, shall establish and update relevant policies and practices to enable the talent development and management to provide a workforce capable of conducting computer programming, software coding, and artificial intelligence activities, including by meeting related manning, systems, training, and other related funding requirements.

(e) STRATEGY AND IMPLEMENTATION PLANS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives the strategy required by subsection (b).

(2) IMPLEMENTATION PLANS REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a implementation plan for the strategy required by subsection (b), including identification of resource needs and areas where current internal policy or legal statutes may need to be updated.

(f) DEFINITIONS.—In this section:

(1) COMPUTER PROGRAMMING OCCUPATIONAL AREA.—The term ''computer programming occupational area'' means a technical or nontechnical occupational position that supports computer programming, coding, or artificial intelligence operations and development, including the following positions:

(A) Data scientists.

(B) Data engineers.

(C) Data analysts.

(D) Software developers.

(E) Machine learning engineers.

(F) Program managers.

(G) Acquisition professionals.

(2) DIGITAL PLATFORM OR APPLICATION.—The term ''digital platform or application'' means an online integrated personnel management system or human capital solution.

(3) QUALIFICATION PROCESS.—The term ''qualification process''—

(A) means the process, modeled on a streamlined version of the process for obtaining joint qualifications, for training and verifying members of the Armed Forces to receive career field or occupational codes associated with computer programming occupational areas; and

(B) may include—

(i) experiences, education, and training received as a part of military service, including fellowships, talent exchanges, positions within government, and educational courses; and

(ii) in the case of members of the reserve components, experiences, education, and training received in their civilian occupations.

(4) STANDARD.—The term ''standard'' means the defined, reviewed, and published standard for occupational series or career fields that provides a measurable standard by which the military departments can assess the ability to meet their operational planning and steady-state force presentation requirements during the global force management process.

SEC. 1082. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF LANDMINES.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmine munitions before the date on which the Secretary of Defense submits the report required by subsection (c).

(b) EXCEPTION FOR SAFETY.—Subsection (a) shall not apply to any anti-personnel landmine munitions that the Secretary of Defense determines are unsafe or could pose a safety risk to the United States Armed Forces if not demilitarized or destroyed.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes each of the following:

(A) A description of the policy of the Department of Defense regarding the use of anti-personnel landmines, including methods for commanders to seek waivers to use such munitions.

(B) Projections covering the period of 10 years following the date of the report of—

(i) the inventory levels for all anti-personnel landmine munitions, taking into account future production of anti-personnel landmine munitions, any plans for demilitarization of such munitions, the age of the munitions, storage and safety considerations, and any other factors that are expected to impact the size of the inventory;

(ii) the cost to achieve the inventory levels projected in clause (i), including the cost for potential demilitarization or disposal of such munitions; and

(iii) the cost to develop and produce new anti-personnel landmine munitions the Secretary determines are necessary to meet the demands of operational plans.

(C) An assessment by the Chairman of the Joint Chiefs of Staff of the effects of the inventory levels projected under subparagraph (B)(i) on operational plans.

(D) Any inputs by the Chairman and the commanders of the combatant commands to a policy process that resulted in a change in landmine policy during the calendar year preceding the date of the enactment of this Act.

(E) Any other matters that the Secretary determines appropriate for inclusion in the report.

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the status, as of the date of the briefing, of research and development into operational alternatives to anti-personnel landmine munitions.

(2) FORM OF BRIEFING.—The briefing required by paragraph (1) may contain classified information.

(e) ANTI-PERSONNEL LANDMINE MUNITIONS DEFINED.—In this section, the term ''anti-personnel landmine munitions'' includes anti-personnel landmines and submunitions, as defined by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, concluded at Oslo September 18, 1997, as determined by the Secretary.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1102 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is further amended by striking ''through 2023'' and inserting ''through 2024''.

SEC. 1102. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1103 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law

117–263), is further amended by striking ''2024'' and inserting ''2025''.

SEC. 1103. EXCLUSION OF POSITIONS IN NONAPPROPRIATED FUND INSTRUMENTALITIES FROM LIMITATIONS ON DUAL PAY.

Section 5531(2) of title 5, United States Code, is amended by striking ''Government corporation and'' and inserting ''Government corporation, but excluding''.

SEC. 1104. EXCEPTION TO LIMITATION ON NUMBER OF SENIOR EXECUTIVE SERVICE POSITIONS FOR THE DEPARTMENT OF DEFENSE.

Section 1109(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2449; 5 U.S.C. 3133 note) is amended by adding at the end the following new paragraph:

''(3) EXCEPTION.—The limitation under this subsection shall not apply to positions described in this subsection that are fully funded through amounts appropriated to an agency other than the Department of Defense.''.

SEC. 1105. REMOVAL OF WASHINGTON HEADQUARTERS SERVICES DIRECT SUPPORT FROM PERSONNEL LIMITATION ON THE OFFICE OF THE SECRETARY OF DEFENSE.

Section 143(b) of title 10, United States Code, is amended by striking ''(including Direct Support Activities of that Office and the Washington Headquarters Services of the Department of Defense)''.

SEC. 1106. CONSOLIDATION OF DIRECT HIRE AUTHORITIES FOR CANDIDATES WITH SPECIFIED DEGREES AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 4091 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking ''bachelor's degree'' and inserting ''bachelor's or advanced degree'';

(2) in subsection (c)—

(A) in the subsection heading, by striking ''CALENDAR YEAR'' and inserting ''FISCAL YEAR'' ;

(B) in the matter preceding paragraph (1), by striking ''calendar year'' and inserting ''fiscal year'';

(C) in paragraph (1), by striking ''6 percent'' and inserting ''11 percent''; and

(D) in paragraphs (1), (2), and (3), by striking ''the fiscal year last ending before the start of such calendar year'' and inserting ''the preceding fiscal year'';

(3) by striking subsection (f); and

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

SEC. 1107. EXPANSION AND EXTENSION OF DIRECT HIRE AUTHORITY FOR CERTAIN PERSONNEL OF THE DEPARTMENT OF DEFENSE.

Section 9905 of title 5, United States Code, is amended—

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

''(12) Any position in support of aircraft operations for which the Secretary determines there is a critical hiring need and shortage of candidates.

''(13) Any position in support of the safety of the public, law enforcement, or first response for which the Secretary determines there is a critical hiring need and shortage of candidates.

''(14) Any position in support of the Office of the Inspector General of the Department relating to oversight of the conflict in Ukraine for which the Secretary determines there is a critical hiring need and shortage of candidates.''; and

(2) in subsection (b)(1), by striking ''September 30, 2025'' and inserting ''September 30, 2030''.

SEC. 1108. EXTENSION OF DIRECT HIRE AUTHORITY FOR THE DEPARTMENT OF DEFENSE FOR POST-SECONDARY STUDENTS AND RECENT GRADUATES.

Section 1106(d) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is amended by striking ''September 30, 2025'' and inserting ''September 30, 2030''.

SEC. 1109. EXTENSION OF DIRECT HIRE AUTHORITY FOR DOMESTIC INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

Section 1125(a) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.; Public Law 114–328) is amended by striking ''through 2025,'' and inserting ''through 2028,''.

SEC. 1110. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEMBERS AT SPACE FORCE SCHOOLS.

(a) IN GENERAL.—Section 9371 of title 10, United States Code, is amended—

(1) in the section heading, by inserting ''**and Space Delta 13**'' after ''**Air University**''

(2) in subsection (a), by inserting ''or of the Space Delta 13'' after ''Air University''; and

(3) in subsection (c)—

(A) in paragraphs (1), by inserting ''or of the Space Delta 13'' after ''Air University''; and

(B) in paragraph (2), by inserting ''or of the Space Delta 13'' after ''Air University''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 947 of such title is amended by striking the item relating to section 9371 and inserting the following new item:

''9371. Air University and Space Delta 13: civilian faculty members.''.

SEC. 1111. REPORT AND SUNSET RELATING TO INAPPLICABILITY OF CERTIFICATION OF EXECUTIVE QUALIFICATIONS BY QUALIFICATION REVIEW BOARDS OF OFFICE OF PERSONNEL MANAGEMENT.

Section 1109 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (5 U.S.C. 3393 note) is amended—

(1) in subsection (d)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

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

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

''(3) ADDITIONAL REPORT.—Not later than December 1, 2024, the Secretary shall submit to the committees of Congress specified in paragraph (4) and the Comptroller General of the United States a report on the use of the authority provided in this section. The report shall include the following:

''(A) The number and type of appointments made under this section between August 13, 2018, and the date of the report.

''(B) Data on and an assessment of whether appointments under the authority in this section reduced the time to hire when compared with the time to hire under the review system of the Office of Personnel Management in use as of the date of the report.

''(C) An assessment of the utility of the appointment authority and process under this section.

''(D) An assessment of whether the appointments made under this section resulted in higher quality new executives for the Senior Executive Service of the Department when compared with the executives produced in the Department under the review system in use between August 13, 2013, and August 13, 2018.

''(E) Any recommendation for the improvement of the selection and qualification process for the Senior Executive Service of the Department that the Secretary considers necessary in order to attract and hire highly qualified candidates for service in that Senior Executive Service.''; and

(2) in subsection (e), by striking ''August 13, 2023'' and inserting ''September 30, 2025''.

SEC. 1112. EXTENSION OF DATE OF FIRST EMPLOYMENT FOR ACQUISITION OF COMPETITIVE STATUS FOR EMPLOYEES OF INSPECTORS GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS.

Section 419(d)(5)(B) of title 5, United States Code, is amended by striking ''2 years'' and inserting ''5 years''.

SEC. 1113. EXPANSION OF NONCOMPETITIVE APPOINTMENT ELIGIBILITY TO SPOUSES OF DEPARTMENT OF DEFENSE CIVILIANS.

(a) IN GENERAL.—Section 3330d of title 5, United States Code, is amended—

(1) in the section heading, by inserting ''**and Department of Defense civilian**'' after ''**military**'';

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

''(4) The term 'spouse of an employee of the Department of Defense' means an individual who is married to an employee of the Department of Defense who is transferred in the interest of the Government from one official station within the Department to another within the Department (that is outside of normal commuting distance) for permanent duty.''; and

(3) in subsection (b)—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(3) a spouse of an employee of the Department of Defense.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 33 of title 5, United States Code, is amended by striking the item relating to section 3330d and inserting the following:

''3330d. Appointment of military and Department of Defense civilian spouses.''.

(c) OPM LIMITATION AND REPORTS.—

(1) RELOCATING SPOUSES.—With respect to the noncompetitive appointment of a relocating spouse of an employee of the Department of Defense under paragraph (3) of section 3330d(b) of title 5, United States Code, as added by subsection (a), the Director of the Office of Personnel Management shall—

(A) monitor the number of those appointments;

(B) require the head of each agency with the authority to make those appointments under that provision to submit to the Director an annual report on those appointments, including information on the number of individuals so appointed, the types of positions filled, and the effectiveness of the authority for those appointments; and

(C) not later than 18 months after the date of enactment of this Act, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the use and effectiveness of the authority described in subparagraph (B).

(2) NON-RELOCATING SPOUSES.—With respect to the noncompetitive appointment of a spouse of an employee of the Department of Defense other than a relocating spouse described in paragraph (1), the Director of the Office of Personnel Management—

(A) shall treat the spouse as a relocating spouse under paragraph (1); and

(B) may limit the number of those appointments.

(d) SUNSET.—Effective on December 31, 2028—

(1) the authority provided by this section, and the amendments made by this section, shall expire; and

(2) the provisions of section 3330d of title 5, United States Code, amended or repealed by this section are restored or revived as if this section had not been enacted.

SEC. 1114. ELIMINATION OF GOVERNMENT ACCOUNTABILITY OFFICE REVIEW REQUIREMENT RELATING TO DEPARTMENT OF DEFENSE PERSONNEL AUTHORITIES.

Section 9902(h) of title 5, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''and the Comptroller General,'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 1115. AMENDMENTS TO THE JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.

(a) SELECTION OF PARTICIPANTS.—Subsection (d)(2) of section 932 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 1580 note prec.; Public Law 115–232) is amended to read as follows:

''(2) GEOGRAPHICAL REPRESENTATION.—Out of the total number of individuals selected to participate in the fellows program in any year, not more than 20 percent may be from any of the following geographic regions:

''(A) The Northeast United States.

''(B) The Southeast United States.

''(C) The Midwest United States.

''(D) The Southwest United States.

''(E) The Western United States.

''(F) Alaska, Hawaii, United States territories, and areas outside the United States.''.

(b) APPOINTMENT AND CAREER DEVELOPMENT.—Such section is further amended—

(1) in subsection (d)(3)—

(A) by striking ''assigned'' and inserting ''appointed''; and

(B) by striking ''assignment'' and inserting ''appointment''; and

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

''(e) APPOINTMENT DURING PARTICIPATION IN FELLOWS PROGRAM.—

''(1) IN GENERAL.—The Secretary of Defense shall appoint each individual who participates in the fellows program to an excepted service position in an element of the Department.

''(2) PLACEMENT OPPORTUNITIES.—Each year, the head of each element of the Department shall submit to the Secretary an identification of placement opportunities for participants in the fellows program. Such placement opportunities shall provide for leadership development and potential commencement of a career track toward a position of senior leadership in the Department.

''(3) QUALIFICATION REQUIREMENTS.—The Secretary, in coordination with the heads of elements of the Department, shall establish qualification requirements for the appointment of participants under paragraph (1).

''(4) MATCHING QUALIFICATIONS, SKILLS, AND REQUIREMENTS.—In making appointments under paragraph (1), the Secretary shall seek to best match the qualifications and skills of the participants with the requirements for positions available for appointment.

''(5) TERM.—The term of each appointment under the fellows program shall be one year, but the Secretary may extend a term of appointment up to one additional year.

''(6) GRADE.—The Secretary shall appoint an individual under paragraph (1) to a position at the level of GS–10, GS–11, or GS–12 of the General Schedule based on the directly related qualifications, skills, and professional experience of the individual.

''(7) EDUCATION LOAN REPAYMENT.—To the extent that funds are provided in advance in appropriations Acts, the Secretary may repay a loan of a participant in the fellows program if the loan is described by subparagraph (A), (B), or (C) of section 16301(a)(1) of title 10, United States Code. Any repayment of a loan under this paragraph may require a minimum service agreement, as determined by the Secretary.

''(8) ELEMENT OF THE DEPARTMENT DEFINED.—In this subsection, the term 'element of the Department' means an element of the Department specified in section 111(b) of title 10, United States Code.

''(f) CAREER DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary of Defense shall ensure that participants in the fellows program—

''(A) receive career development opportunities and support appropriate for the commencement of a career track within the Department leading toward a future position of senior leadership within the Department, including ongoing mentorship support through appropriate personnel from entities within the Department; and

''(B) are provided appropriate employment opportunities for excepted service positions in the Department upon successful completion of the fellows program.

''(2) PUBLICATION OF SELECTION.—The Secretary shall publish, on an internet website of the Department available to the public, the names of the individuals selected to participate in the fellows program.''.

SEC. 1116. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT.

(a) DEFINITION.—In this section, the term ''temporary position'' means a position in the competitive or excepted service for a period of 180 days or less.

(b) PILOT PROJECT.—

(1) IN GENERAL.—The Secretary of the Army shall carry out a pilot project to establish a Civilian Cybersecurity Reserve.

(2) PURPOSE.—The purpose of the Civilian Cybersecurity Reserve is to enable the Army to provide manpower to the United States Cyber Command to effectively—

(A) preempt, defeat, deter, or respond to malicious cyber activity;

(B) conduct cyberspace operations;

(C) secure information and systems of the Department of Defense against malicious cyber activity; and

(D) assist in solving cyber workforce-related challenges.

(3) HIRING AUTHORITY.—In carrying out this section, the Secretary may use any authority otherwise available to the Secretary for the recruitment, employment, and retention of civilian personnel within the Department, including authority under section 1599f of title 10, United States Code.

(4) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation of benefits, and non-discrimination in reemployment of individuals appointed under this section, provided that such regulations shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38, United States Code.

(5) STATUS IN RESERVE.—During the period beginning on the date on which an individual is recruited to serve in the Civilian Cybersecurity Reserve and ending on the date on which the individual is appointed under this section, and during any period in between any such appointments, the individual shall not be considered a Federal employee.

(c) ELIGIBILITY; APPLICATION AND SELECTION.—

(1) IN GENERAL.—Under the pilot project required under subsection (b)(1), the Secretary of the Army shall establish criteria for—

(A) individuals to be eligible for the Civilian Cybersecurity Reserve; and

(B) the application and selection processes for the Civilian Cybersecurity Reserve.

(2) REQUIREMENTS FOR INDIVIDUALS.—The criteria established under paragraph (1)(A) with respect to an individual shall include—

(A) if the individual has previously served as a member of the Civilian Cybersecurity Reserve, that the previous appointment ended not less than 60 days before the individual may be appointed for a subsequent temporary position in the Civilian Cybersecurity Reserve; and

(B) cybersecurity expertise.

(3) PRESCREENING.—The Secretary shall—

(A) conduct a prescreening of each individual prior to appointment under this section for any topic or product that would create a conflict of interest; and

(B) require each individual appointed under this section to notify the Secretary if a potential conflict of interest arises during the appointment.

(4) AGREEMENT REQUIRED.—An individual may become a member of the Civilian Cybersecurity Reserve only if the individual enters into an agreement with the Secretary to become such a member, which shall set forth the rights and obligations of the individual and the Army.

(5) EXCEPTION FOR CONTINUING MILITARY SERVICE COMMITMENTS.—A member of the Selected Reserve under section 10143 of title 10, United States Code, may not be a member of the Civilian Cybersecurity Reserve.

(6) PROHIBITION.—Any individual who is an employee of the executive branch may not be recruited or appointed to serve in the Civilian Cybersecurity Reserve.

(d) SECURITY CLEARANCES.—

(1) IN GENERAL.—The Secretary of the Army shall ensure that all members of the Civilian Cybersecurity Reserve undergo the appropriate personnel vetting and adjudication commensurate with the duties of the position, including a determination of eligibility for access to classified information where a security clearance is necessary, according to applicable policy and authorities.

(2) COST OF SPONSORING CLEARANCES.—If a member of the Civilian Cybersecurity Reserve requires a security clearance in order to carry out the duties of the member, the Army shall be responsible for the cost of sponsoring the security clearance of the member.

(e) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date on which the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the report required under section 1540(d)(2) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) on the feasibility and advisability of creating and maintaining a civilian cybersecurity reserve corps, the Secretary of the Army shall—

(A) submit to the congressional defense committees an implementation plan for the pilot project required under subsection (b)(1); and

(B) provide to the congressional defense committees a briefing on the implementation plan.

(2) PROHIBITION.—The Secretary of the Army may not take any action to begin implementation of the pilot project required under subsection (b)(1) until the Secretary fulfills the requirements under paragraph (1).

(f) PROJECT GUIDANCE.—Not later than two years after the date of the enactment of this

Act, the Secretary of the Army shall, in consultation with the Office of Personnel Management and the Office of Government Ethics, issue guidance establishing and implementing the pilot project required under subsection (b)(1).

(g) BRIEFINGS AND REPORT.—

(1) BRIEFINGS.—Not later than one year after the date on which the guidance required under subsection (f) is issued, and every year thereafter until the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Secretary of the Army shall provide to the congressional defense committees a briefing on activities carried out under the pilot project, including—

(A) participation in the Civilian Cybersecurity Reserve, including the number of participants, the diversity of participants, and any barriers to recruitment or retention of members;

(B) an evaluation of the ethical requirements of the pilot project;

(C) whether the Civilian Cybersecurity Reserve has been effective in providing additional capacity to the Army; and

(D) an evaluation of the eligibility requirements for the pilot project.

(2) REPORT.—Not earlier than 180 days and not later than 90 days before the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Secretary shall submit to the congressional defense committees a report and provide a briefing on recommendations relating to the pilot project, including recommendations for—

(A) whether the pilot project should be modified, extended in duration, or established as a permanent program, and if so, an appropriate scope for the program;

(B) how to attract participants, ensure a diversity of participants, and address any barriers to recruitment or retention of members of the Civilian Cybersecurity Reserve;

(C) the ethical requirements of the pilot project and the effectiveness of mitigation efforts to address any conflict of interest concerns; and

(D) an evaluation of the eligibility requirements for the pilot project.

(h) EVALUATION.—Not later than three years after the pilot project required under subsection (b)(1) is established, the Comptroller General of the United States shall—

(1) conduct a study evaluating the pilot project; and

(2) submit to Congress—

(A) a report on the results of the study; and

(B) a recommendation with respect to whether the pilot project should be modified.

(i) SUNSET.—The pilot project required under subsection (b)(1) shall terminate on the date that is four years after the date on which the pilot project is established.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. MIDDLE EAST INTEGRATED MARITIME DOMAIN AWARENESS AND INTERDICTION CAPABILITY.

(a) IN GENERAL.—The Secretary of Defense, using existing authorities, shall seek to build upon the incorporation of Israel into the area of responsibility of the United States Central Command to develop a Middle East integrated maritime domain awareness and interdiction capability for the purpose of protecting the people, infrastructure, and territory of such countries from—

(1) manned and unmanned naval systems, undersea warfare capabilities, and anti-ship missiles of Iran and groups affiliated with Iran; and

(2) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the waterways within the area of responsibility of the United States Naval Forces Central Command.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a strategy for the cooperation described in subsection (a).

(2) MATTERS TO BE INCLUDED.—The strategy required by paragraph (1) shall include the following:

(A) An assessment of the threats posed to ally or partner countries in the Middle East by—

(i) manned and unmanned naval systems, undersea warfare capabilities, and anti-ship missiles of Iran and groups affiliated with Iran; and

(ii) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the waterways within the area of responsibility of the United States Naval Forces Central Command.

(B) A description of existing multilateral maritime partnerships currently led by the United States Naval Forces Central Command, including the Combined Maritime Forces (including its associated Task Forces 150, 151, 152, and 153), the International Maritime Security Construct, and the Navy's Task Force 59, and a discussion of the role of such partnerships in building an integrated maritime security capability.

(C) A description of progress made in advancing the integration of Israel into the existing multilateral maritime partnerships described in subparagraph (B).

(D) A description of efforts among countries in the Middle East to coordinate intelligence, reconnaissance, and surveillance capabilities and indicators and warnings with respect to the threats described in subparagraph (A), and a description of any impediment to optimizing such efforts.

(E) A description of the current Department of Defense systems that, in coordination with ally and partner countries in the Middle East—

(i) provide awareness of and defend against such threats; and

(ii) address current capability gaps.

(F) An explanation of the manner in which an integrated maritime domain awareness and interdiction architecture would improve collective security in the Middle East.

(G) A description of existing and planned efforts to engage ally and partner countries in the Middle East in establishing such an architecture.

(H) An identification of the elements of such an architecture that may be acquired and operated by ally and partner countries in the Middle East, and a list of such elements for each such ally and partner.

(I) An identification of the elements of such an architecture that may only be provided and operated by members of the United States Armed Forces.

(J) An identification of any challenge to optimizing such an architecture in the Middle East.

(K) An assessment of progress and key challenges in the implementation of the strategy required by paragraph (1) using the metrics identified in accordance with paragraph (3).

(L) Recommendations for improvements in the implementation of such strategy based on such metrics.

(M) An assessment of any capabilities or lessons from the Navy's Task Force 59 that may be leveraged to support an integrated maritime domain awareness and interdiction capability in the Middle East.

(N) Any other matter the Secretary of Defense considers relevant.

(3) METRICS.—The Secretary of Defense shall identify metrics to assess progress in the implementation of the strategy required by paragraph (1).

(4) FORMAT.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) FEASIBILITY STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility and advisability of establishing an integrated maritime domain awareness and interdiction capability to protect the people, infrastructure, and territory of ally and partner countries in the Middle East from—

(A) manned and unmanned naval systems, undersea warfare capabilities, and anti-ship missiles of Iran and groups affiliated with Iran; and

(B) violent extremist organizations, criminal networks, and piracy activities that threaten lawful commerce in the waterways of the Middle East.

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

(A) an assessment of funds that could be contributed by ally and partner countries of the United States; and

(B) a cost estimate of establishing such an integrated maritime domain awareness and interdiction capability.

(3) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the results of the study conducted under paragraph (1).

(d) PROTECTION OF SENSITIVE INFORMATION.—Any activity carried out under this section shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1202. AUTHORITY TO PROVIDE MISSION TRAINING THROUGH DISTRIBUTED SIMULATION.

(a) AUTHORITY FOR TRAINING AND DISTRIBUTION.—To enhance the interoperability and integration between the United States Armed Forces and the military forces of friendly foreign countries, the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—

(1) to provide to military personnel of a friendly foreign government persistent advanced networked training and exercise activities (in this section referred to as ''mission training through distributed simulation''); and

(2) to provide information technology, including hardware and computer software developed for mission training through distributed simulation activities.

(b) SCOPE OF MISSION TRAINING.—Mission training through distributed simulation provided under subsection (a) may include advanced distributed network training events and computer-assisted exercises.

(c) APPLICABILITY OF EXPORT CONTROL AUTHORITIES.—The provision of mission training through distributed simulation and information technology under this section shall be subject to the Arms Export Control

Act (22 U.S.C. 2751 et seq.) and any other export control authority under law relating to the transfer of military technology to foreign countries.

(d) GUIDANCE ON USE OF AUTHORITY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall develop and issue guidance on the procedures for the use of the authority provided in this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the use of mission training through distributed simulation by military personnel of friendly foreign countries.

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

(A) A description of ongoing mission training through distributed simulation activities between the United States Armed Forces and the military forces of friendly foreign countries.

(B) A description of the current capabilities of the military forces of friendly foreign countries to support mission training through distributed simulation activities with the United States Armed Forces.

(C) A description of the manner in which the Department intends to use mission training through distributed simulation activities to support implementation of the National Defense Strategy, including in areas of responsibility of the United States European Command and the United States Indo-Pacific Command.

(D) Any recommendation of the Secretary of Defense for legislative proposals or policy guidance regarding the use of mission training through distributed simulation activities.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(f) SUNSET.—The authority provided in this section shall terminate on December 31, 2025.

SEC. 1203. INCREASE IN SMALL-SCALE CONSTRUCTION LIMIT AND MODIFICATION OF AUTHORITY TO BUILD CAPACITY.

(a) DEFINITION OF SMALL-SCALE CONSTRUCTION.—Section 301(8) of title 10, United States Code, is amended by striking ''$1,500,000'' and inserting ''$2,000,000''.

(b) MODIFICATION OF AUTHORITY TO BUILD CAPACITY.—

(1) IN GENERAL.—Subsection (a) of section 333 of title 10, United States Code, is amended—

(A) in paragraph (3), by inserting ''or other counter-illicit trafficking operations'' before the period at the end; and

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

''(10) Foreign internal defense operations.''.

(2) INCREASE IN THRESHOLD FOR SMALL-SCALE CONSTRUCTION PROJECTS REQUIRING ADDITIONAL DOCUMENTATION.—Subsection (e)(8) of such section is amended by striking ''$750,000'' and inserting ''$1,000,000''.

(3) EQUIPMENT DISPOSITION.—Such section is further amended by adding at the end the following new subsection:

''(h) EQUIPMENT DISPOSITION.—The Secretary of Defense may treat as stocks of the Department of Defense—

''(1) equipment procured to carry out a program pursuant to subsection (a) that has not yet been transferred to a foreign country and is no longer needed to support such program or any other program carried out pursuant to such subsection; and

''(2) equipment that has been transferred to a foreign country to carry out a program pursuant to subsection (a) and is returned by the foreign country to the United States.''.

(4) INTERNATIONAL AGREEMENTS.—Such section is further amended by adding at the end the following new subsection:

''(i) INTERNATIONAL AGREEMENTS.—

''(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may—

''(A) allow a foreign country to provide sole-source direction for assistance in support of a program carried out pursuant to subsection (a); and

''(B) enter into an agreement with a foreign country to provide such sole-source direction.

''(2) NOTIFICATION.—Not later than 72 hours after the Secretary of Defense enters into an agreement under paragraph (1), the Secretary shall submit to the congressional defense committees a written notification that includes the following:

''(A) A description of the parameters of the agreement, including types of support, objectives, and duration of support and cooperation under the agreement.

''(B) A description and justification of any anticipated use of sole-source direction pursuant to such agreement.

''(C) A determination as to whether the anticipated costs to incurred under the agreement are fair and reasonable.

''(D) A certification that the agreement is in the national security interests of the United States.

''(E) Any other matter relating to the agreement, as determined by the Secretary of Defense.''.

(5) FOREIGN INTERNAL DEFENSE DEFINED.—Such section is further amended by adding at the end of the following new subsection:

''(j) FOREIGN INTERNAL DEFENSE DEFINED.—In this section, the term 'foreign internal defense' has the meaning given such term in the publication of the Chairman of the Joint Chiefs of Staff entitled 'Joint Publication 3–22 Foreign Internal Defense' issued on August 17, 2018 and validated on February 2, 2021.''.

SEC. 1204. EXTENSION OF LEGAL INSTITUTIONAL CAPACITY BUILDING INITIATIVE FOR FOREIGN DEFENSE INSTITUTIONS.

Section 1210(e) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2028''.

SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended by striking ''beginning on October 1, 2022, and ending on December 31, 2023'' and inserting ''beginning on October 1, 2023, and ending on December 31, 2024''.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking ''beginning on October 1, 2022, and ending on December 31, 2023'' and inserting ''beginning on October 1, 2023, and ending on December 31, 2024''; and

(2) by striking ''$30,000,000'' and inserting ''$15,000,000''.

SEC. 1206. EXTENSION OF AUTHORITY FOR DEPARTMENT OF DEFENSE SUPPORT FOR STABILIZATION ACTIVITIES IN NATIONAL SECURITY INTEREST OF THE UNITED STATES.

Section 1210A(h) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1626) is amended by striking ''December 31, 2023'' and inserting ''December 31, 2025''.

SEC. 1207. EXTENSION OF CROSS SERVICING AGREEMENTS FOR LOAN OF PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT IN COALITION OPERATIONS.

Section 1207(f) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2342 note) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2029''.

SEC. 1208. LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL SECURITY COOPERATION PROGRAM.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Defense Security Cooperation Agency for the International Security Cooperation Program, not more than 75 percent may be obligated or expended until the Secretary of Defense submits the security cooperation strategy for each covered combatant command required by section 1206 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1960).

SEC. 1209. MODIFICATION OF DEPARTMENT OF DEFENSE SECURITY COOPERATION WORKFORCE DEVELOPMENT.

Section 384 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''The Program'' and inserting the following:

''(1) IN GENERAL.—The Program''; and

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

''(2) MANAGING ENTITY.—

''(A) DESIGNATION.—The Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, shall designate an entity within the Department of Defense to serve as the lead entity for managing the implementation of the Program.

''(B) DUTIES.—The entity designated under subparagraph (A) shall carry out the management and implementation of the Program, consistent with objectives formulated by the Secretary of Defense, which shall include the following:

''(i) Providing for comprehensive tracking of and accounting for all Department of Defense employees engaged in the security cooperation enterprise.

''(ii) Providing training requirements specified at the requisite proficiency levels for each position.

''(C) REPORTING.—The Secretary of Defense shall ensure that, not less frequently than annually, each military department, combatant command, defense agency, and any other entity involved in managing the security cooperation workforce submits to the entity designated under subparagraph (A) a report containing information necessary for the management and career development of the security cooperation workforce, as determined by the Director of the Defense Security Cooperation Agency.

''(3) SECURITY COOPERATION WORKFORCE MANAGEMENT INFORMATION SYSTEM.—The Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency, shall prescribe regulations to ensure that each military department, combatant

command, and defense agency provides standardized information and data to the Secretary on persons serving in positions within the security cooperation workforce.'';

(2) in subsection (e), by adding at the end the following new paragraph:

''(4) UPDATED GUIDANCE.—

''(A) IN GENERAL.—Not later than 270 days after the date of the enactment of this paragraph, and biannually thereafter through fiscal year 2028, the Secretary of Defense, in coordination with the Secretary of State, shall issue updated guidance for the execution and administration of the Program.

''(B) SCOPE.—The updated guidance required by subparagraph (A) shall—

''(i) fulfill each requirement set forth in paragraph (3), as appropriate; and

''(ii) include an identification of the manner in which the Department of Defense shall ensure that personnel assigned to security cooperation offices within embassies of the United States are trained and managed to a level of proficiency that is at least equal to the level of proficiency provided to the attaché workforce by the Defense Attaché Service.'';

(3) by redesignating subsections (f) through (h) as subsections (h) through (j), respectively; and

(4) by inserting after subsection (e) the following new subsections (f) and (g):

''(f) FOREIGN MILITARY SALES CENTER OF EXCELLENCE.—

''(1) ESTABLISHMENT.—The Secretary of Defense shall direct an existing schoolhouse within the Department of Defense to serve as a Foreign Military Sales Center of Excellence to improve the training and education of personnel engaged in foreign military sales planning and execution.

''(2) OBJECTIVES.—The objectives of the Foreign Military Sales Center of Excellence shall include—

''(A) conducting research on and promoting best practices for ensuring that foreign military sales are timely and effective; and

''(B) enhancing existing curricula for the purpose of ensuring that the foreign military sales workforce is fully trained and prepared to execute the foreign military sales program.

''(g) DEFENSE SECURITY COOPERATION UNIVERSITY.—

''(1) CHARTER.—The Secretary of Defense shall develop and promulgate a charter for the operation of the Defense Security Cooperation University.

''(2) MISSION.—The charter required by paragraph (1) shall set forth the mission, and associated structures and organizations, of the Defense Security Cooperation University, which shall include—

''(A) management and implementation of international military training and education security cooperation programs and authorities executed by the Department of Defense;

''(B) management and provision of institutional capacity-building services executed by the Department of Defense; and

''(C) advancement of the profession of security cooperation through research, data collection, analysis, publication, and learning.

''(3) COOPERATIVE RESEARCH AND DEVELOPMENT ARRANGEMENTS.—

''(A) IN GENERAL.—In engaging in research and development projects pursuant to subsection (a) of section 4001 of this title by a contract, cooperative agreement, or grant pursuant to subsection (b)(1) of such section, the Secretary of Defense may enter into such contract or cooperative agreement, or award such grant, through the Defense Security Cooperation University.

''(B) TREATMENT AS GOVERNMENT-OPERATED FEDERAL LABORATORY.—The Defense Security Cooperation University shall be considered a Government-operated Federal laboratory for purposes of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

''(4) ACCEPTANCE OF RESEARCH GRANTS.—

''(A) IN GENERAL.—The Secretary of Defense, through the Under Secretary of Defense for Policy, may authorize the President of the Defense Security Cooperation University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the Defense Security Cooperation University for a scientific, literary, or educational purpose.

''(B) QUALIFYING GRANTS.—A qualifying research grant under this paragraph is a grant that is awarded on a competitive basis by an entity described in subparagraph (C) for a research project with a scientific, literary, or educational purpose.

''(C) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted under this paragraph only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

''(D) ADMINISTRATION OF GRANT FUNDS.—The Director of the Defense Security Cooperation Agency shall establish an account for administering funds received as research grants under this section. The President of the Defense Security Cooperation University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

''(E) RELATED EXPENSES.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Defense Security Cooperation University may be used to pay expenses incurred by the Defense Security Cooperation University in applying for, and otherwise pursuing, the award of qualifying research grants.

''(F) REGULATIONS.—The Secretary of Defense, through the Under Secretary of Defense for Policy, shall prescribe regulations for the administration of this section.''.

SEC. 1210. MODIFICATION OF AUTHORITY TO PROVIDE SUPPORT TO CERTAIN GOVERNMENTS FOR BORDER SECURITY OPERATIONS.

Section 1226(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended by adding at the end the following:

''(G) To the Government of Tajikistan for purposes of supporting and enhancing efforts of the armed forces of Tajikistan to increase security and sustain increased security along the border of Tajikistan and Afghanistan.

''(H) To the Government of Uzbekistan for purposes of supporting and enhancing efforts of the armed forces of Uzbekistan to increase security and sustain increased security along the border of Uzbekistan and Afghanistan.

''(I) To the Government of Turkmenistan for purposes of supporting and enhancing efforts of the armed forces of Turkmenistan to increase security and sustain increased security along the border of Turkmenistan and Afghanistan.''.

SEC. 1211. MODIFICATION OF DEFENSE OPERATIONAL RESILIENCE INTERNATIONAL COOPERATION PILOT PROGRAM.

Section 1212 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236; 136 Stat. 2834; 10 U.S.C. 311 note) is amended—

(1) in subsection (a), by striking ''military forces'' and inserting ''national security forces'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''military-to-military relationships'' and inserting ''relationships with the national security forces of partner countries''; and

(ii) in subparagraph (C), by striking ''military forces'' and inserting ''national security forces''; and

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

''(4) SUSTAINMENT AND NON-LETHAL ASSISTANCE.—A program under subsection (a) may include the provision of sustainment and non-lethal assistance, including training, defense services, supplies (including consumables), and small-scale construction (as such terms are defined in section 301 of title 10, United States Code).'';

(3) in subsection (e)(3)(A), by striking ''military force'' and inserting ''national security forces''; and

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

''(g) NATIONAL SECURITY FORCES DEFINED.—In this section, the term 'national security forces' has the meaning given the term in section 301 of title 10, United States Code.''.

SEC. 1212. ASSISTANCE TO ISRAEL FOR AERIAL REFUELING.

(a) TRAINING ISRAELI PILOTS TO OPERATE KC–46 AIRCRAFT.—

(1) IN GENERAL.—The Secretary of the Air Force shall—

(A) make available sufficient resources and accommodations within the United States to train members of the Israeli Air Force on the operation of KC–46 aircraft;

(B) conduct training for members of the Israeli Air Force, including—

(i) training for pilots and crew on the operation of the KC–46 aircraft in accordance with standards considered sufficient to conduct coalition operations of the United States Air Force and the Israeli Air Force; and

(ii) training for ground personnel on the maintenance and sustainment requirements of the KC–46 aircraft considered sufficient for such operations; and

(C) conduct the timing of such training so as to ensure that the first group of trainee members of the Israeli Air Force is anticipated to complete the training not later than 2 weeks after the date on which the first KC–46 aircraft is delivered to Israel.

(2) UNITED STATES AIR FORCE MILITARY PERSONNEL EXCHANGE PROGRAM.—The Secretary of Defense shall, with respect to members of the Israeli Air Force associated with the operation of KC–46 aircraft—

(A) before the completion of the training required by paragraph (1)(B), authorize the participation of such members of the Israeli Air Force in the United States Air Force Military Personnel Exchange Program;

(B) make available billets in the United States Air Force Military Personnel Exchange Program necessary for such members of the Israeli Air Force to participate in such program; and

(C) to the extent practicable, ensure that such members of the Israeli Air Force are able to participate in the United States Air Force Military Personnel Exchange Program immediately after such members complete such training.

(3) TERMINATION.—This subsection shall cease to have effect on the date that is ten years after the date of the enactment of this Act.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes the following:

(1) An assessment of—

(A) the current operational requirements of the Government of Israel for aerial refueling; and

(B) any gaps in current or near-term capabilities.

(2) The estimated date of delivery to Israel of KC–46 aircraft procured by the Government of Israel.

(3) A detailed description of—

(A) any actions the United States Government is taking to expedite the delivery to Israel of KC–46 aircraft procured by the Government of Israel, while minimizing adverse impacts to United States defense readiness, including strategic forces readiness;

(B) any additional actions the United States Government could take to expedite such delivery; and

(C) additional authorities Congress could provide to help expedite such delivery.

(4) A description of the availability of any United States aerial refueling tanker aircraft that is retired or is expected to be retired during the two-year period beginning on the date of the enactment of this Act that could be provided to Israel.

(c) FORWARD DEPLOYMENT OF UNITED STATES KC–46 AIRCRAFT TO ISRAEL.—

(1) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that describes the capacity of and requirements for the United States Air Force to forward deploy KC–46 aircraft to Israel on a rotational basis until the date on which a KC–46 aircraft procured by the Government of Israel is commissioned into the Israeli Air Force and achieves full combat capability.

(2) ROTATIONAL FORCES.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary of Defense shall, consistent with maintaining United States defense readiness, rotationally deploy one or more KC–46 aircraft to Israel until the earlier of—

(i) the date on which a KC–46 aircraft procured by the military forces of Israel is commissioned into such military forces and achieves full combat capability; or

(ii) five years after the date of the enactment of this Act.

(B) LIMITATION.—The Secretary of Defense may only carry out a rotational deployment under subparagraph (A) if the Government of Israel consents to the deployment.

(C) PRESENCE.—The Secretary of Defense shall consult with the Government of Israel to determine the length of rotational deployments of United States KC–46 aircraft to Israel until the applicable date under subparagraph (A).

Subtitle B—Matters Relating to Syria, Iraq, and Iran

SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.

(a) EXTENSION.—Subsection (a) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended, in the matter preceding paragraph (1), by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

(b) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (l)(3) of such section is amended—

(1) in subparagraph (A), by striking ''The President'' and all that follows through ''if the President'' and inserting ''The Secretary of Defense may waive the limitations under paragraph (1) for the purposes of providing support under subsection (a)(4) if the Secretary'';

(2) by striking subparagraph (B);

(3) in subparagraph (C), by striking ''as required by subparagraph (B)(ii)(I)'';

(4) in subparagraph (D), by striking ''December 31, 2023'' and inserting ''December 31, 2024''; and

(5) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

SEC. 1222. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

(1) by striking ''fiscal year 2023'' and inserting ''fiscal year 2024''; and

(2) by striking ''$25,000,000'' and inserting ''$18,000,000''.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking ''fiscal year 2023'' and inserting ''fiscal year 2024''.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—Subsection (a) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559) is amended, in the matter preceding paragraph (1)—

(1) by inserting ''equipment and training to counter threats from unmanned aerial systems,'' before ''and sustainment''; and

(2) by striking ''December 31, 2023'' and inserting ''December 31, 2024''.

(b) FUNDING.—Subsection (g) of such section is amended by striking ''Overseas Contingency Operations for fiscal year 2023, there are authorized to be appropriated $358,000,000'' and inserting ''fiscal year 2024, there is authorized to be appropriated $241,950,000''.

(c) FOREIGN CONTRIBUTIONS.—Subsection (h) of such section is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

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

''(2) USE OF CONTRIBUTIONS.—The limitations on costs under subsections (a) and (m) shall not apply with respect to the expenditure of foreign contributions in excess of such limitations.''.

(d) WAIVER AUTHORITY.—Subsection (o) of such section is amended—

(1) in paragraph (1), by striking ''The President'' and all that follows through ''if the President'' and inserting ''The Secretary of Defense may waive the limitations on costs under subsection (a) or (m) if the Secretary'';

(2) by striking paragraph (3);

(3) in paragraph (4), by striking ''as required by paragraph (3)(B)(i)'';

(4) in paragraph (5), by striking ''December 31, 2023'' and inserting ''December 31, 2024''; and

(5) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(e) NOTIFICATION OF PROVISION OF COUNTER UNMANNED AERIAL SYSTEMS TRAINING AND ASSISTANCE.—Such section is further amended by adding at the end the following new subsection:

''(p) NOTIFICATION OF PROVISION OF COUNTER UNMANNED AERIAL SYSTEMS TRAINING AND ASSISTANCE.—

''(1) IN GENERAL.—Not later than 30 days after providing assistance under this section for countering threats from unmanned aerial systems, the Secretary of Defense shall notify the appropriate congressional committees of such provision of assistance.

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

''(A) An identification of the military forces being provided such assistance.

''(B) A description of the type of such assistance, including the types of training and equipment, being provided.''.

SEC. 1224. BRIEFING ON NUCLEAR CAPABILITY OF IRAN.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide the Committees on Armed Services of the Senate and the House of Representatives with—

(1) a briefing on—

(A) threats to global security posed by the nuclear weapon capability of Iran; and

(B) progress made by Iran in enriching uranium at levels proximate to or exceeding weapons grade; and

(2) recommendations for actions the United States may take to ensure that Iran does not acquire a nuclear weapon capability.

Subtitle C—Matters Relating to Europe and the Russian Federation

SEC. 1231. EXTENSION AND MODIFICATION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) FUNDING.—Subsection (f) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in the matter preceding paragraph (1), by striking ''for overseas contingency operations''; and

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

''(9) For fiscal year 2024, $300,000,000.''.

(b) TERMINATION OF AUTHORITY.—Subsection (h) of such section is amended by striking ''December 31, 2024'' and inserting ''December 31, 2027''.

SEC. 1232. EXTENSION AND MODIFICATION OF TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

Section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended—

(1) in subsection (c)(1), by adding at the end the following new subparagraph:

''(C) The Republic of Kosovo.''; and

(2) in subsection (h)—

(A) in the first sentence, by striking ''December 31, 2024'' and inserting ''December 31, 2026''; and

(B) in the second sentence, by striking ''December 31, 2024.'' and inserting ''December 31, 2026''.

SEC. 1233. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER INTERNATIONALLY RECOGNIZED TERRITORY OF UKRAINE.

Section 1245(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236) is amended by striking ''None of the funds'' and all that follows through ''2023'' and inserting ''None of the funds authorized to be appropriated for fiscal year 2023 or 2024''.

SEC. 1234. EXTENSION AND MODIFICATION OF TEMPORARY AUTHORIZATIONS RELATED TO UKRAINE AND OTHER MATTERS.

Section 1244 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (a)(7), by striking ''September 30, 2024'' and inserting ''September 30, 2025''; and

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by inserting ''or fiscal year 2024'' after ''fiscal year 2023'';

(B) in subparagraph (P), by striking ''; and'' and inserting a semicolon;

(C) in subparagraph (Q), by striking the period at the end and inserting ''; and''; and

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

''(R) 3,300 Tomahawk Cruise Missiles;

''(S) 1,100 Precision Strike Missiles (PrSM);

''(T) 550 Mark 48 Torpedoes;

''(U) 1,650 RIM-162 Evolved Sea Sparrow Missiles (ESSM);

''(V) 1,980 RIM-116 Rolling Airframe Missiles (RAM); and

''(W) 11,550 Small Diameter Bomb IIs (SDB-II).''.

SEC. 1235. PRIORITIZATION FOR BASING, TRAINING, AND EXERCISES IN NORTH ATLANTIC TREATY ORGANIZATION MEMBER COUNTRIES.

(a) IN GENERAL.—Subject to subsection (b), when considering decisions related to United States military basing, training, and exercises, the Secretary of Defense shall prioritize those North Atlantic Treaty Organization member countries that have achieved defense spending of not less than 2 percent of their gross domestic product by 2024.

(b) WAIVER.—The Secretary of Defense may waive subsection (a) if the Secretary submits a certification to the congressional defense committees that a waiver is in the national security interests of the United States.

SEC. 1236. STUDY AND REPORT ON LESSONS LEARNED REGARDING INFORMATION OPERATIONS AND DETERRENCE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into a contract or other agreement with an eligible entity to conduct an independent study on lessons learned from information operations conducted by the United States, Ukraine, the Russian Federation, and member countries of the North Atlantic Treaty Organization during the lead-up to the Russian Federation's full-scale invasion of Ukraine in 2022 and throughout the conflict.

(2) ELEMENT.—The study required by paragraph (1) shall include recommendations for improvements to United States information operations to enhance effectiveness, as well as recommendations on how information operations may be improved to support the maintenance of deterrence.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study in its entirety, along with any such comments as the Secretary considers relevant.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) ELIGIBLE ENTITY DEFINED.—In this section, the term ''eligible entity''—

(1) means an entity independent of the Department of Defense that is not under the direction or control of the Secretary of Defense; and

(2) an independent, nongovernmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.

SEC. 1237. REPORT ON PROGRESS ON MULTI-YEAR STRATEGY AND PLAN FOR BALTIC SECURITY COOPERATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report on the progress made in the implementation of the multi-year strategy and spending plan set forth in the June 2021 report of the Department of Defense entitled ''Report to Congress on the Baltic Security Initiative''.

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

(1) An identification of any significant change to the goals, objectives, and milestones identified in the June 2021 report described in subsection (a).

(2) An update on the Department of Defense funding allocated for such strategy and spending plan for fiscal years 2022 and 2023 and projected funding requirements for fiscal years 2024, 2025, and 2026 for each goal identified in such report.

(3) An update on the host country funding allocated and planned for each such goal.

(4) An assessment of the progress made in the implementation of the recommendations set forth in the fiscal year 2020 Baltic Defense Assessment, and reaffirmed in the June 2021 report described in subsection (a), that each Baltic country should—

(A) increase its defense budget;

(B) focus on and budget for sustainment of capabilities in defense planning; and

(C) consider combined units for expensive capabilities such as air defense, rocket artillery, and engineer assets.

SEC. 1238. SENSE OF THE SENATE ON THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) the success of the North Atlantic Treaty Organization is critical to advancing United States national security objectives in Europe, the Indo-Pacific region, and around the world;

(2) the North Atlantic Treaty Organization remains the strongest and most successful military alliance in the world, founded on a commitment by its members to uphold the principles of democracy, individual liberty, and the rule of law;

(3) the United States reaffirms its ironclad commitment—

(A) to the North Atlantic Treaty Organization as the foundation of transatlantic security; and

(B) to upholding its obligations under the North Atlantic Treaty, including Article 5;

(4) the unprovoked and illegal invasion of Ukraine by the Russian Federation has upended security in Europe and requires the full attention of the transatlantic alliance;

(5) welcoming Finland as the 31st member of the North Atlantic Treaty Organization has made the North Atlantic Treaty Organization Alliance stronger and the remaining North Atlantic Treaty Organization member countries should swiftly ratify the accession protocols of Sweden so as to bolster the collective security of the North Atlantic Treaty Organization by increasing the security and stability of the Baltic Sea region and Northern Europe;

(6) the North Atlantic Treaty Organization member countries that have not yet met the two-percent defense spending pledge, as agreed to at the 2014 Wales Summit, should endeavor to meet the timeline as expeditiously as possible, but certainly within the five-year period beginning on the date of the enactment of this Act;

(7) the United States and North Atlantic Treaty Organization allies and partners should continue efforts to identify, synchronize, and deliver needed assistance to Ukraine as Ukraine continues the fight against the illegal and unjust war of the Russian Federation;

(8) the Strategic Concept, agreed to by all North Atlantic Treaty Organization member countries at the Madrid Summit in 2022, outlined the focus of the North Atlantic Treaty Organization for the upcoming decade, and North Atlantic Treaty Organization allies should continue to implement the strategies outlined, including by making efforts to address the challenges posed by the coercive policies of the People's Republic of China that undermine the interests, security, and shared values of the North Atlantic Treaty Organization Alliance;

(9) the United States and North Atlantic Treaty Organization allies should continue long-term efforts—

(A) to improve interoperability among the military forces of member countries of the North Atlantic Treaty Organization so as to enhance collective operations, including the divestment of Soviet-era capabilities;

(B) to enhance security sector cooperation and explore opportunities to reinforce civil sector preparedness and resilience measures that may be likely targets of malign influence campaigns;

(C) to mitigate the impact of hybrid warfare operations, particularly those in the information and cyber domains; and

(D) to expand joint research and development initiatives with a focus on emerging technologies such as quantum computing, artificial intelligence, and machine learning, including through the work of the Defence Innovation Accelerator for the North Atlantic initiative (commonly known as ''DIANA'');

(10) the European Deterrence Initiative remains critically important and has demonstrated its unique value to the United States and North Atlantic Treaty Organization allies during the current Russian Federation-created war against Ukraine;

(11) the United States should continue to work with North Atlantic Treaty Organization allies, and other allies and partners, to build permanent mechanisms to strengthen supply chains, enhance supply chain security, and fill supply chain gaps;

(12) the United States should prioritize collaboration with North Atlantic Treaty Organization allies to secure enduring and robust critical munitions supply chains so as to increase military readiness;

(13) the United States and the North Atlantic Treaty Organization should expand cooperation efforts on cybersecurity issues to prevent adversaries and criminals from compromising critical systems and infrastructure; and

(14) it is in the interest of the United States that the North Atlantic Treaty Organization adopt a robust strategy toward the Black Sea, and the United States should also consider working with interested partner countries to advance a coordinated strategy inclusive of diverse elements of transatlantic security architecture in the Black Sea region.

SEC. 1239. SENSE OF THE SENATE ON DEFENCE INNOVATION ACCELERATOR FOR THE NORTH ATLANTIC (DIANA) IN THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) the new initiative within the North Atlantic Treaty Organization (NATO) to establish a new research and development initiative, known as the Defence Innovation Accelerator for the North Atlantic (DIANA), is an important step in aligning the industry and academic innovation communities of the NATO member states towards common goals for identifying, experimenting, and transitioning critical technologies of importance to NATO;

(2) DIANA will spur increased defense research and development funding to rapidly adapt to a new era of strategic competition by bringing defense personnel together with NATO's leading entrepreneurs and academic researchers;

(3) DIANA will also increase opportunities for engagement on NATO's priority technology areas, including artificial intelligence, data, autonomy, quantum-enabled technologies, biotechnology, hypersonic technologies, space, novel materials and

manufacturing, and energy and propulsion; and

(4) through DIANA, NATO allies will foster innovative ecosystems and develop talent for dual use technologies to maintain NATO's strategic advantage.

SEC. 1240. SENSE OF THE SENATE REGARDING THE ARMING OF UKRAINE.

It is the sense of the Senate that Ukraine would derive military benefit from the provision of munitions such as the dual-purpose improved conventional munition (DPICM). Such weapons could be fired from systems in the existing Ukrainian inventory and would enhance Ukraine's stockpile of available munitions and would bolster Ukraine's efforts to end Russia's illegal and unjust war. The Department of Defense, in concert with the other members of the Ukraine Defense Contract Group, should continue to support Ukraine's brave fight to defeat the invasion of the Russian Federation. The Department of Defense, in close coordination with the State Department, should assess the feasibility and advisability of providing such munitions, including giving appropriate attention to humanitarian considerations, including supporting Ukraine's effort to end the widespread suffering of the Ukrainian people by bringing Russia's war of choice to an end as soon as possible on terms favorable to Ukraine, as well as the views of other members of the Ukraine Defense Contract Group.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 1241. INDO-PACIFIC CAMPAIGNING INITIATIVE.

(a) IN GENERAL.—The Secretary of Defense shall establish, and the Commander of the United States Indo-Pacific Command shall carry out, an Indo-Pacific Campaigning Initiative (in this section referred to as the ''Initiative'') for purposes of—

(1) strengthening United States alliances and partnerships with foreign military partners in the Indo-Pacific region;

(2) deterring military aggression by potential adversaries against the United States and allies and partners of the United States;

(3) dissuading strategic competitors from seeking to achieve their objectives through the conduct of military activities below the threshold of traditional armed conflict;

(4) improving the understanding of the United States Armed Forces with respect to the operating environment in the Indo-Pacific region;

(5) shaping the perception of potential adversaries with respect to United States military capabilities and the military capabilities of allies and partners of the United States in the Indo-Pacific region; and

(6) improving the ability of the United States Armed Forces to coordinate and operate with foreign military partners in the Indo-Pacific region.

(b) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than March 1, 2024, the Secretary shall provide the congressional defense committees with a briefing that describes ongoing and planned campaigning activities in the Indo-Pacific region for fiscal year 2024.

(2) REPORT.—Not later than December 1, 2024, the Secretary shall submit to the congressional defense committees a report that—

(A) summarizes the campaigning activities conducted in the Indo-Pacific region during fiscal year 2024; and

(B) includes—

(i) a value assessment of each such activity;

(ii) lessons learned in carrying out such activities;

(iii) any identified resource or authority gap that has negatively impacted the implementation of the Initiative; and

(iv) proposed plans for additional campaigning activities in the Indo-Pacific region to fulfill the purposes described in subsection (a).

(c) CAMPAIGNING DEFINED.—In this section, the term ''campaigning''—

(1) means the conduct and sequencing of logically linked military activities to achieve strategy-aligned objectives, including modifying the security environment over time to the benefit of the United States and the allies and partners of the United States while limiting, frustrating, and disrupting competitor activities; and

(2) includes deliberately planned military activities in the Indo-Pacific region involving bilateral and multilateral engagements with foreign partners, training, exercises, demonstrations, experiments, and other activities to achieve the objectives described in subsection (a).

SEC. 1242. TRAINING, ADVISING, AND INSTITUTIONAL CAPACITY-BUILDING PROGRAM FOR MILITARY FORCES OF TAIWAN.

(a) ESTABLISHMENT.—Consistent with the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the Taiwan Enhanced Resilience Act (subtitle A of title LV of Public Law 117–263), the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with appropriate officials of Taiwan, shall establish a comprehensive training, advising, and institutional capacity-building program for the military forces of Taiwan using the authorities provided in chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(b) PURPOSES.—The purposes of the program established under subsection (a) shall be—

(1) to enable a layered defense of Taiwan by the military forces of Taiwan, including in support of the use of an asymmetric defense strategy;

(2) to enhance interoperability between the United States Armed Forces and the military forces of Taiwan;

(3) to encourage information sharing between the United States Armed Forces and the military forces of Taiwan;

(4) to promote joint force employment; and

(5) to improve professional military education and the civilian control of the military.

(c) ELEMENTS.—The program established under subsection (a) shall include efforts to improve—

(1) the tactical proficiency of the military forces of Taiwan;

(2) the operational employment of the military forces of Taiwan to conduct a layered defense of Taiwan, including in support of an asymmetric defense strategy;

(3) the employment of joint military capabilities by the military forces of Taiwan, including through joint military training, exercises, and planning;

(4) the reform and integration of the reserve military forces of Taiwan;

(5) the use of defense articles and services transferred from the United States to Taiwan;

(6) the integration of the military forces of Taiwan with relevant civilian agencies, including the All-Out Defense Mobilization Agency;

(7) the ability of Taiwan to participate in bilateral and multilateral military exercises, as appropriate;

(8) the defensive cyber capabilities and practices of the Ministry of National Defense of Taiwan; and

(9) any other matter the Secretary of Defense considers relevant.

(d) DECONFLICTION, COORDINATION, AND CONCURRENCE.—The Secretary of Defense shall deconflict, coordinate, and seek the concurrence of the Secretary of State and the heads of other relevant departments and agencies with respect to activities carried out under the program required by subsection (a), in accordance with the requirements of the authorities provided in chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(e) REPORTING.—As part of each annual report on Taiwan defensive military capabilities and intelligence support required by section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988), the Secretary of Defense shall provide—

(1) an update on efforts made to address each element under subsection (c); and

(2) an identification of any authority or resource shortfall that inhibits such efforts.

SEC. 1243. INDO-PACIFIC MARITIME DOMAIN AWARENESS INITIATIVE.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall seek to establish an initiative with allies and partners of the United States, including Australia, Japan, and India, to be known as the ''Indo-Pacific Maritime Domain Awareness Initiative'' (in this section referred to as the ''Initiative''), to bolster maritime domain awareness in the Indo-Pacific region.

(b) USE OF AUTHORITIES.—In carrying out the Initiative, the Secretary of Defense may use the authorities provided in chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(c) PURPOSES.—The purposes of the Initiative are as follows:

(1) To enhance the ability of allies and partners of the United States in the Indo-Pacific region to fully monitor the maritime domain of such region.

(2) To leverage emerging technologies to support maritime domain awareness objectives.

(3) To provide a comprehensive understanding of the maritime domain in the Indo-Pacific region, including by facilitating information sharing among such allies and partners.

(d) REPORT.—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report that outlines ongoing and planned activities of the Initiative, and the resources needed to carry out the such activities, for fiscal year 2025.

SEC. 1244. EXTENSION OF PACIFIC DETERRENCE INITIATIVE.

(a) EXTENSION.—Subsection (c) of section 1251 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) is amended—

(1) by striking ''the National Defense Authorization Act for Fiscal Year 2023'' and inserting ''the National Defense Authorization Act for Fiscal Year 2024''; and

(2) by striking ''fiscal year 2023'' and inserting ''fiscal year 2024''.

(b) REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION AND STUDY ON COMPETITIVE STRATEGIES.—Subsection (d)(1)(A) of such section is amended by striking ''fiscal years 2023 and 2024'' and inserting ''fiscal years 2024 and 2025''.

SEC. 1245. EXTENSION OF AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.

Section 1253(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3955) is amended by striking ''fiscal year 2023'' and inserting ''fiscal year 2024''.

SEC. 1246. EXTENSION AND MODIFICATION OF PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH FOREIGN MILITARY PARTNERS IN SOUTHEAST ASIA.

(a) IN GENERAL.—Subsection (a) of section 1256 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3956; 10 U.S.C. 333 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''in Vietnam, Thailand, and Indonesia'' and inserting ''with covered foreign military partners'';

(2) in paragraph (1), by striking ''Vietnam, Thailand, and Indonesia'' and inserting ''covered foreign military partners''; and

(3) in paragraph (2), by striking ''Vietnam, Thailand, and Indonesia on'' and inserting ''covered foreign military partners on defensive''.

(b) ELEMENTS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking ''Vietnam, Thailand, and Indonesia'' and inserting ''covered foreign military partners''; and

(2) in paragraph (2), by striking ''Vietnam, Thailand, and Indonesia'' and inserting ''covered foreign military partners''.

(c) REPORTS.—Subsection (c)(2)(B) of such title is amended by striking ''Vietnam, Thailand, and Indonesia'' and inserting ''covered foreign military partners''.

(d) CERTIFICATION.—Subsection (d) of such section is amended—

(1) by inserting ''with any covered foreign military partner'' after ''scheduled to commence''; and

(2) by striking ''Vietnam, Indonesia, or Thailand'' and inserting ''the covered foreign military partner''.

(e) EXTENSION.—Subsection (e) of such section is amended by striking ''December 31, 2024'' and inserting ''December 31, 2029''.

(f) DEFINITIONS.—Subsection (f) of such section is amended to read as follows:

''(f) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

''(2) COVERED FOREIGN MILITARY PARTNER.—The term 'covered foreign military partner' means the following:

''(A) Vietnam.

''(B) Thailand.

''(C) Indonesia.

''(D) The Philippines.

''(E) Malaysia.''.

(g) CONFORMING AMENDMENTS.—

(1) Section 1256 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3956; 10 U.S.C. 333 note) is amended, in the section heading, by striking ''**VIETNAM, THAILAND, AND INDONESIA**'' and inserting ''**COVERED FOREIGN MILITARY PARTNERS IN SOUTHEAST ASIA**''.

(2) The table of contents for the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3388) is amended by striking the item relating to section 1256 and inserting the following:

''Sec. 1256. Pilot program to improve cyber cooperation with covered foreign military partners in Southeast Asia.''.

(3) The table of contents for title XII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3905) is amended by striking the item relating to section 1256 and inserting the following:

''Sec. 1256. Pilot program to improve cyber cooperation with covered foreign military partners in Southeast Asia.''.

SEC. 1247. EXTENSION AND MODIFICATION OF CERTAIN TEMPORARY AUTHORIZATIONS.

(a) IN GENERAL.—Section 1244 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236; 136 Stat. 2844) is amended—

(1) in the section heading, by striking ''**OTHER MATTERS**'' and inserting ''**TAIWAN**''; and

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting ''or the Government of Taiwan'' after ''the Government of Ukraine''; and

(ii) in subparagraph (C), by inserting ''or the Government of Taiwan'' after ''the Government of Ukraine'';

(B) in paragraph (5)—

(i) by striking subparagraph (A) and inserting the following:

''(A) the replacement of defense articles from stocks of the Department of Defense provided to—

''(i) the Government of Ukraine;

''(ii) foreign countries that have provided support to Ukraine at the request of the United States;

''(iii) the Government of Taiwan; or

''(iv) foreign countries that have provided support to Taiwan at the request of the United States; or''; and

(ii) in subparagraph (B), by inserting ''or the Government of Taiwan'' before the period at the end;

(C) in paragraph (7), by striking ''September 30, 2024'' and inserting ''September 30, 2028'';

(D) by redesignating paragraph (7) as paragraph (8); and

(E) by inserting after paragraph (6) the following new paragraph (7):

''(7) NOTIFICATION.—Not later than 7 days after the exercise of authority under subsection (a) the Secretary of Defense shall notify the congressional defense committees of the specific authority exercises, the relevant contract, and the estimated reductions in schedule.''.

(b) CLERICAL AMENDMENTS.—

(1) The table of contents at the beginning of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236; 136 Stat. 2395) is amended by striking the item relating to section 1244 and inserting the following:

''Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.''.

(2) The table of contents at the beginning of title XII of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236; 136 Stat. 2820) is amended by striking the item relating to section 1244 and inserting the following:

''Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.''.

SEC. 1248. PLAN FOR ENHANCED SECURITY COOPERATION WITH JAPAN.

(a) IN GENERAL.—Not later than June 1, 2024, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a plan for enhancing United States security cooperation with Japan.

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

(1) A plan for—

(A) increased bilateral training, exercises, combined patrols, and other activities between the United States Armed Forces and the Self-Defense Forces of Japan;

(B) increasing multilateral military-to-military engagements involving the United States Armed Forces, the Self-Defense Forces of Japan, and the military forces of other regional allies and partners, including Australia, India, the Republic of Korea, and the Philippines, as appropriate;

(C) increased sharing of intelligence and other information, including the adoption of enhanced security protocols;

(D) current mechanisms, processes, and plans to coordinate and engage with the Joint Headquarters of the Self-Defense Forces of Japan; and

(E) enhancing cooperation on advanced technology initiatives, including artificial intelligence, cyber, space, undersea, hypersonic, and related technologies.

(2) An analysis of the feasibility and advisability of—

(A) increasing combined planning efforts between the United States and Japan to address potential regional contingencies;

(B) modifying United States command structures in Japan—

(i) to coordinate all United States military activities and operations in Japan;

(ii) to complement similar changes by the Self-Defense Forces of Japan; and

(iii) to facilitate integrated planning and implementation of combined activities; and

(C) additional modifications to the force posture of the United States Armed Forces in Japan, including the establishment of additional main operating locations, cooperative security locations, contingency locations, and other forward operating sites.

(3) An identification of challenges to the implementation of the plan required by subsection (a) and any recommended legislative changes, resourcing requirements, bilateral agreements, or other measures that would facilitate the implementation of such plan.

(c) FORM.—The plan required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 1249. PLAN FOR IMPROVEMENTS TO CERTAIN OPERATING LOCATIONS IN INDO-PACIFIC REGION.

(a) IDENTIFICATION OF OPERATING LOCATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a classified survey to identify each United States operating location within the area of responsibility of the United States Indo-Pacific Command, including in the First, Second, and Third Island Chains, that—

(A) may be used to respond militarily to aggression by the People's Republic of China; and

(B) is considered to not be sufficiently capable of mitigating damage to aircraft of the United States Armed Forces in the event of a missile, aerial drone, or other form of attack by the People's Republic of China.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the survey under paragraph (1).

(b) PLAN.—Not later than 60 days after the date on which the report required by paragraph (2) of subsection (a) is submitted, the Secretary shall submit to the congressional defense committees a plan—

(1) to implement improvements, as appropriate, to operating locations identified under that subsection so as to increase the survivability of aircraft of the United States

Armed Forces in the event of a missile, aerial drone, or other form of attack by the People's Republic of China; and

(2) that includes an articulation of other means for increasing survivability of such aircraft in the event of such an attack, including dispersal and deception.

(c) FORM.—The report and plan required by this section shall be submitted in classified form.

SEC. 1250. STRATEGY FOR IMPROVING POSTURE OF GROUND-BASED THEATER-RANGE MISSILES IN INDO-PACIFIC REGION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a strategy for improving the posture of ground-based theater-range missile capabilities in the Indo-Pacific region.

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

(1) An assessment of gaps in conventional ground-based theater-range precision strike capabilities in the area of responsibility of the United States Indo-Pacific Command.

(2) An identification of military requirements for conventional ground-based theater-range missile systems, including range, propulsion, payload, launch platform, weapon effects, and other operationally relevant factors in the Indo-Pacific region.

(3) An identification of prospective basing locations in the area of responsibility of the United States Indo-Pacific Command, including an articulation of the bilateral agreements necessary to support such deployments.

(4) A description of operational concepts for employment, including integration with short-range and multi-domain fires, in denial operations in the Western Pacific.

(5) An identification of prospective foreign partners and institutional mechanisms for co-development and co-production of new theater-range conventional missiles.

(6) An assessment of the cost and schedule of developmental ground-based theater-range missiles programs, including any potential cost-sharing arrangements with foreign partners through existing institutional mechanisms.

(7) The designation of a theater component commander or joint task force commander within the United States Indo-Pacific Command responsible for developing a theater missile strategy.

(8) Any other matter the Secretary considers relevant.

(c) FORM.—The strategy required by subsection (a) may be submitted in classified form but shall include an unclassified summary.

(d) GROUND-BASED THEATER-RANGE MISSILE DEFINED.—In this section, the term ''ground-based theater-range missile'' means a conventional mobile ground-launched ballistic or cruise missile system with a range between 500 and 5,500 kilometers.

SEC. 1251. ENHANCING MAJOR DEFENSE PARTNERSHIP WITH INDIA.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State and the head of any other relevant Federal department or agency, shall seek to ensure that India is appropriately considered for security cooperation benefits consistent with the status of India as a major defense partner of the United States, including with respect to the following lines of effort:

(1) Eligibility for funding to initiate or facilitate cooperative research, development, testing, or evaluation projects with the Department of Defense, with priority given to projects in the areas of—

(A) artificial intelligence;

(B) undersea domain awareness;

(C) air combat and support;

(D) munitions; and

(E) mobility.

(2) Eligibility to enter into reciprocal agreements with the Department of Defense for the cooperative provision of training on a bilateral or multilateral basis in support of programs for the purpose of building capacity in the areas of—

(A) counterterrorism operations;

(B) counter-weapons of mass destruction operations;

(C) counter-illicit drug trafficking operations;

(D) counter-transnational organized crime operations;

(E) maritime and border security operations;

(F) military intelligence operations;

(G) air domain awareness operations; and

(H) cyberspace security and defensive cyberspace operations.

(3) Eligibility to enter into a memorandum of understanding or other formal agreement with the Department of Defense for the purpose of conducting cooperative research and development projects on defense equipment and munitions.

(4) Eligibility for companies from India to bid on contracts for the maintenance, repair, or overhaul of Department of Defense equipment located outside the United States.

(b) BRIEFING.—Not later than March 1, 2024, the Secretary of Defense, in coordination with the Secretary of State and the head of any other relevant Federal department or agency, shall provide the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives with a briefing on the status of security cooperation activities with India, including the lines of effort specified in subsection (a).

SEC. 1252. MILITARY CYBERSECURITY COOPERATION WITH TAIWAN.

(a) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Policy, with the concurrence of the Secretary of State and in coordination with the Commander of the United States Cyber Command and the Commander of the United States Indo-Pacific Command, shall seek to engage with appropriate officials of Taiwan for the purpose of expanding cooperation on military cybersecurity activities using the authorities under chapter 16 of title 10, United States Code, and other applicable statutory authorities available to the Secretary of Defense.

(b) COOPERATION EFFORTS.—In expanding the cooperation of military cybersecurity activities between the Department of Defense and the military forces of Taiwan under subsection (a), the Secretary of Defense may carry out efforts—

(1) to actively defend military networks, infrastructure, and systems;

(2) to eradicate malicious cyber activity that has compromised such networks, infrastructure, and systems;

(3) to leverage United States commercial and military cybersecurity technology and services to harden and defend such networks, infrastructure, and systems; and

(4) to conduct combined cybersecurity training activities and exercises.

(c) BRIEFINGS.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall provide to the appropriate committees of Congress a briefing on the implementation of this section.

(2) CONTENTS.—The briefing under paragraph (1) shall include the following:

(A) A description of the feasibility and advisability of expanding the cooperation on military cybersecurity activities between the Department of Defense and the military forces of Taiwan.

(B) An identification of any challenges and resources that need to be addressed so as to expand such cooperation.

(C) An overview of efforts undertaken pursuant to this section.

(D) Any other matter the Secretary considers relevant.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1253. DESIGNATION OF SENIOR OFFICIAL FOR DEPARTMENT OF DEFENSE ACTIVITIES RELATING TO, AND IMPLEMENTATION PLAN FOR, SECURITY PARTNERSHIP AMONG AUSTRALIA, THE UNITED KINGDOM, AND THE UNITED STATES.

(a) DESIGNATION OF SENIOR OFFICIAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior civilian official of the Department of Defense who shall be responsible for overseeing Department of Defense activities relating to the security partnership among Australia, the United Kingdom, and the United States (commonly known as the ''AUKUS partnership'').

(b) PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Administrator for Nuclear Security and the Secretary of State, shall submit to the appropriate committees of Congress an implementation plan outlining Department efforts relating to the AUKUS partnership.

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

(A) Timelines and major anticipated milestones for the implementation of the AUKUS partnership.

(B) An identification of dependencies of such milestones on defense requirements that are—

(i) unrelated to the AUKUS partnership; and

(ii) solely within the decisionmaking responsibility of Australia or the United Kingdom.

(C) Recommendations for adjustments to statutory and regulatory export authorities or frameworks, including technology transfer and protection, necessary to efficiently implement the AUKUS partnership.

(D) A consideration of the implications of the plan on the industrial base with respect to—

(i) the expansion of existing United States submarine construction capacity to fulfill United States, United Kingdom, and Australia requirements;

(ii) acceleration of the restoration of United States capabilities for producing highly enriched uranium to fuel submarine reactors;

(iii) stabilization of commodity markets and expanding supplies of high-grade steel, construction materials, and other resources required for improving shipyard condition and expanding throughput capacity; and

(iv) coordination and synchronization of industrial sourcing opportunities among Australia, the United Kingdom, and the United States.

(E) A description of resourcing and personnel requirements, including the hiring of additional foreign disclosure officers.

(F) A plan for improving information sharing, including—

(i) recommendations for modifications to foreign disclosure policies and processes;

(ii) the promulgation of written information-sharing guidelines or policies to improve information sharing under the AUKUS partnership;

(iii) the establishment of an information handling caveat specific to the AUKUS partnership; and

(iv) the reduction in use of the Not Releasable to Foreign Nations (NOFORN) information handling caveat.

(G) Processes for the protection of privately held intellectual property, including patents.

(H) A plan to leverage, for the AUKUS partnership, any relevant existing cybersecurity or technology partnership or cooperation activity between the United States and the United Kingdom or between the United States and Australia.

(I) Recommended updates to other statutory, regulatory, policy, or process frameworks.

(J) Any other matter the Secretary of Defense considers appropriate.

(c) SEMIANNUAL UPDATES.—Not later than 60 days after the date on which the plan required by subsection (b) is submitted, and semiannually thereafter on April 1 and October 1 each year through 2029, the senior civilian official designated under subsection (a) shall provide the congressional defense committees with a briefing on the status of all Department activities to implement the AUKUS partnership.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committees on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1254. REPORT AND NOTIFICATION RELATING TO TRANSFER OF OPERATIONAL CONTROL ON KOREAN PENINSULA.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a report that—

(1) describes the conditions under which the military forces of the Republic of Korea would be prepared to assume wartime operational control of the United States and Republic of Korea Combined Forces Command; and

(2) includes an assessment of the extent to which the military forces of the Republic of Korea meet such conditions as of the date on which the report is submitted.

(b) NOTIFICATION.—

(1) IN GENERAL.—Not later than 30 days before the date on which wartime operational control of the United States and Republic of Korea Combined Forces Command is transferred to the Republic of Korea, the Secretary of Defense, in coordination with the Secretary of State, shall notify the appropriate committees of Congress of such transfer.

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

(A) An assessment of the extent to which the military forces of the Republic of Korea meet the conditions described in the report submitted under subsection (a), including with respect to the acquisition by the Republic of Korea of necessary military capabilities to counter the capabilities of the Democratic People's Republic of Korea.

(B) A description of the command relationship among the United Nations Command, the United States and Republic of Korea Combined Forces Command, the United States Forces Korea, and the military forces of the Republic of Korea.

(C) An assessment of the extent to which such transfer impacts the security of the United States, the Republic of Korea, and other regional allies and partners.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1255. REPORT ON RANGE OF CONSEQUENCES OF WAR WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than December 1, 2024, the Director of the Office of Net Assessment shall submit to the congressional defense committees a report on the range of geopolitical and economic consequences of a United States-People's Republic of China conflict in 2030.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) account for potential—

(A) attacks within the homelands of the United States and the People's Republic of China, including cyber threats and the potential disruption of critical infrastructure;

(B) impacts on the United States Armed Forces and the military forces of United States allies and partners, including loss of life, capabilities, United States force posture, and United States alliances in the Indo-Pacific region;

(C) impacts on the military forces of the People's Republic of China, including loss of life and capabilities;

(D) impacts on the civilian populations of Japan, Taiwan, Australia, and other countries in the Indo-Pacific region;

(E) disruption of the global economy; and

(F) any other matter the Director of the Office of Net Assessment considers relevant; and

(2) include a review of previous attempts in history to forecast the consequences and costs of war.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(d) BRIEFING.—Not less than 14 days before the date on which the report required by subsection (a) is submitted, the Director of the Office of Net Assessment shall provide a briefing to the congressional defense committees on the conclusions of the report.

SEC. 1256. STUDY AND REPORT ON COMMAND STRUCTURE AND FORCE POSTURE OF UNITED STATES ARMED FORCES IN INDO-PACIFIC REGION.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct an independent study for the purpose of improving the current command structure and force posture of the United States Armed Forces in the area of responsibility of the United States Indo-Pacific Command.

(2) REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center selected to conduct the study required by paragraph (1) shall submit to the Secretary a report on the findings of the study.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) An assessment of—

(I) the current command structure of the United States Armed Forces in the area of responsibility of the United States Indo-Pacific Command;

(II) the current force posture, basing, access, and overflight agreements of the United States Armed Forces in such area of responsibility; and

(III) any operational or command and control challenge resulting from the geography, current force posture of the United States Armed Forces, or current command structure of the United States Armed Forces in the area of responsibility of the United States Indo-Pacific Command.

(ii) Any recommendation for—

(I) adjustments to the force posture of the United States Armed Forces in such area of responsibility, including an identification of any additional basing, access, and overflight agreement that may be necessary in response to the changing security environment in such area of responsibility;

(II) modifying the current organizational and command structure of the United States Indo-Pacific Command, including United States Forces Japan and United States Forces Korea, in response to such changing security environment; or

(III) improving the ability to better coordinate with allies and partners during peacetime and conflict.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1, 2025, the Secretary shall submit to the congressional defense committees an unaltered copy of the report submitted to the Secretary under subsection (a)(2), together with the views of the Secretary on the findings set forth in such report and any corresponding recommendation.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(3) PUBLIC AVAILABILITY.—The Secretary shall make available to the public the unclassified form of the report required by paragraph (1).

SEC. 1257. STUDIES ON DEFENSE BUDGET TRANSPARENCY OF THE PEOPLE'S REPUBLIC OF CHINA AND THE UNITED STATES.

(a) STUDIES REQUIRED.—

(1) DEFENSE INTELLIGENCE AGENCY STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Defense Intelligence Agency, shall—

(A) complete a study on the defense budget of the People's Republic of China;

(B) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study; and

(C) make the results of the study available to the public on the internet website of the Department of Defense.

(2) SECRETARY OF DEFENSE STUDY.—Not later than 90 days after the date on which the study required by paragraph (1) is submitted, the Secretary of Defense shall—

(A) complete a comparative study on the defense budgets of the People's Republic of China and the United States;

(B) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study; and

(C) make the results of the study available to the public on the internet website of the Department of Defense.

(3) METHODOLOGY.—The studies required by paragraphs (1) and (2) shall each employ a robust methodology that—

(A) does not depend on the official pronouncements of the Government of the People's Republic of China or the Chinese Communist Party;

(B) takes into account the military-civil fusion present in the People's Republic of China; and

(C) employs the building-block method of analysis or a similar method of analysis, as appropriate.

(4) OBJECTIVE.—The objective of the studies required by paragraphs (1) and (2) shall be to provide the people of the United States with an accurate comparison of the defense spending of the People's Republic of China and the United States.

(b) ELEMENTS.—At a minimum, the studies required by this section shall do the following:

(1) Determine the amounts invested by each subject country across functional categories for spending, including—

(A) defense-related research and development;

(B) weapons procurement from domestic and foreign sources;

(C) operations and maintenance;

(D) pay and benefits;

(E) military pensions; and

(F) any other category the Secretary considers relevant.

(2) Consider the effects of purchasing power parity and market exchange rates, particularly on nontraded goods.

(3) Estimate the magnitude of omitted spending from official defense budget information and account for such spending in the comparison.

(4) Exclude spending related to veterans' benefits, other than military pensions provided to veterans.

(c) CONSIDERATIONS.—The studies required by this section may take into consideration the following:

(1) The effects of state-owned enterprises on the defense expenditures of the People's Republic of China.

(2) The role of differing acquisition policies and structures with respect to the defense expenditures of each subject country.

(3) Any other matter relevant to evaluating the resources dedicated to the defense spending or the various military-related outlays of the People's Republic of China.

(d) FORM.—The studies required by this section shall be submitted in unclassified form, free of handling restrictions, but may include classified annexes.

SEC. 1258. BRIEFING ON PROVISION OF SECURITY ASSISTANCE BY THE PEOPLE'S REPUBLIC OF CHINA AND SUMMARY OF DEPARTMENT OF DEFENSE MITIGATION ACTIVITIES.

(a) BRIEFING.—Not later than March 1, 2024, the Secretary of Defense, in coordination with the Secretary of State, shall provide to the appropriate committees of Congress a briefing that describes the provision of security assistance and training by the People's Republic of China to foreign military forces for the purpose of achieving the national objectives of the People's Republic of China.

(b) SUMMARY OF MITIGATION ACTIVITIES.—As part of the first report submitted under section 1206(c)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1960; 10 U.S.C. 301 note) after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a summary of Department of Defense activities designed to mitigate the provision of security assistance and training referred to in subsection (a), including such activities that—

(1) strengthen United States alliances and partnerships with foreign military partners;

(2) identify countries or governments to which the People's Republic of China provides such security assistance or military training;

(3) dissuade countries and governments from relying on the People's Republic of China as a partner for such security assistance and military training;

(4) identify any manner in which the United States, or close allies of the United States, may engage with countries and governments to be the preferred partner for security assistance and military training; and

(5) improve the ability of the United States Armed Forces to coordinate and operate with allies and partners for purposes of mitigating the provision of security assistance and military training by the People's Republic of China.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 1259. SEMIANNUAL BRIEFINGS ON BILATERAL AGREEMENTS SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and every 180 days thereafter through fiscal year 2027, the Secretary of Defense, in coordination with the Secretary of State, shall provide the appropriate committees of Congress with a briefing on bilateral agreements supporting the United States military posture in the Indo-Pacific region.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include the following:

(1) An update on notable changes to elements described in section 1262(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–236; 136 Stat. 2857).

(2) An assessment of the impact on United States military operations if any individual or combination of allies and partners were to deny continued access, basing, or overflight rights, including with respect to—

(A) forward presence;

(B) agile basing;

(C) pre-positioned materials; or

(D) fueling and resupply.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1260. SEMIANNUAL BRIEFINGS ON MILITARY OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter through March 30, 2027, the Secretary of Defense shall provide to the congressional defense committees a briefing on—

(1) the military activities of the People's Republic of China with respect to Taiwan and the South China Sea;

(2) efforts by the Department of Defense to engage with the People's Liberation Army; and

(3) United States efforts to enable the defense of Taiwan and bolster maritime security in the South China Sea.

(b) ELEMENTS.—Each briefing required by subsection (a) shall include the following:

(1) An update on—

(A) military developments of the People's Republic of China relating to any possible Taiwan or South China Sea contingency, including upgrades to the weapon systems of the People's Republic of China, the procurement of new weapons by the People's Republic of China, and changes to the posture of the People's Liberation Army;

(B) military equipment acquired by Taiwan pursuant to the Presidential drawdown authority under section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)) or through the direct commercial sales or foreign military sales processes;

(C) United States efforts to deter aggression by the People's Republic of China in the Indo-Pacific region, including any campaigning or exercise activities conducted by the United States; and

(D) United States efforts to train the military forces of Taiwan and allies and partners in Southeast Asia.

(2) The most recent information regarding the readiness of or preparations by the People's Liberation Army to potentially conduct aggressive military action against Taiwan.

(3) A description of any military activity carried out during the preceding quarter by the People's Republic of China in the vicinity of Taiwan.

(4) A description of engagements by Department of Defense officials with the People's Liberation Army, including with respect to maintaining open lines of communication, establishing crisis management capabilities, and deconfliction of military activities.

(5) Any other matter the Secretary considers relevant.

SEC. 1261. PROHIBITION ON USE OF FUNDS TO SUPPORT ENTERTAINMENT PROJECTS WITH TIES TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

None of the funds authorized to be appropriated by this Act may be used to knowingly provide active and direct support to any film, television, or other entertainment project if the Secretary of Defense has demonstrable evidence that the project has complied or is likely to comply with a demand from the Government of the People's Republic of China or the Chinese Communist Party, or an entity under the direction of the People's Republic of China or the Chinese Communist Party, to censor the content of the project in a material manner to advance the national interest of the People's Republic of China.

SEC. 1262. PROHIBITION ON USE OF FUNDS FOR THE WUHAN INSTITUTE OF VIROLOGY.

None of the funds authorized to be appropriated under this Act may be made available for the Wuhan Institute of Virology for any purpose.

SEC. 1263. AUDIT TO IDENTIFY DIVERSION OF DEPARTMENT OF DEFENSE FUNDING TO CHINA'S RESEARCH LABS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Office of Inspector General shall conduct a study, and submit a report to Congress, regarding the amount of Federal funds awarded by the Department of Defense (whether directly or indirectly) through grants, contracts, subgrants, subcontracts, or any other type of agreement or collaboration, during the 10-year period immediately preceding such date of enactment, that—

(1) was provided, whether purposely or inadvertently, to—

(A) the People's Republic of China;

(B) the Communist Party of China;

(C) the Wuhan Institute of Virology or any other organization administered by the Chinese Academy of Sciences;

(D) EcoHealth Alliance Inc., including any subsidiaries and related organizations that are directly controlled by EcoHealth Alliance, Inc.; or

(E) any other lab, agency, organization, individual, or instrumentality that is owned, controlled (directly or indirectly), or overseen (officially or unofficially) by any of the entities listed in subparagraphs (A) through (D); or

(2) was used to fund research or experiments that could have reasonably resulted in the enhancement of any coronavirus, influenza, Nipah, Ebola, or other pathogen of pandemic potential or chimeric versions of such a virus or pathogen in the People's Republic of China or any other foreign country.

(b) IDENTIFICATION OF COUNTRIES AND PATHOGENS.—The report required under subsection (a) shall specify—

(1) the countries in which the research or experiments described in subsection (a)(2) was conducted; and

(2) the pathogens involved in such research or experiments.

SEC. 1264. PROHIBITING FEDERAL FUNDING FOR ECOHEALTH ALLIANCE INC.

None of the funds authorized to be appropriated under this Act may be made available for any purpose to—

(1) EcoHealth Alliance, Inc.;

(2) any subsidiary of EcoHealth Alliance Inc;

(3) any organization that is directly controlled by EcoHealth Alliance Inc; or

(4) any organization or individual that is a subgrantee or subcontractor of EcoHealth Alliance Inc.

SEC. 1265. ASSESSMENT RELATING TO CONTINGENCY OPERATIONAL PLAN OF UNITED STATES INDO-PACIFIC COMMAND.

(a) IN GENERAL.—The Secretary of Defense shall conduct an assessment, based on the contingency operational plan for a major conflict in the area of operations of the United States Indo-Pacific Command, to identify and characterize the dependencies of such plan on specific critical infrastructure facilities, capabilities, and services for the successful mobilization, deployment, and sustainment of forces.

(b) BRIEFINGS.—The Secretary shall provide to the congressional defense committees—

(1) before the date on which the Secretary commences the assessment required by subsection (a), a briefing that sets forth the terms of reference and a plan for such assessment; and

(2) a briefing on the results of such assessment, not later than the earlier of—

(A) the date on which Secretary completes such assessment; or

(B) the date that is 180 days after the enactment of this Act.

SEC. 1266. ASSESSMENT OF ABSORPTIVE CAPACITY OF MILITARY FORCES OF TAIWAN.

(a) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the absorptive capacity of the military forces of Taiwan for military capabilities provided and approved by the United States for delivery to Taiwan in the last 10 years, including the date of projected or achieved initial and full operational capabilities.

(2) BRIEFING REQUIREMENT.—Not later than 30 days after the delivery of the required report, the Secretary shall provide a briefing on the report to the appropriate committees of Congress.

(3) FORM.—The required report shall be provided in classified form with an unclassified cover letter.

(b) DEFINITIONS.—In this section:

(1) ABSORPTIVE CAPACITY.—The term ''absorptive capacity'' means the capacity of the recipient unit to achieve initial operational capability, including to operate, maintain, sustain, deploy, and employ to operational effect, a defense article or service for its intended end-use.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1267. ANALYSIS OF RISKS AND IMPLICATIONS OF POTENTIAL SUSTAINED MILITARY BLOCKADE OF TAIWAN BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) ANALYSIS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, in coordination with the Director of National Intelligence, shall complete a comprehensive analysis of the risks and implications of a sustained military blockade of Taiwan by the People's Republic of China.

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

(A) An assessment of the means by which the People's Republic of China could execute a sustained military blockade of Taiwan, including the most likely courses of action through which the People's Republic of China could accomplish such a blockade.

(B) An identification of indications and warnings of a potential sustained military blockade of Taiwan by the People's Republic of China, and the likely timelines for such indications and warnings.

(C) An identification of other coercive actions the People's Republic of China may potentially take before or independently of such a blockade, including the seizure of outlying islands of Taiwan.

(D) An assessment of the impact of such a blockade on the ability of Taiwan to sustain its military capabilities, economy, and population.

(E) An assessment of threats to, and other potential negative impacts on, the United States homeland during such a blockade scenario.

(F) An assessment of key military operational problems presented by such a blockade.

(G) An assessment of the concept-required military capabilities necessary to address the problems identified under subparagraph (F).

(H) An assessment of challenges to escalation management.

(I) An assessment of military or nonmilitary options to counter or retaliate against such a blockade or the seizure of outlying islands of Taiwan, including through horizontal escalation.

(J) An assessment of the extent to which such a blockade is addressed by the Joint Warfighting Concept and Joint Concept for Competing.

(K) An identification of necessary changes to United States Armed Forces force design, doctrine, and tactics, techniques, and procedures for responding to or mitigating the impact of such a blockade.

(L) An assessment of the role of United States partners and allies in addressing the threats and challenges posed by a such a potential blockade.

(M) Any other matter the Secretary of Defense considers relevant.

(b) INTERAGENCY ENGAGEMENT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall seek to engage with the head of any other appropriate Federal department or agency—

(1) regarding the threats and challenges posed by a potential sustained military blockade of Taiwan by the People's Republic of China; and

(2) to better understand potential options for a response by the United States Government to such a blockade.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a classified report—

(1) on the assessment required by paragraph (1) of subsection (a), including all elements described in paragraph (2) of that subsection; and

(2) the interagency engagements conducted under subsection (b).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SEC. 1268. SENSE OF THE SENATE ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.

(a) FINDINGS.—The Senate makes the following findings:

(1) The 2022 National Defense Strategy states, ''[m]utually-beneficial Alliances and partnerships are our greatest global strategic advantage.''.

(2) The United States Indo-Pacific Strategy states, ''we will prioritize our single greatest asymmetric strength: our network of security alliances and partnerships. Across the region, the United States will work with allies and partners to deepen our interoperability and develop and deploy advanced warfighting capabilities as we support them in defending their citizens and their sovereign interests.''.

(3) Secretary of Defense Lloyd Austin testified on March 28, 2023, that ''our allies and partners are a huge force multiplier. They magnify our power, advance our shared security interests, and help uphold a world that is free, open, prosperous, and secure.''.

(4) Chairman of the Joint Chiefs of Staff General Milley testified on March 28, 2023, that ''our alliances and partnerships are key to maintaining the rules-based international order and a stable and open international system promoting peace and prosperity . . . We are stronger when we operate closely with our allies and partners.''.

(5) Commander of the United States Indo-Pacific Command Admiral Aquilino testified on April 20, 2023, that ''a robust network of allies and partners, built on the strength of our shared interests, is our greatest advantage. United States Indo-Pacific Command is strengthening all layers of our security network: allies, multilateral arrangements, partners, friends, and the Five Eyes nations. We execute security cooperation activities, training, and exercises to strengthen those relationships, build partner capacity, and enhance interoperability.''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of Defense

should continue efforts that strengthen United States defense alliances and partnerships in the Indo-Pacific region so as to further the comparative advantage of the United States in strategic competition with the People's Republic of China, including by—

(1) enhancing cooperation with Japan, consistent with the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington, January 19, 1960, including by developing advanced military capabilities, fostering interoperability across all domains, and improving sharing of information and intelligence;

(2) reinforcing the United States alliance with the Republic of Korea, including by maintaining the presence of approximately 28,500 members of the United States Armed Forces deployed to the country and affirming the United States commitment to extended deterrence using the full range of United States defense capabilities, consistent with the Mutual Defense Treaty Between the United States and the Republic of Korea, signed at Washington, October 1, 1953, in support of the shared objective of a peaceful and stable Korean Peninsula;

(3) fostering bilateral and multilateral cooperation with Australia, consistent with the Security Treaty Between Australia, New Zealand, and the United States of America, signed at San Francisco, September 1, 1951, and through the partnership among Australia, the United Kingdom, and the United States (commonly known as ''AUKUS'')—

(A) to advance shared security objectives;

(B) to accelerate the fielding of advanced military capabilities; and

(C) to build the capacity of emerging partners;

(4) advancing United States alliances with the Philippines and Thailand and United States partnerships with other partners in the Association of Southeast Asian Nations to enhance maritime domain awareness, promote sovereignty and territorial integrity, leverage technology and promote innovation, and support an open, inclusive, and rules-based regional architecture;

(5) broadening United States engagement with India, including through the Quadrilateral Security Dialogue—

(A) to advance the shared objective of a free and open Indo-Pacific region through bilateral and multilateral engagements and participation in military exercises, expanded defense trade, and collaboration on humanitarian aid and disaster response; and

(B) to enable greater cooperation on maritime security;

(6) strengthening the United States partnership with Taiwan, consistent with the Three Communiques, the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), and the Six Assurances, with the goal of improving Taiwan's defensive capabilities and promoting peaceful cross-strait relations;

(7) reinforcing the status of the Republic of Singapore as a Major Security Cooperation Partner of the United States and continuing to strengthen defense and security cooperation between the military forces of the Republic of Singapore and the Armed Forces of the United States, including through participation in combined exercises and training;

(8) engaging with the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and other Pacific Island countries with the goal of strengthening regional security and addressing issues of mutual concern, including protecting fisheries from illegal, unreported, and unregulated fishing;

(9) collaborating with Canada, the United Kingdom, France, and other members of the European Union and the North Atlantic Treaty Organization to build connectivity and advance a shared vision for the region that is principled, long-term, and anchored in democratic resilience; and

(10) investing in enhanced military posture and capabilities in the area of responsibility of the United States Indo-Pacific Command and strengthening cooperation in bilateral relationships, multilateral partnerships, and other international fora to uphold global security and shared principles, with the goal of ensuring the maintenance of a free and open Indo-Pacific region.

Subtitle E—Securing Maritime Data From China

SEC. 1271. SHORT TITLE.

This subtitle may be cited as the ''Securing Maritime Data from China Act of 2023''.

SEC. 1272. LOGINK DEFINED.

In this subtitle, the term ''LOGINK'' means the public, open, shared logistics information network known as the National Public Information Platform for Transportation and Logistics by the Ministry of Transport of the People's Republic of China.

SEC. 1273. COUNTERING THE SPREAD OF LOGINK.

(a) CONTRACTING PROHIBITION.—The Department of Defense may not enter into or renew any contract with any entity that uses—

(1) LOGINK;

(2) any logistics platform controlled by, affiliated with, or subject to the jurisdiction of the Chinese Communist Party or the Government of the People's Republic of China; or

(3) any logistics platform that shares data with a system described in paragraph (1) or (2).

(b) APPLICABILITY.—Subsection (a) applies with respect to any contract entered into or renewed on or after the date that is 2 years after the date of the enactment of this Act.

Subtitle F—Reports

SEC. 1281. REPORT ON DEPARTMENT OF DEFENSE ROLES AND RESPONSIBILITIES IN SUPPORT OF NATIONAL STRATEGY FOR THE ARCTIC REGION.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on Department of Defense roles and responsibilities in support of the National Strategy for the Arctic Region that includes—

(1) an identification of the Department's lines of effort to support the implementation of the National Strategy for the Arctic Region, including the implementation plan for each applicable military department;

(2) a plan for the execution of, and a projected timeline and the resource requirements for, each such line of effort; and

(3) any other matter the Secretary considers relevant.

Subtitle G—Other Matters

SEC. 1291. MILITARY INTELLIGENCE COLLECTION AND ANALYSIS PARTNERSHIPS.

(a) USE OF FUNDS OTHER THAN APPROPRIATED FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), the Director of the Defense Intelligence Agency, in coordination with the Secretary of State and the Director of National Intelligence, may accept and expend foreign partner funds in order for the foreign partner or partners to share with the Defense Intelligence Agency the expenses of joint and combined military intelligence collection and analysis activities.

(2) LIMITATIONS.—

(A) PREVIOUSLY DENIED FUNDS.—Funds accepted under this section may not be expended, in whole or in part, by or for the benefit of the Defense Intelligence Agency for any purpose for which Congress has previously denied funds.

(B) JOINT BENEFIT.—The authority provided by paragraph (1) may not be used to acquire items or services for the sole benefit of the United States.

(b) ANNUAL REPORT.—Not later than March 1, 2025, and annually thereafter for four years, the Director of the Defense Intelligence Agency shall submit to the appropriate committees of Congress a report on any funds accepted or expended under this section during the preceding calendar year, including an identification of the foreign partner or partners involved and a description of the purpose of such funds.

(c) TERMINATION.—The authority to accept and expend foreign partner funds pursuant to this section shall terminate on December 31, 2028.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1292. COLLABORATION WITH PARTNER COUNTRIES TO DEVELOP AND MAINTAIN MILITARY-WIDE TRANSFORMATIONAL STRATEGIES FOR OPERATIONAL ENERGY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than January 1, 2025, the Secretary of Defense shall establish a partnership program using existing authorities to collaborate with the military forces of partner countries in developing and maintaining military-wide transformational strategies for operational energy (in this section referred to as the ''Program'').

(2) ORGANIZATION.—The Assistant Secretary of Defense for Energy, Installations, and Environment, in coordination with the Under Secretary of Defense for Policy and in consultation with the Secretaries of the military departments, the commanders of the combatant commands, and any other individual the Secretary of Defense considers appropriate, shall be responsible for, and shall oversee, the Program.

(b) OBJECTIVE.—The objective of the Program is to promote the readiness of the United States Armed Forces and the military forces of partner countries for missions in contested logistics environments by focusing on demand reduction and employing more diverse and renewable operational energy sources so as to enhance energy security, energy resilience, and energy conservation, reduce logistical vulnerabilities, and ensure that supply lines are resilient to extreme weather, disruptions to energy supplies, and direct or indirect cyber attacks.

(c) ACTIVITIES.—

(1) IN GENERAL.—Under the Program, the United States Armed Forces and the military forces of each participating partner country shall, in coordination—

(A) establish policies to improve warfighting capability through energy security and energy resilience;

(B) integrate efforts to mitigate mutual contested logistics challenges through the reduction of operational energy demand;

(C) identify and mitigate operational energy challenges presented by any contested logistics environment, including through developing innovative delivery systems, distributed storage, flexible contracting, and improved automation;

(D) assess and integrate, to the extent practicable, any technology, including electric, hydrogen, nuclear, biofuels, and any other sustainable fuel technology or renewable energy technology, that may reduce operational energy demand in the near term or long term;

(E) assess and consider any infrastructure investment of allied and partner countries that may affect operational energy availability in the event of a conflict with a near-peer adversary; and

(F) assess and integrate, to the extent practicable—

(i) any technology that increases sustainability; and

(ii) any practice, technology, or strategy that reduces negative impacts on human health.

(2) COUNTRY CONSIDERATIONS.—In carrying out any activity under paragraph (1), to the extent practicable, the relevant existing and past military conflicts and cultural practices of, and beliefs prevalent in, the participating country shall be taken into account.

(d) STRATEGY.—

(1) IN GENERAL.—Not later than September 30, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a strategy for the implementation of the Program.

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

(A) A governance structure for the Program, including—

(i) the officials tasked to oversee the Program;

(ii) the format of the governing body of the Program;

(iii) the functions and duties of such governing body with respect to establishing and maintaining the Program; and

(iv) mechanisms for coordinating with partner countries selected to participate in the Program.

(B) With respect to the selection of partner countries initially selected to participate in the Program—

(i) an identification of each such country;

(ii) the rationale for selecting each such country, including a description of—

(I) the benefits to the military forces of the partner country; and

(II) the benefits to the United States Armed Forces of participation by such country;

(iii) a description of any limitation on the participation of a selected partner country; and

(iv) any other information the Secretary considers appropriate.

(C) A list of additional authorities, appropriations, or other congressional support necessary to ensure the success of the Program.

(D) A campaign of objectives for the first three fiscal years of the Program, including—

(i) a description of, and a rationale for selecting, such objectives;

(ii) an identification of milestones toward achieving such objectives; and

(iii) metrics for evaluating success in achieving such objectives.

(E) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(F) Any other information the Secretary considers appropriate.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(e) REPORT.—

(1) IN GENERAL.—Not later than September 20, 2025, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the Program.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) A narrative summary of activities conducted as part of the Program during the preceding fiscal year.

(B) Except in the case of the initial report, an assessment of progress toward the objectives established for the preceding fiscal year described in the preceding report under this subsection using the metrics established in such report.

(C) A campaign of objectives for the three fiscal years following the date of submission of the report, including—

(i) a description of, and a rationale for selecting, such objectives;

(ii) an identification of milestones toward achieving such objectives; and

(iii) metrics for evaluating success in achieving such objectives.

(D) A description of opportunities and potential timelines for future Program expansion, as appropriate.

(E) Any other information the Secretary considers appropriate.

(3) FORM.— Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(f) TERMINATION.—The Program shall terminate on December 31, 2029.

(g) CONTESTED LOGISTICS ENVIRONMENT DEFINED.—In this section, the term ''contested logistics environment'' means an environment in which the United States Armed Forces or the military forces of a partner country engage in conflict with an adversary that presents challenges in all domains and directly targets logistics operations, facilities, and activities in the United States, abroad, or in transit from one location to the other.

SEC. 1293. MODIFICATION OF SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 127c the following:

''§ 127d. Support of special operations for irregular warfare

''(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the relevant Chief of Mission, expend up to $20,000,000 during any fiscal year to provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing and authorized irregular warfare operations by United States Special Operations Forces.

''(b) FUNDS.—Funds for support under this section in a fiscal year shall be derived from amounts authorized to be appropriated for that fiscal year for the Department of Defense for operation and maintenance.

''(c) PROCEDURES.—

''(1) IN GENERAL.—The authority in this section shall be exercised in accordance with such procedures as the Secretary shall establish for purposes of this section.

''(2) ELEMENTS.—The procedures required under paragraph (1) shall establish, at a minimum, the following:

''(A) Policy guidance for the execution of, and constraints within, activities under the authority in this section.

''(B) The processes through which activities under the authority in this section are to be developed, validated, and coordinated, as appropriate, with relevant entities of the United States Government.

''(C) The processes through which legal reviews and determinations are made to comply with the authority in this section and ensure that the exercise of such authority is consistent with the national security of the United States.

''(D) The processes to ensure, to the extent practicable, that before a decision to provide support is made, the recipients of support do not pose a counterintelligence or force protection threat and have not engaged in gross violations of human rights.

''(E) The processes by which the Department shall keep the congressional defense committees fully and currently informed of—

''(i) the requirements for the use of the authority in this section; and

''(ii) activities conducted under such authority.

''(3) NOTICE TO CONGRESS ON PROCEDURES AND MATERIAL MODIFICATIONS.—The Secretary shall notify the congressional defense committees of the procedures established pursuant to this section before any exercise of the authority in this section, and shall notify such committee of any material modification of the procedures.

''(d) CONSTRUCTION OF AUTHORITY.—Nothing in this section shall be construed to constitute a specific statutory authorization for any of the following:

''(1) The conduct of a covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

''(2) The introduction of United States Armed Forces (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))) into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

''(3) The provision of support to regular forces, irregular forces, groups, or individuals for the conduct of operations that United States Special Operations Forces are not otherwise legally authorized to conduct themselves.

''(4) The conduct or support of activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

''(e) LIMITATION ON DELEGATION.—The authority of the Secretary to make funds available under this section for support of a military operation may not be delegated.

''(f) PROGRAMMATIC AND POLICY OVERSIGHT.—The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict shall have primary programmatic and policy oversight within the Office of the Secretary of Defense of support to irregular warfare activities authorized by this section.

''(g) NOTIFICATION.—

''(1) IN GENERAL.—Not later than 15 days before exercising the authority in this section to make funds available to initiate support of an ongoing and authorized operation or changing the scope or funding level of any support under this section for such an operation by $500,000 or an amount equal to 10 percent of such funding level (whichever is less), the Secretary shall notify the congressional defense committees of the use of such authority with respect to such operation. Any such notification shall be in writing.

''(2) ELEMENTS.—A notification required by this subsection shall include the following:

''(A) The type of support to be provided to United States Special Operations Forces, and a description of the ongoing and authorized operation to be supported.

''(B) A description of the foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating the ongoing and authorized operation that is to be the recipient of funds.

''(C) The type of support to be provided to the recipient of the funds, and a description of the end-use monitoring to be used in connection with the use of the funds.

''(D) The amount obligated under the authority to provide support.

''(E) The duration for which the support is expected to be provided, and an identification of the timeframe in which the provision of support will be reviewed by the commander of the applicable combatant command for a determination with respect to the necessity of continuing such support.

''(F) The determination of the Secretary that the provision of support does not constitute any of the following:

''(i) An introduction of United States Armed Forces (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))) into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).

''(ii) A covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

''(iii) An authorization for the provision of support to regular forces, irregular forces, groups, or individuals for the conduct of operations that United States Special Operations Forces are not otherwise legally authorized to conduct themselves.

''(iv) The conduct or support of activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

''(h) NOTIFICATION OF SUSPENSION OR TERMINATION OF SUPPORT.—

''(1) IN GENERAL.—Not later than 48 hours after suspending or terminating support to any foreign force, irregular force, group, or individual provided pursuant to the authority in this section, the Secretary shall submit to the congressional defense committees a written notice of such suspension or termination.

''(2) ELEMENTS.—The written notice required by paragraph (1) shall include each of the following:

''(A) A description of the reasons for the suspension or termination of such support.

''(B) A description of any effect on regional, theater, or global campaign plan objectives anticipated to result from such suspension or termination.

''(C) A plan for such suspension or termination, and, in the case of support that is planned to be transitioned to any other program of the Department of Defense or to a program of any other Federal department or agency, a detailed description of the transition plan, including the resources, equipment, capabilities, and personnel associated with such plan.

''(i) BIANNUAL REPORTS.—

''(1) REPORT ON PRECEDING FISCAL YEAR.—Not later than 120 days after the close of each fiscal year in which subsection (a) is in effect, the Secretary shall submit to the congressional defense committees a report on the support provided under this section during the preceding fiscal year.

''(2) REPORT ON CURRENT CALENDAR YEAR.—Not later than 180 days after the submittal of each report required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on the support provided under this section during the first half of the fiscal year in which the report under this paragraph is submitted.

''(3) ELEMENTS.—Each report required by this subsection shall include the following:

''(A) A summary of the ongoing irregular warfare operations, and associated authorized campaign plans, being conducted by United States Special Operations Forces that were supported or facilitated by foreign forces, irregular forces, groups, or individuals for which support was provided under this section during the period covered by such report.

''(B) A description of the support or facilitation provided by such foreign forces, irregular forces, groups, or individuals to United States Special Operations Forces during such period.

''(C) The type of recipients that were provided support under this section during such period, identified by authorized category (foreign forces, irregular forces, groups, or individuals).

''(D) A detailed description of the support provided to the recipients under this section during such period.

''(E) The total amount obligated for support under this section during such period, including budget details.

''(F) The intended duration of support provided under this section during such period.

''(G) An assessment of value of the support provided under this section during such period, including a summary of significant activities undertaken by foreign forces, irregular forces, groups, or individuals to support irregular warfare operations by United States Special Operations Forces.

''(H) The total amount obligated for support under this section in prior fiscal years.

''(j) QUARTERLY BRIEFINGS.—

''(1) IN GENERAL.—Not less frequently than quarterly, the Secretary shall provide to the congressional defense committees a briefing on the use of the authority provided by this section, and other matters relating to irregular warfare, with the primary purposes of—

''(A) keeping the congressional defense committees fully and currently informed of irregular warfare requirements and activities, including emerging combatant commands requirements; and

''(B) consulting with the congressional defense committees regarding such matters.

''(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

''(A) An update on irregular warfare activities within each geographic combatant command and a description of the manner in which such activities support the respective theater campaign plan and the National Defense Strategy.

''(B) An overview of relevant authorities and legal issues, including limitations.

''(C) An overview of irregular warfare-related interagency activities and initiatives.

''(D) A description of emerging combatant command requirements for the use of the authority provided by this section.

''(k) IRREGULAR WARFARE DEFINED.—Subject to subsection (f), in this section, the term 'irregular warfare' means Department of Defense activities not involving armed conflict that support predetermined United States policy and military objectives conducted by, with, and through regular forces, irregular forces, groups, and individuals.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127c the following new item:

''127d. Support of special operations for irregular warfare.''.

(c) REPEAL.—Section 1202 of the National Defense Authorization Act for Fiscal Year 2018 is repealed.

SEC. 1294. MODIFICATION OF AUTHORITY FOR EXPENDITURE OF FUNDS FOR CLANDESTINE ACTIVITIES THAT SUPPORT OPERATIONAL PREPARATION OF THE ENVIRONMENT.

Section 127f of title 10, United States Code, is amended—

(1) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (g), and (h), respectively;

(2) by inserting after subsection (b) the following new subsection (c):

''(c) PROCEDURES.—

''(1) IN GENERAL.—The authority in this section shall be exercised in accordance with such procedures as the Secretary shall establish for purposes of this section.

''(2) ELEMENTS.—The procedures required under paragraph (1) shall establish, at a minimum, each of the following:

''(A) Policy, strategy, or other guidance for the execution of, and constraints within, activities conducted under this section.

''(B) The processes through which activities conducted under this section are to be developed, validated, and coordinated, as appropriate, with relevant entities of the United States Government.

''(C) The processes through which legal reviews and determinations are made to comply with the authority in this section and ensure that the exercise of such authority is consistent with the national security interests of the United States.

''(D) The processes by which the Department of Defense shall keep the congressional defense committees fully and currently informed of—

''(i) the requirements for the use of the authority in this section; and

''(ii) activities conducted under such authority.

''(3) NOTICE TO CONGRESS.—The Secretary shall notify the congressional defense committees of any material modification to the procedures established under paragraph (1).'';

(3) by inserting after subsection (e), as redesignated, the following new subsection (f):

''(f) NOTIFICATION.—Not later than 15 days before exercising the authority in this section to make funds available to initiate a new operational preparation of the environment activity or changing the scope or funding level of any support for such an operation by $1,000,000 or an amount equal to 20 percent of such funding level (whichever is less), or not later than 48 hours after exercising such authority if the Secretary determines that extraordinary circumstances that impact the national security of the United States exist, the Secretary shall notify the congressional defense committees of the use of such authority with respect to that activity. Any such notification shall be in writing.''; and

(4) by adding at the end the following new subsections:

''(i) OVERSIGHT BY ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.—The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall have primary responsibility within the Office of the Secretary of Defense for oversight of policies and programs authorized by this section.

''(j) CONSTRUCTION OF AUTHORITY.—Nothing in this section may be construed to constitute authority to conduct, or provide statutory authorization for, any of the following:

''(1) Execution of operational activities.

''(2) A covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).

''(3) An introduction of the armed forces, (including the introduction of United States Armed Forces as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))), into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).

''(4) Activities or support for activities, directly or indirectly, that are inconsistent with the laws of armed conflict.

''(k) OPERATIONAL PREPARATION OF THE ENVIRONMENT DEFINED.—In this section, the term 'operational preparation of the environment' means the conduct of activities in likely or potential operational areas to set conditions for mission execution.''.

SEC. 1295. MODIFICATION OF INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note) is amended—

(1) in subsection (c)—

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

(B) by inserting after paragraph (6) the following new paragraph (7):

''(7) Policies to limit or prohibit funding provided by the Department of Defense for institutions or individual researchers who knowingly contract or make other financial arrangements with entities identified in the list described in paragraph (9), which policies shall include—

''(A) use of such list as part of a risk assessment decision matrix during proposal evaluations, including the development of a question for proposers or broad area announcements that require proposers to disclose any contractual or financial connections with such entities;

''(B) a requirement that the Department shall notify a proposer of suspected noncompliance with a policy issued under this paragraph and provide not less than 30 days to take actions to remedy such noncompliance;

''(C) the establishment of an appeals procedure under which a proposer may appeal a negative decision on a proposal if the decision is based on a determination informed by such list; and

''(D) a requirement that each awardee of funding provided by the Department shall disclose to the Department any contract or financial arrangement made with such an entity during the period of the award.''; and

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

''(11) Development of measures of effectiveness and performance to assess and track progress of the Department of Defense across the initiative, which measures shall include—

''(A) the evaluation of currently available data to support the assessment of such measures, including the identification of areas in which gaps exist that may require collection of completely new data, or modifications to existing data sets;

''(B) current means and methods for the collection of data in an automated manner, including the identification of areas in which gaps exist that may require new means for data collection or visualization of such data; and

''(C) the development of an analysis and assessment methodology framework to make tradeoffs between the measures developed under this paragraph and other metrics related to assessing undue foreign influence on the Department of Defense research enterprise, such as commercial due diligence, beneficial ownership, and foreign ownership, control, and influence.''; and

(2) in subsection (e)(2), by adding at the end the following new subparagraph:

''(G) A description of the status of the measures of effectiveness and performance described in subsection (c)(11) for the period covered by such report, including an analytical assessment of the impact of such measures on the goals of the initiative.''.

SEC. 1296. MODIFICATION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

Section 1213(h) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), and moving such clauses, as redesignated, two ems to the right;

(2) by redesignating paragraph (1) as subparagraph (A) and moving such subparagraph, as redesignated, two ems to the right;

(3) by amending paragraph (2) to read as follows:

''(B) A description of any denied or refused ex gratia payment or request, including—

''(i) the date on which any such request was made;

''(ii) the steps the Department of Defense has taken to respond to the request;

''(iii) in the case of a refused payment, the reason for such refusal, if known; and

''(iv) any other reason for which a payment was not offered or made.'';

(4) by redesignating paragraph (3) as subparagraph (C) and moving such subparagraph, as redesignated, two ems to the right;

(5) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

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

''(2) PUBLIC AVAILABILITY.—

''(A) IN GENERAL.—Not later than 15 days after the date on which the Secretary of Defense submits each report required by paragraph (1), the Secretary shall make the report available to the public in an electronic format.

''(B) PRIVACY.—The Secretary of Defense shall exclude from each report made available to the public under subparagraph (A)—

''(i) confidential or personally identifiable information pertaining to specific payment recipients so as to ensure the safety and privacy of such recipients; and

''(ii) any confidential or classified information that would undermine Department of Defense operational security.''.

SEC. 1297. MODIFICATION OF AUTHORITY FOR COOPERATION ON DIRECTED ENERGY CAPABILITIES.

(a) PROGRAM AUTHORIZATION.—Section 1280 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3982; 22 U.S.C. 8606 note) is amended—

(1) in subsection (d), in the first sentence—

(A) by inserting ''acting through the Under Secretary of Defense for Research and Engineering,'' after ''the Secretary of Defense,''; and

(B) by striking ''may establish a program'' and inserting ''is authorized''; and

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

''(e) NOTIFICATION.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall submit to the appropriate committees of Congress an assessment detailing—

''(A) the most promising directed energy missile defense technologies available for co-development with the Government of Israel;

''(B) any risks relating to the implementation of a directed energy missile defense technology co-development program with the Government of Israel;

''(C) an anticipated spending plan for fiscal year 2024 funding authorized by the National Defense Authorization Act for Fiscal Year 2024 to carry out this section; and

''(D) initial projections for likely funding requirements to carry out a directed energy missile defense technology co-development program with the Government of Israel over the five fiscal years beginning after the date of the enactment of that Act, as applicable.

''(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.''.

(b) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2024 by section 4201 for research, development, test, and evaluation for Advanced Component Development and Prototypes is hereby increased by $25,000,000, with the amount of the increase to be available for Israeli Cooperative Programs (PE 0603913C).

(c) OFFSET.—The amount authorized to be appropriated for fiscal year 2024 by section 4201 for research, development, test, and evaluation for the Air Force is hereby decreased by $25,000,000, with the amount of the decrease to be taken from the amounts available for VC–25B (PE 0401319F).

SEC. 1298. MODIFICATION OF ARCTIC SECURITY INITIATIVE.

Section 1090(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1927) is amended—

(1) in subparagraph (A), by striking ''the Secretary may'' and inserting ''the Secretary shall''; and

(2) in subparagraph (B)(i), by striking ''If the Initiative is established'' and inserting ''On the establishment of the Initiative''.

SEC. 1299. TERMINATION OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Section 943(g) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4578) is amended to read as follows:

''(g) TERMINATION.—The authority under this section shall terminate on December 31, 2023.''.

SEC. 1299A. EXTENSION OF PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.

Section 1273 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1699) is amended to read as follows:

''SEC. 1273. PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.

''For the one-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Department of Defense may not provide in-flight refueling pursuant to section 2342 of title 10, United States Code, or any other applicable statutory authority, to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen unless and until a declaration of war or a specific statutory authorization for such use of the United States Armed Forces has been enacted.''.

SEC. 1299B. EXTENSION OF UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION.

Section 1279(f) of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 8606 note) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2026''.

SEC. 1299C. PROHIBITION ON DELEGATION OF AUTHORITY TO DESIGNATE FOREIGN PARTNER FORCES AS ELIGIBLE FOR THE PROVISION OF COLLECTIVE SELF-DEFENSE SUPPORT BY UNITED STATES ARMED FORCES.

(a) IN GENERAL.—The authority to designate foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces may not be delegated below the Secretary of Defense.

(b) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall review existing designations of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces and provide the congressional defense committees with a certification with respect to whether each such designation remains valid.

(c) WAIVER.—

(1) IN GENERAL.—The Secretary may waive the prohibition under subsection (a) if the

Secretary determines that there are compelling circumstances that necessitate the waiver of such prohibition.

(2) NOTICE.—Not later than 48 hours after the Secretary exercises the waiver authority under paragraph (1), the Secretary shall submit to the congressional defense committees a notice of the waiver, which shall include—

(A) a description of the compelling circumstances that necessitated the wavier;

(B) a description of the United States national security interests served by the waiver;

(C) an identification of any named operation related to the waiver; and

(D) an articulation of any temporal, geographic, or other limitations on the waiver.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as invalidating a designation of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces that is in effect as of the date of the enactment of this Act.

(e) COLLECTIVE SELF-DEFENSE DEFINED.—In this section, the term ''collective self-defense'' means the use of United States military force to defend designated foreign partner forces, their facilities, and their property.

SEC. 1299D. PARTICIPATION BY MILITARY DEPARTMENTS IN INTEROPERABILITY PROGRAMS WITH MILITARY FORCES OF AUSTRALIA, CANADA, NEW ZEALAND, AND THE UNITED KINGDOM.

(a) IN GENERAL.—Section 1274 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2350a note) is amended—

(1) in the section heading, by striking ''**ADMINISTRATION OF THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES' PROGRAM**'' and inserting ''**PARTICIPATION BY MILITARY DEPARTMENTS IN INTEROPERABILITY PROGRAMS WITH MILITARY FORCES OF AUSTRALIA, CANADA, NEW ZEALAND, AND THE UNITED KINGDOM**''; and

(2) in subsection (a)—

(A) by inserting ''a military department of'' after ''the participation by''; and

(B) by striking ''the land-force program known as the American, British, Canadian, and Australian Armies' Program'' and inserting ''an interoperability program with the military forces of one or more participating countries specified in subsection (b)''.

(b) CLERICAL AMENDMENTS.—

(1) The table of contents of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1632) is amended by striking the item relating to section 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.''.

(2) The table of contents for title XII of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1977) is amended by striking the item relating to section 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.''.

SEC. 1299E. COOPERATION WITH ALLIES AND PARTNERS IN MIDDLE EAST ON DEVELOPMENT OF INTEGRATED REGIONAL CYBERSECURITY ARCHITECTURE.

(a) COOPERATION.—

(1) IN GENERAL.—The Secretary of Defense, using existing authorities and in consultation with the head of any other Federal agency, as appropriate, shall seek to cooperate with allies and partners in the Middle East with respect to developing an integrated regional cybersecurity architecture and deepening military cybersecurity partnerships to defend military networks, infrastructure, and systems against hostile cyber activity.

(2) PROTECTION OF SENSITIVE INFORMATION.—Any activity carried out under paragraph (1)shall be conducted in a manner that—

(A) is consistent with the protection of intelligence sources and methods; and

(B) appropriately protects sensitive information and the national security interests of the United States.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a strategy for cooperation with allies and partners in the Middle East to develop an integrated regional cybersecurity architecture to defend military networks, infrastructure, and systems against hostile cyber activity.

(2) ELEMENTS.—The strategy submitted under paragraph (1) shall include the following:

(A) An assessment of the threat landscape of cyberattacks, military networks, infrastructure, and systems against allies and partners within the Middle East.

(B) A description of current efforts to share, between the United States and allies and partners within the Middle East, indicators and warnings, tactics, techniques, procedures, threat signatures, planning efforts, training, and other similar information about cyber threats.

(C) An analysis of current bilateral and multilateral defense protocols protecting military networks, infrastructure, and systems and sharing sensitive cyber threat information between the United States and allies and partners in the Middle East.

(D) An assessment of whether a multinational integrated military cybersecurity partnership, including establishing a center in the Middle East to facilitate such activities, would improve collective security in the Middle East.

(E) An assessment of gaps in ally and partner capabilities that would have to be remedied in order to establish such a center.

(F) A description of any prior or ongoing effort to engage allies and partners in the Middle East in establishing—

(i) a multinational integrated cybersecurity partnership or other bilateral or multilateral defensive cybersecurity information sharing and training partnership; or

(ii) other cooperative defensive cybersecurity measures.

(G) An identification of elements of a potential multinational military cybersecurity partnership, or other bilateral or multilateral defensive cybersecurity measures, that—

(i) can be acquired and operated by specified foreign partners within the area of responsibility of the United States Central Command;

(ii) can only be provided and operated by the United States; and

(iii) can be provided by a third party entity contracted by the United States Central Command jointly with specified foreign partners.

(H) Any other matter the Secretary of Defense considers relevant.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1299F. FOREIGN ADVANCE ACQUISITION ACCOUNT.

(a) ESTABLISHMENT.—The Secretary of Defense may establish, within the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.), an account, to be known as the ''Foreign Advance Acquisition Account'' (in this section referred to as the ''Account''), that shall be maintained separately from other accounts and used to accelerate the production of United States-produced end items in reasonable anticipation of the sale of such end items through the foreign military sales or direct commercial sales processes.

(b) USE OF FUNDS.—Amounts in the Account shall be made available to the Secretary of Defense for the following purposes:

(1) To finance the acquisition, using the procedures of the Special Defense Acquisition Fund, of defense articles and services in advance of the transfer of such articles and services to covered countries through the foreign military sales process.

(2) To provide a mechanism for covered countries to contribute funds, including before the completion of a letter of offer under the procedures of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the acquisition of such defense articles and services.

(3) To pay for storage, maintenance, and other costs related to the storage, preservation, and preparation for transfer of defense articles and services acquired using amounts in the Account prior to their transfer, and to pay for the administrative costs of the Department of Defense incurred in the acquisition of such items to the extent not reimbursed pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)).

(c) CONTRIBUTIONS FROM COVERED COUNTRIES.—The Secretary of Defense may accept contributions of amounts to the Account from any foreign person, entity, or government of a covered country.

(d) LIMITATIONS.—

(1) APPLICABILITY OF OTHER LAW.—Defense articles and services acquired by the Secretary of Defense using amounts in the Account may not be transferred to any foreign country unless such transfer is authorized by the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or other applicable law.

(2) PREVIOUSLY DENIED FUNDS.—Amounts in the Account may not be expended, in whole or in part, by or for the benefit of the Department of Defense for a purpose for which Congress has previously denied funds.

(3) ADDITIONAL LIMITATION.—Amounts in the Account may not be used to acquire items or services for the sole benefit of the United States.

(e) ANNUAL REPORT.—Not later than 60 days after the date on which each fiscal year ends, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the use of the Account that includes, for such fiscal year—

(1) an identification of each covered country that contributed to the Account;

(2) the amount deposited into the Account by each such covered country; and

(3) for each such covered country, the designated defense articles or services acquired or to be acquired.

(f) QUARTERLY REPORT.—Not later than 90 days after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the use of the Account that includes, for each transaction—

(1) a description of the transaction;

(2) the amount of the transaction;

(3) the covered country concerned;

(4) an identification of any storage, maintenance, or other costs associated with the transaction; and

(5) the anticipated date of delivery of the applicable defense articles or services.

(g) TERMINATION.—The authority under subsection (b) to use funds in the Account shall terminate on January 1, 2028.

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or impair the responsibilities conferred on the Secretary of State or the Secretary of Defense under the Arms Export Control Act (22 U.S.C. 2751 et seq.) or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(i) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED COUNTRY.—The term ''covered country'' means—

(A) a country, other than the United States, that is a participant in the security partnership among Australia, the United Kingdom, and the United States (commonly known as the ''AUKUS'' partnership);

(B) a member country of the North Atlantic Treaty Organization; and

(C) any other country, as designated by the Secretary of Defense.

SEC. 1299G. LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL EXPENSES OF THE OFFICE OF THE SECRETARY OF DEFENSE.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense for travel expenses, not more than 75 percent may be obligated or expended until the Secretary of Defense submits—

(1) the implementation plan required by section 1087 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2802; 10 U.S.C. 161 note) relating to the requirement of such section to establish a joint force headquarters in the area of operations of United States Indo-Pacific Command to serve as an operational command;

(2) the plan required by section 1332(g)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2008) relating to strategic competition in the areas of responsibility of United States Southern Command and United States Africa Command; and

(3) the strategy and posture review required by section 1631(g) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1743; 10 U.S.C. 397 note) relating to operations in the information environment.

SEC. 1299H. PLANS RELATED TO RAPID TRANSFER OF CERTAIN MISSILES AND DEFENSE CAPABILITIES.

(a) IN GENERAL.—The Assistant Secretary of the Navy for Research, Development and Acquisition shall—

(1) develop a plan to prepare Navy Harpoon block IC missiles in a ''sundown'', ''deep stow'', or ''demilitarized'' condition code (including missiles removed from Navy surface ships) for rapid transfer to allies and security partners in the United States European Command and United States Indo-Pacific Command areas of responsibility, if so ordered; and

(2) establish a plan that would enable the rapid transfer of additional enhanced coastal defense capabilities that have tactical significance in assisting partners and allies in reclaiming sovereign territory, deterring maritime resupply of illegally seized territory, or aiding in preventing an amphibious invasion of sovereign territory.

(b) SUBMISSION TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary shall submit to the congressional defense committees the plans required by paragraphs (1) and (2) of subsection (a).

SEC. 1299I. ENSURING PEACE THROUGH STRENGTH IN ISRAEL.

(a) EXTENSION OF AUTHORITIES.—

(1) WAR RESERVES STOCKPILE AUTHORITY.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''September 30, 2025'' and inserting ''January 1, 2028''.

(2) RULES GOVERNING THE TRANSFER OF PRECISION-GUIDED MUNITIONS TO ISRAEL ABOVE THE ANNUAL RESTRICTION.—Section 1275(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3980; 22 U.S.C. 2321h note) is amended by striking ''on the date that is three years after the date of the enactment of this Act'' and inserting ''on January 1, 2028''.

(b) DEPARTMENT OF DEFENSE ASSESSMENT OF TYPE AND QUANTITY OF PRECISION-GUIDED MUNITIONS AND OTHER MUNITIONS FOR USE BY ISRAEL.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through December 31, 2028, the Secretary of Defense shall conduct an assessment with respect to the following:

(A) The current quantity and type of precision-guided munitions in the stockpile pursuant to section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011).

(B) The quantity and type of precision-guided munitions necessary for Israel to protect its homeland and counter Hezbollah, Hamas, Palestinian Islamic Jihad, or any other armed terror group or hostile forces in the region in the event of a sustained armed confrontation.

(C) The quantity and type of other munitions necessary for Israel to protect its homeland and counter Hezbollah, Hamas, Palestinian Islamic Jihad, or any other armed group or hostile forces in the region in the event of a sustained armed confrontation.

(D) The quantity and type of munitions, including precision-guided munitions, necessary for Israel to protect its homeland and counter any combination of Hezbollah, Hamas, Palestinian Islamic Jihad, and any other armed terror groups or hostile forces in the region in the event of a multi-front, sustained armed confrontation.

(E) The resources the Government of Israel would need to dedicate to acquire the quantity and type of munitions, including precision-guided munitions, described in subparagraphs (B) through (D).

(F) Whether, as of the date on which the applicable assessment is completed, sufficient quantities and types of munitions, including precision-guided munitions, to conduct operations described in subparagraphs (B) through (D) are present in—

(i) the inventory of the military forces of Israel;

(ii) the War Reserves Stock Allies-Israel;

(iii) any other United States stockpile or depot within the area of responsibility of United States Central Command, as the Secretary considers appropriate to disclose to the Government of Israel; or

(iv) the inventory of the United States Armed Forces, as the Secretary considers appropriate to disclose to the Government of Israel.

(G) The current inventory of such munitions, including precision-guided munitions, possessed by the United States, and whether, as of the date on which the applicable assessment is completed, the United States is assessed to have sufficient munitions to meet the requirements of current operation plans of the United States or global other munitions requirements.

(H) United States planning and steps being taken—

(i) to assist Israel to prepare for the contingencies, and to conduct the operations, described in subparagraphs (B) through (D); and

(ii) to resupply Israel with the quantity and type of such munitions described in such subparagraphs in the event of a sustained armed confrontation described in such subparagraphs.

(I) The quantity and pace at which the United States is capable of pre-positioning, increasing, stockpiling, or rapidly replenishing, or assisting in the rapid replenishment of, such munitions in preparation for, and in the event of, such a sustained armed confrontation.

(2) CONSULTATION.—In carrying out the assessment required by paragraph (1), the Secretary shall consult with the Israeli Ministry of Defense, provided that the Israeli Ministry of Defense agrees to be so consulted.

(c) REPORTS.—

(1) DEPARTMENT OF DEFENSE ASSESSMENT.—Not later than 15 days after the date on which each Department of Defense assessment required by subsection (b) is completed, the Secretary shall submit to the appropriate committees of Congress a report on such assessment.

(2) PRE-POSITIONING AND STOCKPILE IMPLEMENTATION REPORT.—Not later than 180 days after the date on which the report required by paragraph (1) is submitted, and every 180 days thereafter through December 31, 2028, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) details the actions being taken by the United States, if any, to pre-position, increase, stockpile, address shortfalls, and otherwise ensure that the War Reserves Stock Allies-Israel has, and assist Israel in ensuring that Israel has, sufficient quantities and types of munitions, including precision-guided munitions, to conduct the operations described in subparagraphs (B) through (D) of subsection (b)(1); and

(B) includes a description of procedures implemented by the United States, if any, for rapidly replenishing, or assisting in the rapid replenishment of, stockpiles of such munitions for use by Israel as may be necessary.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(d) CONSOLIDATION OF REPORTS.—

(1) Section 1273 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2066) is amended by striking subsection (b).

(2) Section 1275 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3979; 22 U.S.C. 2321h note) is amended by striking subsection (d).

SEC. 1299J. IMPROVEMENTS TO SECURITY COOPERATION WORKFORCE AND DEFENSE ACQUISITION WORKFORCE.

(a) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—

(1) IN GENERAL.—The Secretary of Defense shall, consistent with the requirements of section 384 of title 10, United States Code, as amended by section 1209 of this Act—

(A) carry out activities to professionalize, and increase the resources available to, the security cooperation workforce so as to enable the streamlining and expediting of the foreign military sales process; and

(B) seek to ensure that—

(i) members of the defense acquisition workforce involved in the foreign military sales process are aware of evolving United States regional and country-level defense capability-building priorities; and

(ii) members of the defense acquisition workforce are professionally evaluated using metrics to measure—

(I) responsiveness to foreign partner requests;

(II) ability to meet foreign partner capability and delivery schedule requirements; and

(III) advancement of foreign capability-building priorities described in the guidance updated under subsection (b).

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the resources necessary to implement paragraph (1), including—

(A) the anticipated costs of new personnel and training to carry out such paragraph;

(B) the estimated increase in foreign military sales administrative user fees necessary to offset such costs; and

(C) the feasibility and advisability of establishing, at the Department of Defense level or the military department level, a contracting capacity that—

(i) is specific to the execution of contracts for foreign military sales;

(ii) is fully funded by the Defense Security Cooperation Agency using foreign military sales administrative funds so as to ensure that such capacity is dedicated solely to foreign military sales contracting;

(iii) is monitored by the Defense Security Cooperation Agency Chief Performance Office, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, to ensure effectiveness in meeting foreign military sales contracting requirements; and

(iv) empowers the Director of the Defense Security Cooperation Agency, in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Acquisition and Sustainment, to increase or decrease foreign military sales contracting capacity through the guidance updated under subsection (b).

(b) GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall update, as necessary, Department of Defense guidance governing the execution of foreign military sales by the Department to ensure that such guidance—

(A) incorporates the National Security Strategy and the National Defense Strategy;

(B) is informed by the theater campaign plans and theater security cooperation strategies of the combatant commands; and

(C) is disseminated to the security cooperation workforce and the defense acquisition workforce.

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

(A) identify—

(i) regional and country-level foreign defense capability-building priorities; and

(ii) levels of urgency and desired timelines for achieving foreign capability-building objectives; and

(B) provide guidance to the defense acquisition workforce regarding levels of resourcing, innovation, and risk tolerance that should be considered in meeting urgent needs.

(c) FOREIGN MILITARY SALES CONTINUOUS PROCESS IMPROVEMENT BOARD.—

(1) ESTABLISHMENT.—The Secretary of Defense may establish a Foreign Military Sales Continuous Process Improvement Board (in this section referred to as the ''Board'') to serve as an enduring governance structure within the Department of Defense that reports to the Secretary on matters relating to the foreign military sales process so as to enhance accountability and continuous improvement within the Department, including the objectives of—

(A) improving the understanding, among officials of the Department, of ally and partner requirements;

(B) enabling efficient reviews for release of technology;

(C) providing allies and partner countries with relevant priority equipment;

(D) accelerating acquisition and contracting support;

(E) expanding the capacity of the defense industrial base; and

(F) working with other departments and agencies to promote broad United States Government support.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Board shall be composed of not fewer than seven members, each of whom shall have expertise in the foreign military sales process.

(B) RESTRICTION.—The Board may not have as a member—

(i) an officer or employee of the Department of Defense; or

(ii) a member of the United States Armed Forces.

(d) DEFINITIONS.—In this section:

(1) DEFENSE ACQUISITION WORKFORCE.—The term ''defense acquisition workforce'' means the Department of Defense acquisition workforce described in chapter 87 of title 10, United States Code.

(2) SECURITY COOPERATION WORKFORCE.—The term ''security cooperation workforce'' has the meaning given the term in section 384 of title 10, United States Code.

SEC. 1299K. MODIFICATION OF FOREIGN MILITARY SALES PROCESSING.

(a) RESPONSES.—

(1) LETTERS OF REQUEST FOR PRICING AND AVAILABILITY.—The Secretary of Defense shall seek to ensure that an eligible foreign purchaser that has submitted a letter of request for pricing and availability data receives a response to the letter not later than 45 days after the date on which the letter is received by a United States security cooperation organization, the Defense Security Cooperation Agency, or other implementing agency.

(2) LETTERS OF REQUEST FOR LETTERS OF OFFER AND ACCEPTANCE.—The Secretary of Defense shall seek to ensure that an eligible foreign purchaser that has submitted a letter of request for a letter of offer and acceptance receives a response—

(A) in the case of a letter of request for a blanket-order letter of offer and acceptance, cooperative logistics supply support arrangements, or associated amendments and modifications, not later than 45 days after the date on which the letter of request is received by a United States security cooperation organization, the Defense Security Cooperation Agency, or other implementing agency;

(B) in the case of a letter of request for a defined-order letter of offer and acceptance or associated amendments and modifications, not later than 100 days after such date; and

(C) in the case of a letter of request for a defined-order letter of offer and acceptance or associated amendments that involve extenuating factors, as approved by the Director of the Defense Security Cooperation Agency, not later than 150 days after such date.

(3) WAIVER.—The Secretary of Defense may waive paragraphs (1) and (2) if—

(A) such a waiver is in the national security interests of the United States; and

(B) not later than 5 days after exercising such waiver authority, the Secretary provides to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives notice of the exercise of such authority, including an explanation of the one or more reasons for failing to meet the applicable deadline.

(b) EXPANSION OF COUNTRY PRIORITIZATION.—With respect to foreign military sales to member countries of the North Atlantic Treaty Organization, major non-NATO allies, major defense partners, and major security partners, the Secretary of Defense may assign a Defense Priorities and Allocations System order rating of DX (within the meaning of section 700.11 of title 15, Code of Federal Regulations (as in effect on the date of the enactment of this Act)).

(c) DEFINITIONS.—In this section:

(1) BLANKET-ORDER LETTER OF OFFER AND ACCEPTANCE.—The term ''blanket-order letter of offer and acceptance'' means an agreement between an eligible foreign purchaser and the United States Government for a specific category of items or services (including training) that—

(A) does not include a definitive listing of items or quantities; and

(B) specifies a maximum dollar amount against which orders for defense articles and services may be placed.

(2) COOPERATIVE LOGISTICS SUPPLY SUPPORT ARRANGEMENT.—The term ''cooperative logistics supply support arrangement'' means a military logistics support arrangement designed to provide responsive and continuous supply support at the depot level for United States-made military materiel possessed by foreign countries or international organizations.

(3) DEFINED-ORDER LETTER OF OFFER AND ACCEPTANCE.—The term ''defined-order letter of offer and acceptance'' means a foreign military sales case characterized by an order for a specific defense article or service that is separately identified as a line item on a letter of offer and acceptance.

(4) IMPLEMENTING AGENCY.—The term ''implementing agency'' means the military department or defense agency assigned, by the Director of the Defense Security Cooperation Agency, the responsibilities of—

(A) preparing a letter of offer and acceptance;

(B) implementing a foreign military sales case; and

(C) carrying out the overall management of the activities that—

(i) will result in the delivery of the defense articles or services set forth in the letter of offer and acceptance; and

(ii) was accepted by an eligible foreign purchaser.

(5) LETTER OF REQUEST.—The term ''letter of request''—

(A) means a written document—

(i) submitted to a United States security cooperation organization, the Defense Security Cooperation Agency, or an implementing agency by an eligible foreign purchaser for the purpose of requesting to purchase or otherwise obtain a United States defense article or defense service through the foreign military sales process; and

(ii) that contains all relevant information in such form as may be required by the Secretary of Defense; and

(B) includes—

(i) a formal letter;

(ii) an e-mail;

(iii) signed meeting minutes from a recognized official of the government of an eligible foreign purchaser; and

(iv) any other form of written document, as determined by the Secretary of Defense or the Director of the Defense Security Cooperation Agency.

(6) MAJOR DEFENSE PARTNER.—The term ''major defense partner'' means—

(A) India; and

(B) any other country, as designated by the Secretary of Defense.

(7) MAJOR NON-NATO ALLY.—The term ''major non-NATO ally''—

(A) has the meaning given the term in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403)); and

(B) includes Taiwan, as required by section 1206 of the Security Assistance Act of 2002 (Public Law 107–228; 22U.S.C. 2321k note).

(8) MAJOR SECURITY PARTNER.—The term ''major security partner'' means—

(A) the United Arab Emirates;

(B) Bahrain;

(C) Saudi Arabia; and

(D) any other country, as designated by the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $350,999,000 authorized to be appropriated to the Department of Defense for fiscal year 2024 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $6,815,000.

(2) For chemical weapons destruction, $16,400,000.

(3) For global nuclear security, $19,406,000.

(4) For cooperative biological engagement, $228,030,000.

(5) For proliferation prevention, $46,324,000.

(6) For activities designated as Other Assessments/Administrative Costs, $34,024,000.

(b) SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2024, 2025, and 2026.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2024 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. RECOVERY OF RARE EARTH ELEMENTS AND OTHER STRATEGIC AND CRITICAL MATERIALS THROUGH END-OF-LIFE EQUIPMENT RECYCLING.

The Secretary of Defense shall establish policies and procedures—

(1) to identify end-of-life equipment of the Department of Defense that contains rare earth elements and other materials determined pursuant to section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)) to be strategic and critical materials; and

(2) to identify, establish, and implement policies and procedures to recover such materials from such equipment for the purposes of reuse by the Department of Defense.

SEC. 1412. IMPROVEMENTS TO STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) PURPOSES.—Section 2 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a) is amended by adding at the end the following new subsection:

''(d) To the maximum extent practicable and to reduce the reliance of the National Defense Stockpile program on appropriated funds, the National Defense Stockpile Manager shall seek to achieve positive cash flows from the recovery of strategic and critical materials pursuant to section 6(a)(5).''.

(b) STOCKPILE MANAGEMENT.—Section 6 of such Act (50 U.S.C. 98e) is amended—

(1) in subsection (a)(5), by striking ''from excess'' and all that follows and inserting ''from other Federal agencies, either directly as materials or embedded in excess-to-need, end-of-life items, or waste streams;'';

(2) in subsection (c)(1), by striking ''subsection (a)(5) or (a)(6)'' and inserting ''subsection (a)(6) or (a)(7)'';

(3) in subsection (d)(2), by striking ''subsection (a)(5)'' and inserting ''subsection (a)(6)''; and

(4) by adding at the end the following new subsections:

''(g)(1) The National Defense Stockpile Manager shall establish a pilot program to use, to the maximum extent practicable, commercial best practices in the acquisition and disposal of strategic and critical materials for the stockpile.

''(2)(A) The Stockpile Manager shall brief the congressional defense committees (as defined in section 101(a) of title 10, United States Code)—

''(i) as soon as practicable after the establishment of the pilot program under paragraph (1); and

''(ii) annually thereafter until the termination of the pilot program under paragraph (3).

''(B) The briefing required by subparagraph (A)(i) shall address—

''(i) the commercial best practices selected for use under the pilot program;

''(ii) how the Stockpile Manager determined which commercial best practices to select; and

''(iii) the plan of the Stockpile Manager for using such practices.

''(C) Each briefing required by subparagraph (A)(ii) shall provide a summary of—

''(i) how the Stockpile Manager has used commercial best practices under the pilot program during the year preceding the briefing;

''(ii) how many times the Stockpile Manager has used such practices;

''(iii) the outcome of each use of such practices; and

''(iv) any savings achieved or lessons learned as a result of the use of such practices.

''(3) The pilot program established under paragraph (1) shall terminate effective on the date that is 5 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.

''(h) Unless otherwise necessary for national defense, the National Defense Stockpile Manager shall implement recovery programs under subsection (a)(5) to be cash flow positive.''.

(c) DEVELOPMENT AND CONSERVATION OF RELIABLE SOURCES.—

(1) IN GENERAL.—Section 15 of such Act (50 U.S.C. 98h–6) is amended to read as follows:

''SEC. 15. DEVELOPMENT AND CONSERVATION OF RELIABLE SOURCES.

''(a) DUTIES.—Subject to subsection (c), the National Defense Stockpile Manager shall encourage the development and appropriate conservation of reliable sources of strategic and critical materials—

''(1) by purchasing, or making a commitment to purchase, strategic and critical materials from reliable sources when such materials are needed for the stockpile;

''(2) by contracting with facilities located in and owned and controlled by reliable sources, or making a commitment to contract with such facilities, for the processing or refining of strategic and critical materials in the stockpile when processing or refining is necessary to convert such materials into a form more suitable for storage or disposition or meeting stockpile requirements;

''(3) by qualifying facilities located in and owned and controlled by reliable sources, or qualifying strategic and critical materials

produced by such facilities, to meet stockpile requirements;

''(4) by contracting with facilities located in and owned and controlled by reliable sources to recycle strategic and critical materials to meet stockpile requirements or increase the balance of the National Defense Stockpile Transaction Fund under section 9; and

''(5) by entering into an agreement to cofund a bankable feasibility study for a project for the development of strategic and critical materials located in and owned and controlled by a reliable source, if the agreement—

''(A) limits the liability of the stockpile to not more than the total funding provided by the Federal Government;

''(B) limits the funding contribution of the Federal Government to not more than 50 percent of the cost of the bankable feasibility study; and

''(C) does not obligate the Federal Government to purchase strategic and critical materials from the reliable source.

''(b) ADDITIONAL AUTHORITIES.—

''(1) EXTENDED CONTRACTING AUTHORITY.—

''(A) IN GENERAL.—The term of a contract or commitment made under subsection (a) may not exceed ten years.

''(B) PREEXISTING CONTRACTS.—A contract entered into before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 for a term of more than ten years may be extended, on or after such date of enactment, for a total of not more than an additional ten years pursuant to any option or options set forth in the contract.

''(2) MATTERS RELATING TO CO-FUNDING OF BANKABLE FEASIBILITY STUDIES.—To the extent authorized by Congress pursuant to the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) and determined to be required by the President pursuant to that Act, the National Defense Stockpile Manager may provide for loans or procure debt issued by other entities to carry out a project for the development of strategic and critical materials under subsection (a)(5).

''(c) PROPOSED TRANSACTIONS INCLUDED IN ANNUAL MATERIALS PLAN.—Descriptions of proposed transactions under subsection (a) shall be included in the Annual Materials and Operations Plan. Changes to any such transaction, or the addition of a transaction not included in such plan, shall be made in accordance with section 5.

''(d) AVAILABILITY OF FUNDS.—The authority of the National Defense Stockpile Manager to enter into obligations under this section is effective for any fiscal year only to the extent that funds in the National Defense Stockpile Transaction Fund under section 9 are adequate to meet such obligations.

''(e) BANKABLE FEASIBILITY STUDY DEFINED.—In this section, the term 'bankable feasibility study' means a comprehensive technical and economic study—

''(1) of the selected development option for a strategic and critical materials project that includes appropriately detailed assessments of realistically assumed extraction, processing, metallurgical, economic, marketing, legal, environmental, social, and governmental considerations and any other relevant operational factors and detailed financial analysis, that are necessary to demonstrate at the time of reporting that production is reasonably justified; and

''(2) that may reasonably serve as the basis for a final decision by a proponent of a project or financial institution to proceed with, or finance, the development of the project.''.

(2) CONFORMING AMENDMENTS.—

(A) MATERIALS RESEARCH AND DEVELOPMENT.—Section 8(a) of such Act (50 U.S.C. 98g(a)) is amended—

(i) in paragraph (1)(A), by striking ''or in its territories or possessions,'' and inserting ''its territories or possessions, or in a reliable source''; and

(ii) in paragraph (2), by striking ''in order to—'' and all that follows through ''mineral products.'' and inserting the following: ''in order to develop new sources of strategic and critical materials, develop substitutes, or conserve domestic sources and reliable sources of supply for such strategic and critical materials.''.

(B) DEFINITIONS.—Section 12 of such Act (50 U.S.C. 98h–3) is amended by striking paragraph (3) and inserting the following new paragraph (3):

''(i) The term 'reliable source' mean a citizen or business entity of—

''(I) the United States or any territory or possession of the United States;

''(II) a country of the national technology and industrial base, as defined in section 4801 of title 10, United States Code; or

''(III) a qualifying country, as defined in section 225.003 of the Defense Federal Acquisition Regulation Supplement.''.

(d) TECHNICAL AMENDMENT.—Subsection (e) of section 10 of such Act (50 U.S.C. 98h–1) is amended to read as follows:

''(e) APPLICATION OF PROVISIONS RELATING TO FEDERAL ADVISORY COMMITTEES.—Section 1013 of title 5, United States Code, shall not apply to the Board.''.

SEC. 1413. AUTHORITY TO DISPOSE OF MATERIALS FROM THE NATIONAL DEFENSE STOCKPILE.

Pursuant to section 5(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(b)), the National Defense Stockpile Manager may dispose of the following materials contained in the National Defense Stockpile in the following quantities:

(1) 8 short tons of beryllium.

(2) 154,043 short dry tons of metallurgical grade manganese ore.

(3) 5,000 kilograms of germanium.

(4) 91,413 pounds of pan-based carbon fibers.

(5) Not more than 1,000 short tons of materials transferred from another department or agency of the United States to the National Defense Stockpile under section 4(b) of such Act (50 U.S.C. 98c(b)) that the National Defense Stockpile Manager determines is no longer required for the Stockpile (in addition to any amount of such materials previously authorized for disposal).

SEC. 1414. BEGINNING BALANCES OF THE NATIONAL DEFENSE STOCKPILE TRANSACTION FUND FOR AUDIT PURPOSES.

For purposes of an audit conducted under chapter 9A of title 10, United States Code, of the National Defense Stockpile Transaction Fund established by section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h)—

(1) the ending balance of $313,633,491.15 reported in the Central Accounting Reporting System of the Department of the Treasury for September 30, 2021, is the Fund Balance with Treasury ending balance on that date;

(2) the Total Actual Resources–Collected opening balance for October 1, 2021, for United States Standard General Ledger Account 420100 is $314,548,154.42, as recorded in official accounting records; and

(3) the Unapportioned–Unexpired Authority ending balance for September 30, 2021, for United States Standard General Ledger Account 445000 is $216,976,300.69, as recorded in official accounting records.

Subtitle C—Other Matters

SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $172,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

(b) TREATMENT OF TRANSFERRED FUNDS.—For purposes of subsection (a)(2) of such section 1704, any funds transferred under subsection (a) shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(c) USE OF TRANSFERRED FUNDS.—For purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1422. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2024 from the Armed Forces Retirement Home Trust Fund the sum of $77,000,000 for the operation of the Armed Forces Retirement Home.

SEC. 1423. MODIFICATION OF LEASING AUTHORITY OF ARMED FORCES RETIREMENT HOME.

(a) AGREEMENTS; APPROVAL AND NOTIFICATION.—Section 1511(i) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(i)) is amended by adding at the end the following new paragraphs:

''(9) Before entering into a lease described in this subsection, the Chief Operating Officer may enter into an agreement with a potential lessee providing for a period of exclusivity, access, study, or for similar purposes. The agreement shall provide for the payment (in cash or in kind) by the potential lessee of consideration for the agreement unless the Chief Operating Officer determines that payment of consideration will not promote the purpose and financial stability of the Retirement Home or be in the public interest.

''(10) No further approval by the Secretary of Defense, nor notification or report to Congress, shall be required for subordinate leases under this subsection unless the facts or terms of the original lease have materially changed.''.

(b) ADMINISTRATION OF FUNDS.—Section 1511(i)(7) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(i)) is amended—

(1) by inserting ''an agreement with a potential lessee or'' after ''The proceeds from''; and

(2) by striking the period at the end and inserting '', to remain available for obligation and expenditure to finance expenses of the Retirement Home related to the formation and administration of agreements and leases entered into under the provisions of this subsection.''.

TITLE XV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1501. ACQUISITION STRATEGY FOR PHASE 3 OF THE NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) FISCAL YEARS 2025 THROUGH 2029.—With respect to the acquisition strategy for Phase 3 of the National Security Space Launch program, for fiscal years 2025 through 2029, the Secretary of Defense shall establish—

(1) a low-risk launch program, to be known as ''Lane One'', that consists of an indefinite delivery indefinite quantity acquisition approach based on not fewer than 20 launches so as to encourage the capabilities of new entrants that have conducted not fewer than one previous launch; and

(2) a launch program, similar to the Phase Two National Security Assured Access Launch program, to be known as ''Lane Two'', that meets all National Security Space Launch requirements, with full mission assurance, based on not fewer than 35 launches.

(b) FISCAL YEARS 2027 THROUGH 2029.—With respect to the acquisition strategy for Phase 3 of the National Security Space Launch program, for fiscal years 2027 through 2029, the Secretary of Defense shall establish an accession launch program, to be known as ''Lane Two A'', using the requirements of the program established under subsection (a)(2) based on five launches of GPS Block IIIF satellites or satellites the launches of which are complex, high-energy missions.

SEC. 1502. INITIAL OPERATING CAPABILITY FOR ADVANCED TRACKING AND LAUNCH ANALYSIS SYSTEM AND SYSTEM-LEVEL REVIEW.

(a) ADVANCED TRACKING AND LAUNCH ANALYSIS SYSTEM.—

(1) DATE FOR INITIAL OPERATING CAPABILITY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall—

(A) designate a date for the delivery of the initial operating capability for the Advanced Tracking and Launch Analysis System (ATLAS); and

(B) notify the congressional defense committees of such date.

(2) EFFECT OF FAILURE TO TIMELY DELIVER.—If the initial operating capability for ATLAS is not achieved by the date designated under paragraph (1)(A), the Secretary shall—

(A) terminate the ATLAS program;

(B) designate an alternative program option that provides a comparable capability to the capability intended to be provided by ATLAS; and

(C) not later than 30 days after such date, notify the congressional defense committees with respect to—

(i) such termination;

(ii) the designated alternative program option;

(iii) the justification for selecting such option; and

(iv) the estimated time and total costs to completion of such option.

(b) SYSTEM-LEVEL REVIEW.—

(1) IN GENERAL.—The Secretary shall enter into a contract with a federally funded research and development center under which the federally funded research and development center shall, not less frequently than every 2 years through 2032, conduct a review of the space command and control software acquisition program to assess the ability of such program to build a software framework that integrates multiple aspects of space operations to enable the warfighter to command and control space assets in a time of conflict.

(2) ELEMENTS.—Each review under paragraph (1) shall consider the integration into such software framework of the following:

(A) Sensor data applicable to the command and control of space assets.

(B) Information contained in the Unified Data Library relating to the number and location of space objects.

(C) The ability to control space assets based on such data and information.

(D) Any other matter the Secretary considers necessary.

(3) BRIEFING.—The Secretary shall provide the congressional defense committees with a briefing on the findings of each review under paragraph (1), including—

(A) an assessment of any deficiency identified in the review; and

(B) a plan to address such deficiency in a timely manner.

SEC. 1503. DEPARTMENT OF THE AIR FORCE RESPONSIBILITY FOR SPACE-BASED GROUND AND AIRBORNE MOVING TARGET INDICATION.

(a) IN GENERAL.—The Department of the Air Force shall be responsible for—

(1) serving as the final authority for the tasking of space-based ground and airborne moving target indication systems that—

(A) are primarily or fully funded by the Department of Defense; and

(B) provide near real-time, direct support to satisfy theater operations; and

(2) presenting such capability to the combatant commands to accomplish the warfighting missions of the combatant commands under the Unified Command Plan.

(b) MILESTONE DEVELOPMENT AUTHORITY.—Subject to section 4204 of title 10, United States Code, the Secretary of the Air Force, in consultation with the Director of National Intelligence, shall be the Milestone A approval (as defined in section 4211 of such title) decision authority for space-related acquisition programs for ground and airborne moving target indication collection assets described in subsection (a) that are primarily or fully funded within the Military Intelligence Program.

SEC. 1504. PRINCIPAL MILITARY DEPUTY FOR SPACE ACQUISITION AND INTEGRATION.

Section 9016(b)(6) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) The Assistant Secretary of the Air Force for Space Acquisition and Integration shall have a Principle Military Deputy for Space Acquisition and Integration, who shall be an officer of the Space Force on active duty. The Principal Military Deputy for Space Acquisition and Integration shall be appointed from among officers who have significant experience in the areas of acquisition and program management. The position of Principal Military Deputy for Space Acquisition and Integration shall be designated as a critical acquisition position under section 1731 of this title. In the event of a vacancy in the position of Assistant Secretary of the Air Force for Space Acquisition and Integration, the Principal Military Deputy for Space Acquisition and Integration may serve as Acting Assistant Secretary for Space Acquisition and Integration for a period of not more than one year.''.

SEC. 1505. USE OF MIDDLE TIER ACQUISITION AUTHORITY FOR SPACE DEVELOPMENT AGENCY ACQUISITION PROGRAM.

(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 114–92; 10 U.S.C. 3201 note prec.) and Department of Defense Instruction 5000.80, entitled ''Operation of the Middle Tier of Acquisition (MTA)'' and issued on December 30, 2019 (or a successor instruction), for the rapid fielding of satellites and associated systems for Tranche 1, Tranche 2, and Tranche 3 of the proliferated warfighter space architecture of the Space Development Agency.

(b) RAPID PROTOTYPING AND FIELDING.—Any tranche of satellites or associated systems developed and fielded under subsection (a) shall have a level of maturity that allows such satellites or systems to be rapidly prototyped within an acquisition program or rapidly fielded within five years of the development of an approved requirement.

(c) DESIGNATION AS MAJOR CAPABILITY ACQUISITION.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment may designate a tranche described in subsection (a) as a major capability acquisition program, consistent with Department of Defense Instruction 5000.80, entitled ''Operation of the Middle Tier of Acquisition (MTA)'' and issued on December 30, 2019 (or a successor instruction).

(2) NOTICE TO CONGRESS.—Not later than 90 days before the date on which a designation under paragraph (1) is made, the Under Secretary of Defense for Acquisition and Sustainment shall notify the congressional defense committees of the intent to so designate and provide a justification for such designation.

SEC. 1506. SPECIAL AUTHORITY FOR PROVISION OF COMMERCIAL SPACE LAUNCH SUPPORT SERVICES.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, is amended by inserting after section 2276 the following new section:

''§ 2276a. Special authority for provision of commercial space launch support services

''(a) IN GENERAL.—The Secretary of a military department, pursuant to the authority provided by this section and any other provision of law, may support Federal and commercial space launch capacity on any domestic real property under the control of the Secretary through the provision of space launch support services.

''(b) PROVISION OF LAUNCH EQUIPMENT AND SERVICES TO COMMERCIAL ENTITIES.—

''(1) AGREEMENT AUTHORITY.—

''(A) IN GENERAL.—The Secretary concerned may enter into a contract, or conduct any other transaction, with a commercial entity that intends to conduct space launch activities on a military installation under the jurisdiction of the Secretary, including a contract or other transaction for the provision of supplies, services, equipment, and construction needed for commercial space launch.

''(B) NONDELEGATION.—The Secretary may not delegate the authority provided in subparagraph (A).

''(2) AGREEMENT COSTS.—

''(A) DIRECT COSTS.—A contract entered into, or a transaction conducted, under paragraph (1) shall include a provision that requires the commercial entity entering into the contract or conducting the transaction to reimburse the Department of Defense for all direct costs to the United States that are associated with the goods, services, and equipment provided to the commercial entity under the contract or transaction.

''(B) INDIRECT COSTS.—A contract entered into, or a transaction conducted, under paragraph (1) may—

''(i) include a provision that requires the commercial entity to reimburse the Department of Defense for such indirect costs as the Secretary concerned considers to be fair and reasonable; and

''(ii) provide for the recovery of indirect costs through establishment of a rate, fixed

price, or similar mechanism the Secretary concerned considers to be fair and reasonable.

''(3) RETENTION OF FUNDS COLLECTED FROM COMMERCIAL USERS.—Amounts collected from a commercial entity under paragraph (2) shall be credited to the appropriation accounts under which the costs associated with the contract (direct and indirect) were incurred.

''(4) REGULATIONS.—The Secretary shall promulgate regulations to carry out this subsection.

''(c) DEFINITIONS.—In this section:

''(1) SPACE LAUNCH.—The term 'space launch' includes all activities, supplies, equipment, facilities, and services supporting launch preparation, launch, reentry, recovery, and other launch-related activities for the payload and the space transportation vehicle.

''(2) COMMERCIAL ENTITY; COMMERCIAL.—The terms 'commercial entity' and 'commercial' means a non-Federal entity organized under the laws of the United States or of any jurisdiction within the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 135 of title 10, United States Code, is amended by inserting after the item relating to section 2276 the following:

''2276a. Special authority for provision of commercial space launch support services.''.

SEC. 1507. TREATMENT OF POSITIONING, NAVIGATION, AND TIMING RESILIENCY, MODIFICATIONS, AND IMPROVEMENTS PROGRAM AS ACQUISITION CATEGORY 1D PROGRAM.

The Under Secretary of Defense for Acquisition and Sustainment shall treat the Positioning, Navigation, and Timing Resiliency, Modifications, and Improvements program of the Air Force (Program Element 0604201F) as an acquisition category 1D program, and the authority to manage such program may not be delegated.

SEC. 1508. BRIEFING ON CLASSIFICATION PRACTICES AND FOREIGN DISCLOSURE POLICIES REQUIRED FOR COMBINED SPACE OPERATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall provide a briefing to the appropriate committees of Congress on the classification practices and foreign disclosure policies required to enable the development and conduct of combined space operations among the following countries:

(1) Australia.
(2) Canada.
(3) France.
(4) Germany.
(5) New Zealand.
(6) The United Kingdom.
(7) The United States.
(8) Any other ally or partner country, as determined by the Secretary of Defense or the Director of National Intelligence.

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

(1) The military and national intelligence information required to be shared with the countries described in subsection (a) so as to enable the development and conduct combined space operations.

(2) The policy, organizational, or other barriers that currently prevent such information sharing for combined space operations.

(3) The actions being taken by the Department of Defense and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to remove the barriers to such information sharing, and the timeline for implementation of such actions.

(4) Any statutory changes required to remove such barriers.

(5) Any other matter, as determined by the Secretary of Defense or the Director of National Intelligence.

(c) IMPLEMENTATION UPDATE.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall provide a briefing to the appropriate committees of Congress on the implementation of the actions described in subsection (b)(3).

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional defense committees; and

(2) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

SEC. 1509. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS RELATING TO SELECTION OF PERMANENT LOCATION FOR HEADQUARTERS OF UNITED STATES SPACE COMMAND.

(a) LIMITATION ON AVAILABILITY OF FUNDS FOR MILITARY CONSTRUCTION PROJECTS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Air Force may be obligated or expended for a military construction project (as described in section 2801(b) of title 10, United States Code) for the construction or modification of facilities for temporary or permanent use by the United States Space Command for headquarters operations until the report required under subsection (c) is submitted.

(b) LIMITATION ON AVAILABILITY OF FUNDS FOR TRAVEL EXPENDITURES.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 to the Office of the Secretary of the Air Force for travel expenditures, not more than 50 percent may be obligated or expended until the report required under subsection (c) is submitted.

(c) REPORT.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the justification for the selection of a permanent location for headquarters of the United States Space Command.

Subtitle B—Nuclear Forces

SEC. 1511. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2024 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance, sustainment, or replacement of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1512. SENTINEL INTERCONTINENTAL BALLISTIC MISSILE PROGRAM SILO ACTIVITY.

The LGM–35A Sentinel intercontinental ballistic missile program shall refurbish and make operable not fewer than 150 silos for intercontinental ballistic missiles at each of the following locations:

(1) Francis E. Warren Air Force Base, Laramie County, Wyoming.

(2) Malmstrom Air Force Base, Cascade County, Montana.

(3) Minot Air Force Base, Ward County, North Dakota.

SEC. 1513. MATTERS RELATING TO THE ACQUISITION AND DEPLOYMENT OF THE SENTINEL INTERCONTINENTAL BALLISTIC MISSILE WEAPON SYSTEM.

(a) AUTHORITY FOR MULTI-YEAR PROCUREMENT.—Subject to section 3501 of title 10, United States Code, the Secretary of the Air Force may enter into one or more multi-year contracts for the procurement of up to 659 Sentinel intercontinental ballistic missiles and for subsystems associated with such missiles.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Air Force may enter into one or more contracts, beginning in fiscal year 2024, for advance procurement associated with the Sentinel intercontinental ballistic missiles for which authorization to enter into a multi-year procurement contract is provided under subsection (a), and for subsystems associated with such missiles in economic order quantities when cost savings are achievable.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2024 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) MANDATORY INCLUSION OF PRE-PRICED OPTION IN CERTAIN CIRCUMSTANCES.—

(1) IN GENERAL.—If the total base quantity of Sentinel intercontinental ballistic missiles to be procured through all contracts entered into under subsection (a) is less than 659, the Secretary of the Air Force shall ensure that one or more of the contracts includes a pre-priced option for the procurement of additional Sentinel intercontinental ballistic missiles such that the sum of such base quantity and the number of such missiles that may be procured through the exercise of such options is equal to 659 missiles.

(2) DEFINITIONS.—In this subsection:

(A) BASE QUANTITY.—The term ''base quantity'' means the quantity of Sentinel intercontinental ballistic missiles to be procured under a contract entered into under subsection (a), excluding any quantity of such missiles that may be procured through the exercise of an option that may be part of such contract.

(B) PRE-PRICED OPTION.—The term ''pre-priced option'' means a contract option for a contract entered into under subsection (a) that, if exercised, would allow the Secretary of the Air Force to procure a quantity of intercontinental ballistic missiles at a predetermined price specified in such contract.

(e) LIMITATION.—The Secretary of the Air Force may not modify a contract entered into under subsection (a) if the modification would increase the per unit price of the Sentinel intercontinental ballistic missiles by more than 10 percent above the target per unit price specified in the original contract for such missiles under subsection (a).

(f) MODIFICATIONS TO THE INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE.—Section 1638 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (b)(1), by inserting '', who shall report directly to the Commander of Air Force Global Strike Command'' after ''Modernization''; and

(2) by striking subsection (d)(1) and inserting the following:

''(1) WEAPON SYSTEM.—For purposes of nomenclature and acquisition life cycle activities ranging from development through sustainment and demilitarization, each wing

level configuration of the LGM-35A Sentinel intercontinental ballistic missile shall be a weapon system.''.

SEC. 1514. PLAN FOR DECREASING THE TIME TO UPLOAD ADDITIONAL WARHEADS TO THE INTERCONTINENTAL BALLISTIC MISSILE FLEET.

(a) IN GENERAL.—The Secretary of the Air Force, in coordination with the Commander of the United States Strategic Command, shall develop a plan to decrease the amount of time required to upload additional warheads to the intercontinental ballistic missile force.

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

(1) An assessment of the storage capacity of weapons storage areas and any weapons generation facilities at covered bases, including the capacity of each covered base to store additional warheads.

(2) An assessment of the current nuclear warhead transportation capacity of the National Nuclear Security Administration and associated timelines for transporting additional nuclear warheads to covered bases.

(3) An evaluation of the capacity of the maintenance squadrons and security forces at covered bases and the associated timelines for adding warheads to the intercontinental ballistic missile force.

(4) An identification of actions that would address any identified limitations and increase the readiness of the intercontinental ballistic missile force to upload additional warheads.

(5) An evaluation of courses of actions to upload additional warheads to a portion of the intercontinental ballistic missile force.

(6) An assessment of the feasibility and advisability of initiating immediate deployment of W78 warheads to a single wing of the intercontinental ballistic missile force as a hedge against delay of the LGM-35A Sentinel intercontinental ballistic missile.

(7) A funding plan for carrying out actions identified in paragraphs (4) and (5).

(c) SUBMISSION TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force and the Commander of the United States Strategic Command shall submit to the congressional defense committees the plan required by subsection (a).

(d) FORM.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) BRIEFING.—Not later than 30 days after the submission of the plan required by subsection (a), the Secretary of the Air Force and the Commander of the United States Strategic Command shall brief the congressional defense committees on the actions being pursued to implement the plan.

(f) COVERED BASE DEFINED.—The term ''covered base'' means the following:

(1) Francis E. Warren Air Force Base, Laramie County, Wyoming.

(2) Malmstrom Air Force Base, Cascade County, Montana.

(3) Minot Air Force Base, Ward County, North Dakota.

SEC. 1515. TASKING AND OVERSIGHT AUTHORITY WITH RESPECT TO INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE FOR SENTINEL PROGRAM.

Section 1638 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by—

(1) redesignating subsection (e) as subsection (f); and

(2) inserting after subsection (d), the following new subsection (e):

''(e) DELEGATION OF AUTHORITY.—The Secretary of Defense shall—

''(1) not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, delegate to the Commander of the Air Force Global Strike Command such tasking and oversight authorities, as the Secretary considers necessary, with respect to other components of the Department of Defense participating in the Task Force; and

''(2) not later than 30 days after the date of such delegation of authority, notify the congressional defense committees of the delegation.''.

SEC. 1516. LONG-TERM SUSTAINMENT OF SENTINEL ICBM GUIDANCE SYSTEM.

(a) IN GENERAL.—Prior to issuing a Milestone C decision for the program to develop the LGM–35A Sentinel intercontinental ballistic missile system (referred to in this section as the ''Sentinel''), the Under Secretary of Defense for Acquisition and Sustainment shall certify to the congressional defense committees that there is a long-term capability in place to maintain and modernize the guidance system of the Sentinel over the full life cycle of the Sentinel.

(b) CERTIFICATION ELEMENTS.—The certification described in subsection (a) shall include a list of capabilities to maintain and advance—

(1) accelerometers;

(2) gyroscopes;

(3) guidance computers;

(4) specialized mechanical and retaining assemblies;

(5) test equipment; and

(6) such other components to ensure the guidance system will be maintained and modernized over the life of the Sentinel.

SEC. 1517. SENSE OF SENATE ON POLARIS SALES AGREEMENT.

(a) FINDINGS.—The Senate finds the following:

(1) On December 21, 1962, President John F. Kennedy and Prime Minister of the United Kingdom Harold Macmillan met in Nassau, Bahamas, and issued a joint statement (commonly referred to as the ''Statement on Nuclear Defense Systems''), agreeing that the United States would make Polaris missiles available on a continuing basis to the United Kingdom for use in submarines.

(2) On April 6, 1963, Secretary of State Dean Rusk and Her Majesty's Ambassador to the United States David Ormsby-Gore signed the Polaris Sales Agreement, reaffirming the Statement on Nuclear Defense Systems and agreeing that the United States Government shall provide and the Government of the United Kingdom shall purchase from the United States Government Polaris missiles, equipment, and supporting services.

(3) The HMS Resolution launched the first Polaris missile of the United Kingdom on February 15, 1968, and, in 1969, commenced the first strategic deterrent patrol for the United Kingdom, initiating a continuous at-sea deterrent posture for the United Kingdom that remains in effect.

(4) The Polaris Sales Agreement was amended to include the Trident II (D5) strategic weapon system on October 19, 1982, in Washington, D.C., through an exchange of notes between Secretary of State Jonathan Howe and Her Majesty's Ambassador to the United States Oliver Wright.

(5) Through an exchange of letters in 2008 between the Secretary of Defense the Honorable Robert Gates and the Secretary of State for Defence of the United Kingdom the Right Honorable Desmond Browne and under the auspices of the Polaris Sales Agreement, the United States Government and the Government of the United Kingdom agreed to continue cooperation to design a common missile compartment for the follow-on ballistic missile submarines of each nation.

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

(1) recognizes the 60th anniversary of the Polaris Sales Agreement between the United States and the United Kingdom of Great Britain and Northern Ireland;

(2) congratulates the Royal Navy for steadfastly maintaining the Continuous At-Sea Deterrent;

(3) Recognizes the important contribution of the Continuous At-Sea Deterrent to the North Atlantic Treaty Organization;

(4) reaffirms that the United Kingdom is a valued and special ally of the United States; and

(5) looks forward to continuing and strengthening the shared commitment of the United States and the United Kingdom to sustain submarine-based strategic deterrents well into the future.

SEC. 1518. MATTERS RELATING TO THE NUCLEAR-ARMED SEA-LAUNCHED CRUISE MISSILE.

(a) PROGRAM TREATMENT.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) establish a program for the development of a nuclear-armed, sea-launched cruise missile capability;

(2) designate such program as an acquisition category 1D program, to be managed consistent with the provisions of Department of Defense Instruction 5000.85 (relating to major capability acquisition);

(3) initiate a nuclear weapon project for the W80-4 ALT warhead, at phase 6.2 of the phase 6.X process (relating to feasibility study and down select), to align with the program described in paragraph (1);

(4) submit to the National Nuclear Security Administration a formal request, through the Nuclear Weapons Council, for participation in and support for the W80-4 ALT warhead project; and

(5) designate the Department of the Navy as the military department to lead the W80-4 ALT nuclear weapon program for the Department of Defense.

(b) INITIAL OPERATIONAL CAPABILITY.—The Secretary of Defense and the Administrator for Nuclear Security shall take such actions as necessary to ensure the program described in subsection (a) achieves initial operational capability, as defined jointly by the Secretary of the Navy and the Commander of United States Strategic Command, by not later than fiscal year 2035.

(c) LIMITATION.—The Under Secretary of Defense for Acquisition and Sustainment may not approve a Full Rate Production Decision or authorize Full Scale Production (as those terms are defined in the memorandum of the Nuclear Weapons Council entitled ''Procedural Guidelines for the Phase 6.X Process'' and dated April 19, 2000), for the W80-4 ALT program.

(d) BRIEFING.—

(1) IN GENERAL.—Beginning not later than November 1, 2023, and on March 1 and September 1 of each year thereafter, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretary of the Navy, the Administrator for Nuclear Security, and the Commander of the United States Strategic Command, shall jointly brief the congressional defense committees on the progress of the program described in subsection (a).

(2) CONTENTS.—Each briefing required under paragraph (1) shall include—

(A) a description of significant achievements of the program described in subsection (a) completed during the period specified in paragraph (3) and any planned objectives that were not achieved during such period;

(B) for the 180-day period following the briefing—

(i) planned objectives for the programs; and

(ii) anticipated spending plans for the programs;

(C) a description of any notable technical hurdles that could impede timely completion of the programs; and

(D) any other information the Under Secretary of Defense for Acquisition and Sustainment considers appropriate.

(3) PERIOD SPECIFIED.—The period specified in this paragraph is—

(A) in the case of the first briefing required by paragraph (1), the 180-day period preceding the briefing; and

(B) in the case of any subsequent such briefing, the period since the previous such briefing.

(4) TERMINATION.—The requirement to provide briefings under paragraph (1) shall terminate on the date that the program described in subsection (a) achieve initial operational capability, as defined jointly by the Secretary of the Navy and the Commander of United States Strategic Command.

(e) PHASE 6.X PROCESS DEFINED.—In this section, the term ''phase 6.X process'' means the phase 6.X process for major stockpile sustainment activities set forth in the memorandum of the Nuclear Weapons Council entitled ''Procedural Guidelines for the Phase 6.X Process'' and dated April 19, 2000.

SEC. 1519. OPERATIONAL TIMELINE FOR STRATEGIC AUTOMATED COMMAND AND CONTROL SYSTEM.

(a) IN GENERAL.—The Secretary of the Air Force shall develop a replacement of the Strategic Automated Command and Control System (SACCS) by not later than the date that the LGM–35A Sentinel intercontinental ballistic missile program reaches initial operational capability.

(b) REPLACEMENT CAPABILITIES.—The replacement required by subsection (a) shall—

(1) replace the SACCS base processors;

(2) replace the SACCS processors at launch control centers;

(3) provide internet protocol connectivity for wing-wide command centers of the LGM–35A Sentinel intercontinental ballistic missile program;

(4) include such other capabilities necessary to address the evolving requirements of the LGM–35A Sentinel intercontinental ballistic missile program as the Secretary considers appropriate.

SEC. 1520. AMENDMENT TO ANNUAL REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEMS.

Section 492a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) INDEPENDENT ASSESSMENT BY UNITED STATES STRATEGIC COMMAND.—

''(1) IN GENERAL.—Not later than 150 days after the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, the Commander of United States Strategic Command shall complete an independent assessment of the sufficiency of the execution of acquisition, construction, and recapitalization programs of the Department of Defense and the National Nuclear Security Administration to modernize the nuclear forces of the United States and meet current and future deterrence requirements.

''(2) CONTENTS.—The assessment required under paragraph (1) shall evaluate the ongoing execution of modernization programs associated with—

''(A) the nuclear weapons design, production, and sustainment infrastructure;

''(B) the nuclear weapons stockpile;

''(C) the delivery systems for nuclear weapons; and

''(D) the nuclear command, control, and communications system.

''(3) ROUTING AND SUBMISSION.—

''(A) SUBMISSION TO NUCLEAR WEAPONS COUNCIL.—Not later than 15 days after completion of the assessment required by paragraph (1), the Commander of United States Strategic Command shall—

''(i) submit the assessment to the Chairman of the Nuclear Weapons Council; and

''(ii) notify the congressional defense committees that the assessment has been submitted to the Chairman of the Nuclear Weapons Council.

''(B) SUBMISSION TO CONGRESS.—Not later than 15 days after the Chairman of the Nuclear Weapons Council receives the assessment required by paragraph (1), the Chairman shall transmit the assessment, without change, to the congressional defense committees.''.

SEC. 1521. TECHNICAL AMENDMENT TO ADDITIONAL REPORT MATTERS ON STRATEGIC DELIVERY SYSTEMS.

Section 495(b) of title 10, United States Code, is amended in the matter preceding paragraph (1)—

(1) by striking ''before fiscal year 2020'' and inserting ''prior to the expiration of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011 (commonly referred to as the 'New START Treaty')''; and

(2) by striking ''1043 of the National Defense Authorization Act for Fiscal Year 2012'' and inserting ''492(a) of title 10, United States Code,''.

SEC. 1522. AMENDMENT TO STUDY OF WEAPONS PROGRAMS THAT ALLOW ARMED FORCES TO ADDRESS HARD AND DEEPLY BURIED TARGETS.

Section 1674 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended—

(1) in subsection (e)—

(A) in the heading, by striking ''ON USE OF FUNDS''; and

(B) by striking ''none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of Defense or the Department of Energy for the deactivation, dismantlement, or retirement of the B83–1 nuclear gravity bomb may be obligated or expended'' and inserting ''neither the Secretary of Defense nor the Secretary of Energy may take any action''; and

(2) in subsection (f), by striking ''on the use of funds under'' and inserting ''in''.

SEC. 1523. LIMITATION ON USE OF FUNDS UNTIL PROVISION OF DEPARTMENT OF DEFENSE INFORMATION TO GOVERNMENT ACCOUNTABILITY OFFICE.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for Operation and Maintenance, Defense-wide, and available for the Office of the Under Secretary of Defense for Policy, not more than 50 percent may be obligated or expended until the date on which the Comptroller General of the United States notifies the congressional defense committees that the Secretary of Defense has fully complied with information requests by the Government Accountability Office with respect to the conduct of the study required by section 1652 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2100).

Subtitle C—Missile Defense

SEC. 1531. DESIGNATION OF OFFICIAL RESPONSIBLE FOR MISSILE DEFENSE OF GUAM.

Paragraph (1) of section 1660(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended to read as follows:

''(1) DESIGNATION.—The Secretary of Defense shall designate the Under Secretary of Defense for Acquisition and Sustainment as the senior official of the Department of Defense who shall be responsible for the missile defense of Guam during the period preceding the date specified in paragraph (5).''.

SEC. 1532. SELECTION OF A DIRECTOR OF THE MISSILE DEFENSE AGENCY.

Subsection (a) of section 205 of title 10, United States Code, is amended to read as follows:

''(a) DIRECTOR OF THE MISSILE DEFENSE AGENCY.—There is a Director of the Missile Defense Agency who shall be appointed for a period of six years by the President from among the general officers on active duty in the Army, Air Force, Marine Corps, or Space Force or from among the flag officers on active duty in the Navy.''.

SEC. 1533. MODIFICATION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1339), as amended by section 1688 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1144) and section 1644 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4062), is further amended—

(1) in paragraph (1), by striking ''through 2025'' and inserting ''through 2030'';

(2) in paragraph (2), by striking ''through 2026'' and inserting ''through 2031''; and

(3) in paragraph (3)—

(A) in the paragraph heading, by striking ''EMERGING'' and inserting ''OTHER DEPARTMENT OF DEFENSE MISSILE DEFENSE ACQUISITION EFFORTS AND RELATED'';

(B) by striking ''emerging issues and'' and inserting ''emerging issues, any Department of Defense missile defense acquisition efforts, and any other related issue and''; and

(C) by inserting ''on a mutually agreed upon date'' before the period at the end.

SEC. 1534. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2024 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $80,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement;

(ii) an assessment detailing any risks relating to the implementation of such agreement; and

(iii) for system improvements resulting in modified Iron Dome components and Tamir interceptor sub-components, a certification that the Government of Israel has demonstrated successful completion of Production Readiness Reviews, including the validation of production lines, the verification of component conformance, and the verification of performance to specification as defined in the Iron Dome Defense System Procurement Agreement, as further amended.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2024 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $40,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—Provision of funds specified in paragraph (1) shall be subject to the terms and conditions in the bilateral co-production agreement, including—

(A) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(B) co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States industry for the David's Sling Weapon System is not less than 50 percent.

(3) CERTIFICATION AND ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David's Sling Weapon System; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2024 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $80,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(2) CERTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.

(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), the Under Secretary may submit—

(1) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b)(3) and the certification under subsection (c)(2) no later than 30 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the

(3) Committee on Foreign Affairs of the House of Representatives.

SEC. 1535. MODIFICATION OF SCOPE OF PROGRAM ACCOUNTABILITY MATRICES REQUIREMENTS FOR NEXT GENERATION INTERCEPTORS FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.

Section 1668(f) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) by inserting ''and the product development phase'' after ''technology development phase'' each place is appears; and

(2) in paragraph (7), by striking ''enter the product development phase'' and inserting ''enter the production phase''.

SEC. 1536. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF COST ASSESSMENT AND PROGRAM EVALUATION UNTIL SUBMISSION OF MISSILE DEFENSE ROLES AND RESPONSIBILITIES REPORT.

Of the funds authorized to be appropriated for fiscal year 2024 by section 301 for operation and maintenance, Defense-wide, and available for the Office of Cost Assessment and Program Evaluation, not more than 50 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the report required by section 1675(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

SEC. 1537. INTEGRATED AIR AND MISSILE DEFENSE ARCHITECTURE FOR THE INDO-PACIFIC REGION.

(a) STRATEGY REQUIRED.—The Commander of United States Indo-Pacific Command shall, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of United States Northern Command, the Director of the Missile Defense Agency, and the Director of the Joint Integrated Air and Missile Defense Organization, develop a comprehensive strategy for developing, acquiring, and operationally establishing an integrated air and missile defense architecture for the United States Indo-Pacific Command area of responsibility.

(b) STRATEGY COMPONENTS.—At a minimum, the strategy required by subsection (a) shall address the following:

(1) The sensing, tracking, and intercepting capabilities required to address the full range of credible missile threats to—

(A) the Hawaiian Islands;

(B) the island of Guam and other islands in the greater Marianas region, as determined necessary by the Commander of United States Indo-Pacific Command;

(C) other United States territories within the area of responsibility of United States Indo-Pacific Command; and

(D) United States forces deployed within the territories of other nations within such area of responsibility.

(2) The appropriate balance of missile detection, tracking, defense, and defeat capabilities within such area of responsibility.

(3) A command and control network for integrating missile detection, tracking, defense, and defeat capabilities across such area of responsibility.

(4) A time-phased scheduling construct for fielding the constituent systems that will comprise the integrated air and missile defense architecture for such area of responsibility.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than March 15, 2024, and not less frequently than once each year thereafter, the Commander of United States Indo-Pacific Command shall, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of United States Northern Command, the Director of the Missile Defense Agency, and the Director of the Joint Integrated Air and Missile Defense Organization, submit to the congressional defense committees an annual report outlining the following with regard to the strategy developed pursuant to subsection (a):

(A) The activities conducted and progress made in developing and implementing the strategy over the previous calendar year.

(B) The planned activities for developing and implementing the strategy in the upcoming year.

(C) A description of likely risks and impediments to the successful implementation of the strategy.

(2) TERMINATION.—The requirements of paragraph (1) shall terminate on the earlier of the following:

(A) March 15, 2029.

(B) The date on which a comprehensive integrated air and missile defense architecture for the area of responsibility of United States Indo-Pacific Command has achieved initial operational capability, as determined jointly by the Commander of United States Indo-Pacific Command and the Director of the Missile Defense Agency.

(d) LIMITATIONS.—Of the equipment and components previously procured by the Department of Defense for the purposes of constructing the Homeland Defense Radar–Hawaii, none of such assets may be repurposed for other uses until the first annual report required by subsection (c)(1) is submitted to the congressional defense committees pursuant to such subsection.

SEC. 1538. MODIFICATION OF NATIONAL MISSILE DEFENSE POLICY.

Section 1681(a) of the of the National Defense Authorization Act for fiscal year 2017 (Public Law 114–328; 10 U.S.C. 4205 note) is amended to read as follows:

''(a) POLICY.—It is the policy of the United States to—

''(1) maintain and improve, with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense—

''(A) an effective, layered missile defense system capable of defending the territory of the United States against the developing and increasingly complex missile threat; and

''(B) an effective regional missile defense system capable of defending the allies, partners, and deployed forces of the United States against increasingly complex missile threats; and

''(2) rely on nuclear deterrence to address more sophisticated and larger quantity near-peer intercontinental missile threats to the homeland of the United States.''.

Subtitle D—Other Matters

SEC. 1541. ELECTRONIC WARFARE.

(a) IN GENERAL.—Part I of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 25—ELECTRONIC WARFARE

''§ 500. Electronic Warfare Executive Committee

''(a) IN GENERAL.—There is within the Department of Defense an Electronic Warfare Executive Committee (in this section referred to as the 'Executive Committee').

''(b) PURPOSES.—The Executive Committee shall—

''(1) serve as the principal forum within the Department of Defense to inform, coordinate, and evaluate matters relating to electronic warfare;

''(2) provide senior oversight, coordination, and budget and capability harmonization with respect to such matters; and

''(3) act as an advisory body to the Secretary of Defense, the Deputy Secretary of Defense, and the Management Action Group of the Deputy Secretary with respect to such matters.

''(c) RESPONSIBILITIES.—The Executive Committee shall—

''(1) advise key senior level decision-making bodies of the Department of Defense with respect to the development and implementation of acquisition investments relating to electronic warfare and electromagnetic spectrum operations of the Department, including relevant acquisition policies, projects, programs, modeling, and test and evaluation infrastructure;

''(2) provide a forum to enable synchronization and integration support with respect to the development and acquisition of electronic warfare capabilities—

''(A) by aligning the processes of the Department for requirements, research, development, acquisition, testing, and sustainment; and

''(B) carrying out other related duties; and

''(3) act as the senior level review forum for the portfolio of capability investments of the Department relating to electronic warfare and electromagnetic spectrum operations and other related matters.

''(d) COORDINATION WITH INTELLIGENCE COMMUNITY.—The Executive Committee, acting through the Under Secretary of Defense for Intelligence and Security, shall coordinate with the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to generate requirements, facilitate collaboration, establish interfaces, and align efforts of the Department of Defense with respect to electronic warfare capability and acquisition with efforts of the intelligence community relating to electronic warfare capability and acquisition in areas of dependency or mutual interest between the Department and the intelligence community.

''(e) MEETINGS.—

''(1) FREQUENCY.—The Executive Committee shall hold meetings not less frequently than quarterly and as necessary to address particular issues.

''(2) FORM.—The Executive Committee may hold meetings by videoconference.

''(f) MEMBERSHIP.—

''(1) IN GENERAL.—The Executive Committee shall be composed of the following principal members:

''(A) The Under Secretary of Defense for Acquisition and Sustainment.

''(B) The Vice Chairman of the Joint Chiefs of Staff.

''(C) The Under Secretary of Defense for Intelligence and Security.

''(D) The Under Secretary of Defense for Policy.

''(E) The Commander of the United States Strategic Command.

''(F) The Chief Information Officer of the Department of Defense.

''(G) Such other Federal officers or employees as the Secretary of Defense considers appropriate, consistent with other authorities of the Department of Defense and publications of the Joint Staff, including the Charter for the Electronic Warfare Executive Committee, dated March 17, 2015.

''(g) CO-CHAIRS OF EXECUTIVE COMMITTEE.—

''(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment and the Vice Chairman of the Joint Chiefs of Staff, or their designees, shall serve as co-chairs of the Executive Committee.

''(2) RESPONSIBILITIES OF CO-CHAIRS.—The co-chairs of the Executive Committee shall—

''(A) preside at all Executive Committee meetings or have their designees preside at such meetings;

''(B) provide administrative control of the Executive Committee;

''(C) jointly guide the activities and actions of the Executive Committee;

''(D) approve all agendas for and summaries of meetings of the Executive Committee;

''(E) charter tailored working groups to conduct mission area analysis, as required, under subsection (i); and

''(F) perform such other duties as may be necessary to ensure the good order and functioning of the Executive Committee.

''(h) ELECTRONIC WARFARE CAPABILITY TEAM.—

''(1) IN GENERAL.—There is within the Executive Committee an electronic warfare capability team, which shall—

''(A) serve as a flag officer level focus group and executive secretariat subordinate to the Executive Committee; and

''(B) in that capacity—

''(i) provide initial senior level coordination on key electronic warfare issues;

''(ii) prepare recommended courses of action to present to the Executive Committee; and

''(iii) perform other related duties.

''(2) CO-CHAIRS.—The electronic warfare capability team shall be co-chaired by one representative from the Office of the Under Secretary of Defense for Acquisition and Sustainment and one representative from the Force Structure, Resources, and Assessment Directorate of the Joint Staff (J–8).

''(3) STAFF.—The principal members of the Executive Committee shall designate representatives from their respective staffs to the electronic warfare capability team.

''(i) MISSION AREA WORKING GROUPS.—

''(1) IN GENERAL.—The Executive Committee shall establish mission area working groups on a temporary basis—

''(A) to address specific issues and mission areas relating to electronic warfare and electromagnetic spectrum operations;

''(B) to involve subject matter experts and components of the Department of Defense with expertise in electronic warfare and electromagnetic spectrum operations; and

''(C) to perform other related duties.

''(2) DISSOLUTION.—The Executive Committee shall dissolve a mission area working group established under paragraph (1) once the issue the working group was established to address is satisfactorily resolved.

''(j) ADMINISTRATION.—The Under Secretary of Defense for Acquisition and Sustainment shall administratively support the Executive Committee, including by designating not fewer than two officials of the Department of Defense to support the day-to-day operations of the Executive Committee.

''(k) REPORT TO CONGRESS.—Not later than February 28, 2024, and annually thereafter through 2030, the Executive Committee shall submit to the congressional defense committees a summary of activities of the Executive Committee during the preceding fiscal year.

''§ 500a. Guidance on the electronic warfare mission area and joint electromagnetic spectrum operations

''The Secretary of Defense shall—

''(1) establish processes and procedures to develop, integrate, and enhance the electronic warfare mission area and the conduct of joint electromagnetic spectrum operations in all domains across the Department of Defense; and

''(2) ensure that such processes and procedures provide for integrated defense-wide strategy, planning, and budgeting with respect to the conduct of such operations by the Department, including activities conducted to counter and deter such operations by malign actors.

''§ 500b. Annual report on electronic warfare strategy of the Department of Defense

''(a) IN GENERAL.—At the same time as the President submits to Congress the budget of the President under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Secretary of each of the military departments, shall submit to the congressional defense committees an annual report on the electronic warfare strategy of the Department of Defense.

''(b) CONTENTS OF REPORT.—Each report required under subsection (a) shall include each of the following:

''(1) A description and overview of—

''(A) the electronic warfare strategy of the Department of Defense;

''(B) how such strategy supports the National Defense Strategy; and

''(C) the organizational structure assigned to oversee the development of the Department's electronic warfare strategy, requirements, capabilities, programs, and projects.

''(2) A list of all the electronic warfare acquisition programs and research and development projects of the Department of Defense and a description of how each program or project supports the Department's electronic warfare strategy.

''(3) For each unclassified program or project on the list required by paragraph (2)—

''(A) the senior acquisition executive and organization responsible for oversight of the program or project;

''(B) whether or not validated requirements exist for the program or project and, if such requirements do exist, the date on which the requirements were validated and the organizational authority that validated such requirements;

''(C) the total amount of funding appropriated, obligated, and forecasted by fiscal year for the program or project, including the program element or procurement line number from which the program or project receives funding;

''(D) the development or procurement schedule for the program or project;

''(E) an assessment of the cost, schedule, and performance of the program or project as it relates to the program baseline for the program or project, as of the date of the submission of the report, and the original program baseline for such program or project, if such baselines are not the same;

''(F) the technology readiness level of each critical technology that is part of the program or project;

''(G) whether or not the program or project is redundant or overlaps with the efforts of another military department; and

''(H) the capability gap that the program or project is being developed or procured to fulfill.

''(4) A classified annex that contains the items described in subparagraphs (A) through (H) of paragraph (3) for each classified program or project on the list required by paragraph (2).

''§ 500c. Annual assessment of budget with respect to electronic warfare capabilities

''At the same time as the President submits to Congress the budget of the President under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Secretary of Defense shall submit to the congressional defense committees an assessment by the Director of Cost Assessment and Program Evaluation as to whether sufficient funds are requested in such budget for anticipated activities in such fiscal year for each of the following:

''(1) The development of an electromagnetic battle management capability for joint electromagnetic spectrum operations.

''(2) The establishment and operation of associated joint electromagnetic spectrum operations cells.

''§ 500d. Electromagnetic spectrum superiority implementation plan

''(a) IN GENERAL.—The Chief Information Officer of the Department of Defense shall be responsible for oversight of the electromagnetic superiority implementation plan.

''(b) REPORT REQUIRED.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Chief Information Officer shall submit to the congressional defense committees a report that includes the following with respect to the electromagnetic superiority implementation plan:

''(1) The implementation plan in effect as of the date of the report, noting any revisions from the preceding plan.

''(2) A statement of the elements of the implementation plan that have been achieved.

''(3) For each element that has been achieved, an assessment of whether the element is having its intended effect.

''(4) For any element that has not been achieved, an assessment of progress made in achieving the element, including a description of any obstacles that may hinder further progress.

''(5) For any element that has been removed from the implementation plan, a description of the reason for the removal of the element and an assessment of the impact of not pursuing achievement of the element.

''(6) Such additional matters as the Chief Information Officer considers appropriate.

''(c) ELECTROMAGNETIC SUPERIORITY IMPLEMENTATION PLAN DEFINED.—In this section, the term 'electromagnetic superiority implementation plan' means the Electromagnetic Superiority Implementation Plan signed by the Secretary of Defense on July 15, 2021, and any successor plan.

''§ 500e. Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations

''(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, the Secretary of Defense shall establish an Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations (in this section referred to as the 'operational lead') at the United States Strategic Command, which shall report to the Commander of the United States Strategic Command.

''(b) FUNCTION.—The operational lead shall be responsible for synchronizing, assessing, and making recommendations to the Chairman of the Joint Chiefs of Staff with respect to the readiness of the combatant commands to conduct joint electromagnetic spectrum operations.

''(c) BRIEFINGS REQUIRED.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31 for each of fiscal years 2025 through 2029, the Chairman, acting through the operational lead, shall brief to the congressional defense committees on the following:

''(1) Progress made in achieving full operational capability to conduct joint electromagnetic spectrum operations and any impediments to achieving such capability.

''(2) The readiness of the combatant commands to conduct such operations.

''(3) Recommendations for overcoming any deficiencies in the readiness of the combatant commands to conduct such operations and any material gaps contributing to such deficiencies.

''(4) Such other matters as the Chairman considers important to ensuring that the combatant commands are capable of conducting such operations.

''§ 500f. Evaluations of abilities of armed forces and combatant commands to perform electromagnetic spectrum operations missions

''(a) EVALUATIONS OF ARMED FORCES.—

''(1) IN GENERAL.—Not later than October 1, 2024, and annually thereafter through 2029, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, and the Chief of Space Operations shall each carry out an evaluation of the ability of the armed force concerned to perform electromagnetic spectrum operations missions required by each of the following:

''(A) The Electromagnetic Spectrum Superiority Strategy.

''(B) The Joint Staff-developed concept of operations for electromagnetic spectrum operations.

''(C) The operations and contingency plans of the combatant commands.

''(2) CERTIFICATION REQUIRED.—Not later than December 31 of each year in which evaluations are required under paragraph (1), each official specified in that paragraph shall certify to the congressional defense committees that the evaluation required to be carried out by that official has occurred.

''(3) ELEMENTS.—Each evaluation under paragraph (1) shall include an assessment of the following:

''(A) Current programs of record, including—

''(i) the ability of weapon systems to perform missions in contested electromagnetic spectrum environments; and

''(ii) the ability of electronic warfare capabilities to disrupt adversary operations.

''(B) Future programs of record, including—

''(i) the need for distributed or network-centric electronic warfare and signals intelligence capabilities; and

''(ii) the need for automated and machine learning- or artificial intelligence-assisted electronic warfare capabilities.

''(C) Order of battle.

''(D) Individual and unit training.

''(E) Tactics, techniques, and procedures, including—

''(i) maneuver, distribution of assets, and the use of decoys; and

''(ii) integration of non-kinetic and kinetic fires.

''(F) Other matters relevant to evaluating the ability of the armed force concerned to perform electromagnetic spectrum operations missions described in paragraph (1).

''(b) EVALUATIONS OF COMBATANT COMMANDS.—

''(1) IN GENERAL.—Not later than October 1, 2024, and annually thereafter through 2029, the Chairman of the Joint Chiefs of Staff, acting through the Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations established under section 500e (in this section referred to as the 'operational lead'), shall carry out an evaluation of the plans and posture of the combatant commands to execute the electromagnetic spectrum operations envisioned in each of the following:

''(A) The Electromagnetic Spectrum Superiority Strategy.

''(B) The Joint Staff-developed concept of operations for electromagnetic spectrum operations.

''(2) ELEMENTS.—Each evaluation under paragraph (1) shall include an assessment, as relevant, of the following:

''(A) Operation and contingency plans.

''(B) The manning, organizational alignment, and capability of joint electromagnetic spectrum operations cells.

''(C) Mission rehearsal and exercises.

''(D) Force positioning, posture, and readiness.

''(3) BRIEFING REQUIRED.—Not later than December 31 of each year in which an evaluation is required under paragraph (A), the Chairman of the Joint Chiefs of Staff, acting through the operational lead, shall brief the congressional defense committees on the results of the evaluation.''.

(b) CLERICAL AMENDMENT.—The tables of chapters at the beginning of subtitle A of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 24 the following new item:

''25. Electronic Warfare ..... 500''.

(c) CONFORMING REPEAL.—Section 1053 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 113 note) is repealed.

SEC. 1542. STUDY ON THE FUTURE OF THE INTEGRATED TACTICAL WARNING ATTACK ASSESSMENT SYSTEM.

(a) IN GENERAL.—The Chairman of the Joint Chiefs of Staff shall enter into an agreement with a federally funded research and development center—

(1) to conduct a study on the future of the Integrated Tactical Warning Attack Assessment System (ITW/AA); and

(2) to submit to the Chairman a report on the findings of the center with respect to the study conducted under paragraph (1).

(b) ELEMENTS.—The study conducted pursuant to an agreement under subsection (a) shall cover the following:

(1) Future air and missile threats to the United States.

(2) The integration of multi-domain sensor data and their ground systems with the existing architecture of the Integrated Tactical Warning Attack Assessment System.

(3) The effect of the integration described in paragraph (2) on the data reliability standards of the Integrated Tactical Warning Attack Assessment System.

(4) Future data visualization, conferencing, and decisionmaking capabilities of such system.

(5) Such other matters as the Chairman considers relevant to the study.

(c) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Chairman shall submit to the congressional defense committees—

(1) the report submitted to the Chairman under subsection (a)(2); and

(2) the assessment of the Chairman with respect to the findings in such report and the recommendations of the Chairman with respect to modernizing the Integrated Tactical Warning Attack Assessment System.

SEC. 1543. COMPREHENSIVE REVIEW OF ELECTRONIC WARFARE TEST RANGES AND FUTURE CAPABILITIES.

(a) IN GENERAL.—The Under Secretary of Defense for Research and Engineering, in consultation with the Chairman of the Joint Chiefs of Staff, shall conduct a comprehensive review of any deficiencies in the capacity of the electronic warfare test ranges and future electronic warfare capabilities of the Department of Defense relating to current and future global threats, research and development efforts, modeling, and electromagnetic and physical encroachment of the test ranges.

(b) ELEMENTS.—The review required by subsection (a) shall consider the following:

(1) Each electronic warfare test range, its size, any distinguishing features, and its electronic warfare capabilities.

(2) The electronic warfare capabilities that are best practiced at which range and any encroachment issues between ranges.

(3) Future electronic warfare capabilities and planned acquisitions.

(4) Any modeling the Test Resource Management Center has done on incorporating future or planned electronic warfare capabilities into the current test ranges.

(5) Any other matter the Under Secretary considers necessary.

(c) BRIEFING REQUIRED.—Not later than March 31, 2024, the Under Secretary shall provide the congressional defense committees with a briefing on the findings of the review required by subsection (a) that includes—

(1) an assessment of any deficiency in the electronic warfare test ranges and future electronic warfare capabilities of the Department of Defense identified in the review; and

(2) a plan to address any such deficiency in a timely manner.

SEC. 1544. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 130i(i) of title 10, United States Code, is amended by striking ''2023'' both places it appears and inserting ''2026''.

SEC. 1545. ADDRESSING SERIOUS DEFICIENCIES IN ELECTRONIC PROTECTION OF SYSTEMS THAT OPERATE IN THE RADIO FREQUENCY SPECTRUM.

(a) IN GENERAL.—The Secretary of Defense shall take such actions as the Secretary considers necessary and practicable—

(1) to establish requirements for and assign sufficient priority to ensuring electronic protection of sensor, navigation, and communications systems and subsystems against jamming, spoofing, and unintended interference from military systems; and

(2) to provide management oversight and supervision of the military departments to ensure electronic protection of military systems that emit and receive in radio frequencies against modern threats and interference from military systems operating in the same or adjacent radio frequency of Federal spectrum.

(b) SPECIFIC REQUIRED ACTIONS.—The Secretary shall require the military departments and combat support agencies to—

(1) develop and approve requirements, through the Joint Requirements Oversight Council as appropriate, within 270 days of the date of the enactment of this Act, for every radar, signals intelligence, navigation, and communications system and subsystem subject to the Global Force Management process to be able to withstand threat-realistic levels of jamming, spoofing, and unintended interference, which includes self-generated interference;

(2) test every system and subsystem described in paragraph (1) at a test range that permits threat-realistic electronic warfare attacks against the system or subsystem by a red team or opposition force at least once every 4 years, with the first set of highest priority systems to be initially tested no later than fiscal year 2025;

(3) retrofit every system and subsystem described in paragraph (1) that fails to meet electronic protection requirements during testing with electronic protection measures that can withstand threat-realistic jamming, spoofing, and unintended interference within 3 years from the date of the testing, and to retest such systems and subsystems within 4 years of the initial failed test;

(4) survey, identify, and test available technology that can be practically and affordably retro-fitted on the systems described in paragraph (1) and which provides robust protection against threat-realistic jamming, spoofing, and unintended interference; and

(5) design and build electronic protection into ongoing and future development programs to withstand expected jamming and spoofing threats and unintended interference.

(c) WAIVER.—The Secretary may establish a process for issuing waivers on a case-by-case basis for the testing requirement established in paragraph (2) of subsection (b) and for the retrofit requirement established in paragraph (3) of such subsection.

(d) ANNUAL REPORTS.—Each fiscal year, coinciding with the submission of the President's budget request to Congress pursuant to section 1105(a) of title 31, United States Code, through fiscal year 2030, the Director of Operational Test and Evaluation shall submit to the Electronic Warfare Executive Committee, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a comprehensive annual report aggregating reporting from the military departments and combat support agencies that describes—

(1) the implementation of the requirements of this section;

(2) the systems subject to testing in the previous year and the results of such tests, including a description of the requirements for electronic protection established for the tested systems; and

(3) each waiver issued in the previous year with respect to such requirements, together with a detailed rationale for the waiver and a plan for addressing the basis for the waiver request.

SEC. 1546. FUNDING LIMITATION ON CERTAIN UNREPORTED PROGRAMS.

(a) LIMITATION ON AVAILABILITY OF FUNDS.—None of the funds authorized to be appropriated by this Act for fiscal year 2024 may be obligated or expended, directly or indirectly, in part or in whole, for, on, in relation to, or in support of activities involving unidentified anomalous phenomena protected under any form of special access or restricted access limitations that have not been formally, officially, explicitly, and specifically described, explained, and justified to the appropriate committees of Congress, congressional leadership, and the Director, including for any activities relating to the following:

(1) Recruiting, employing, training, equipping, and operations of, and providing security for, Government or contractor personnel with a primary, secondary, or contingency mission of capturing, recovering, and securing unidentified anomalous phenomena craft or pieces and components of such craft.

(2) Analyzing such craft or pieces or components thereof, including for the purpose of determining properties, material composition, method of manufacture, origin, characteristics, usage and application, performance, operational modalities, or reverse engineering of such craft or component technology.

(3) Managing and providing security for protecting activities and information relating to unidentified anomalous phenomena from disclosure or compromise.

(4) Actions relating to reverse engineering or replicating unidentified anomalous phenomena technology or performance based on analysis of materials or sensor and observational information associated with unidentified anomalous phenomena.

(5) The development of propulsion technology, or aerospace craft that uses propulsion technology, systems, or subsystems that is based on or derived from or inspired by inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena craft or materials.

(6) Any aerospace craft that uses propulsion technology other than chemical propellants, solar power, and electric ion thrust.

(b) NOTIFICATION AND REPORTING.—

(1) IN GENERAL.—Any person currently or formerly under contract with the Federal Government that has in their possession material or information provided by or derived from the Federal Government relating to unidentified anomalous phenomena that formerly or currently is protected by any form of special access or restricted access shall—

(A) not later than 60 days after the date of the enactment of this Act, notify the Director of such possession; and

(B) not later than 180 days after the date of the enactment of this Act, make available to the Director for assessment, analysis, and inspection—

(i) all such material and information; and

(ii) a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena materiel.

(2) PROTECTIONS.—The provision of notice and the making available of material and information under paragraph (1) shall be treated as an authorized disclosure under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b).

(c) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—Consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), independent research and development funding relating to material or information described in subsection (a) shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the Director in accordance with subsection (b).

(d) NOTICE TO CONGRESS.—Not later than 30 days after the date on which the Director has received a notification under subparagraph (A) of subsection (b)(1) or information or material under paragraph (B) of such subsection, the Director shall provide a written notification of such receipt to the appropriate committees of Congress and congressional leadership.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) The term ''congressional leadership'' means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(3) The term ''Director'' means the Director of the All-domain Anomaly Resolution Office.

(4) The term ''unidentified anomalous phenomena'' has the meaning given such term in section 1683(n)of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(n)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

SEC. 1547. REVISION OF SECRETARY OF DEFENSE AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

(a) EXTENSION OF AUTHORITY.—Section 431(a) of title 10, United States Code, is amended by striking ''December 31, 2023'' and inserting ''December 31, 2025''.

(b) INTERAGENCY COORDINATION AND SUPPORT.—Paragraph (1) of section 431(b) of such title is amended to read as follows:

''(1) be pre-coordinated with the Director of the Central Intelligence Agency using procedures mutually agreed upon by the Secretary of Defense and the Director, and, where appropriate, be supported by the Director; and''.

TITLE XVI—CYBERSPACE-RELATED MATTERS

Subtitle A—Matters Relating to Cyber Operations and Cyber Forces

SEC. 1601. MEASURES TO ENHANCE THE READINESS AND EFFECTIVENESS OF THE CYBER MISSION FORCE.

(a) PERSONNEL REQUIREMENTS AND TRAINING FOR CRITICAL WORK ROLES.—The Secretary of Defense shall—

(1) develop a plan to require—

(A) a term of enlistment that is—

(i) common across the military departments for critical work roles of the Cyber Mission Force;

(ii) appropriate given the value of the training required for such work roles; and

(iii) sufficient and extensive enough to meet the readiness requirements established by the Commander of United States Cyber Command;

(B) tour lengths for personnel in the Cyber Mission Force that are—

(i) common across the military departments; and

(ii) sufficient and extensive enough to meet the readiness requirements established by the Commander of United States Cyber Command;

(C) the military departments to present Cyber Mission Force personnel to the Commander of United States Cyber Command who are fully trained to the standards required by the work roles established by the Commander, including the critical work roles of the Cyber Mission Force, prior to their attachment or assignment to a unit of United States Cyber Command;

(D) obligated service for members who receive the training contemplated in paragraph (C) which is commensurate with the significant financial and time investments made by the military service for the training received; and

(E) facilitation of consecutive assignments at the same unit while not inhibiting the advancement or promotion potential of any member of the Armed Forces.

(2) direct the Secretaries of the military departments to implement the plan developed under paragraph (1); and

(3) establish curriculum and capacity within one or more military departments to train sufficient numbers of personnel from all of the military departments who can effectively perform the critical Cyber Mission Force work roles to achieve the readiness requirements established by the Commander of United States Cyber Command.

(b) PILOT PROGRAM ON ACQUIRING CONTRACT SERVICES FOR CRITICAL WORK ROLES.—

(1) PILOT PROGRAM REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commander of United States Cyber Command shall commence a pilot program to assess the feasibility and advisability of acquiring the services of skilled personnel in the critical work roles of the Cyber Mission Force by contracting with one or more persons to enhance the readiness and effectiveness of the Cyber Mission Force.

(2) PILOT PROGRAM DURATION.—The Commander shall carry out the pilot program required by subsection paragraph (1) during the three-year period beginning on the date of the commencement of the pilot program and may, after such period—

(A) continue carrying out such pilot program after such period for such duration as the Commander considers appropriate; or

(B) transition such pilot program to a permanent program.

(c) PLAN ON HIRING, TRAINING, AND RETAINING CIVILIANS TO SERVE IN CRITICAL WORK ROLES.—Not later than 120 days after the date of the enactment of this Act, the Commander shall—

(1) develop a plan to hire, train, and retain civilians to serve in the critical work roles of the Cyber Mission Force and other positions of the Cyber Mission Force to enhance the readiness and effectiveness of the Cyber Mission Force; and

(2) provide the congressional defense committees a briefing on the plan developed under paragraph (1).

(d) DEFINITION OF CRITICAL WORK ROLES OF THE CYBER MISSION FORCE.—The term ''critical work roles of the Cyber Mission Force'' means work roles of the Cyber Mission Force relating to on-network operations, tool development, and exploitation analysis.

SEC. 1602. CYBER INTELLIGENCE CENTER.

(a) ESTABLISHMENT OF CAPABILITY REQUIRED.—The Secretary of Defense shall establish a dedicated cyber intelligence capability to support the requirements of United States Cyber Command, the other combatant commands, the military departments, defense agencies, the Joint Staff, and the Office of the Secretary of Defense for foundational, scientific and technical, and all-source intelligence on cyber technology development, capabilities, concepts of operation, operations, and plans and intentions of cyber threat actors.

(b) ESTABLISHMENT OF CENTER AUTHORIZED.—

(1) AUTHORIZATION.—Subject to paragraph (2), the Secretary may establish an all-source analysis center under the administration of the Defense Intelligence Agency to provide foundational intelligence for the capability established under subsection (a).

(2) LIMITATION.—Information technology services for a center established under paragraph (1) may not be provided by the National Security Agency.

(c) RESOURCES.—

(1) IN GENERAL.—The Secretary shall direct and provide resources to the Commander of United States Cyber Command within the Military Intelligence Program to fund collection and analysis by the National Security Agency to meet the specific requirements established by the Commander for signals intelligence support.

(2) TRANSFER OF ACTIVITIES.—The Secretary may transfer the activities required under paragraph (1) to the National Intelligence Program if the Director of National Intelligence concurs and the transfer is specifically authorized in an intelligence authorization Act.

(d) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Commander shall—

(1) develop an estimate of the signals intelligence collection and analysis required of the National Security Agency and the cost of such collection and analysis; and

(2) provide the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the estimate developed under paragraph (1).

SEC. 1603. PERFORMANCE METRICS FOR PILOT PROGRAM FOR SHARING CYBER CAPABILITIES AND RELATED INFORMATION WITH FOREIGN OPERATIONAL PARTNERS.

(a) IN GENERAL.—The section 398 of title 10, United States Code (relating to pilot program for sharing cyber capabilities and related information with foreign operational partners), as added by section 1551(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) PERFORMANCE METRICS.—(1) The Secretary of Defense shall maintain performance metrics to track the results of sharing cyber capabilities and related information with foreign operational partners under a pilot program authorized by subsection (a).

''(2) The performance metrics under paragraph (1) shall include the following:

''(A) Who the cyber capability was used against.

''(B) The effect of the cyber capability, including whether and how the transfer of the

cyber capability improved the operational cyber posture of the United States and achieved operational objectives of the United States, or had no effect.

''(C) Such other outcome-based or appropriate performance metrics as the Secretary considers appropriate for evaluating the effectiveness of a pilot program carried out under subsection (a).''.

(b) TECHNICAL CORRECTION.—Chapter 19 of such title is amended—

(1) in the table of sections for such chapter by striking the item relating to such section 398 and inserting the following:

''398a. Pilot program for sharing cyber capabilities and related information with foreign operational partners.''; and

(2) by redesignating such section 398 as section 398a.

SEC. 1604. NEXT GENERATION CYBER RED TEAMS.

(a) DEVELOPMENT AND SUBMISSION OF PLANS.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy shall direct the appropriate Assistant Secretary of Defense in the Office of the Under Secretary of Defense for Policy, in consultation with the Principal Cyber Advisors of the military departments, to oversee the development and submission of a plan described in subsection (b) to the Director of Operational Test and Evaluation (OT&E) and the Director of the National Security Agency (NSA) for assessment under subsection (c).

(b) PLANS DESCRIBED.—The plan described in this subsection is a plan—

(1) to modernize cyber red teams (''CRTs'') with a focus on utilizing cyber threat intelligence and threat modeling to ensure the ability to emulate advanced nation-state threats, automation, artificial intelligence or machine learning capabilities, and data collection and correlation;

(2) to establish joint service standards and metrics to ensure cyber red teams are adequately trained, staffed, and equipped to emulate advanced nation-state threats; and

(3) to expand partnerships between the Department of Defense, particularly existing cyber red teams, and academia to expand the cyber talent workforce.

(c) ASSESSMENT.—The Director of Operational Test and Evaluation shall, in coordination with the Director of the National Security Agency, review the plan submitted pursuant to subsection (a) and in doing so shall conduct an assessment of the plan with consideration of the following:

(1) Opportunities for cyber red team operations to expand across the competition continuum, including during the cooperation and competition phases, strongly emphasizing pre-conflict preparation of the battlespace to better match adversary positioning and cyber activities, including operational security assessments to strengthen the ability of the Department to gain and maintain a tactical advantage.

(2) The extent to which critical and emerging technologies and concepts such as artificial intelligence and machine learning enabled analysis and process automation can reduce the amount of person hours operators spend on maintenance and reporting to maximize research and training time.

(3) Identification of training requirements, and changes to training, sustainment practices, or concepts of operation or employment that may be needed to ensure the effectiveness, suitability, and sustainability of the next generation of cyber red teams.

(4) The extent to which additional resources or partnerships may be needed to remediate personnel shortfalls in cyber red teams, including funding for internship programs, hiring, and contracting.

(d) IMPLEMENTATION.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall issue such policies and guidance and prescribe such regulations as the Secretary determines necessary to carry out the plan required by subsection (a).

(e) ANNUAL REPORTS.—Not later than January 31, 2025, and not less frequently than annually thereafter until January 31, 2031, the Director of Operational Test and Evaluation shall include in the annual report required by section 139(h) of title 10, United States Code, the following:

(1) The findings of the Director with respect to the assessment carried out pursuant to subsection (c).

(2) The results of test and evaluation events, including any resource and capability shortfalls limiting the ability of cyber red teams to meet operational requirements.

(3) The extent to which operations of cyber red teams have expanded across the competition continuum, including during cooperation and competition phases, to match adversary positioning and cyber activities.

(4) A summary of identified categories of common gaps and shortfalls across military department and Defense Agency cyber red teams.

(5) Any identified lessons learned that would affect training or operational employment decisions relating to cyber red teams.

SEC. 1605. MANAGEMENT OF DATA ASSETS BY CHIEF DIGITAL OFFICER.

(a) IN GENERAL.—The Secretary of Defense shall, acting through the Chief Data and Artificial Intelligence Officer of the Department of Defense (CDAO), provide data assets and data analytics capabilities necessary for understanding the global cyber-social terrain to support the planning and execution of defensive and offensive information operations, defensive and offensive cyber operations, indications and warning of adversary military activities and operations, and calibration of actions and reactions in great power competition.

(b) RESPONSIBILITIES OF CHIEF DATA AND ARTIFICIAL INTELLIGENCE OFFICER.—The Chief Data and Artificial Intelligence Officer shall—

(1) develop a baseline of data assets maintained by all defense intelligence agencies, military departments, combatant commands, and any other components of the Department; and

(2) develop and oversee the implementation of plans to enhance data assets that are essential to support the purposes set forth in subsection (a).

(c) OTHER MATTERS.—The Chief Data and Artificial Intelligence Officer shall—

(1) designate or establish one or more executive agents for enhancing data assets and the acquisition of data analytic tools for users;

(2) ensure that data assets in the possession of a component of the Department are accessible for the purposes described in subsection (a); and

(3) ensure that advanced analytics, including artificial intelligence technology, are developed and applied to the analysis of data assets in support of the purposes described in subsection (a).

(d) SEMIANNUAL BRIEFINGS.—Not later than 120 days after the date of the enactment of this Act and not less frequently semiannually thereafter, the Chief Data and Artificial Intelligence Officer shall provide the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the implementation of this section.

(e) PRIOR APPROVAL REPROGRAMMING.—After the date of the enactment of this Act, the Secretary may transfer funds to begin implementation of this section, subject to established limitations and approval procedures.

SEC. 1606. AUTHORITY FOR COUNTERING ILLEGAL TRAFFICKING BY MEXICAN TRANSNATIONAL CRIMINAL ORGANIZATIONS IN CYBERSPACE.

(a) AUTHORITY.—

(1) IN GENERAL.—In accordance with sections 124 and 394 of title 10, United States Code, the Secretary of Defense may, in coordination with other relevant Federal departments and agencies and in consultation with the Government of Mexico as appropriate, conduct detection, monitoring, and other operations in cyberspace to counter Mexican transnational criminal organizations that are engaged in any of the following activities that cross the southern border of the United States:

(A) Smuggling of illegal drugs, controlled substances, or precursors thereof.

(B) Human trafficking.

(C) Weapons trafficking.

(D) Other illegal activities.

(2) CERTAIN ENTITIES.—The authority provided by paragraph (1) may be used to counter Mexican transnational criminal organizations, including entities cited in the most recent National Drug Threat Assessment published by the United States Drug Enforcement Administration, that are engaged in the activities described in (1).

(b) CYBER STRATEGY FOR COUNTERING ILLEGAL TRAFFICKING BY TRANSNATIONAL CRIMINAL ORGANIZATIONS AFFECTING THE SECURITY OF UNITED STATES SOUTHERN BORDER.—

(1) STRATEGY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall, in consultation with the National Cyber Director and the heads of such other Federal departments and agencies as the Secretary considers appropriate, submit to the appropriate congressional committees a strategy for conducting operations in cyberspace under subsection (a).

(2) ELEMENTS.—The strategy submitted pursuant to paragraph (1) shall include the following:

(A) A description of the cyberspace presence and activities, including any information operations, of the entities described under subsection (a)(2) pose to the national security of the United States.

(B) A description of any previous actions taken by the Department of Defense to conduct operations in cyberspace to counter illegal activities by transnational criminal organizations, and a description of those actions.

(C) An assessment of the financial, technological, and personnel resources that the Secretary can deploy to exercise the authority provided in subsection (a) to counter illegal trafficking by transnational criminal organizations.

(D) Recommendations, if any, for additional authorities as may be required to enhance the exercise of the authority provided in subsection (a).

(E) A description of the extent to which the Secretary has worked, or intends to work, with the Government of Mexico, interagency partners, and the private sector to enable operations in cyberspace against illegal trafficking by transnational criminal organizations.

(F) A description of the security cooperation programs in effect on the day before the date of the enactment of this Act that would enable the Secretary to cooperate with Mexican defense partners against illegal trafficking by transnational criminal organizations in cyberspace.

(G) An assessment of the potential risks associated with cooperating with Mexican

counterparts against transnational criminal organizations in cyberspace and ways that those risks can be mitigated, including in cooperation with Mexican partners.

(H) A description of any cooperation agreements or initiatives in effect on the day before the date of the enactment of this Act with interagency partners and the government of Mexico to counter transnational criminal organizations in cyberspace.

(c) QUARTERLY MONITORING BRIEFING.—The Secretary shall, on a quarterly basis in conjunction with the briefings required by section 484 of title 10, United States Code, provide to the appropriate congressional committees a briefing setting forth, for the preceding calendar quarter, the following:

(1) Each country in which an operation was conducted under subsection (a).

(2) The purpose and nature of each operation set forth pursuant to paragraph (1).

(3) The start date and end date or expected duration of each operation set forth pursuant to paragraph (1).

(4) The elements of the Department of Defense down to O–6 command level who conducted or are conducting the operations set forth pursuant to paragraph (1).

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede any standing prohibitions on collection of information on United States persons.

SEC. 1607. PILOT PROGRAM FOR CYBERSECURITY COLLABORATION CENTER INCLUSION OF SEMICONDUCTOR MANUFACTURERS.

(a) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Defense shall, in coordination with the Director of the National Security Agency, establish a pilot program to assess the feasibility and advisability of improving the semiconductor manufacturing supply chain by enabling the National Security Agency Cybersecurity Collaboration Center to collaborate with semiconductor manufacturers in the United States.

(b) PROGRAM SCOPE.—The pilot program established pursuant to subsection (a) shall focus on improving the cybersecurity of the supply chain for semiconductor design and manufacturing, including the following:

(1) The cybersecurity of design and manufacturing processes, as well as assembly, packaging, and testing.

(2) Protecting against cyber-driven intellectual property theft.

(3) Reducing the risk of supply chain disruptions caused by cyberattacks.

(c) ELIGIBILITY.—Persons who directly support the manufacture, packaging, and assembly of semiconductors within the United States and who provide semiconductor components for the Department of Defense, national security systems (as defined in section 3552(b) of title 44, United States Code), or the defense industrial base are eligible to participate in the pilot program.

(d) BRIEFINGS.—

(1) INITIAL.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide the appropriate committees of Congress a briefing on the pilot program required under subsection (a).

(B) ELEMENTS.—The briefing required under subparagraph (A) shall include the following:

(i) The plans of the Secretary for the implementation of the pilot program.

(ii) Identification of key priorities for the pilot program.

(iii) Identification of any potential challenges in standing up the pilot program or impediments to semiconductor manufacturer or semiconductor component supplier participation in the pilot program.

(2) ANNUAL.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act and annually thereafter for the duration of the pilot program required by subsection (a), the Secretary shall provide the appropriate committees of Congress a briefing on the progress of the pilot program.

(B) ELEMENTS.—Each briefing required under subparagraph (A) shall include the following:

(i) Recommendations for addressing relevant policy, budgetary, security, and legislative gaps to increase the effectiveness of the pilot program. For the first annual briefing, this shall include an assessment of the resources necessary for the pilot to be successful.

(ii) Recommendations for increasing semiconductor manufacturer or semiconductor component supplier participation in the pilot program.

(iii) A description of the challenges encountered in carrying out the pilot program, including any concerns expressed by semiconductor manufacturers or semiconductor component supplier.

(iv) The findings of the Secretary with respect to the feasibility and advisability of extending or expanding the pilot program.

(v) Such other matters as the Secretary considers appropriate.

(e) TERMINATION.—The pilot program required by subsection (a) shall terminate on the date that is four years after the date of the enactment of this Act.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1608. INDEPENDENT EVALUATION REGARDING POTENTIAL ESTABLISHMENT OF UNITED STATES CYBER FORCE AND FURTHER EVOLUTION OF CURRENT MODEL FOR MANAGEMENT AND EXECUTION OF CYBER MISSION.

(a) AGREEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with the National Academy of Public Administration (in this section referred to as the ''National Academy'') for the National Academy to conduct the evaluation under subsection (b) and submit the report under subsection (e).

(2) TIMING.—The Secretary shall seek to enter into the agreement described in paragraph (1) by not later than 60 days after the date of the enactment of this Act.

(b) EVALUATION.—

(1) IN GENERAL.—Under an agreement between the Secretary and the National Academy entered into pursuant to subsection (a), the National Academy shall conduct an evaluation regarding the advisability of—

(A) establishing a separate Armed Force dedicated to operations in the cyber domain (in this section referred to as the ''United States Cyber Force''); or

(B) refining and further evolving the current organization approach, which is based on the Special Operations Command model for United States Cyber Command.

(2) SCOPE.—The evaluation conducted pursuant to paragraph (1) shall include consideration of—

(A) the potential establishment of a United States Cyber Force as a separate Armed Force commensurate with the Army, Navy, Marine Corps, Air Force, and Space Force, for the purpose of organizing, training, and equipping the personnel required to enable and conduct operations in the cyber domain through positions aligned to the United States Cyber Command and the other unified combatant commands;

(B) a United States Cyber Force able to devise and implement recruiting and retention policies and standards specific to the range of skills and career fields required to enable and conduct cyberspace operations, as determined by the United States Cyber Command and the other unified combatant commands;

(C) the performance and efficacy of the Armed Forces to date, and potential improvements thereto from extending the model described in paragraph (1)(B), in satisfying the requirements of the combatant commands to enable and conduct operations in the cyber domain through positions aligned to the United States Cyber Command and other unified combatant commands, and any expected differences in that performance based on the creation of a United States Cyber Force as compared to evolutionary modifications to the current model;

(D) the performance and efficacy of the Armed Forces to date, and potential improvements thereto from extending the model described in paragraph (1)(B), in devising and implementing recruitment and retention policies specific to the range of skills and career fields required to enable and conduct cyberspace operations, as determined by the United States Cyber Command and the other unified combatant commands, and any expected differences in that performance based on the creation of a United States Cyber Force as compared to evolutionary modifications to the current model;

(E) potential and recommended delineations of responsibility between the other Armed Forces and a United States Cyber Force and an enhanced model described in paragraph (1)(B) with respect to network management, resourcing, and operations;

(F) potential and recommended delineations of responsibility between the other Armed Forces and a United States Cyber Force and 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;

(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 model described in paragraph (1)(B) for United States Cyber Command;

(H) the extent to which each of the other Armed Forces is formed towards, and organized around, operations within a given warfighting domain, and the potential applicability of such formation and organizing constructs to a United States Cyber Force with respect to the cyber domain;

(I) findings from previous relevant assessments, analyses, and studies conducted by the Secretary, the Comptroller General of the United States, or other entities determined relevant by the National Academy on the establishment of a United States Cyber Force and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command;

(J) the organizing constructs for effective and operationally mature cyber forces of foreign countries and the relevance of such constructs to the potential creation of a United States Cyber Force and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command;

(K) lessons learned from the creation of the United States Space Force that should be applied to the creation of a United States Cyber Force;

(L) recommendations for approaches to the creation of a United States Cyber Force and the further evolution of the model described in paragraph (1)(B) for United States Cyber Command that would minimize disruptions to Department of Defense cyber operations;

(M) the histories of the Armed Forces, including an analysis of the conditions that preceded the establishment of each new Armed Force established since 1900; and

(N) a comparison between the potential service secretariat leadership structures for a United States Cyber Force and the further evolution of the model described in paragraph (1) for United States Cyber Command, including establishing the United States Cyber Force within an existing military department, standing up a new military department, and evolving the service secretary-like function of the Principal Cyber Advisor in the Office of the Under Secretary of Defense for Policy.

(3) CONSIDERATIONS.—The evaluation conducted pursuant to paragraph (1) shall include an evaluation of how a potential United States Cyber Force dedicated to the cyber domain would compare in performance and efficacy to the current model and a further evolution of the model described in paragraph (1)(B) for United States Cyber Command, with respect to the following functions and potential objective end states, as well as an evaluation of the importance of the functions and potential end states:

(A) Organizing, training, and equipping the size of a force necessary to satisfy existing and projected requirements of the Department of Defense.

(B) Harmonizing training requirements and programs in support of cyberspace operations.

(C) Recruiting and retaining qualified officers and enlisted members of the Armed Forces at the levels necessary to execute cyberspace operations.

(D) Using reserve component forces in support of cyberspace operations.

(E) Sustaining persistent force readiness.

(F) Generating foundational intelligence in support of cyberspace operations.

(G) Acquiring and providing cyber capabilities in support of cyberspace operations.

(H) Establishing pay parity among members of the Armed Forces serving in and qualified for work roles in support of cyberspace operations.

(I) Establishing pay parity among civilians serving in and qualified for work roles in support of cyberspace operations.

(J) Establishing advancement parity for members of the Armed Forces serving in and qualified for work roles in support of cyberspace operations.

(K) Establishing advancement parity for civilians serving in and qualified for work roles in support of cyberspace operations.

(L) Developing professional military education content and curricula focused on the cyber domain.

(c) SUPPORT FROM FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—

(1) IN GENERAL.—Upon a request from the National Academy, the Secretary shall seek to enter into an agreement with a federally funded research and development center described in paragraph (2) under which such federally funded research and development center shall support the National Academy in conducting the evaluation under subsection (b).

(2) FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER DESCRIBED.—A federally funded research and development center described in this paragraph is a federally funded research and development center the staff of which includes subject matter experts with appropriate security clearances and expertise in—

(A) cyber warfare;

(B) personnel management;

(C) military training processes; and

(D) acquisition management.

(d) ACCESS TO DEPARTMENT OF DEFENSE PERSONNEL, INFORMATION, AND RESOURCES.—Under an agreement entered into between the Secretary and the National Academies under subsection (a)—

(1) the Secretary shall agree to provide to the National Academy access to such personnel, information, and resources of the Department of Defense as may be determined necessary by the National Academy in furtherance of the conduct of the evaluation under subsection (b); and

(2) if the Secretary does not provide such access, or any other major obstacle to such access occurs, the National Academy shall agree to notify the congressional defense committees not later than seven days after the date of such refusal or other occurrence.

(e) REPORT.—

(1) SUBMISSION TO CONGRESS.—Under an agreement entered into between the Secretary and the National Academy under subsection (a), the National Academy shall submit to the congressional defense committees a report containing the findings of the National Academy with respect to the evaluation under subsection (b) not later than 210 days after the date of the execution of the agreement.

(2) PROHIBITION AGAINST INTERFERENCE.—No personnel of the Department of Defense, nor any other officer or employee of the United States Government, may interfere, exert undue influence, or in any way seek to alter the findings of the National Academy specified in paragraph (1) prior to the submission thereof under such paragraph.

(3) FORM.—The report under paragraph (1) shall be submitted in an unclassified form, but may include a classified annex.

Subtitle B—Matters Relating to Department of Defense Cybersecurity and Information Technology

SEC. 1611. REQUIREMENTS FOR DEPLOYMENT OF FIFTH GENERATION INFORMATION AND COMMUNICATIONS CAPABILITIES TO DEPARTMENT OF DEFENSE BASES AND FACILITIES.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) develop and implement a strategy for deploying private networks, based on fifth generation information and communications capabilities (5G) and Open Radio Access Network (ORAN) architecture, to military bases and facilities that are tailored to the specific mission, security, and performance requirements of those bases and facilities;

(2) create a common, transparent, and streamlined process for enabling public network service providers of fifth generation information and communications capabilities to gain access to military bases and facilities to provide commercial subscriber services to government and contractor personnel and organizations located on those bases and facilities; and

(3) decide, on a case-by-case basis or as a common requirement, whether to contract for—

(A) neutral hosting, whereby infrastructure and services will be provided to companies deploying private networks and public network services through Multi-Operator Core Network architectures; or

(B) separate private network and public network infrastructure.

(b) INTERNATIONAL COOPERATION ACTIVITIES.—The Secretary may engage in cooperation activities with foreign allies and partners of the United States, using an authority provided by another provision of law, to inform the efficient and effective deployment of Open Radio Access Network architecture and to implement the strategy required under subsection (a)(1).

(c) DUE DATE FOR STRATEGY AND BRIEFING.—

(1) STRATEGY.—The Secretary shall develop the strategy required in subsection (a)(1) not later than 120 days after the date of the enactment of this Act.

(2) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the strategy developed under paragraph (1) of subsection (a) and the activities of the Secretary under such subsection.

(d) DEFINITION OF OPEN RADIO ACCESS NETWORK.—The term ''Open Radio Access Network'' means a network architecture that is modular, uses open interfaces, and virtualizes functionality on commodity hardware through software.

SEC. 1612. DEPARTMENT OF DEFENSE INFORMATION NETWORK BOUNDARY AND CROSS-DOMAIN DEFENSE.

(a) MODERNIZATION PROGRAM REQUIRED.—The Secretary of Defense shall carry out a modernization program for network boundary and cross-domain defense against cyber attacks, expanding upon the fiscal year 2023 pilot program and initial deployment to the primary Department of Defense internet access points (IAPs) managed by the Defense Information Systems Agency (DISA).

(b) PROGRAM PHASES.—

(1) IN GENERAL.—The modernization program required by subsection (a) shall be implemented in phases, with the objective of completing the program by October 1, 2028.

(2) OBJECTIVES.—The phases required by paragraph (1) shall include the following objectives:

(A) By the end of fiscal year 2026, completion of—

(i) a pilot of modernized boundary defense capabilities and initial and full deployment of the capabilities to internet access points managed by the Defense Information Systems Agency; and

(ii) the extension of modernized boundary defense capabilities to all additional internet access points of the Department of Defense information network (DODIN).

(B) By the end of fiscal year 2027, survey, pilot, and deploy modernized boundary defense capabilities to the access points and cross-domain capabilities of the Secret Internet Protocol Network.

(C) By the end of fiscal year 2028, survey, pilot, and deploy modernized boundary defense capabilities to remaining classified networks and enclaves of the Department information network.

(c) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on—

(1) the findings of the Secretary with respect to the pilot and initial deployment under subsection (b)(2)(A)(i); and

(2) the plans of the Secretary for the phased deployment to other internet access points and classified networks pursuant to subsection (b).

SEC. 1613. POLICY AND GUIDANCE ON MEMORY-SAFE SOFTWARE PROGRAMMING.

(a) POLICY AND GUIDANCE.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall develop a Department of Defense-wide policy and guidance in the form of a directive memorandum to implement the recommendations of the National Security Agency contained in the Software Memory Safety Cybersecurity Information Sheet published by the Agency in November, 2022, regarding memory-safe software programming languages and testing to identify memory-related vulnerabilities in software developed,

acquired by, and used by the Department of Defense.

(b) REQUIREMENTS.—The policy required in subsection (a) shall—

(1) establish the conditions and associated approval processes under which a component of the Department may—

(A) contract for the development of custom software that includes open source and reused software written in programming languages that are not classified as memory-safe by the Agency;

(B) acquire commercial software items that use programming languages that are not classified as memory-safe by the Agency;

(C) contract for software-as-a-service where the contractor uses programming languages that are not classified as memory-safe by the Agency; and

(D) develop software in Federal Government-owned software factories programming languages that are not classified as memory-safe by the Agency; and

(2) establish requirements and processes for employing static and dynamic application security testing that can identify memory-use issues and vulnerabilities and resolve them for software contracted for, developed, or acquired as described in paragraph (1).

(c) BRIEFING REQUIRED.—Not later than 300 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the policy and guidance developed under subsection (a).

SEC. 1614. DEVELOPMENT OF REGIONAL CYBERSECURITY STRATEGIES.

(a) DEVELOPMENT OF STRATEGIES REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Commander of United States Cyber Command and each commander of a geographic combatant command, develop, for each geographic combatant command, a regional cybersecurity strategy to support the operations of such command.

(b) ELEMENTS.—Each regional cybersecurity strategy developed under subsection (a) for a geographic combatant command shall include the following:

(1) A description or an outline of methods to identify both nation-state and non-state cyber threat actors.

(2) Processes to enhance the targeting, intelligence, and cyber capabilities of the combatant command.

(3) Plans to increase the number of cyber planners embedded in the combatant command.

(4) Processes to integrate cyber forces into other warfare domains.

(5) A plan to assist, train, advise, and participate in cyber capacity building with international partners.

(6) A prioritization of cyber risks and vulnerabilities within the geographic region.

(7) Processes to coordinate cyber activities with interagency partners with activities in the geographic region.

(8) Specific plans to assist in the defense of foreign infrastructure that is critical to the national security interests of the United States.

(9) Means by which the Cybersecurity and Infrastructure Security Agency will be integrated into each strategy.

SEC. 1615. CYBER INCIDENT REPORTING.

(a) CYBER INCIDENT REPORTING REQUIREMENT.—

(1) DEPARTMENT GOVERNANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Chief Information Officer of the Department of Defense, the Commander of United States Cyber Command, and the Commander of the Joint Force Headquarters Department of Defense Information Network—

(A) assign responsibility to the Commander of the Joint Force Headquarters Department of Defense Information Network to oversee cyber incident reporting and notification of cyber incidents to Department leadership;

(B) align policy and system requirements to enable the Department to have enterprise-wide visibility of cyber incident reporting to support rapid and appropriate response; and

(C) distribute new guidance to Department personnel on cyber incident reporting, which shall include detailed procedures for identifying, reporting, and notifying Department leadership of critical cyber incidents.

(2) DEFENSE INDUSTRIAL BASE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall ensure that the Chief Information Officer determines what actions need to be taken to encourage more complete and timely mandatory cyber incident reporting from persons in the defense industrial base.

(3) DATA BREACH NOTIFICATION.—The Secretary shall ensure that components of the Department document instances in which Department personnel affected by a privacy data breach are notified of the breach within 72 hours of the discovery of the breach.

(b) ASSESSMENT ON ESTABLISHING OFFICE OF CYBER STATISTICS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall complete an assessment of the feasibility and suitability of establishing, and resourcing required to establish, an office of cyber statistics to track cyber incidents and measure the response time of defense agencies and the military departments to address cyber threats, risks, and vulnerabilities.

(2) ELEMENTS.—The assessment required under paragraph (1) shall include an evaluation of the feasibility, suitability, and resourcing required for defense agencies and the military departments—

(A) to collect data on the amount of time it takes to detect a cyber incident;

(B) to respond to a cyber incident;

(C) to fully mitigate the risk of high-impact cyber vulnerabilities;

(D) to recover data following a malicious cyber intrusion; and

(E) to collect such other metrics as the Secretary determines would help improve cyber incident reporting practices.

SEC. 1616. MANAGEMENT BY DEPARTMENT OF DEFENSE OF MOBILE APPLICATIONS.

(a) IMPLEMENTATION OF RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall evaluate and implement to the maximum practicable extent the recommendations of the Inspector General of the Department of Defense with respect to managing mobile applications contained in the report set forth by the Inspector General dated February 9, 2023, and entitled ''Management Advisory: The DoD's Use of Mobile Applications'' (Report No. DODIG–2023–041).

(2) DEADLINE.—The Secretary shall implement the recommendations specified in subsection (a) by not later than one year after the date of the enactment of this Act, unless the Secretary notifies the congressional defense committees in writing of specific recommendations that the Secretary chooses not to implement or to implement after the date that is one year after the date of the enactment of this Act.

(b) BRIEFING ON REQUIREMENTS RELATED TO COVERED APPLICATIONS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall brief the congressional defense committees on actions taken by the Secretary to enforce compliance with existing policy of the Department of Defense that prohibits—

(A) the installation and use of covered applications on Federal Government devices; and

(B) the use of covered applications on the Department of Defense Information Network on personal devices.

(2) COVERED APPLICATIONS DEFINED.—In this subsection, the term ''covered applications'' means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited.

SEC. 1617. SECURITY ENHANCEMENTS FOR THE NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS NETWORK.

(a) REQUIRED ESTABLISHMENT OF CROSS-FUNCTIONAL TEAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a cross-functional team, in accordance with section 911(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note), to develop and direct the implementation of a threat-driven cyber defense construct for systems and networks that support the nuclear command, control, and communications (commonly referred to as ''NC3'') mission.

(2) PARTICIPATION IN THE CROSS-FUNCTIONAL TEAM.—The Secretary shall ensure that each of the military departments, the Defense Information Systems Agency, the National Security Agency, United States Cyber Command, and the Nuclear Command, Control, and Communications Enterprise Center of United States Strategic Command provide staff for the cross-functional team.

(3) SCOPE.—The cross-functional team shall work to enhance the cyber defense of the nuclear command, control, and communications network during the period beginning on the date of the enactment of this Act and ending on October 31, 2028, or a subsequent date as the Secretary may determine.

(b) REQUIRED CONSTRUCT AND PLAN OF ACTION AND MILESTONES.—Not later than one year after the date of the enactment of this Act, the head of the cross-functional team established pursuant to subsection (a)(1) shall develop a cyber defense construct and associated plans of actions and milestones to enhance the security of the systems and networks that support the nuclear command, control, and communications mission that are based on—

(1) the application of the principles of the Zero Trust Architecture approach to security;

(2) analysis of appropriately comprehensive endpoint and network telemetry data; and

(3) control capabilities enabling rapid investigation and remediation of indicators of compromise and threats to mission execution.

(c) ANNUAL BRIEFINGS.—During the 60-day period beginning on the date that is 30 days before the date on which the President submits to Congress the budget of the President for fiscal year 2025 pursuant to section 1105(a) of title 31, United States Code, and for each of fiscal years 2026 through 2028, the Secretary shall provide the congressional defense committees a briefing on the implementation of this section.

SEC. 1618. GUIDANCE REGARDING SECURING LABORATORIES OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Chief Information Officer of the Department of Defense, the Chief Digital

and Artificial Intelligence Officer of the Department, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Intelligence and Security, issue guidance throughout the Department regarding methods and processes to secure laboratories of the Armed Forces from—

(1) unauthorized access and intrusion;

(2) damage to, and destruction, manipulation, or theft of, physical and digital laboratory assets;

(3) accidental or intentional release or disclosure of sensitive information; and

(4) cyber sabotage.

(b) METHODS AND PROCESSES.—At a minimum, the methods and processes required under subsection (a) shall include guidance to—

(1) secure laboratory operations through zero trust principles;

(2) control access of devices to laboratory information networks;

(3) secure inventory management processes;

(4) control or limit access to laboratories of the Armed Forces to authorized individuals;

(5) maintain the security and integrity of data libraries, repositories, and other digital assets;

(6) report and remediate cyber incidents or other unauthorized intrusions;

(7) train and educate personnel of the Department on laboratory security;

(8) develop an operations security (OPSEC) plan to secure laboratory operations that can be used to implement the appropriate countermeasures given the mission, assessed risk, and resources available to the unit and provides guidelines for implementation of routine procedures and measures to be employed during daily operations or activities of the unit; and

(9) develop and train applicable units on individualized secure laboratory critical information and indicator lists to aid in protecting critical information about Department activities, intentions, capabilities, or limitations that an adversary seeks to gain a military, political, diplomatic, economic, or technological advantage.

SEC. 1619. ESTABLISHING IDENTITY, CREDENTIAL, AND ACCESS MANAGEMENT INITIATIVE AS A PROGRAM OF RECORD.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall establish the Identity, Credential, and Access Management (ICAM) initiative as a program of record subject to milestone reviews, compliance with requirements, and operational testing.

(b) ELEMENTS.—The program of record established pursuant to subsection (a) shall encompass, at a minimum, the following:

(1) Correcting the authentication and credentialing security weaknesses, including in the Public Key Infrastructure program, identified by the Director of Operational Test and Evaluation in a report submitted to Congress in April, 2023, entitled ''FY14-21 Observations of the Compromise of Cyber Credentials''.

(2) Implementing improved authentication technologies, such as biometric and behavioral authentication techniques and other non-password-based solutions.

(c) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the parameters of the program of record established pursuant to subsection (a).

SEC. 1620. STRATEGY ON CYBERSECURITY RESILIENCY OF DEPARTMENT OF DEFENSE SPACE ENTERPRISE.

(a) STRATEGY.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Chief Information Officer of the Department of Defense, the Commander of United States Cyber Command, the Secretary of the Air Force, and the Commander of United States Space Command, develop and commence implementation of a Department-wide strategy regarding cyber protection activities for the Department of Defense space enterprise.

(b) ELEMENTS.—The strategy developed and implemented pursuant to subsection (a) shall, at a minimum, address the following elements:

(1) The coordination and synchronization of cyber protection activities across combatant commands, the military departments, and defense agencies.

(2) The adoption and implementation of zero trust architecture on legacy and new space-based systems.

(3) How the Department will prioritize the mitigation of known cyber risks and vulnerabilities to legacy and new space-based systems.

(4) How the Department will accelerate the development of capabilities to protect space-based systems from cyber threats.

(c) BRIEFING.—Not later than 150 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the strategy developed and implemented pursuant to subsection (a).

SEC. 1621. REQUIREMENTS FOR IMPLEMENTATION OF USER ACTIVITY MONITORING FOR CLEARED PERSONNEL AND OPERATIONAL AND INFORMATION TECHNOLOGY ADMINISTRATORS AND OTHER PRIVILEGED USERS.

(a) IN GENERAL.—The Secretary of Defense shall require each head of a component of the Department of Defense to fully implement directives, policies, and program requirements for user activity monitoring and least privilege access controls for Federal Government and contractor personnel granted access to classified information and classified networks.

(b) SPECIFIC USER ACTIVITY CONTROL REQUIREMENTS.—The Secretary shall require each head of a Department component to fully implement the detection, collection, and auditing of the following:

(1) Sent and received emails, including sent attachments and emails sent outside of Federal Government domains.

(2) Screen captures and print jobs, with focused attention on unusual volumes and times.

(3) Accesses to World Wide Web Uniform Resource Locators and uploads and downloads involving nongovernment domains.

(4) All instances in which a user creates, copies, moves to, or renames a file on removable media.

(5) Secure file transfers, including on nonstandard ports.

(6) Keystrokes.

(7) Unauthorized research on user activity monitoring agents and techniques to disable user activity monitoring agents.

(8) Attempts to clear event logs on devices.

(9) Unauthorized applications being installed or run on an endpoint.

(10) Installation and use of mounted drives, including serial numbers of such drives.

(11) Initiation and control of an interactive session on a remote computer or virtual machine.

(12) Instances where monitored users are denied access to a network location or resource.

(13) Users uploading to or downloading from cloud services.

(14) Administrative actions by privileged users, including remote and after-hour administrative actions, as well as document viewing, copy and paste activity, and file copying to new locations.

(c) ADDITIONAL REQUIREMENTS.—The Secretary shall require each head of a Department component to implement the following:

(1) Automated controls to prohibit privileged user accounts from performing general user activities not requiring privileged access.

(2) Two-person control whereby privileged users attempt to initiate data transfers from a classified domain and removable media-based data transfer activities on classified networks.

(d) ESTABLISHING USER ACTIVITY MONITORING BEHAVIOR THRESHOLDS.—

(1) IN GENERAL.—The Secretary shall require each head of a Department component to implement standard triggers, alerts, and controls developed by the Under Secretary of Defense for Intelligence and Security based on insider threat behavior models approved by the Under Secretary.

(2) APPROVAL OF DEVIATIONS.—A head of a Department component that seeks to adopt a practice pursuant to paragraph (1) that deviates from standard triggers, alerts, and controls described in such paragraph by being less stringent shall submit to the Under Secretary a request for approval for such deviation along with a written justification for such deviation.

(e) PERIODIC TESTING.—The Secretary shall require each head of a Department component, not less frequently than once every two years—

(1) to conduct insider threat testing using threat-realistic tactics, techniques, and procedures; and

(2) to submit to the Under Secretary and the Director of Operational Test and Evaluation a report on the findings of the head with respect to the testing conducted pursuant to paragraph (1).

(f) PERIODIC REVIEWS AND UPDATES.—The Secretary shall review and update the standard set of triggers, alerts, and controls described in subsection (d)(1) at least once every three years to account for new technology, new insider threat behaviors, and the results of testing conducted pursuant to subsection (e)(1).

(g) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services and the Select Committee on Intelligence of the Senate and the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives a report on the implementation of the requirements of this section.

(h) DEFINITION OF TRIGGERS.—In this section, the term ''trigger'' means a set of logic statements applied to a data stream that produces an alert when an anomalous incident or behavior occurs.

SEC. 1622. DEPARTMENT OF DEFENSE DIGITAL CONTENT PROVENANCE.

(a) BRIEFING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Media Activity (DMA) shall provide a to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on developing a course of education at the Defense Information School (DINFOS) to teach the practical concepts and skills needed by Department of Defense public affairs, audiovisual, visual information, and records management specialists.

(2) ELEMENTS.—The briefing provided pursuant to paragraph (1) shall cover the following:

(A) The expertise and qualifications of the Department personnel who will be responsible for teaching the proposed course of education.

(B) The list of sources that will be consulted and used to develop the proposed curriculum for the course of education.

(C) A description of the industry open technical standards under subsection (b)(1)(C).

(D) The status of the implementation of the course of education.

(b) COURSE OF EDUCATION REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of the Defense Media Activity shall establish a course of education at the Defense Information School to teach the practical concepts and skills needed by public affairs, audiovisual, visual information, and records management specialists to understand the following:

(A) Digital content provenance for applicable Department media content.

(B) The challenges posed to Department missions and operations by a digital content forgery.

(C) How existing industry open technical standards may be used to authenticate the digital content provenance of applicable Department media content.

(2) MATTERS COVERED.—The course of education established pursuant to paragraph (1) shall cover the following:

(A) The challenges to Department missions and operations posed by a digital content forgery.

(B) The development of industry open technical standards for verifying the digital content provenance of applicable Department media content.

(C) Hands-on training techniques for capturing secure and authenticated digital content for documenting and communicating Department themes and messages.

(D) Training for completing post-production tasks by using industry open technical standards for digital content provenance and transmitting applicable Department media content in both operational and non-operational environments.

(E) Such other matters as the Director considers appropriate.

(3) REPORT.—Not later than one year after the date of the establishment of the course required in paragraph (1), the Director shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the following:

(A) The status of the development of a curriculum to carry out the course of education required by paragraph (1).

(B) The implementation plan of the Director for such course of education, including the following:

(i) The expertise and qualifications of the Department personnel responsible for teaching the course of education.

(ii) The list of sources consulted and used to develop the curriculum for the course of education.

(iii) A description of the industry open technical standards under subsection (b)(1)(C).

(iv) The status of the implementation of the course of education.

(C) The resources available to the Director to carry out this subsection and whether the Director requires any additional resources to carry out this subsection.

(c) PILOT PROGRAM ON IMPLEMENTING DIGITAL CONTENT PROVENANCE STANDARDS.—

(1) PILOT PROGRAM REQUIRED.—Not later than one year after the date of the enactment of this Act, the Director shall commence a pilot program to assess the feasibility and advisability of implementing industry open technical standards for digital content provenance for official Department photographic and video visual documentation that is publicly released by the Defense Visual Information Distribution Service (DVIDS) and other distribution platforms, systems, and services used by the Department.

(2) ELEMENTS.—In carrying out the pilot program required by paragraph (1), the Director shall—

(A) establish a process for using industry open technical standards for verifying the digital content provenance of applicable Department media content;

(B) apply technology solutions on photographs and videos of the Department publicly released after the date of the enactment of this section, that comport with industry open technical standard for digital content provenance;

(C) assess the feasibility and advisability of applying an industry open technical standard for digital content provenance on historical visual information records of the Department stored at the Defense Visual Information Records Center; and

(D) develop and apply measure of effectiveness for the execution of the pilot program.

(3) CONSULTATION.—In carrying out the pilot program required by paragraph (1), the Director may consult with federally funded research and development centers, private industry, academia, and such others as the Director considers appropriate.

(4) TERMINATION.—The pilot program carried out pursuant to paragraph (1) shall terminate on January 1, 2027.

(5) REPORT.—

(A) IN GENERAL.—Not later than January 1, 2026, the Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the pilot program.

(B) CONTENTS.—The report submitted pursuant to subparagraph (A) shall include the following:

(i) The findings of the Director with respect to the pilot program.

(ii) The names of all entities the Director consulted with in carrying out the pilot program as authorized under paragraph (3).

(iii) Assessment of the effectiveness of the pilot.

(iv) A recommendation as to whether the pilot program should be made permanent.

(d) DEFINITIONS.—In this section:

(1) The term ''applicable Department media content'' means the media holdings generated, stored, or controlled by the Defense Media Activity.

(2) The term ''digital content forgery'' means the use of emerging technologies, including artificial intelligence and machine learning techniques to fabricate or manipulate audio, visual, or text content with the intent to mislead.

(3) The term ''digital content provenance'' means the verifiable chronology of the origin and history of a piece of digital content, such as an image, video, audio recording, or electronic document.

SEC. 1623. POST-GRADUATE EMPLOYMENT OF CYBER SERVICE ACADEMY SCHOLARSHIP RECIPIENTS IN INTELLIGENCE COMMUNITY.

Section 1535 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 2200 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', the heads of the elements of the intelligence community,'' after ''the Secretary of Homeland Security''; and

(B) in paragraph (3), by striking ''Department of Defense Cyber and Digital Service Academy'' and inserting ''Cyber Service Academy''; and

(2) in subsection (d), by inserting ''or an element of the intelligence community'' after ''missions of the Department'';

(3) in subsection (e)—

(A) by striking ''Secretary'' each place it appears and inserting ''head concerned''; and

(B) by inserting '', or within an element of the intelligence community, as the case may be'' after ''United States Code'';

(4) in subsections (h), (j), and (k), by striking ''Secretary'' each place it appears and inserting ''head concerned''; and

(5) by adding at the end of the following new subsections:

''(p) INTERAGENCY CONSIDERATIONS.—

''(1) IN GENERAL.—The Secretary of Defense shall enter into an agreement with the head of an element of the intelligence community to allow a scholarship recipient to satisfy the recipient's post-award employment obligations under this section by working for an element of the intelligence community that is not part of the Department of Defense if the head of that element agrees to reimburse the Department of Defense for the scholarship program costs associated with that scholarship recipient.

''(2) LIMITATIONS.—(A) A scholarship recipient may not serve the recipient's post-award employment obligation under this section at an element of the intelligence community that is not part of the Department of Defense before an agreement under paragraph (1) is reached.

''(B) Not more than 10 percent of scholarship recipients in each class may be placed in positions outside the Department of Defense unless the Secretary certifies that the Department of Defense cannot facilitate a placement within the Department of Defense.

''(q) DEFINITIONS.—In this section:

''(1) The term 'head concerned' means—

''(A) The Secretary of Defense, with respect to matters concerning the Department of Defense; or

''(B) the head of an element of the intelligence community, with respect to matters concerning that element.

''(2) The term 'intelligence community' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).''.

SEC. 1624. MINIMUM NUMBER OF SCHOLARSHIPS TO BE AWARDED ANNUALLY THROUGH CYBER SERVICE ACADEMY.

Section 1535(c) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 2200 note) is amended by adding at the end the following new paragraph:

''(5) MINIMUM NUMBER OF SCHOLARSHIP AWARDS.—

''(A) IN GENERAL.—The Secretary of Defense shall award not fewer than 1,000 scholarships through the Program in fiscal year 2026 and in each fiscal year thereafter.

''(B) WAIVER.—The Secretary of Defense may award fewer than the number of scholarships required under subparagraph (A) in a fiscal year if the Secretary determines and notifies the congressional defense committees that fewer scholarships are necessary to address workforce needs.''.

TITLE XVII—SPACE FORCE PERSONNEL MANAGEMENT

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Space Force Personnel Management Act''.

SEC. 1702. SPACE FORCE PERSONNEL MANAGEMENT ACT TRANSITION PLAN.

(a) CONDITIONS REQUIRED FOR ENACTMENT.—

(1) IN GENERAL.—None of the authorities provide by this title shall take effect until the later of—

(A) the Secretary of the Air Force—

(i) certifies to the congressional defense committees that any State National Guard affected by the transfer of units, personnel billets, equipment, and resources into the Space Force will be made whole by the transfer of additional assets under the control of the Secretary of the Air Force into the affected State National Guard; and

(ii) submits to the congressional defense committees a report that includes a transition plan to move all units, personnel billets, equipment, and resources performing core Space Force functions, under the operational control of the Space Force, or otherwise integral to the Space Force mission that may exist in the reserve components of the Department of the Air Force into the Space Force; and

(B) one year after the Secretary of Defense provides the briefing on the study required under section 1703(c).

(2) ELEMENTS.—The transition plan required under paragraph (1)(B) shall include the following elements:

(A) An identification of any units, personnel billets, equipment, and resources currently residing in the Air Force Reserve and Air National Guard that will be transferred into the Space Force, including, for items currently in the Air National Guard, a breakdown of assets by State.

(B) A timeline for the implementation of the authorities provided by this title.

(C) An explanation of any units personnel billets, equipment, and resources transferred between the Regular Air Force, Air Force Reserve, Air National Guard, and Space Force, including, for any assets transferred into or out of the Air National Guard, a breakdown of transfers by State.

(b) PERSONNEL PROTECTIONS.—

(1) IN GENERAL.—In enacting the authorities provided by this title, the Secretary of the Air Force shall not require any currently serving member of the Air National Guard to enlist or commission into the Space Force.

(2) JOB PLACEMENT.—The Secretary of the Air Force shall provide employment opportunities within the Air National Guard to any currently serving member of the Air National Guard who, as a direct result of the enactment of this title, declines to affiliate with the Space Force.

(3) SPACE FORCE AFFILIATION.—The Secretary of the Air Force shall guarantee in writing that any member of the Air National Guard who joins the Space Force as a result of the enactment of this title will not lose rank or pay upon transferring to the Space Force.

(c) NATIONAL GUARD PROTECTIONS.—The Secretary of the Air Force shall ensure that no State National Guard loses Federal resources, including net personnel billets and Federal funding, as a result of the enactment of the authorities provided by this title.

SEC. 1703. COMPREHENSIVE ASSESSMENT OF SPACE FORCE EQUITIES IN THE NATIONAL GUARD.

(a) STUDY REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a Federally funded research and development center under which such center will conduct an independent study to assess the feasibility and advisability of moving all units, personnel billets, equipment, and resources performing core space functions, under the operational control of the Space Force, or otherwise integral to the Space Force mission that may exist in the National Guard and into a single-component Space Force and provide to the Secretary a report on the findings of the study. The conduct of such study shall include the following elements:

(1) An analysis and recommendations associated with at least the three following possible courses of action:

(A) Maintaining the current model in which the Air National Guard has units and personnel performing core space functions.

(B) Transitioning such units and personnel to the Space Force.

(C) The creation of a new National Guard component of the Space Force.

(2) A cost-benefit analysis for each of the analyzed courses of action.

(3) With respect to the course of action described in paragraph (1)(B), an analysis of the ideal personnel, units, and resources that could be transitioned to the respective Air National Guards of States that may lose space-related personnel, units, and resources as a result of the consolidation of space-related personnel, units, and resources into the Space Force component.

(b) DEADLINE FOR COMPLETION.—An agreement entered into pursuant to subsection (a) shall specify that the study conducted under the agreement shall be completed by not later than February 1, 2025.

(c) BRIEFING AND REPORT.—

(1) IN GENERAL.—Upon completion of a study conducted under an agreement entered into pursuant to subsection (a), the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing and report on the findings of the study, including a description of any proposed personnel, unit, or resource realignments related to the creation of the Space Force single component or recommended by such study.

(2) CLASSIFICATION OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form but may include classified appendices as required.

Subtitle A—Space Force Military Personnel System Without Component

SEC. 1711. ESTABLISHMENT OF MILITARY PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

Title 10, United States Code, is amended by adding at the end the following new subtitle:

"Subtitle F—Alternative Military Personnel Systems

"PART I—SPACE FORCE

"CHAPTER 2001—SPACE FORCE PERSONNEL SYSTEM

"§ 20001. Single military personnel management system

''Members of the Space Force shall be managed through a single military personnel management system, without component.''.

SEC. 1712. COMPOSITION OF THE SPACE FORCE WITHOUT COMPONENT.

(a) COMPOSITION OF THE SPACE FORCE.—Section 9081(b) of title 10, United States Code, is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (1), as so redesignated, by striking '', including'' and all that follows through ''emergency''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the certification by the Secretary of the Air Force under section 1745.

SEC. 1713. DEFINITIONS FOR SINGLE PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

(a) SPACE FORCE DEFINITIONS.—Section 101 of title 10, United States Code, is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) SPACE FORCE.—The following definitions relating to members of the Space Force apply in this title:

''(1) The term 'Space Force active status' means the status of a member of the Space Force who is not in a Space Force inactive status and is not retired.

''(2) The term 'Space Force inactive status' means the status of a member of the Space Force who is designated by the Secretary of the Air Force, under regulations prescribed by the Secretary, as being in a Space Force inactive status.

''(3) The term 'Space Force retired status' means the status of a member of the Space Force who—

''(A) is receiving retired pay; or

''(B) but for being under the eligibility age applicable under section 12731 of this title, would be eligible for retired pay under chapter 1223 of this title.

''(4) The term 'sustained duty' means full-time duty by a member of the Space Force ordered to such duty by an authority designated by the Secretary of the Air Force—

''(A) in the case of an officer—

''(i) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law; or

''(ii) with the consent of the officer; and

''(B) in the case of an enlisted member, with the consent of the enlisted member as specified in the terms of the member's enlistment or reenlistment agreement.''.

(b) AMENDMENTS TO EXISTING DUTY STATUS DEFINITIONS.—Subsection (d) of such section is amended—

(1) in paragraph (1), by inserting '', including sustained duty in the Space Force'' after ''United States''; and

(2) in paragraph (7), by inserting '', or a member of the Space Force,'' after ''Reserves'' both places it appears.

SEC. 1714. BASIC POLICIES RELATING TO SERVICE IN THE SPACE FORCE.

Chapter 2001 of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new sections:

"§ 20002. Members: duty status

''Under regulations prescribed by the Secretary of the Air Force, each member of the Space Force shall be placed in one of the following duty statuses:

''(1) Space Force active status.

''(2) Space Force inactive status.

''(3) Space Force retired status.

"§ 20003. Members: minimum service requirement as applied to Space Force

''(a) INAPPLICABILITY OF ACTIVE/RESERVE SERVICE DISTINCTION.—In applying section 651 of this title to a person who becomes a member of the Space Force, the provisions of the second sentence of subsection (a) and of subsection (b) of that section (relating to service in a reserve component) are inapplicable.

''(b) TREATMENT UPON TRANSFER OUT OF SPACE FORCE.—A member of the Space Force

who transfers to one of the other armed forces before completing the service required by subsection (a) of section 651 of this title shall upon such transfer be subject to section 651 of this title in the same manner as if such member had initially entered the armed force to which the member transfers.''.

SEC. 1715. STATUS AND PARTICIPATION.

Subtitle F of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new chapter:

''CHAPTER 2003—STATUS AND PARTICIPATION

''§ 20101. Members in Space Force active status: amount of annual training or active duty service required

''Except as specifically provided in regulations prescribed by the Secretary of Defense, a member of the Space Force in a Space Force active status who is not serving on sustained duty shall be required to—

''(1) participate in at least 48 scheduled drills or training periods during each year and serve on active duty for not less than 14 days (exclusive of travel time) during each year; or

''(2) serve on active duty for not more than 30 days during each year.

''§ 20102. Individual ready guardians: designation; mobilization category

''(a) IN GENERAL.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may designate a member of the Space Force in a Space Force active status as an Individual Ready Guardian.

''(b) MOBILIZATION CATEGORY.—

''(1) IN GENERAL.—Among members of the Space Force designated as Individual Ready Guardians, there is a category of members (referred to as a 'mobilization category') who, as designated by the Secretary of the Air Force, are subject to being ordered to active duty without their consent in accordance with section 20106(a) of this title.

''(2) LIMITATIONS ON PLACEMENT IN MOBILIZATION CATEGORY.—A member designated as an Individual Ready Guardian may not be placed in the mobilization category referred to in paragraph (1) unless—

''(A) the member volunteers to be placed in that mobilization category; and

''(B) the member is selected by the Secretary of the Air Force, based upon the needs of the Space Force and the grade and military skills of that member.

''(3) LIMITATION ON TIME IN MOBILIZATION CATEGORY.—A member of the Space Force in a Space Force active status may not remain designated an Individual Ready Guardian in such mobilization category after the end of the 24-month period beginning on the date of the separation of the member from active service.

''(4) DESIGNATION OF GRADES AND MILITARY SKILLS OR SPECIALTIES.—The Secretary of the Air Force shall designate the grades and military skills or specialties of members to be eligible for placement in such mobilization category.

''(5) BENEFITS.—A member in such mobilization category shall be eligible for benefits (other than pay and training) on the same basis as are available to members of the Individual Ready Reserve who are in the special mobilization category under section 10144(b) of this title, as determined by the Secretary of Defense.

''§ 20103. Members not on sustained duty: agreements concerning conditions of service

''(a) AGREEMENTS.—The Secretary of the Air Force may enter into a written agreement with a member of the Space Force not on sustained duty—

''(1) requiring the member to serve on active duty for a definite period of time;

''(2) specifying the conditions of the member's service on active duty; and

''(3) for a member serving in a Space Force inactive status, specifying the conditions for the member's continued service as well as order to active duty with and without the consent of the member.

''(b) CONDITIONS OF SERVICE.—An agreement under subsection (a) shall specify the conditions of service. The Secretary of the Air Force shall prescribe regulations establishing—

''(1) what conditions of service may be specified in the agreement;

''(2) the obligations of the parties; and

''(3) the consequences of failure to comply with the terms of the agreement.

''(c) AUTHORITY FOR RETENTION ON ACTIVE DUTY DURING WAR OR NATIONAL EMERGENCY.—If the period of service on active duty of a member under an agreement under subsection (a) expires during a war or during a national emergency declared by Congress or the President, the member concerned may be kept on active duty, without the consent of the member, as otherwise prescribed by law.

''§ 20104. Orders to active duty: with consent of member

''(a) AUTHORITY.—A member of the Space Force who is serving in a Space Force active status and is not on sustained duty, or who is serving in a Space Force inactive status, may, with the consent of the member, be ordered to active duty, or retained on active duty, under the following sections of chapter 1209 of this title in the same manner as applies to a member of a reserve component ordered to active duty, or retained on active duty, under that section with the consent of the member:

''(1) Section 12301(d), relating to orders to active duty at any time with the consent of the member.

''(2) Section 12301(h), relating to orders to active duty in connection with medical or health care matters.

''(3) Section 12322, relating to active duty for health care.

''(4) Section 12323, relating to active duty pending line of duty determination required for response to sexual assault.

''(b) APPLICABLE PROVISIONS OF LAW.—The following sections of chapter 1209 of this title pertaining to a member of a reserve component ordered to active duty with the consent of the member apply to a member of the Space Force who is ordered to active duty under this section in the same manner as to such a reserve component member:

''(1) Section 12308, relating to retention after becoming qualified for retired pay.

''(2) Section 12309, relating to use of Reserve officers in expansion of armed forces.

''(3) Section 12313, relating to release of reserve members from active duty.

''(4) Section 12314, relating to kinds of duty.

''(5) Section 12315, relating to duty with or without pay.

''(6) Section 12316, relating to payment of certain Reserves while on duty.

''(7) Section 12318, relating to duties and funding of reserve members on active duty.

''(8) Section 12320, relating to grade in which ordered to active duty.

''(9) Section 12321, relating to a limitation on number of reserve members assigned to Reserve Officer Training Corps units.

''§ 20105. Sustained duty

''(a) ENLISTED MEMBERS.—An authority designated by the Secretary of the Air Force may order an enlisted member of the Space Force in a Space Force active status to sustained duty, or retain an enlisted member on sustained duty, with the consent of that member, as specified in the terms of the member's enlistment or reenlistment agreement.

''(b) OFFICERS.—(1) An authority designated by the Secretary of the Air Force may order a Space Force officer in a Space Force active status to sustained duty—

''(A) with the consent of the officer; or

''(B) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law.

''(2) An officer ordered to sustained duty under paragraph (1) may not be released from sustained duty without the officer's consent except as provided in chapter 2009 or 2011 of this title.

''§ 20106. Orders to active duty: without consent of member

''(a) MEMBERS IN A SPACE FORCE ACTIVE STATUS.—(1) A member of the Space Force in a Space Force active status who is not on sustained duty, may, without the consent of the member, be ordered to active duty or inactive duty in the same manner as a member of a reserve component ordered to active duty or inactive duty under the provisions of chapter 1209 of this title and any other provision of law authorizing the order to active duty of a member of a reserve component in an active status without the consent of the member.

''(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to a member of the Ready Reserve when ordered to active duty shall apply to a member of the Space Force who is in a Space Force active status when ordered to active duty under paragraph (1).

''(3) The provisions of section 12304 of this title pertaining to members in the Individual Ready Reserve mobilization category shall apply to a member of the Space Force who is designated an Individual Ready Guardian when ordered to active duty who meets the provisions of section 20102(b) of this title.

''(b) MEMBERS IN A SPACE FORCE INACTIVE STATUS.—(1) A member of the Space Force in a Space Force inactive status may be ordered to active duty under—

''(A) the provisions of chapter 1209 of this title;

''(B) any other provision of law authorizing the order to active duty of a member of a reserve component in an inactive status; and

''(C) the terms of any agreement entered into by the member under section 20103 of this title.

''(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to the Standby Reserve shall apply to a member of the Space Force who is in a Space Force inactive service when ordered to active duty.

''(c) MEMBERS IN A SPACE FORCE RETIRED STATUS.—(1) Chapters 39 and 1209 of this title include provisions authorizing the order to active duty of a member of the Space Force in a Space Force retired status.

''(2) The provisions of sections 688, 688a, and 12407 of this title pertaining to a retired member or a member of the Retired Reserve shall apply to a member of the Space Force in a Space Force retired status when ordered to active duty.

''(3) The provisions of section 689 of this title pertaining to a retired member ordered to active duty shall apply to a member of the Space Force in a Space Force retired status who is ordered to active duty.

''(d) OTHER APPLICABLE PROVISIONS.—The following provisions of chapter 1209 of this title pertaining shall apply to a member of the Space Force ordered to active duty in the same manner as to a Reserve or member of the Retired Reserve ordered to active duty:

''(1) Section 12305, relating to the authority of the President to suspend certain laws relating to promotion, retirement, and separation.

''(2) Section 12308, relating to retention after becoming qualified for retired pay.

''(3) Section 12313, relating to release from active duty.

''(4) Section 12314, relating to kinds of duty.

''(5) Section 12315, relating to duty with or without pay.

''(6) Section 12316, relating to payment of certain Reserves while on duty.

''(7) Section 12317, relating to theological students; limitations.

''(8) Section 12320, relating to grade in which ordered to active duty.

''§ 20107. Transfer to inactive status: initial service obligation not complete

''(a) GENERAL RULE.—A member of the Space Force who has not completed the required minimum service obligation referred to in section 20003 of this title shall, if terminating Space Force active status, be transferred to a Space Force inactive status and, unless otherwise designated an Individual Ready Guardian under section 20102 of this title, shall remain subject to order to active duty without the member's consent under section 20106 of this title.

''(b) EXCEPTION.—Subsection (a) does not apply to a member who is separated from the Space Force by the Secretary of the Air Force under section 20503 of this title.

''§ 20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors

''For the purposes of laws providing pay and benefits for members of the Armed Forces and their dependents and beneficiaries:

''(1) Military training, duty, or other service performed by a member of the Space Force in a Space Force active status not on sustained duty shall be considered military training, duty, or other service, as the case may be, as a member of a reserve component.

''(2) Sustained duty performed by a member of the Space Force under section 20105 of this title shall be considered active duty as a member of a regular component.

''(3) Active duty performed by a member of the Space Force in a Space Force active status not on sustained duty shall be considered active duty as a member of a reserve component.

''(4) Inactive-duty training performed by a member of the Space Force shall be considered inactive-duty training as a member of a reserve component.

''§ 20109. Policy for order to active duty based upon determination by Congress

''Whenever Congress determines that more units and organizations capable of conducting space operations are needed for the national security than are available among those units comprised of members of the Space Force serving on active duty, members of the Space Force not serving on active duty shall be ordered to active duty and retained as long as so needed.''.

SEC. 1716. OFFICERS.

(a) ORIGINAL APPOINTMENTS.—Subtitle F of title 10, United States Code, as amended by section 1715, is further amended by adding at the end the following new chapter:

''CHAPTER 2005—OFFICERS

''SUBCHAPTER I—ORIGINAL APPOINTMENTS

''§ 20201. Original appointments: how made

''The provisions of section 531 of this title shall apply to original appointments of commissioned officers in the Space Force.

''§ 20202. Original appointments: qualifications

''(a) IN GENERAL.—An original appointment as a commissioned officer in the Space Force may be given only to a person who—

''(1) is a citizen of the United States;

''(2) is at least 18 years of age; and

''(3) has such other physical, mental, moral, professional, and age qualifications as the Secretary of the Air Force may prescribe by regulation.

''(b) EXCEPTION.—A person who is otherwise qualified, but who has a physical condition that the Secretary of the Air Force determines will not interfere with the performance of the duties to which that person may be assigned, may be appointed as an officer in the Space Force.

''§ 20203. Original appointments: service credit

''The provisions of section 533 of this title shall apply to the crediting of prior active commissioned service for original appointments of commissioned officers.''.

(b) CONFORMING AMENDMENTS RELATING TO ORIGINAL APPOINTMENTS.—

(1) DEFINITIONS.—Section 101 of title 10, United States Code, is amended in subsection (b)(10) by inserting before the period at the end the following: ''and, with respect to the appointment of a member of the armed forces in the Space Force, refers to that member's most recent appointment in the Space Force that is neither a promotion nor a demotion''.

(2) ORIGINAL APPOINTMENTS OF COMMISSIONED OFFICERS.—Section 531 of such title is amended by striking ''Regular'' before ''Space Force'' each place it appears.

(3) QUALIFICATIONS FOR ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 532(a) of such title is amended by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''.

(4) SERVICE CREDIT UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 533 of such title is amended by striking ''Regular'' before ''Space Force'' each place it appears.

(c) SELECTION BOARDS AND PROMOTIONS.—Chapter 205 of title 10, United States Code, as added by subsection (a), is amended by adding at the end the following new subchapters:

''SUBCHAPTER II—SELECTION BOARDS

''§ 20211. Convening of selection boards

''(a) IN GENERAL.—Whenever the needs of the service require, the Secretary of the Air Force shall convene selection boards to recommend for promotion to the next higher permanent grade officers of the Space Force in each permanent grade from first lieutenant through brigadier general.

''(b) EXCEPTION FOR OFFICERS IN GRADE OF FIRST LIEUTENANT.—Subsection (a) does not require the convening of a selection board in the case of Space Force officers in the permanent grade of first lieutenant when the Secretary of the Air Force recommends for promotion to the grade of captain under section 20238(a)(4)(A) of this title all such officers whom the Secretary finds to be fully qualified for promotion.

''(c) SECTION 20404 SELECTION BOARDS.—The Secretary of the Air Force may convene selection boards to recommend officers for early retirement under section 20404(a) of this title or for discharge under section 20404(b) of this title.

''(d) REGULATIONS.—The convening of selection boards under subsection (a) shall be under regulations prescribed by the Secretary of the Defense.

''§ 20212. Composition of selection boards —

''(a) APPOINTMENT AND COMPOSITION OF BOARDS.—

''(1) IN GENERAL.—Members of a selection board shall be appointed by the Secretary of Air Force in accordance with this section. A selection board shall consist of five or more officers of the Space Force. Each member of a selection board must be serving in a grade higher than the grade of the officers under consideration by the board, except that no member of a board may be serving in a grade below major. The members of a selection board shall include at least one member serving on sustained duty and at least one member in a Space Force active status who is not serving on sustained duty. The ratio of the members of a selection board serving on sustained duty to members serving in a Space Force active status not on sustained duty shall, to the extent practicable, reflect the ratio of officers serving in each of those statuses who are being considered for promotion by the board. The members of a selection board shall represent the diverse population of the Space Force to the extent practicable.

''(2) REPRESENTATION FROM COMPETITIVE CATEGORIES.—(A) Except as provided in subparagraph (B), a selection board shall include at least one officer from each competitive category of officers to be considered by the board.

''(B) A selection board need not include an officer from a competitive category when there are no officers of that competitive category on the Space Force officer list in a grade higher than the grade of the officers to be considered by the board and eligible to serve on the board.

''(3) RETIRED OFFICERS.—If qualified officers on the Space Force officer list are not available in sufficient number to comprise a selection board, the Secretary of the Air Force shall complete the membership of the board by appointing as members of the board—

''(A) Space Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers; and

''(B) if sufficient Space Force officers are not available pursuant to subparagraph (A), Air Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers, but only if the Air Force officer to be appointed to the board has served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.

''(4) EXCLUSION OF RETIRED GENERAL OFFICERS ON ACTIVE DUTY TO SERVE ON A BOARD FROM NUMERIC GENERAL OFFICER ACTIVE-DUTY LIMITATIONS.—A retired general officer who is on active duty for the purpose of serving on a selection board shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

''(b) LIMITATION ON MEMBERSHIP ON CONSECUTIVE BOARDS.—

''(1) GENERAL RULE.—Except as provided in paragraph (2), no officer may be a member of two successive selection boards convened under section 20211 of this title for the consideration of officers of the same grade.

''(2) EXCEPTION FOR GENERAL OFFICER BOARDS.—Paragraph (1) does not apply with respect to selection boards convened under section 20211 of this title for the consideration of officers in the grade of colonel or brigadier general.

''(c) JOINT QUALIFIED OFFICERS.—(1) Each selection board convened under section 20211 of this title that will consider an officer described in paragraph (2) shall include at least one officer designated by the Chairman of the Joint Chiefs of Staff who is a joint qualified officer.

''(2) Paragraph (1) applies with respect to an officer who—

''(A) is serving on, or has served on, the Joint Staff; or

''(B) is a joint qualified officer.

''(3) The Secretary of Defense may waive the requirement in paragraph (1) for any selection board of the Space Force.

''§ 20213. Notice of convening of selection boards

''(a) NOTICE TO ELIGIBLE OFFICERS.—At least 30 days before a selection board is convened under section 20211 of this title to recommend officers in a grade for promotion to the next higher grade, the Secretary of the Air Force shall—

''(1) notify in writing the officers eligible for consideration for promotion of the date on which the board is to convene and the name and date of rank of the junior officer, and of the senior officer, in the promotion zone as of the date of the notification; or

''(2) issue a general written notice to the Space Force regarding the convening of the board which shall include the convening date of the board and the name and date of rank of the junior officer, and of the senior officer, in the promotion zone as of the date of the notification.

''(b) COMMUNICATION FROM OFFICERS.—An officer eligible for consideration by a selection board convened under section 20211 of this title (other than an officer who has been excluded under section 20231(d) of this title from consideration by the board) may send a written communication to the board, to arrive not later than 10 calendar days before the date on which the board convenes, calling attention to any matter concerning the officer that the officer considers important to the officer's case. The selection board shall give consideration to any timely communication under this subsection.

''(c) NOTICE OF INTENT OF CERTAIN OFFICERS TO SERVE ON OR OFF ACTIVE DUTY.—An officer on the Space Force officer list in the grade of colonel or brigadier general who receives a notice under subsection (a) shall inform the Secretary of the officer's preference to serve either on or off active duty if promoted to the grade of brigadier general or major general, respectively.

''§ 20214. Information furnished to selection boards

''The provisions of section 615 of this title shall apply to information furnished to selection boards.

''§ 20215. Recommendations for promotion by selection boards

''The provisions of section 616 of this title shall apply to recommendations for promotion by selection boards.

''§ 20216. Reports of selection boards

''The provisions of section 617 of this title shall apply to reports of selection boards.

''§ 20217. Action on reports of selection boards for promotion to brigadier general or major general

''The provisions of section 618 of this title shall apply to action on reports of selection boards.

''SUBCHAPTER III—PROMOTIONS

''§ 20231. Eligibility for consideration for promotion: time-in-grade and other requirements

''(a) TIME-IN-GRADE REQUIREMENTS.—(1) An officer who is in a Space Force active status on the Space Force officer list and holds a permanent appointment in the grade of second lieutenant or first lieutenant may not be promoted to the next higher permanent grade until the officer has completed the following period of service in the grade in which the officer holds a permanent appointment:

''(A) Eighteen months, in the case of an officer holding a permanent appointment in the grade of second lieutenant.

''(B) Two years, in the case of an officer holding a permanent appointment in the grade of first lieutenant.

''(2) Subject to paragraph (5), an officer who is in a Space Force active status on the Space Force officer list and holds a permanent appointment in a grade above first lieutenant may not be considered for selection for promotion to the next higher permanent grade until the officer has completed the following period of service in the grade in which the officer holds a permanent appointment:

''(A) Three years, in the case of an officer holding a permanent appointment in the grade of captain, major, or lieutenant colonel.

''(B) One year, in the case of an officer holding a permanent appointment in the grade of colonel or brigadier general.

''(3) When the needs of the service require, the Secretary of the Air Force may prescribe a longer period of service in grade for eligibility for promotion, in the case of officers to whom paragraph (1) applies, or for eligibility for consideration for promotion, in the case of officers to whom paragraph (2) applies.

''(4) When the needs of the service require, the Secretary of the Air Force may prescribe a shorter period of service in grade, but not less than two years, for eligibility for consideration for promotion, in the case of officers designated for limited duty to whom paragraph (2) applies.

''(5) The Secretary of the Air Force may waive paragraph (2) to the extent necessary to assure that officers described in subparagraph (A) of such paragraph have at least two opportunities for consideration for promotion to the next higher grade as officers below the promotion zone.

''(6) In computing service in grade for purposes of this section, service in a grade held as a result of assignment to a position is counted as service in the grade in which the officer would have served except for such assignment or appointment.

''(b) CONTINUED ELIGIBILITY FOR CONSIDERATION FOR PROMOTION OF OFFICERS WHO HAVE PREVIOUSLY FAILED OF SELECTION.—(1) Except as provided in paragraph (2), an officer who has failed of selection for promotion to the next higher grade remains eligible for consideration for promotion to that grade as long as the officer continues on active duty in other than a retired status and is not promoted.

''(2) Paragraph (1) does not apply to an officer on active status who is ineligible for consideration for promotion under section 631(c) of this title for the second time.

''(c) OFFICERS TO BE CONSIDERED BY PROMOTION BOARDS.—(1) Each time a selection board is convened under section 20211 of this title for consideration of officers in a competitive category for promotion to the next higher grade, each officer in the promotion zone (except as provided under paragraph (2)), and each officer above the promotion zone, for the grade and competitive category under consideration shall be considered for promotion.

''(2) The Secretary of the Air Force—

''(A) may, in accordance with standards and procedures prescribed by the Secretary of Defense in regulations which shall apply uniformly among the military departments, limit the officers to be considered by a selection board from below the promotion zone to those officers who are determined to be exceptionally well qualified for promotion;

''(B) may, by regulation, prescribe a period of time, not to exceed one year, from the time an officer on the Space Force officer list transfers on or off of sustained duty during which the officer shall be ineligible for consideration for promotion; and

''(C) may, by regulation, preclude from consideration by a selection board by which the officer would otherwise be eligible to be considered, an officer who has an established separation date that is within 90 days after the date on which the board is to be convened.

''(3)(A) The Secretary of Defense may authorize the Secretary of the Air Force to preclude from consideration by selection boards for promotion to the grade of brigadier general, officers in the grade of colonel who—

''(i) have been considered and not selected for promotion to the grade of brigadier general or by at least two selection boards; and

''(ii) are determined, in accordance with standards and procedures prescribed pursuant to subparagraph (B), as not being exceptionally well qualified for promotion.

''(B) If the Secretary of Defense authorizes the Secretary of the Air Force to have the authority described in subparagraph (A), the Secretary shall prescribe by regulation the standards and procedures for the exercise of such authority. Those regulations shall apply uniformly among the military departments and shall include the following provisions:

''(i) A requirement that the Secretary of the Air Force may exercise such authority in the case of a particular selection board only if the Secretary of Defense approves the exercise of that authority for that board.

''(ii) A requirement that an officer may be precluded from consideration by a selection board under this paragraph only upon the recommendation of a preselection board of officers convened by the Secretary of the military department concerned and composed of at least three officers all of whom are serving in a grade higher than the grade of such officer.

''(iii) A requirement that such a preselection board may not recommend that an officer be precluded from such consideration unless the Secretary of the Air Force has given the officer advance written notice of the convening of such board and of the military records that will be considered by the board and has given the officer a reasonable period before the convening of the board in which to submit comments to the board.

''(iv) A requirement that the Secretary of the Air Force shall provide general guidance to the board in accordance with standards and procedures prescribed by the Secretary of Defense in those regulations.

''(v) A requirement that the preselection board may recommend that an officer be precluded from consideration by a selection board only on the basis of the general guidance provided by the Secretary Air Force, information in the officer's official military personnel records that has been described in the notice provided the officer as required pursuant to clause (iii), and any communication to the board received from that officer before the board convenes.

''(d) CERTAIN OFFICERS NOT TO BE CONSIDERED.—A selection board convened under section 20211 of this title may not consider for promotion to the next higher grade any of the following officers:

''(1) An officer whose name is on a promotion list for that grade as a result of the officer's selection for promotion to that grade by an earlier selection board convened under that section.

''(2) An officer who is recommended for promotion to that grade in the report of an earlier selection board convened under that section, in the case of such a report that has not yet been approved by the President.

''(3) An officer in the grade of first lieutenant who is on an approved all-fully-qualified-officers list under section 20238(a)(4) of this title.

''(4) An officer in the grade of captain who is not a citizen of the United States.

''(5) An officer excluded under subsection (e).

''(e) AUTHORITY TO ALLOW OFFICERS TO OPT OUT OF SELECTION BOARD CONSIDERATION.—(1) The Secretary of the Air Force may provide that an officer on the Space Force officer list may, upon the officer's request and with the approval of the Secretary, be excluded from consideration by a selection board convened under section 20211 of this title to consider officers for promotion to the next higher grade.

''(2) The Secretary of the Air Force may only approve a request under paragraph (1) if—

''(A)(i) the basis for the request is to allow an officer to complete a broadening assignment, advanced education, another assignment of significant value to the Department, a career progression requirement delayed by the assignment or education;

''(ii) the Secretary determines the exclusion from consideration is in the best interest of the Space Force; and

''(iii) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration; or

''(B)(i) the officer is serving in a critical skill position that cannot be filled by another Space Force officer serving in the same grade;

''(ii) the Secretary determines that it is in the best interests of the Space Force for the officer to continue to serve in their current position and grade; and

''(iii) the officer has not previously opted out of a promotion board under this authority.

''§ 20232. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions

''The provisions of section 619a of this title shall apply to officers of the Space Force.

''§ 20233. Opportunities for consideration for promotion

''(a) SPECIFICATION OF NUMBER OF OPPORTUNITIES FOR CONSIDERATION FOR PROMOTION.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force shall specify the number of opportunities for consideration for promotion to be afforded to Space Force officers for promotion to each grade above the grade of captain.

''(b) LIMITATION ON NUMBER OF OPPORTUNITIES THAT MAY BE SPECIFIED.—The number of opportunities for consideration for promotion to be afforded officers of the Space Force for promotion to a particular grade may not exceed five.

''(c) LIMITED AUTHORITY OF SECRETARY OF THE AIR FORCE TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of the Air Force may change the number of opportunities for consideration for promotion to a particular grade not more frequently than once every five years.

''(d) AUTHORITY OF SECRETARY OF DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of Defense may modify the number of opportunities for consideration for promotion to be afforded officers of the Space Force for promotion to a particular grade.

''§ 20234. Space Force officer list

''(a) SINGLE LIST.—The Secretary of the Air Force shall maintain a single list of all Space Force officers serving in a Space Force active status. The list shall be known as the Space Force officer list.

''(b) ORDER OF OFFICERS ON LIST.—Officers shall be carried on the Space Force officer list in the order of seniority of the grade in which they are serving. Officers serving in the same grade shall be carried in the order of their rank in that grade.

''(c) EFFECT OF SERVICE IN A TEMPORARY APPOINTMENT.—An officer whose position on the Space Force officer list results from service under a temporary appointment or in a grade held by reason of assignment to a position has, when that appointment or assignment ends, the grade and position on the Space Force officer list that the officer would have held if the officer had not received that appointment or assignment.

''§ 20235. Competitive categories

''(a) REQUIREMENT TO ESTABLISH COMPETITIVE CATEGORIES FOR PROMOTION.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force shall establish at least one competitive category for promotion for officers on the Space Force officer list. Each officer whose name appears on the Space Force officer list shall be carried in a competitive category of officers. Officers in the same competitive category shall compete among themselves for promotion.

''(b) SINGLE COMPETITIVE CATEGORY FOR PROMOTION TO GENERAL OFFICER GRADES.—The Secretary of the Air Force shall establish a single competitive category for all officers on the Space Force officer list who will be considered by a selection board convened under section 20211 of this title for promotion to the grade of brigadier general or major general.

''§ 20236. Numbers to be recommended for promotion

''(a) PROMOTION TO GRADES BELOW BRIGADIER GENERAL.—(1) Before convening a selection board under section 20211 of this title to consider officers for recommendation for promotion to a grade below brigadier general and in any competitive category, the Secretary of the Air Force shall determine—

''(A) the number of positions needed to accomplish mission objectives which require officers of that competitive category in the grade to which the board will recommend officers for promotion;

''(B) the estimated number of officers needed to fill vacancies in those positions during the period in which it is anticipated that officers selected for promotion will be promoted; and

''(C) the number of officers in a Space Force active status authorized by the Secretary of the Air Force to serve both on sustained duty and not on sustained duty in the grade and competitive category under consideration.

''(2) Based on the determinations under paragraph (1), the Secretary of the Air Force shall determine the maximum number of officers in that competitive category which the selection board may recommend for promotion.

''(b) PROMOTION TO BRIGADIER GENERAL AND MAJOR GENERAL.—(1) Before convening a selection board under section 20211 of this title to consider officers for recommendation for promotion to the grade of brigadier general or major general, the Secretary of the Air Force shall determine—

''(A) the number of positions needed to accomplish mission objectives which require officers serving in a Space Force active status on sustained duty, and in a Space Force active status not on sustained duty, in the grade to which the board will recommend officers for promotion; and

''(B) the estimated number of officers on sustained duty and not on sustained duty needed to fill vacancies in those positions over the 24-month period beginning on the date on which the selection board convenes.

''(2) Based on the determinations under paragraph (1), the Secretary of the Air Force shall determine the maximum number of officers serving in a Space Force active status on sustained duty, and the maximum number of officers serving in a Space Force active status not on sustained duty, which the selection board may recommend for promotion.

''§ 20237. Establishment of promotion zones

''(a) IN GENERAL.—Before convening a selection board under section 20211 of this title to consider officers for promotion to any grade above first lieutenant or lieutenant (junior grade), the Secretary of the Air Force

shall establish a promotion zone for officers serving in each grade and competitive category to be considered by the board.

''(b) DETERMINATION OF NUMBER.—The Secretary of the Air Force shall determine the number of officers in the promotion zone for officers serving in any grade and competitive category from among officers who are eligible for promotion in that grade and competitive category. Such determination shall be made on the basis of an estimate of—

''(1) the number of officers needed in that competitive category in the next higher grade in each of the next five years;

''(2) the number of officers to be serving in that competitive category in the next higher grade in each of the next five years;

''(3) in the case of a promotion zone for officers to be promoted to a grade to which section 523 of this title is applicable, the number of officers authorized for such grade under such section to be on active duty on the last day of each of the next five fiscal years; and

''(4) the number of officers that should be placed in that promotion zone in each of the next five years to provide to officers in those years relatively similar opportunity for promotion.

''§ 20238. Promotions: how made; authorized delay of promotions

''(a) PROCEDURE FOR PROMOTION OF OFFICERS ON AN APPROVED PROMOTION LIST.—

''(1) PLACEMENT OF NAMES ON PROMOTION LIST.—When the report of a selection board convened under section 20211 of this title is approved by the President, the Secretary of the Air Force shall place the names of all officers approved for promotion within a competitive category on a single list for that competitive category, to be known as a promotion list, in the order of the seniority of such officers on the list or based on particular merit, as determined by the promotion board. A promotion list is considered to be established under this section as of the date of the approval of the report of the selection board under the preceding sentence.

''(2) ORDER AND TIMING OF PROMOTIONS.—Except as provided in subsection (d), officers on a promotion list for a competitive category shall be promoted to the next higher grade when additional officers in that grade and competitive category are needed. Promotions shall be made in the order in which the names of officers appear on the promotion list and after officers previously selected for promotion in that competitive category have been promoted. Officers to be promoted to the grade of first lieutenant shall be promoted in accordance with regulations prescribed by the Secretary of the Air Force.

''(3) LIMITATION ON PROMOTIONS TO GENERAL OFFICER GRADES TO COMPLY WITH STRENGTH LIMITATIONS.—Under regulations prescribed by the Secretary of Defense, the promotion of an officer on the Space Force officer list to a general officer grade shall be delayed if that promotion would cause any strength limitation of section 526 of this title to be exceeded. The delay shall expire when the Secretary of the Air Force determines that the delay is no longer required to ensure compliance with the strength limitation.

''(4) PROMOTION OF FIRST LIEUTENANTS ON AN ALL-FULLY-QUALIFIED OFFICERS LIST.—(A) Except as provided in subsection (d), officers on the Space Force officer list in the grade of first lieutenant who are on an approved all-fully-qualified-officers list shall be promoted to the grade of captain in accordance with regulations prescribed by the Secretary of the Air Force.

''(B) An all-fully-qualified-officers list shall be considered to be approved for purposes of subparagraph (A) when the list is approved by the President. When so approved, such a list shall be treated in the same manner as a promotion list under this chapter.

''(C) The Secretary of the Air Force may make a recommendation to the President for approval of an all-fully-qualified-officers list only when the Secretary determines that all officers on the list are needed in the next higher grade to accomplish mission objectives.

''(D) For purposes of this paragraph, an all-fully-qualified-officers list is a list of all officers on the Space Force officers list in a grade who the Secretary of the Air Force determines—

''(i) are fully qualified for promotion to the next higher grade; and

''(ii) would be eligible for consideration for promotion to the next higher grade by a selection board convened under section 20211 of this title upon the convening of such a board.

''(E) If the Secretary of the Air Force determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.

''(b) DATE OF RANK.—The date of rank of an officer appointed to a higher grade under this section is determined under section 741(d) of this title.

''(c) APPOINTMENT AUTHORITY.—Appointments under this section shall be made by the President, by and with the advice and consent of the Senate, except that appointments under this section in the grade of first lieutenant or captain shall be made by the President alone.

''(d) AUTHORITY TO DELAY APPOINTMENTS FOR SPECIFIED REASONS.—The provisions of subsection (d) of section 624 of this title shall apply to the appointment of an officer under this section in the same manner as they apply to an appointment of an officer under that section, and any reference in that subsection to an active-duty list shall be treated for purposes of applicability to an officer of the Space Force as referring to the Space Force officer list.

''SUBCHAPTER IV—PERSONS NOT CONSIDERED FOR PROMOTION AND OTHER PROMOTION-RELATED PROVISIONS

''Sec.

''20241. Persons not considered for promotion and other promotion-related provisions.

''§ 20241. Persons not considered for promotion and other promotion-related provisions

''Subchapter III of chapter 36 of this title shall apply to officers of the Space Force.

''SUBCHAPTER V—APPLICABILITY OF OTHER LAWS

''Sec.

''20251. Applicability of certain DOPMA officer personnel policy provisions.

''§ 20251. Applicability of certain DOPMA officer personnel policy provisions

''Except as otherwise modified or provided for in this chapter, the following provisions of chapter 36 of this title (relating to promotion, separation, and involuntary retirement of officers on the active-duty list) shall apply to Space Force officers and officer promotions:

''(1) Subchapter I (relating to selection boards).

''(2) Subchapter II (relating to promotions).

''(3) Subchapter III (relating to failure of selection for promotion and retirement for years of service).

''(4) Subchapter IV (relating to continuation on active duty and selective early retirement).

''(5) Subchapter V (additional provisions relating to promotion, separation, and retirement).

''(6) Subchapter VI (relating to alternative promotion authority for officers in designated competitive categories).''.

(d) TEMPORARY (''BREVET'') PROMOTIONS FOR OFFICERS WITH CRITICAL SKILLS.—Section 605 of title 10, United States Code, is amended as follows:

(1) COVERAGE OF SPACE FORCE OFFICERS.—Subsections (a), (b)(2)(A), (f)(1), and (f)(2) are amended by striking ''or Marine Corps,'' each place it appears and inserting ''Marine Corps, or Space Force,''.

(2) DISAGGREGATION OF AIR FORCE MAXIMUM NUMBERS.—Subsection (g) is amended—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by striking paragraph (2) and inserting the following new paragraphs (2) and (3):

''(2) In the case of the Air Force—

''(A) as captain, 95;

''(B) as major, 305;

''(C) as lieutenant colonel, 165; and

''(D) as colonel, 75.

''(3) In the case of the Space Force—

''(A) as captain, 5;

''(B) as major, 20;

''(C) as lieutenant colonel, 10; and

''(D) as colonel, 5.''.

SEC. 1717. ENLISTED MEMBERS.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1716, is further amended by adding at the end the following new chapter:

''CHAPTER 2007—ENLISTED MEMBERS

''Sec.

''20301. Original enlistments: qualifications; grade.

''20302. Enlisted members: term of enlistment.

''20303. Reference to chapter 31.

''§ 20301. Original enlistments: qualifications; grade

''(a) ORIGINAL ENLISTMENTS.—

''(1) AUTHORITY TO ACCEPT.—The Secretary of the Air Force may accept original enlistments in the Space Force of qualified, effective, and able-bodied persons.

''(2) AGE.—A person accepted for original enlistment shall be not less than seventeen years of age. However, no person under eighteen years of age may be originally enlisted without the written consent of the person's parent or guardian, if the person has a parent or guardian entitled to the person's custody and control.

''(b) GRADE.—A person is enlisted in the Space Force in the grade prescribed by the Secretary of the Air Force.

''§ 20302. Enlisted members: term of enlistment

''(a) TERM OF ORIGINAL ENLISTMENTS.—The Secretary of the Air Force may accept original enlistments of persons for the duration of their minority or for a period of at least two but not more than eight years in the Space Force.

''(b) TERM OF REENLISTMENTS.—The Secretary of the Air Force may accept a reenlistment in the Space Force for a period determined in accordance with paragraphs (2), (3), and (4) of section 505(d) of this title.

''§ 20303. Reference to chapter 31

''For other provisions of this title applicable to enlistments in the Space Force, see chapter 31 of this title.''.

(b) AMENDMENTS TO TITLE 10 CHAPTER RELATING TO ENLISTMENTS.—Chapter 31 of such title is amended as follows:

(1) RECRUITING CAMPAIGNS.—Section 503(a) is amended by striking ''and Regular Coast

Guard'' and inserting ''Regular Coast Guard, and the Space Force''.

(2) QUALIFICATIONS, TERM, GRADE.—Section 505 is amended—

(A) by striking ''Regular Space Force,'' each place it appears; and

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

''(e) For enlistments in the Space Force, see sections 20301 and 20302 of this title.''.

(3) EXTENSION OF ENLISTMENTS DURING WAR.—Section 506 is amended by striking ''Regular'' before ''Space Force''.

(4) REENLISTMENT.—Section 508 is amended striking ''Regular'' before ''Space Force'' both places it appears.

(5) ENLISTMENT INCENTIVES FOR PURSUIT OF SKILLS TO FACILITATE NATIONAL SERVICE.—Section 510(c) is amended—

(A) in paragraph (2), by inserting ''or the Space Force'' after ''Selected Reserve''; and

(B) in paragraph (3)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively;

(ii) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) in the Space Force;''; and

(iii) in subparagraph (F), as so redesignated, by striking ''subparagraphs (A) through (D)'' and inserting ''subparagraphs (A) through (E)''.

(6) COLLEGE FIRST PROGRAM.—Section 511(b)(1)(A) is amended by inserting ''or as a member of the Space Force,'' after ''reserve component,''.

(7) DELAYED ENTRY PROGRAM.—Section 513(a) is amended—

(A) by inserting '', or who is qualified under section 20301 of this title and applicable regulations for enlistment in the Space Force,'' after ''armed force''; and

(B) by inserting '', or be enlisted as a member of the Space Force,'' after ''Coast Guard Reserve''.

(8) EFFECT UPON ENLISTED STATUS OF ACCEPTANCE OF APPOINTMENT AS CADET OR MIDSHIPMAN.—Section 516(b) is amended by inserting ''or in the Space Force,'' after ''armed force''.

SEC. 1718. RETENTION AND SEPARATION GENERALLY.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1717, is further amended by adding at the end the following new chapter:

''CHAPTER 2009—RETENTION AND SEPARATION GENERALLY

''§ 20401. Applicability of certain provisions of law related to separation

''(a) OFFICER SEPARATION.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to officers of a regular component shall apply to officers of the Space Force.

''(b) ENLISTED MEMBER SEPARATION.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to enlisted members of a regular component shall apply to enlisted members of the Space Force.

''(c) SEPARATION PAY UPON INVOLUNTARY DISCHARGE OR RELEASE FROM ACTIVE DUTY.—The provisions of section 1174 of this title—

''(1) pertaining to a regular officer shall apply to a Space Force officer serving on sustained duty;

''(2) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

''(3) pertaining to other members shall apply to members of the Space Force not serving on sustained duty.

''(d) VOLUNTARY SEPARATION INCENTIVE.—The provisions of section 1175 of this title pertaining to a voluntary appointment, enlistment, or transfer to a reserve component shall apply to the voluntary release from active duty of a member of the Space Force on sustained duty.

''(e) VOLUNTARY SEPARATION PAY AND BENEFITS.—The provisions of section 1176 of this title—

''(1) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

''(2) pertaining to a reserve enlisted member serving in an active status shall apply to an enlisted member of the Space Force serving in a Space Force active status or on sustained duty.

''§ 20402. Enlisted members: standards and qualifications for retention

''(a) STANDARDS AND QUALIFICATIONS FOR RETENTION.—Subject to such limitations as the Secretary of Defense may prescribe, the Secretary of the Air Force shall, by regulation, prescribe—

''(1) standards and qualifications for the retention of enlisted members of the Space Force; and

''(2) equitable procedures for the periodic determination of the compliance of each such member with those standards and qualifications.

''(b) EFFECT OF FAILURE TO COMPLY WITH STANDARDS AND QUALIFICATIONS.—If an enlisted member serving in Space Force active status fails to comply with the standards and qualifications prescribed under subsection (a), the member shall—

''(1) if qualified, be transferred to Space Force inactive status;

''(2) if qualified, be retired in accordance with section 20603 of this title; or

''(3) have the member's enlistment terminated.

''§ 20403. Officers: standards and qualifications for retention

''(a) STANDARDS AND QUALIFICATIONS.—To be retained in an active status, a Space Force officer must—

''(1) in any applicable yearly period, attain the number of points specified under section 12732(a)(2) of this title; and

''(2) conform to such other standards and qualifications as the Secretary may prescribe for officers of the Space Force.

''(b) RESULT OF FAILURE TO COMPLY.—A Space Force officer who fails to attain the number of points prescribed under subsection (a)(1), or to conform to the standards and qualifications prescribed under subsection (a)(2), may be referred to a board convened under section 20501(a) of this title.

''§ 20404. Selection of officers for early retirement or discharge

''(a) CONSIDERATION FOR EARLY RETIREMENT.—The Secretary of the Air Force may convene selection boards under section 20211(b) of this title to consider for early retirement officers on the Space Force officer list as follows:

''(1) Officers in the grade of lieutenant colonel who have failed of selection for promotion at least one time and whose names are not on a list of officers recommended for promotion.

''(2) Officers in the grade of colonel who have served in that grade for at least two years and whose names are not on a list of officers recommended for promotion.

''(3) Officers, other than those described in paragraphs (1) and (2), holding a grade below the grade of colonel—

''(A) who are eligible for retirement under section 20601 of this title or who after two additional years or less of active service would be eligible for retirement under that section; and

''(B) whose names are not on a list of officers recommended for promotion.

''(b) CONSIDERATION FOR DISCHARGE.—

''(1) Subject to such limitations as the Secretary of Defense may prescribe, the Secretary of the Air Force may convene selection boards under section 20211 of this title to consider for discharge officers on the Space Force officer list—

''(A) who have served at least one year of active status in the grade currently held;

''(B) whose names are not on a list of officers recommended for promotion; and

''(C) who are not eligible to be retired under any provision of law (other than by reason of eligibility pursuant to section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484)) and are not within two years of becoming so eligible.

''(2) An officer who is recommended for discharge by a selection board convened pursuant to the authority of paragraph (1) and whose discharge is approved by the Secretary of the Air Force shall be discharged on a date specified by the Secretary.

''(3) Selection of officers for discharge under paragraph (1) shall be based on the needs of the service.

''(c) DISCHARGES AND RETIREMENTS CONSIDERED TO BE INVOLUNTARY.—The discharge or retirement of an officer pursuant to this section shall be considered to be involuntary for purposes of any other provision of law.

''§ 20405. Force shaping authority

''(a) AUTHORITY.—The Secretary of the Air Force may, solely for the purpose of restructuring the Space Force—

''(1) discharge an officer described in subsection (b); or

''(2) involuntarily release such an officer from sustained duty.

''(b) COVERED OFFICERS.—(1) The authority under this section may be exercised in the case of an officer of the Space Force serving on sustained duty who—

''(A) has completed not more than six years of service as a commissioned officer in the armed forces; or

''(B) has completed more than six years of service as a commissioned officer in the armed forces, but has not completed the minimum service obligation applicable to that officer.

''(2) In this subsection, the term 'minimum service obligation', with respect to a member of the Space Force, means the initial period of required active duty service applicable to the member, together with any additional period of required active duty service incurred by that member during the member's initial period of required active duty service.

''(c) REGULATIONS.—The Secretary of the Air Force shall prescribe regulations for the exercise of the Secretary's authority under this section.''.

(b) CONFORMING AMENDMENTS.—Section 647 of title 10, United States Code, is amended—

(1) in subsection (b)(1), by inserting ''(other than an officer of the Space Force)'' after ''in the case of an officer'';

(2) in subsection (c), by striking ''Regular Marine Corps, of Regular Space Force'' and inserting ''or Regular Marine Corps''; and

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

''(e) SPACE FORCE.—For a similar provision with respect to officers of the Space Force, see section 20405 of this title.''.

SEC. 1719. SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS.

Subtitle F of title 10, United States Code, as amended by section 1718, is further

amended by adding at the end the following new chapter:

"CHAPTER 2011—SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS

"§ 20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons

''(a) PROCEDURES FOR REVIEW OF RECORD OF OFFICERS RELATING TO STANDARDS OF PERFORMANCE OF DUTY.—(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer (other than a retired officer) of the Space Force in a Space Force active status to determine whether the officer shall be required, because of a reason stated in paragraph (2), to show cause for the officer's retention in a Space Force active status.

''(2) The reasons referred to in paragraph (1) are the following:

''(A) The officer's performance of duty has fallen below standards prescribed by the Secretary of Defense.

''(B) The officer has failed to satisfy the standards and qualifications established under section 20403 of this title by the Secretary of the Air Force.

''(b) PROCEDURES FOR REVIEW OF RECORD OF OFFICERS RELATING TO CERTAIN OTHER REASONS.—(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer (other than a retired officer) of the Space Force in a Space Force active status to determine whether the officer should be required, because of a reason stated in paragraph (2), to show cause for the officer's retention in a Space Force active status.

''(2) The reasons referred to in paragraph (1) are the following:

''(A) Misconduct.

''(B) Moral or professional dereliction.

''(C) The officer's retention is not clearly consistent with the interests of national security.

''(c) SECRETARY OF DEFENSE LIMITATIONS.—Regulations prescribed by the Secretary of the Air Force under this section are subject to such limitations as the Secretary of Defense may prescribe.

"§ 20502. Retention boards

''(a) CONVENING OF BOARDS TO CONSIDER OFFICERS REQUIRED TO SHOW CAUSE.—The Secretary of the Air Force shall convene retention boards at such times and places as the Secretary may prescribe to receive evidence and make findings and recommendations as to whether an officer who is required under section 20501 of this title to show cause for retention in a Space Force active status should be retained in a Space Force active status. Each retention board shall be composed of not less than three officers having the qualifications prescribed by section 20506 of this title.

''(b) FAIR AND IMPARTIAL HEARING.—A retention board shall give a fair and impartial hearing to each officer required under section 20501 of this title to show cause for retention in a Space Force active status.

''(c) EFFECT OF BOARD DETERMINATION THAT AN OFFICER HAS FAILED TO ESTABLISH THAT THE OFFICER SHOULD BE RETAINED.—(1) If a retention board determines that the officer has failed to establish that the officer should be retained in a Space Force active status, the board shall recommend to the Secretary of the Air Force one of the following:

''(A) That the officer be transferred to an inactive status.

''(B) That the officer, if qualified under any provision of law, be retired.

''(C) That the officer be discharged from the Space Force.

''(2) Under regulations prescribed by the Secretary of the Air Force, an officer as to whom a retention board makes a recommendation under paragraph (1) that the officer not be retained in a Space Force active status may be required to take leave pending the completion of the officer's case under this chapter. The officer may be required to begin such leave at any time following the officer's receipt of the report of the retention board, including the board's recommendation for removal from a Space Force active status, and the expiration of any period allowed for submission by the officer of a rebuttal to that report. The leave may be continued until the date on which action by the Secretary of the Air Force on the officer's case is completed or may be terminated at any earlier time.

''(d) EFFECT OF BOARD DETERMINATION THAT AN OFFICER HAS ESTABLISHED THAT THE OFFICER SHOULD BE RETAINED.—(1) If a retention board determines that the officer has established that the officer should be retained in a Space Force active status, the officer's case is closed.

''(2) An officer who is required to show cause for retention in a Space Force active status under subsection (a) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a Space Force active status may not again be required to show cause for retention in a Space Force active status under such subsection within the one-year period beginning on the date of that determination.

''(3)(A) Subject to subparagraph (B), an officer who is required to show cause for retention in a Space Force active status under subsection (b) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a Space Force active status may again be required to show cause for retention at any time.

''(B) An officer who has been required to show cause for retention in a Space Force active status under subsection (b) of section 20501 of this title and who is thereafter retained in an active status may not again be required to show cause for retention in a Space Force active status under such subsection solely because of conduct which was the subject of the previous proceedings, unless the findings or recommendations of the retention board that considered the officer's previous case are determined to have been obtained by fraud or collusion.

''(4) In the case of an officer described in paragraph (2) or paragraph (3)(A), the retention board may recommend that the officer be required to complete additional training, professional education, or such other developmental programs as may be available to correct any identified deficiencies and improve the officer's performance within the Space Force.

"§ 20503. Removal of officer: action by Secretary upon recommendation of retention board

''The Secretary of the Air Force may remove an officer from Space Force active status if the removal of such officer from Space Force active status is recommended by a retention board convened under section 20502 of this title.

"§ 20504. Rights and procedures

''(a) IN GENERAL.—Under regulations prescribed by the Secretary of the Air Force, each officer required under section 20501 of this title to show cause for retention in a Space Force active status—

''(1) shall be notified in writing, at least 30 days before the hearing of the officer's case by a retention board, of the reasons for which the officer is being required to show cause for retention in a Space Force active status;

''(2) shall be allowed a reasonable time, as determined by the board, to prepare the officer's showing of cause for retention in a Space Force active status;

''(3) shall be allowed to appear either in person or through electronic means and to be represented by counsel at proceedings before the board; and

''(4) shall be allowed full access to, and shall be furnished copies of, records relevant to the officer's case, except that the board shall withhold any record that the Secretary determines should be withheld in the interest of national security.

''(b) SUMMARY OF RECORDS WITHHELD IN INTEREST OF NATIONAL SECURITY.—When a record is withheld under subsection (a)(4), the officer whose case is under consideration shall, to the extent that the interest of national security permits, be furnished a summary of the record so withheld.

"§ 20505. Officer considered for removal: voluntary retirement or discharge

''(a) IN GENERAL.—At any time during proceedings under this chapter with respect to the removal of an officer from a Space Force active status, the Secretary of the Air Force may grant a request by the officer—

''(1) for voluntary retirement, if the officer is qualified for retirement; or

''(2) for discharge in accordance with subsection (b)(2).

''(b) RETIREMENT OR DISCHARGE.—An officer removed from a Space Force active status under section 20503 of this title shall—

''(1) if eligible for voluntary retirement under any provision of law on the date of such removal, be retired in the grade and with the retired pay for which the officer would be eligible if retired under such provision; and

''(2) if ineligible for voluntary retirement under any provision of law on the date of such removal—

''(A) be honorably discharged in the grade then held, in the case of an officer whose case was brought under subsection (a) of section 20501 of this title; or

''(B) be discharged in the grade then held, in the case of an officer whose case was brought under subsection (b) of section 20501 of this title.

''(c) SEPARATION PAY FOR DISCHARGED OFFICER.—An officer who is discharged under subsection (b)(2) is entitled, if eligible therefor, to separation pay under section 1174(a)(2) of this title.

"§ 20506. Officers eligible to serve on retention boards

''(a) IN GENERAL.—The provisions of section 1187 of this title apply to the membership of boards convened under this chapter in the same manner as to the membership of boards convened under chapter 60 of this title.

''(b) RETIRED AIR FORCE OFFICERS.—

''(1) AUTHORITY.—-In applying subsection (b) of section 1187 of this title to a board convened under this chapter, the Secretary of the Air Force may appoint retired officers of the Air Force, in addition to retired officers of the Space Force, to complete the membership of the board.

''(2) LIMITATION.—-A retired officer of the Air Force may be appointed to a board under paragraph (1) only if the officer served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.''.

SEC. 1720. RETIREMENT.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1719, is further amended by adding at the end the following new chapter:

''CHAPTER 2013—VOLUNTARY RETIREMENT FOR LENGTH OF SERVICE

''Sec.

''§ 20601. Officers: voluntary retirement for length of service

''(a) TWENTY YEARS OR MORE.—The Secretary of the Air Force may, upon the officer's request, retire a commissioned officer of the Space Force who has at least 20 years of service computed under section 20602 of this title, at least 10 years of which have been active service as a commissioned officer.

''(b) THIRTY YEARS OR MORE.—A commissioned officer of the Space Force who has at least 30 years of service computed under section 20602 of this title may be retired upon the officer's request, in the discretion of the President.

''(c) FORTY YEARS OR MORE.—Except as provided in section 20503 of this title, a commissioned officer of the Space Force who has at least 40 years of service computed under section 20602 of this title shall be retired upon the officer's request.

''§ 20602. Officers: computation of years of service for voluntary retirement

''(a) YEARS OF ACTIVE SERVICE.—For the purpose of determining whether an officer of the Space Force may be retired under section 20601 of this title, the officer's years of service are computed by adding all active service in the armed forces.

''(b) REFERENCE TO SECTION EXCLUDING SERVICE DURING CERTAIN PERIODS.—Section 972(b) of this title excludes from computation of an officer's years of service for purposes of this section any time identified with respect to that officer under that section.

''§ 20603. Enlisted members: voluntary retirement for length of service

''(a) TWENTY TO THIRTY YEARS.—Under regulations to be prescribed by the Secretary of the Air Force, an enlisted member of the Space Force who has at least 20, but less than 30, years of service computed under section 20604 of this title may, upon the member's request, be retired.

''(b) THIRTY YEARS OR MORE.—An enlisted member of the Space Force who has at least 30 years of service computed under section 20604 of this title shall be retired upon the member's request.

''§ 20604. Enlisted members: computation of years of service for voluntary retirement

''(a) YEARS OF ACTIVE SERVICE.—For the purpose of determining whether an enlisted member of the Space Force may be retired under section 20603 of this title, the member's years of service are computed by adding all active service in the armed forces.

''(b) REFERENCE TO SECTION EXCLUDING COUNTING OF CERTAIN SERVICE REQUIRED TO BE MADE UP.—Time required to be made up under section 972(a) of this title may not be counted in computing years of service under subsection (a).

''§ 20605. Applicability of other provisions of law relating to retirement

''(a) APPLICABILITY TO MEMBERS OF THE SPACE FORCE.—Except as specifically provided for by this chapter, the provisions of this title specified in subsection (b) apply to members of the Space Force as follows:

''(1) Provisions pertaining to an officer of the Air Force shall apply to an officer of the Space Force.

''(2) Provisions pertaining to an enlisted member of the Air Force shall apply to an enlisted member of the Space Force.

''(3) Provisions pertaining to a regular officer shall apply to an officer who is on sustained duty in the Space Force.

''(4) Provisions pertaining to a regular enlisted member shall apply to an enlisted member who is on sustained duty in the Space Force.

''(5) Provisions pertaining to a reserve officer shall apply to an officer who is in a Space Force active status but not on sustained duty.

''(6) Provisions pertaining to a reserve enlisted member shall apply to an enlisted member who is in a Space Force active status but not on sustained duty.

''(7) Provisions pertaining to service in a regular component shall apply to service on sustained duty.

''(8) Provisions pertaining to service in a reserve component shall apply to service in a Space Force active status not on sustained duty.

''(9) Provisions pertaining to a member of the Ready Reserve shall apply to a member of the Space Force who is in a Space Force active status prior to being ordered to active duty.

''(10) Provisions pertaining to a member of the Retired Reserve shall apply to a member of the Space Force who has retired under chapter 1223 of this title.

''(b) PROVISIONS OF LAW.—The provisions of this title referred to in subsection (a) are the following:

''(1) Chapter 61, relating to retirement or separation for physical disability.

''(2) Chapter 63, relating to retirement for age.

''(3) Chapter 69, relating to retired grade.

''(4) Chapter 71, relating to computation of retired pay.

''(5) Chapter 941, relating to retirement from the Air Force for length of service.

''(6) Chapter 945, relating to computation of retired pay.

''(7) Chapter 1223, relating to retired pay for non-regular service.

''(8) Chapter 1225, relating to retired grade.''.

(b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) RETIRED MEMBERS ORDERED TO ACTIVE DUTY.—Section 688(b) is amended—

(A) in paragraph (1), by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

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

''(4) A retired member of the Space Force.''.

(2) RETIRED GRADE.—Section 9341 is amended—

(A) in subsection (a), by striking ''or the Space Force'' both places it appears;

(B) in subsection (b), by striking ''or a Regular or Reserve of the Space Force''; and

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

''(c) SPACE FORCE.—(1) The retired grade of a commissioned officer of the Space Force who retires other than for physical disability is determined under section 1370 or 1370a of this title, as applicable to the officer.

''(2) Unless entitled to a higher retired grade under some other provision of law, a member of the Space Force not covered by paragraph (1) who retires other than for physical disability retires in the grade that the member holds on the date of the member's retirement.''.

(3) RETIRED GRADE OF ENLISTED MEMBERS AFTER 30 YEARS OF SERVICE.—Section 9344(b)(2) is amended by striking ''Regular'' before ''Space Force''.

(4) RETIRED LISTS.—Section 9346 is amended—

(A) in subsection (a), by striking ''or the Regular Space Force'' and inserting ''and a separate retired list containing the name of each retired commissioned officer of the Space Force (other than an officer whose name is on the list maintained under subsection (b)(2))'';

(B) in subsection (b)—

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

(ii) by inserting ''(1)'' after ''(b)'';

(iii) in subparagraph (A), as redesignated by clause (i), by striking '', or for commissioned officers of the Space Force other than of the Regular Space Force'';

(iv) in subparagraph (B), as so redesignated, by striking ''or the Space Force''; and

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

''(2) The Secretary shall maintain a retired list containing the name of—

''(A) each person entitled to retired pay who as a member of the Space Force qualified for retirement under section 20601 of this title; and

''(B) each retired warrant officer or enlisted member of the Space Force who is advanced to a commissioned grade.'';

(C) in subsection (c), by striking ''or the Space Force'' and inserting ''and a separate retired list containing the name of each retired warrant officer of the Space Force''; and

(D) in subsection (d), by striking ''or the Regular Space Force'' and inserting ''and a separate retired list containing the name of each retired enlisted member of the Space Force''.

Subtitle B—Conforming Amendments Related to Space Force Military Personnel System

SEC. 1731. AMENDMENTS TO DEPARTMENT OF THE AIR FORCE PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) PROVISIONS RELATING TO PERSONNEL.—Part II of subtitle D of title 10, United States Code, is amended as follows:

(1) GENDER-FREE BASIS FOR ACCEPTANCE OF ORIGINAL ENLISTMENTS.—

(A) Section 9132 is amended by striking ''Regular'' before ''Space Force''.

(B) The heading of such section is amended by striking ''**REGULAR SPACE FORCE**'' and inserting ''**SPACE FORCE**''.

(2) REENLISTMENT AFTER SERVICE AS AN OFFICER.—

(A) Section 9138(a) is amended by striking ''Regular'' before ''Space Force'' both places it appears.

(B) The heading of section 9138 is amended by striking ''**REGULAR SPACE FORCE**'' and inserting ''**SPACE FORCE**''.

(3) WARRANT OFFICERS: ORIGINAL APPOINTMENT; QUALIFICATIONS.—Section 9160 is amended by striking ''Regular'' before Space Force''.

(4) SERVICE AS AN OFFICER TO BE COUNTED AS ENLISTED SERVICE.—Section 9252 is amended by striking ''Regular'' before ''Space Force''.

(5) CHAPTER HEADING.—

(A) The heading of chapter 915 is amended to read as follows:

''CHAPTER 915—APPOINTMENTS IN THE REGULAR AIR FORCE AND IN THE SPACE FORCE''.

(B) The tables of chapters at the beginning of subtitle D, and at the beginning of part II of subtitle D of such title, are each amended by striking the item relating to chapter 915 and inserting the following new item:

''915. Appointments in the Regular Air Force and in the Space Force 9151.''.

(b) PROVISIONS RELATING TO TRAINING GENERALLY.—Section 9401 of such title is amended—

(1) in subsection (b)—

(A) by striking ''or the Regular Space Force'' after ''Regular Air Force''; and

(B) by inserting ''or one of the Space Force in a Space Force active status not on sustained duty,'' after ''on the active-duty list,'';

(2) in subsection (c)—

(A) by striking ''or Reserve of the Space Force'' and inserting ''or member of the Space Force in a Space Force active status not on sustained duty''; and

(B) by striking ''the Reserve's consent'' and inserting ''the member's consent''; and

(3) in subsection (f)—

(A) by striking ''the Regular Space Force'' and inserting ''of Space Force members on sustained duty''; and

(B) by striking ''the Space Force Reserve'' and inserting ''of Space Force members in an active status not on sustained duty''.

(c) PROVISIONS RELATING TO THE AIR FORCE ACADEMY.—Chapter 953 of such title is amended as follows:

(1) PERMANENT PROFESSORS; DIRECTOR OF ADMISSIONS.—Section 9436 is amended—

(A) in subsection (a)—

(i) by striking ''the equivalent grade in'' both places it appears;

(ii) by inserting ''or the Space Force'' after ''Regular Air Force'' the first place it appears;

(iii) by striking ''and a permanent'' and all that follows through ''in the Regular Air Force''; and

(B) in subsection (b)—

(i) by striking ''the equivalent grade in'' both places it appears and inserting ''the grade of lieutenant colonel in''; and

(ii) by striking ''Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force'' and inserting ''Space Force has the grade of colonel in the Space Force''.

(2) APPOINTMENT OF CADETS.—Section 9442(b) is amended—

(A) in paragraph (1)(C), by inserting '', or the Space Force,'' after ''members of reserve components''; and

(B) in paragraph (2), by striking ''Regular'' before ''Space Force''.

(3) AGREEMENT OF CADETS TO SERVE AS OFFICERS.—Section 9448(a) is amended—

(A) in paragraph (2)(A), by striking ''Regular'' before ''Space Force''; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting '', or to terminate the officer's order to sustained duty in the Space Force'' after ''resign as a regular officer'';

(ii) in subparagraph (A), by striking ''or as a Reserve in the Space Force for service in the Space Force Reserve'' and inserting ''or will accept further assignment in a Space Force active status''; and

(iii) in subparagraph (B), by inserting '', or the Space Force,'' after ''that reserve component''.

(4) HAZING.—Section 9452(c) is amended by striking ''Marine Corps, or Space Force,'' and inserting, ''or Marine Corps, or in the Space Force,''.

(5) COMMISSION UPON GRADUATION.—Section 9453(b) is amended—

(A) by striking ''or in the equivalent grade in the Regular Space Force''; and

(B) by inserting before the period the following: ''or a second lieutenant in the Space Force under section 531 or 20201 of this title''.

(d) PROVISIONS RELATING TO SCHOOLS AND CAMPS.—Chapter 957 of such title is amended as follows:

(1) PURPOSE.—Section 9481 is amended—

(A) by striking ''to qualify them for appointment'' and inserting ''to qualify them for—

''(1) appointment'';

(B) by striking ''or the Space Force Reserve.'' and inserting ''; or''; and

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

''(2) appointment as officers, or enlistment as noncommissioned officers, for service in the Space Force in a Space Force active status.''.

(2) OPERATION.—Section 9482(4) is amended by striking ''or the Regular Space Force'' and inserting ''or members of the Space Force in an active status''.

SEC. 1732. AMENDMENTS TO SUBTITLE A OF TITLE 10, UNITED STATES CODE.

(a) PROVISIONS RELATING TO ORGANIZATION AND GENERAL MILITARY POWERS.—Part I of subtitle A of title 10, Untied States Code, is amended as follows:

(1) ANNUAL DEFENSE MANPOWER REPORT.—Section 115a(d)(3)(F) is amended by inserting before the period the following: ''or, in the case of the Space Force, officers ordered to active duty other than under section 20105(b) of this title''.

(2) SUSPENSION OF END-STRENGTH AND OTHER STRENGTH LIMITATIONS IN TIME OF WAR OR NATIONAL EMERGENCY.—Section 123a(a)(2) is amended by inserting ''or the Space Force'' after ''a reserve component''.

(3) DEPUTY COMMANDER OF USNORTHCOM.—Section 164(e)(4) is amended—

(A) by inserting ''(A)'' after ''(4)'';

(B) by striking ''shall be a'' and all that follows through the period at the end and inserting ''shall be—

''(i) a qualified officer of a reserve component who is eligible for promotion to the grade of lieutenant general or, in the case of the Navy, vice admiral; or

''(ii) a qualified officer of the Space Force whose prior service includes service in a Space Force active status other than sustained duty and who is eligible for promotion to the grade of lieutenant general.''; and

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

''(B) The requirement in subparagraph (A) does not apply when the officer serving as commander of the combatant command described in that subparagraph is—

''(i) a reserve component officer; or

''(ii) an officer of the Space Force whose prior service includes service in a Space Force active status other than sustained duty.''.

(4) READINESS REPORTS.—Section 482(a) is amended by inserting ''and the Space Force'' after ''active and reserve components'' both places it appears.

(b) DOPMA OFFICER PERSONNEL PROVISIONS.—Chapter 36 of such title is amended as follows:

(1) NONDISCLOSURE OF BOARD PROCEEDINGS.—Section 613a is amended by striking ''573, 611, or 628'' both places it appears and inserting ''573, 611, 628, or 20211''.

(2) INFORMATION FURNISHED TO SELECTION BOARDS.—Section 615(a) is amended—

(A) in paragraph (1), by inserting ''or 20211'' after ''section 611(a)''; and

(B) in paragraph (3)—

(i) in subparagraph (B)(i), by striking ''regular officer'' and all that follows through the period at the end and inserting ''regular officer or an officer in the Space Force, a grade above captain or, in the case of the Navy, lieutenant.''; and

(ii) in subparagraph (D)—

(I) by striking ''major general,'' and inserting ''major general or''; and

(II) by striking ''or, in the case of the Space Force, the equivalent grade,''.

(3) ELIGIBILITY FOR CONSIDERATION FOR PROMOTION: TIME-IN-GRADE AND OTHER REQUIREMENTS.—Section 619(a) is amended by striking ''Marine Corps, or Space Force'' each place it appears and inserting ''or Marine Corps''.

(4) AUTHORITY TO VACATE PROMOTIONS TO GRADES OF BRIGADIER GENERAL AND REAR ADMIRAL (LOWER HALF).—Section 625(b) is amended—

(A) by striking ''Marine Corps, or Space Force'' and inserting ''or Marine Corps''; and

(B) by adding at the end the following new sentence: ''An officer of the Space Force whose promotion is vacated under this section holds the grade of colonel.''.

(5) ACCEPTANCE OF PROMOTIONS; OATH OF OFFICE.—Section 626 is amended by striking ''section 624'' both places it appears and inserting ''section 624 or 20241''.

(6) SPECIAL SELECTION REVIEW BOARD.—Section 628a is amended—

(A) in subsection (a)(1)(A)—

(i) by striking ''major general,'' and inserting ''major general or''; and

(ii) by striking '', or an equivalent grade in the Space Force'';

(B) in subsection (e)(2), by adding at the end the following new sentence: ''However, in the case of an officer on the Space Force officer list, the provisions of section 618 of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to report and proceedings of a promotion board convened under section 20211 of this title.''; and

(C) in subsection (f)(1), by adding at the end the following new sentence: ''However, if the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of an officer on the Space Force officer list who was referred to it for review under this section, and the President approves the report, the officer shall, as soon as practicable, be appointed to the grade in accordance with subsections (b) and (c) of section 20241 of this title.''.

(7) REMOVAL FROM LIST OF OFFICERS RECOMMENDED FOR PROMOTION.—Section 629 is amended—

(A) in subsection (b), by inserting ''or 20241(c)'' after ''section 624(c)''; and

(B) in subsection (c)—

(i) by inserting ''or 20241(a)'' after ''section 624(a)'' both places it appears; and

(ii) by inserting ''or 20241(c)'' after ''section 624(c)'' both places it appears.

(8) RETIREMENT FOR YEARS OF SERVICE.—

(A) LIEUTENANT COLONELS.—Section 633(a) is amended—

(i) by inserting ''(1)'' before ''Except as'';

(ii) by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

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

''(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of lieutenant colonel who is not on a list of officers recommended for promotion to the grade of colonel shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 28 years of active commissioned service.''.

(B) COLONELS.—Section 634(a) is amended—

(i) by inserting ''(1)'' before ''Except as'';

(ii) by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

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

''(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of colonel who is not on a list of officers recommended for promotion to the grade of brigadier general shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 30 years of active commissioned service.''.

(C) BRIGADIER GENERALS.—Section 635 is amended—

(i) by inserting ''(a) ARMY, NAVY, AIR FORCE, AND MARINE CORPS'' before ''Except as'';

(ii) by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

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

''(b) SPACE FORCE.—Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of brigadier general who is not on a list of officers recommended for promotion to the grade of major general shall, if not earlier retired, be retired as specified in subsection (a).''.

(D) OFFICERS IN GRADES ABOVE BRIGADIER GENERAL.—Section 636(a) is amended—

(i) by inserting ''(1)'' before ''Except as'';

(ii) by striking ''Regular Marine Corps, or Regular Space Force'' and inserting ''or Regular Marine Corps''; and

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

''(2) Except as provided in subsection (b) or (c) and under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of major general shall, if not earlier retired, be retired as specified in paragraph (1).''.

(E) SECTION HEADINGS.—

(i) The heading of section 633 is amended by striking ''**LIEUTENANT COLONELS AND**'' and inserting ''**AND SPACE FORCE LIEUTENANT COLONELS; REGULAR NAVY**''.

(ii) The heading of section 634 is amended by striking ''**COLONELS AND**'' and inserting ''**AND SPACE FORCE COLONELS; REGULAR**''.

(iii) The heading of section 635 is amended by striking ''**BRIGADIER GENERALS AND**'' and inserting ''**AND SPACE FORCE BRIGADIER GENERALS; REGULAR NAVY**''.

(iv) The heading of section 636 is amended by striking ''**OFFICERS IN GRADES ABOVE BRIGADIER GENERAL AND**'' and inserting ''**AND SPACE FORCE OFFICERS IN GRADES ABOVE BRIGADIER GENERAL; REGULAR NAVY OFFICERS IN GRADES ABOVE**''.

(c) MANAGEMENT POLICIES FOR JOINT QUALIFIED OFFICERS.—Section 661(a) of such title is amended—

(1) by striking ''Marine Corps, and Space Force'' and inserting ''and Marine Corps''; and

(2) by inserting '', and officers of the Space Force on the Space Force officer list,'' after ''active-duty list''.

(d) LEAVE.—Chapter 40 of such title is amended as follows:

(1) ENTITLEMENT AND ACCUMULATION.—Section 701 is amended—

(A) in subsection (h)—

(i) by inserting at the end of paragraph (2) the following new subparagraph:

''(D) A member of the Space Force in a Space Force active status on sustained duty or subject to a call or order to active duty for a period in excess of 12 months.''; and

(ii) in paragraphs (5)(B) and (6), by inserting '', or of the Space Force,'' after ''member of a reserve component''; and

(B) in subsection (i), by inserting '', or of the Space Force,'' after ''member of a reserve component''.

(2) PAYMENT UPON DISAPPROVAL OF CERTAIN BOARD OF INQUIRY RECOMMENDATIONS FOR EXCESS LEAVE REQUIRED TO BE TAKEN.—Section 707a(a)(1) is amended by inserting ''or 20503'' after ''section 1182(c)(2)''.

(3) CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS.—Section 710 is amended—

(A) in subsection (a), by inserting ''or of the Space Force'' after ''regular components'';

(B) in subsection (b)(2), by inserting '', or a Space Force officer in a Space Force active status not on active duty under section 20105(b) of this title,'' after ''officer'';

(C) in subsection (c)(1), by inserting before the period at the end the following: ''or, in the case of a member of the Space Force on sustained duty, to accept release from sustained duty orders and to serve in a Space Force active status''; and

(D) in subsection (g)(1)(A), by striking ''chapter 36 or 1405'' and inserting ''chapter 36, 1405, or 2005''.

(e) LIMITATION ON NUMBER OF OFFICERS WHO MAY BE FROCKED TO A HIGHER GRADE.—Section 777(d)(2) of such title is amended by inserting '', or for the Space Force, the Space Force officer list,'' after ''active-duty list''.

(f) UNIFORM CODE OF MILITARY JUSTICE.—Chapter 47 of such title (the Uniform Code of Military Justice), is amended as follows:

(1) PERSONS SUBJECT TO UCMJ.—Section 802 (article 2) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting ''and members of the Space Force on active duty under section 20105 of this title,'' after ''regular component of the armed forces,'';

(ii) in paragraph (3)(A)(i), by inserting ''or the Space Force'' after ''reserve component'';

(iii) in paragraph (5), by inserting '', or retired members of the Space Force who qualified for a non-regular retirement and are receiving retired pay,'' after ''a reserve component''; and

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

''(14) Retired members of the Space Force who qualified for a regular retirement under section 20603 of this title and are receiving retired pay.''; and

(B) in subsection (d)—

(i) in paragraph (1), by inserting ''or the Space Force'' after ''reserve component'';

(ii) in paragraph (2), by inserting ''or the Space Force'' after ''a reserve component''; and

(iii) in paragraph (4), by inserting ''or the Space Force'' after ''in a regular component of the armed forces''.

(2) JURISDICTION TO TRY CERTAIN PERSONNEL.—Subsection (d) of section 803 (article 3) is amended by inserting, ''or the Space Force'' after ''reserve component''.

(3) ARTICLES TO BE EXPLAINED.—Section 937 (article 137) is amended—

(A) in subsection (a)(1)—

(i) by striking ''or'' at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

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

''(C) the member's initial entrance on active duty or into a Space Force active status.'';

(B) in subsection (a)(2)—

(i) by striking ''and'' at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

''(B) after a member of Space Force has completed six months of sustained duty or in the case of a member not on sustained duty, after the member has completed basic or recruit training; and'';

(C) in subsection (b)(1)(B), by inserting ''or the Space Force'' after ''in a reserve component''; and

(D) in subsection (d)(1), by striking ''or to a member of a reserve component,'' and inserting '', to a member of a reserve component, or to a member of the Space Force,''.

(g) RESTRICTION ON PERFORMANCE OF CIVIL FUNCTIONS BY OFFICERS ON ACTIVE DUTY.—Section 973(b)(1) of such title 10 is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

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

''(D) to an officer on the Space Force officer list serving on active duty under section 20105(b) of this title or under a call or order to active duty for a period in excess of 270 days.''.

(h) USE OF COMMISSARY STORES AND MWR RETAIL FACILITIES.—Section 1063 of such title is amended—

(1) in subsection (c)—

(A) in the heading, by inserting ''AND SPACE FORCE'' after ''RESERVE''; and

(B) by inserting ''or the Space Force'' after ''reserve component'';

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(3) by inserting after subsection (c) the following new subsection (d):

''(d) MEMBERS OF THE SPACE FORCE.—A member of the Space Force in a Space Force active status who is not on sustained duty shall be permitted to use commissary stores and MWR retail facilities under the same conditions as specified in subsection (a) for a member of the Selected Reserve.''; and

(4) in subsection (e), as redesignated by paragraph (2), by striking ''subsection (a) or (b)'' in paragraph (1) and inserting ''subsection (a), (b), or (d)''.

(i) MEMBERS INVOLUNTARY SEPARATED.—

(1) ELIGIBILITY FOR CERTAIN BENEFITS AND SERVICES.—Section 1141 of such title is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting a semicolon; and

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

''(5) in the case of an officer of the Space Force (other than a retired officer), the officer is involuntarily discharged or released from active duty under other than adverse conditions, as characterized by the Secretary of the Air Force; and

''(6) in the case of an enlisted member of the Space Force, the member is—

''(A) denied reenlistment; or

''(B) involuntarily discharged or released from active duty under other than adverse conditions, as characterized by the Secretary of the Air Force.''.

(2) SEPARATION PAY.—Section 1174(a)(2) of such title is amended by striking '', Marine

Corps, or Space Force'' both places it appears and inserting ''or Marine Corps''.

(j) BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Chapter 79 of such title is amended as follows:

(1) REVIEW OF ACTIONS OF SELECTION BOARDS AND CORRECTION OF MILITARY RECORDS.—Section 1558 is amended—

(A) inserting '', or the Space Force,'' after ''reserve component'' each place it appears; and

(B) in subsection (b)—

(i) in paragraph (1)(C), by striking ''section 628 or 14502'' and inserting ''section 628, 14502, or 20252'';

(ii) in paragraph (2)(A), by striking ''or 14705'' and inserting ''14507, or 20403''; and

(iii) in paragraph (2)(B)(i), by striking ''or 14101(a)'' and inserting ''14101(a), or 20211''.

(2) TITLE OF AIR FORCE SERVICE REVIEW AGENCY.—

(A) Sections 1555(c)(3) and 1557(f)(3) are amended by inserting ''the Department of'' after ''Air Force,''.

(B) Section 1556(a) is amended by inserting ''the Department of'' after ''the Army Review Boards Agency,''.

(C) Section 1559(c)(3) is amended by inserting ''the Department of'' after ''Air Force,''.

(k) MILITARY FAMILY PROGRAMS.—Chapter 88 of such title is amended as follows:

(1) MEMBERS OF DEPARTMENT OF DEFENSE MILITARY READINESS COUNCIL.—Section 1781a(b)(1)(B)(iii) is amended—

(A) by striking ''member and'' and inserting ''member,''; and

(B) by inserting '', and one of whom shall be the spouse or parent of a member of the Space Force'' after ''parent of a reserve component member''.

(2) DEPARTMENT OF DEFENSE POLICY AND PLANS FOR MILITARY FAMILY READINESS.—Section 1781b is amended—

(A) in subsection (b)(3), by striking ''military families of members of the regular components and military families of members of the reserve components'' and inserting ''military families of members of the regular components, the reserve components, and the Space Force''; and

(B) in subsection (c)(2)—

(i) by striking ''both''; and

(ii) by striking ''military families of members of the regular components and military families of members of the reserve components'' and inserting ''military families of members of the regular components, members of the reserve components, and members of the Space Force''.

(l) TRAINING AND EDUCATION PROGRAMS.—

(1) PAYMENT OF TUITION FOR OFF-DUTY TRAINING OR EDUCATION.—Section 2007 of such title is amended by adding at the end the following new subsection:

''(g) The provisions of this section pertaining to members of the Ready Reserve, the Selected Reserve, or the Individual Ready Reserve also apply to members of the Space Force in a Space Force active status who are not on active duty.''.

(2) ROTC FINANCIAL ASSISTANT PROGRAM FOR SPECIALLY SELECTED MEMBERS.—Section 2107 of such title is amended—

(A) in subsection (a)—

(i) by striking ''Navy,'' and inserting ''Navy or''; and

(ii) by striking ''Marine Corps, or as an officer in the equivalent grade in the Space Force'' and inserting ''or Marine Corps''; and

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

''(k) APPLICABILITY TO SPACE FORCE.—(1) Provisions of this section referring to a regular commission, regular officer, or a commission in a regular component shall be treated as also referring to the commission of an officer, or an officer, who is a commissioned officer in the Space Force serving on active duty pursuant to section 20105(b) of this title.

''(2) Provisions of this section referring to a reserve commission, reserve officer, or a commission in a reserve component shall be treated as also referring to the commission of an officer, or an officer, who is a commissioned officer in the Space Force not serving on active duty pursuant to section 20105(b) of this title.''.

(3) DUTY AS ROTC ADMINISTRATORS AND INSTRUCTORS.—Section 2111 of such title is amended by adding at the end the following new sentence: ''The Secretary of the Air Force may detail members of the Space Force in the same manner as regular and reserve members of the Air Force.''.

SEC. 1733. TITLE 38, UNITED STATES CODE (VETERANS' BENEFITS).

(a) DEFINITIONS.—

(1) GENERAL DEFINITIONS.—Section 101 of title 38, United States Code, is amended—

(A) in paragraph (23), by inserting '', or for members of the Space Force in a Space Force active status (as defined in section 101(e)(1) of title 10),'' after ''(including commissioned officers of the Reserve Corps of the Public Health Service)'' both places it appears; and

(B) in paragraph (27)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (E), (F), and (G), respectively.

(2) DEFINITIONS FOR PURPOSES OF SGLI.—Section 1965 of such title is amended—

(A) in paragraph (2)(A), by inserting '', or by members of the Space Force in a Space Force active status (as defined in section 101(e)(1) of title 10) but not on sustained duty under section 20105 of title 10,'' after ''for Reserves''; and

(B) in paragraph (3)(A), by inserting '', or for members of the Space Force in a Space Force active status (as defined in section 101(e)(1) of title 10),'' after ''(including commissioned officers of the Reserve Corps of the Public Health Service)''.

(b) PERSONS ELIGIBLE FOR INTERMENT IN NATIONAL CEMETERIES.—Section 2402(a) of such title is amended in paragraph (2), by inserting ''any member of the Space Force,'' after ''a Reserve component of the Armed Forces,''.

(c) EDUCATIONAL ASSISTANCE.—

(1) MONTGOMERY GI BILL.—Section 3011(a)(3)(D) of such title is amended by inserting ''or for further service in the Space Force in a Space Force active status not on sustained duty under section 20105 of title 10'' after ''of the Armed Forces,''.

(2) POST 9-11 GI BILL.—Section 3311(c)(3) of such title is amended by inserting '', or for further service in the Space Force in a Space Force active status not on sustained duty under section 20105 of title 10,'' after ''of the Armed Forces'' the second place it appears.

Subtitle C—Transition Provisions

SEC. 1741. TRANSITION PERIOD.

In this subtitle, the term ''transition period'' means the period beginning on the date of the enactment of this Act and ending on the last day of the fourth fiscal year beginning after the date of the enactment of this Act.

SEC. 1742. CHANGE OF DUTY STATUS OF MEMBERS OF THE SPACE FORCE.

(a) CHANGE OF DUTY STATUS.—

(1) CONVERSION OF STATUS AND ORDER TO SUSTAINED DUTY.—During the transition period, the Secretary of the Air Force shall change the duty status of each member of the Regular Space Force to Space Force active status and shall, at the same time, order the member to sustained duty under section 20105 of title 10, United States Code, as added by section 1715 of this Act. Any such order may be made without regard to any otherwise applicable requirement that such an order be made only with the consent of the member or as specified in an enlistment agreement or active-duty service commitment.

(2) DEFINITIONS.—For purposes of this section, the terms ''Space Force active status'' and ''sustained duty'' have the meanings given those terms by subsection (e) of section 101 of title 10, United States Code, as added by section 1713(a).

(b) EFFECTIVE DATE OF CHANGE OF DUTY STATUS.—The change of a member's duty status and order to sustained duty in accordance with subsection (a) shall be effective on the date specified by the Secretary of the Air Force, but not later than the last day of the transition period.

SEC. 1743. TRANSFER TO THE SPACE FORCE OF MEMBERS OF THE AIR FORCE RESERVE AND THE AIR NATIONAL GUARD.

(a) TRANSFER OF MEMBERS OF THE AIR FORCE RESERVE.—

(1) OFFICERS.—During the transition period, the Secretary of Defense may, with the officer's consent, transfer a covered officer of the Air Force Reserve or the Air National Guard to, and appoint the officer in, the Space Force.

(2) ENLISTED MEMBERS.—During the transition period, the Secretary of the Air Force may transfer each covered enlisted member of the Air Force Reserve or the Air National Guard to the Space Force, other than those members who do not consent to the transfer.

(3) EFFECTIVE DATE OF TRANSFERS.—Each transfer under this subsection shall be effective on the date specified by the Secretary of Defense, in the case of an officer, or the Secretary of the Air Force, in the case of an enlisted member, but not later than the last day of the transition period.

(b) REGULATIONS.—Transfers under subsection (a) shall be carried out under regulations prescribed by the Secretary of Defense. In the case of an officer, applicable regulations shall include those prescribed pursuant to section 716 of title 10, United States Code.

(c) TERM OF INITIAL ENLISTMENT IN SPACE FORCE.—In the case of a covered enlisted member who is transferred to the Space Force in accordance with subsection (a), the Secretary of the Air Force may accept the initial enlistment of the member in the Space Force for a period of less than 2 years, but only if the period of enlistment in the Space Force is not less than the period remaining, as of the date of the transfer, in the member's term of enlistment in the Air Force Reserve.

(d) END STRENGTH ADJUSTMENTS UPON TRANSFERS FROM AIR FORCE RESERVE OR AIR NATIONAL GUARD TO SPACE FORCE.—During the transition period, upon the transfer of a mission of the Air Force Reserve or the Air National Guard to the Space Force—

(1) the end strength authorized for the Space Force pursuant to section 115(a)(1)(A) of title 10, United States Code, for the fiscal year during which the transfer occurs shall be increased by the number of billets associated with that mission; and

(2) the end strength authorized for the Air Force Reserve and the Air National Guard pursuant to section 115(a)(2) of such title for such fiscal year shall be decreased by the same number.

(e) ADMINISTRATIVE PROVISIONS.—For purposes of the transfer of covered members of the Air Force Reserve in accordance with subsection (a)—

(1) the Air Force Reserve, the Air National Guard, and the Space Force shall be considered to be components of the same Armed Force; and

(2) the Space Force officer list shall be considered to be an active-duty list of an Armed Force.

(f) RETRAINING AND REASSIGNMENT FOR MEMBERS NOT TRANSFERRING.—If a covered member of the Air Force Reserve or the Air National Guard does not consent to transfer to the Space Force in accordance with subsection (a), the Secretary of the Air Force may, as determined appropriate by the Secretary in the case of the individual member, provide the member retraining and reassignment within the Air Force Reserve.

(g) COVERED MEMBERS.—For purposes of this section, the term ''covered'', with respect to a member of the Air Force Reserve or the Air National Guard, means—

(1) a member who as of the date of the enactment of this Act holds an Air Force specialty code for a specialty held by members of the Space Force; and

(2) any other member designated by the Secretary of the Air Force for the purposes of this section.

SEC. 1744. PLACEMENT OF OFFICERS ON THE SPACE FORCE OFFICER LIST.

(a) PLACEMENT ON LIST.—Officers of the Space Force whose duty status is changed in accordance with section 1742, and officers of the Air Force Reserve or the Air National Guard who transfer to the Space Force in accordance with section 1743, shall be placed on the Space Force officer list in an order determined by their respective grades and dates of rank.

(b) OFFICERS OF SAME GRADE AND DATE OF RANK.—Among officers of the same grade and date of rank, placement on the Space Force officer list shall be in the order of their rank as determined in accordance with section 741(c) of title 10, United States Code.

SEC. 1745. DISESTABLISHMENT OF REGULAR SPACE FORCE.

(a) DISESTABLISHMENT.—The Secretary of the Air Force shall disestablish the Regular Space Force not later than the end of the transition period, once there are no longer any members remaining in the Regular Space Force. The Regular Space Force shall be disestablished upon the completion of the change of duty status of all members of the Space Force pursuant to section 1742 and certification by the Secretary of the Air Force to the congressional defense committees that there are no longer any members of the Regular Space Force.

(b) PUBLICATION OF NOTICE IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice of the disestablishment of the Regular Space Force, including the date thereof, together with any certification submitted pursuant to subsection (a).

(c) CONFORMING REPEAL.—

(1) REPEAL.—Section 9085 of title 10, United States Code, relating to the composition of the Regular Space Force, is repealed.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the date on which the certification is submitted under subsection (a).

SEC. 1746. END STRENGTH FLEXIBILITY.

(a) ADDITIONAL AUTHORITY TO VARY END STRENGTHS.—

(1) AUTHORITY.—Notwithstanding section 115(g) of title 10, United States Code, upon determination by the Secretary of the Air Force that such action would enhance manning and readiness in essential units or in critical specialties, the Secretary may vary the end strength authorized by Congress for a fiscal year as follows:

(A) Increase the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.

(B) Decrease the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(2) TERMINATION.—The authority provided under paragraph (1) shall terminate on the last day of the transition period.

(b) TEMPORARY EXEMPTION FOR THE SPACE FORCE FROM END STRENGTH GRADE RESTRICTIONS.—Sections 517 and 523 of title 10, United States Code, shall not apply to the Space Force during the transition period.

SEC. 1747. PROMOTION AUTHORITY FLEXIBILITY.

(a) PROMOTION AUTHORITY FLEXIBILITY.—During the transition period, the Secretary of the Air Force may convene selection boards to consider officers on the Space Force officer list for promotion, and may promote Space Force officers selected by such boards, in accordance with any of the following provisions of title 10, United States Code:

(1) Chapter 36.

(2) Part III of subtitle E.

(3) Chapter 2005, as added by section 1716.

(b) COORDINATION OF PROVISIONS.—(1) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with chapter 36 of such title—

(A) provisions that apply to an officer of a regular component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the Space Force officer list shall be considered to be an active-duty list.

(2) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with part III of subtitle E of such title—

(A) provisions that apply to an officer of a reserve component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the Space Force officer list shall be considered to be a reserve active-status list.

(3) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with either chapter 36 or part III of subtitle E of such title—

(A) section 20213 of such title, as added by section 1716 if this Act, shall apply to the composition of the selection board;

(B) the provisions of chapter 2005 of such title, as added by such section 1716, regarding officers on the Space Force officer list eligible to be considered for promotion to the grade of brigadier general or major general shall apply;

(C) section 20216 of such title, as so added, shall apply; and

(D) the provisions of chapter 36 or part III of subtitle E of such title, as the case may be, regarding failure of selection for promotion shall apply.

(c) EFFECT OF USING NEW CHAPTER 2005 AUTHORITIES.—If the Secretary of the Air Force convenes a selection board under chapter 2005 of title 10, United States Code, as added by section 1716, to consider officers on the Space Force officer list in a particular grade and competitive category for selection for promotion to the next higher grade, the Secretary may not convene a future selection board pursuant to subsection (a) to consider officers of the same grade and competitive category under chapter 36 or part III of subtitle E of such title.

Subtitle D—Other Amendments Related to the Space Force

SEC. 1751. TITLE 10, UNITED STATES CODE.

(a) AMENDMENTS RELATING TO THE DESIGNATION OF GRADES FOR SPACE FORCE OFFICERS.—Title 10, United States Code, is amended as follows:

(1) COMMISSIONED OFFICER GRADES.—Section 9151 is amended by inserting ''and in the Space Force'' after ''in the Regular Air Force''.

(2) RANK.—Section 741(a) is amended in the table by striking ''and Marine Corps'' and inserting ''Marine Corps, and Space Force''.

(3) DEFINITION OF GENERAL OFFICER.—Section 101(b)(4) is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(4) TEMPORARY APPOINTMENTS TO POSITIONS DESIGNATED TO CARRY THE GRADE OF GENERAL OR LIEUTENANT GENERAL.—Section 601(e) is amended—

(A) by striking ''or Marine Corps,'' and inserting ''Marine Corps, or Space Force or''; and

(B) by striking ''or the commensurate grades in the Space Force,''.

(5) RETIRED GRADE OF OFFICERS.—Section 1370 is amended as follows:

(A) Subsection (a)(2) is amended by striking ''rear admiral in the Navy, or the equivalent grade in the Space Force'' both places it appears and inserting ''or rear admiral in the Navy''.

(B) Subsection (b) is amended —

(i) in paragraph (1)—

(I) by striking ''or Marine Corps'' and all that follows through ''the Space Force,'' and inserting ''Marine Corps, or Space Force or lieutenant in the Navy,''; and

(II) in subparagraph (B), by striking ''major general'' and all that follows through ''Space Force'' and inserting ''major general or rear admiral'';

(ii) in paragraph (4), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or captain in the Navy,'';

(iii) in paragraph (5)—

(I) in subparagraph (A), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or lieutenant commander in the Navy,'';

(II) in subparagraph (B), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or commander or captain in the Navy,''; and

(III) in subparagraph (C), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or rear admiral (lower half) or rear admiral in the Navy,''; and

(iv) in paragraph (6), by striking '', or an equivalent grade in the Space Force,''.

(C) Subsection (c)(1) is amended by striking ''or Marine Corps'' and all that follows through ''Space Force'' and inserting ''Marine Corps, or Space Force or vice admiral or admiral in the Navy''.

(D) Subsection (d) is amended—

(i) in paragraph (1), by striking ''or Marine Corps'' and all that follows through ''Space Force'' and inserting ''Marine Corps, or Space Force or rear admiral in the Navy''; and

(ii) in paragraph (3), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or captain in the Navy,''.

(E) Subsection (e)(2) is amended by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or vice admiral or admiral in the Navy,''.

(F) Subsection (f) is amended—

(i) in paragraph (3)—

(I) in subparagraph (A), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or rear admiral in the Navy''; and

(II) in subparagraph (B), by striking ''or Marine Corps'' and all that follows through ''Space Force'' and inserting ''Marine Corps,

or Space Force or vice admiral or admiral in the Navy''; and

(ii) in paragraph (6)—

(I) in subparagraph (A), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or rear admiral in the Navy''; and

(II) in subparagraph (B), by striking ''or Marine Corps'' and all that follows through ''Space Force,'' and inserting ''Marine Corps, or Space Force or vice admiral or admiral in the Navy''.

(6) HONORARY PROMOTIONS.—Sections 1563(c)(1) and 1563a(a)(1) are each amended—

(A) by striking ''general,'' and inserting ''general or''; and

(B) by striking '', or an equivalent grade in the Space Force''.

(7) AIR FORCE INSPECTOR GENERAL.—Section 9020(a) is amended by striking ''the general, flag, or equivalent officers of''.

(b) OTHER TITLE 10 AMENDMENTS.—Such title is further amended as follows:

(1) LIMITATION ON NUMBER OF RETIRED MEMBERS ORDERED TO ACTIVE DUTY.—Section 690(a) is amended by striking ''or Marine Corps,'' and inserting ''Marine Corps, or Space Force,''.

(2) THE UNIFORM.—Section 772(i) is amended—

(A) by striking ''an Air Force School'' and inserting ''an Air Force or Space Force school''; and

(B) by striking ''aviation badges of the Air Force'' and inserting ''aviation or space badges of the Air Force or Space Force''.

(3) MEMBERSHIP IN MILITARY UNIONS, ORGANIZING OF MILITARY UNIONS, AND RECOGNITION OF MILITARY UNIONS PROHIBITED.—Section 976(a)(1)(C) is amended by inserting ''or the Space Force'' after ''member of a Reserve component''.

(4) LIMITATION ON ENLISTED AIDES.—Section 981 is amended—

(A) in subsection (a), by striking ''Marine Corps, Air Force,'' and inserting ''Air Force, Marine Corps, Space Force,'';

(B) in subsection (b), by striking ''and Marine Corps'' and inserting ''Marine Corps, and Space Force''; and

(C) in subsection (c)(1), by inserting ''Space Force,'' after ''Marine Corps,''.

(5) DEFINITION OF VETERAN FOR PURPOSES OF FUNERAL HONORS.—Section 1491(h)(1) is amended by striking ''or air service'' and inserting ''air, or space service''.

(6) HOUSING FOR RECRUITS.—Section 9419(d) is amended by inserting ''or the Space Force'' after ''training program of the Air Force''.

(7) CHARTER OF CHIEF OF SPACE OPERATIONS.—Section 9082 is amended as follows:

(A) CROSS-REFERENCE CORRECTION.—Subsection (d)(5) is amended by striking ''sections'' and all that follows through ''of law'' and inserting ''sections 171 and 3104 of this title and other provisions of law''.

(B) ELAPSED-TIME PROVISION.—Subsection (e)(1) is amended by striking ''Commencing'' and all that follows through ''the Chief'' and inserting ''The Chief''.

SEC. 1752. OTHER PROVISIONS OF LAW.

(a) TRADE ACT OF 1974.—Section 233(i)(1) of the Trade Act of 1974 (19 U.S.C. 2293(i)(1)) is amended by inserting '', or a member of the Space Force,'' after ''a member of a reserve component of the Armed Forces''.

(b) TITLE 28, UNITED STATES CODE (JUDICIARY AND JUDICIAL PROCEDURE).—Section 631(c) of title 28, United States Code is amended by inserting '', members of the Space Force'' before '', and members of the Army National Guard''.

(c) SERVICEMEMBERS CIVIL RELIEF ACT.—The Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) is amended as follows:

(1) DEFINITION OF MILITARY SERVICE.—Section 101(2)(A) (50 U.S.C. 3911(2)(A)) is amended by inserting ''Space Force,'' after ''Marine Corps,''.

(2) SAME RIGHTS AND PROTECTIONS AS RESERVES ORDERED TO REPORT FOR MILITARY SERVICE.—Section 106 (50 U.S.C. 3917) is amended by adding at the end the following new subsection:

''(c) TREATMENT OF MEMBERS OF SPACE FORCE.—The provisions of subsection (a) apply to a member of the Space Force who is ordered to report for military service in the same manner as to a member of a reserve component who is ordered to report for military service.''.

(3) EXERCISE OF RIGHTS UNDER SCRA.—Section 108(5) (50 U.S.C. 3919(5)) is amended by inserting ''or as a member of the Space Force'' before the period at the end.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2024''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2026; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2027.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2026; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2027 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2023; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

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 in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Germany	Grafenwoehr	$10,400,000
	Hohenfels	$56,000,000

(c) PROTOTYPE PROJECT.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Army may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

Army Prototype Project

State	Installation	Amount
North Carolina	Fort Liberty	$85,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Baumholder	Family Housing New Construction	$78,746,000
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction	$98,600,000

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $100,000,000.

(c) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $27,549,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. EXTENSION OF AUTHORITY TO USE CASH PAYMENTS IN SPECIAL ACCOUNT FROM LAND CONVEYANCE, NATICK SOLDIER SYSTEMS CENTER, MASSACHUSETTS.

Section 2844(c)(2)(C) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1865) is amended by striking ''October 1, 2025'' and inserting ''October 1, 2027''.

SEC. 2105. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT KUNSAN AIR BASE, KOREA.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subsection (b), as provided in section 2101(b) of that Act (131 Stat. 1819) and extended and modified by subsections (a) and (b) of section 2106 of the Military Construction Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

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

SEC. 2106. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) ARMY CONSTRUCTION AND LAND ACQUISITION.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2101 of that Act (132 Stat. 2241), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Army: Extension of 2019 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Korea	Camp Tango	Command and Control Facility	$17,500,000

Army: Extension of 2019 Project Authorizations—Continued

State/Country	Installation or Location	Project	Original Authorized Amount
Maryland	Fort Meade	Cantonment Area Roads	$16,500,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—
(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2901 of that Act (132 Stat. 2286), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
(2) TABLE.—The table referred to in paragraph (1) is as follows:

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/Unload Apron.	$21,651,000

SEC. 2107. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) ARMY CONSTRUCTION AND LAND ACQUISITION.—
(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2101(a) of that Act (134 Stat. 4295), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
(2) TABLE.—The table referred to in paragraph (1) is as follows:

Army: Extension of 2021 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Arizona	Yuma Proving Ground	Ready Building	$14,000,000
Georgia	Fort Gillem	Forensic Lab	$71,000,000
Louisiana	Fort Johnson	Information Systems Facility	$25,000,000

(b) CHILD DEVELOPMENT CENTER, GEORGIA.—
(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization under section 2865 of that Act (10 U.S.C. 2802 note) for the project described in paragraph (2) in Fort Eisenhower, Georgia, shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
(2) PROJECT DESCRIBED.—The project described 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

Navy: Inside the United States—Continued

State	Installation or Location	Amount
.....	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 appropriations in section 2203(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonnier	$106,600,000
Italy	Naval Air Station Sigonella	$77,072,000

(c) PROTOTYPE PROJECT.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Navy may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

Navy Prototype Project

State	Installation	Amount
Virginia	Joint Expeditionary Base Little Creek - Fort Story	$35,000,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

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

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $57,740,000.

(c) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $14,370,000.

SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2201 of that Act (132 Stat. 2243), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Navy: Extension of 2019 Project Authorizations

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

(b) LAUREL BAY FIRE STATION, SOUTH CAROLINA.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of

Public Law 115–232; 132 Stat. 2240), the authorization under section 2810 of that Act (132 Stat. 2266) for the project described in paragraph (2) shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) PROJECT DESCRIBED.—The project described 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 Beaufort.	Laurel Bay Fire Station	$10,750,000

(c) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (132 Stat. 2286), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Navy: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Greece	Naval Support Activity Souda Bay.	EDI: Joint Mobility Processing Center	$41,650,000

SEC. 2205. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (134 Stat. 4297), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2021 Project Authorizations

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

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

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

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

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

(c) PROTOTYPE PROJECT.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects as specified in the funding table in section 4601, the Secretary of the Air Force may carry out a military construction project for the installation, and in the amount, set forth in the following table as a prototype project under the pilot program under section 4022(i) of title 10, United States Code, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code:

Air Force Prototype Project

State	Installation	Amount
Massachusetts	Hanscom Air Force Base	$37,000,000

SEC. 2302. FAMILY HOUSING.

(a) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $229,282,000.

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $7,815,000.

SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorizations set forth in the table in paragraph (2), as provided in section 2301(b) of that Act (130 Stat. 2697) and extended by section 2304 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–181; 135 Stat. 2169), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	37 AS Squadron Operations/Aircraft Maintenance Unit	$13,437,000
	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A-22	$2,700,000
Japan	Yokota Air Force Base	C-130J Corrosion Control Hangar	$23,777,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2688), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (130 Stat. 2743) and extended by section 2304 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–181; 135 Stat. 2169), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Spangdahlem Air Base	F/A-22 Low Observable/Composite Repair Facility	$12,000,000

SEC. 2305. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825) and extended by section 2304(a) of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Florida	Tyndall Air Force Base	Fire Station	$17,000,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—
(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2903 of that Act (131 Stat. 1876) and extended by section 2304(b) of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117-263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Hungary	Kecskemet Air Base	ERI: Airfield Upgrades	$12,900,000
	Kecskemet Air Base	ERI: Construct Parallel Taxiway	$30,000,000
	Kecskemet Air Base	ERI: Increase POL Storage Capacity	$12,500,000
Luxembourg	Sanem	ERI: ECAOS Deployable Airbase System Storage.	$67,400,000
Slovakia	Malacky	ERI: Airfield Upgrades	$4,000,000
	Malacky	ERI: Increase POL Storage Capacity	$20,000,000

SEC. 2306. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.—
(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2301 of that Act (132 Stat. 2246), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
Mariana Islands	Tinian	APR-Cargo Pad with Taxiway Extension.	$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 Facility	$85,000,000
	Kirtland Air Force Base	Wyoming Gate Upgrade for Anti-Terrorism Compliance	$7,000,000
United Kingdom	Royal Air Force Lakenheath	F-35 ADAL Conventional Munitions MX	$9,204,000
Utah	Hill Air Force Base	Composite Aircraft Antenna Calibration Fac.	$26,000,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—
(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2903 of that Act (132 Stat. 2287), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

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

SEC. 2307. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECT.—
(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization set forth in the table in paragraph (2), as provided in section 2301 of that Act (134 Stat. 4299), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.
(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Virginia	Joint Base Langley-Eustis	Access Control Point Main Gate with Lang Acq.	$19,500,00

(b) OVERSEAS CONTINGENCY OPERATIONS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2902 of that Act (134 Stat. 4373), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2021 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein	EDI: Rapid Airfield Damage Repair Storage	$36,345,000
	Spangdahlem Air Base	EDI: Rapid Airfield Damage Repair Storage	$25,824,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	$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
Washington	Joint Base Lewis – McChord	$62,000,000
	Manchester	$71,000,000
	Naval Undersea Warfare Center Keyport	$37,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
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

SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
California	Marine Corps Air Station Miramar	$30,550,000

ERCIP Projects: Inside the United States—Continued

State	Installation or Location	Amount
	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

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Korea	K–16 Air Base	$5,650,000
Kuwait	Camp Buehring	$18,850,000

(c) IMPROVEMENT OF CONVEYED UTILITY SYSTEMS.—In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

Improvement of Conveyed Utility Systems

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

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in subsection (b), as provided in section 2401(b) of that Act (131 Stat. 1829) and extended by section 2404 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

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

SEC. 2405. EXTENSION AND MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) EXTENSION.—

(1) IN GENERAL.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorizations set forth in the table in paragraph (2), as provided in section 2401(b) of that Act (132 Stat. 2249), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (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

(b) MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT IN BAUMHOLDER, GERMANY.—

(1) MODIFICATION OF PROJECT AUTHORITY.—In the case of the authorization contained in the table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2249) for Baumholder, Germany, for construction of a SOF Joint Parachute Rigging Facility, the Secretary of Defense may construct a 3,200 square meter facility.

(2) MODIFICATION OF PROJECT AMOUNTS.—

(A) DIVISION B TABLE.—The authorization table in section 2401(b) of the Military Construction Defense Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2249), as extended pursuant to subsection (a), is amended in the item relating to Baumholder, Germany, by striking ''$11,504,000'' and inserting ''$23,000,000'' to reflect the project modification made by paragraph (1).

(B) DIVISION D TABLE.—The funding table in section 4601 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2406) is amended in the item relating to Defense-wide, Baumholder, Germany, SOF Joint Parachute Rigging Facility, by striking ''$11,504'' in the Conference Authorized column and inserting ''$23,000'' to reflect the project modification made by paragraph (1).

SEC. 2406. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECT.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization set forth in the table in paragraph (2), as provided in section 2401(b) of that Act (134 Stat. 4305), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

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

(b) ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2402 of that Act (134 Stat. 4306), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) TABLE.—The table referred to in subsection (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
Virginia	Naval Medical Center Portsmouth	Retro Air Handling Units From Constant Volume; Reheat to Variable Air Volume	$611,000

SEC. 2407. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2022 PROJECTS.

In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Alabama	Fort Novosel	Construct a 10 MW RICE Generator Plant and Micro-Grid Controls

Improvement of Conveyed Utility Systems—Continued

State	Installation or Location	Project
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
North Carolina	Fort Liberty	Construct 10 MW Microgrid Utilizing Existing and New Generators
	Fort Liberty	Fort Liberty Emergency Water System

SEC. 2408. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2023 PROJECTS.

In the case of a utility system that is conveyed under section 2688 of title 10, United States Code, and that only provides utility services to a military installation, notwithstanding subchapters I and III of chapter 169 and chapters 221 and 223 of title 10, United States Code, the Secretary of Defense or the Secretary of a military department may authorize a contract with the conveyee of the utility system to carry out the military construction projects set forth in the following table:

Improvement of Conveyed Utility Systems

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

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

Subtitle B—Host Country In-kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp 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

SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Poland for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Poland, and in the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

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 Railhead	$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

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following 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
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
	McCrady Training Center	$7,900,000
Virginia	Sandston RC & FMS 1	$20,000,000
Wisconsin	Viroqua	$18,200,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
Alabama	Birmingham	$57,000,000
Arizona	Queen Creek	$12,000,000
California	Fort Hunter Liggett	$40,000,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, 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

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Montgomery Regional Airport	$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

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
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

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT HULMAN REGIONAL AIRPORT, INDIANA.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subsection (b), as provided in section 2604 of that Act (131 Stat. 1836) and extended by section 2608 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

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

SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT FRANCIS S. GABRESKI AIRPORT, NEW YORK.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in subsection (b), as provided in section 2604 of that Act (132 Stat. 2255), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2019 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
New York	Francis S. Gabreski Airport	Security Forces/Comm. Training Facility	$20,000,000

SEC. 2609. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2604 of that Act (134 Stat. 4312, 4313, 4314), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2021 Project Authorizations

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

National Guard and Reserve: Extension of 2021 Project Authorizations—Continued

State/Country	Installation or Location	Project	Original Authorized Amount
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

SEC. 2610. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2022 PROJECT AT NICKELL MEMORIAL ARMORY, KANSAS.

(a) TRANSFER AUTHORITY.—From amounts appropriated for ''Military Construction, Army National Guard'' pursuant to the authorization of appropriations in section 2606 and available as specified in the funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81, 135 Stat. 2315), the Secretary of Defense may transfer not more than $420,000 to an appropriation for ''Military Construction, Air National Guard'' for use for studying, planning, designing, and architect and engineer services for a sensitive compartmented information facility project at Nickell Memorial Armory, Kansas.

(b) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred under subsection (a) shall be merged with and available for the same purposes, and for the same time period, as the ''Military Construction, Air National Guard'' appropriation to which transferred.

(c) AUTHORITY.—Using amounts transferred pursuant to subsection (a), the Secretary of the Air Force may carry out study, planning, design, and architect and engineer services activities for a sensitive compartmented information facility project at Nickell Memorial Armory, Kansas.

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2023 PROJECT AT CAMP PENDLETON, CALIFORNIA.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263) and specified in the funding table in section 4601 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) for Camp Pendleton, California, for construction of an Area Maintenance Support Activity, the Secretary of the Army may construct a 15,000 square foot facility.

SEC. 2612. AUTHORITY TO CONDUCT RESTORATION AND MODERNIZATION PROJECTS AT THE FIRST CITY TROOP READINESS CENTER IN PHILADELPHIA, PENNSYLVANIA.

The Chief of the National Guard Bureau may expend amounts available to the Army National Guard for facilities sustainment, restoration, and modernization to conduct restoration and modernization projects at the First City Troop Readiness Center in Philadelphia, Pennsylvania, if—

(1) the Commonwealth of Pennsylvania has a sufficient remaining lease term for such center to realize the full lifecycle benefit of such a project;

(2) the Federal contribution for such a project does not exceed 50 percent of the cost of the project (inclusive of all project costs); and

(3) the Chief of the National Guard Bureau notifies the Committees on Armed Services of the Senate and the House of Representatives not less than 15 days before awarding a contract for such a project, which shall include an explanation of the sufficiency of remaining lease term to justify the investment.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2023, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act, as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

SEC. 2703. CLOSURE AND DISPOSAL OF THE PUEBLO CHEMICAL DEPOT, PUEBLO COUNTY, COLORADO.

(a) IN GENERAL.—The Secretary of the Army shall close the Pueblo Chemical Depot in Pueblo County, Colorado (in this section referred to as the ''Depot''), not later than one year after the completion of the chemical demilitarization mission at such location in accordance with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at Geneva September 3, 1992, and entered into force April 29, 1997 (commonly referred to as the ''Chemical Weapons Convention'').

(b) PROCEDURES.—The Secretary of the Army shall carry out the closure and subsequent related property management and disposal of the Depot, including the land, buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal property that comprise the Chemical Agent–Destruction Pilot Plant, in accordance with the procedures and authorities for the closure, management, and disposal of property under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(c) OFFICE OF LOCAL DEFENSE COMMUNITY COOPERATION ACTIVITIES.—The Office of Local Defense Community Cooperation of the Department of Defense may make grants and supplement other Federal funds pursuant to section 2391 of title 10, United States Code, to support closure and reuse activities of the Depot.

(d) TREATMENT OF EXISTING PERMITS.—Nothing in this section shall be construed to prevent the removal or demolition by the Program Executive Office, Assembled Chemical Weapons Alternatives of the Department of the Army of existing buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal property of the Chemical Agent–Destruction Pilot Plant at the Depot in accordance with Hazardous Waste Permit Number CO–20–09–02–01 under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) (commonly known as the ''Resource Conservation and Recovery Act of 1976'') issued by the State of Colorado, or any associated or follow-on permits under such Act.

(e) HOMELESS USE.—Given the nature of activities undertaken at the Chemical Agent–Destruction Pilot Plant at the Depot, such land, buildings, structures, infrastructure, and associated equipment, installed equipment, material, and personal property comprising the Chemical Agent–Destruction Pilot Plant is deemed unsuitable for homeless use and, in carrying out any closure, management, or disposal of property under this section, need not be screened for homeless use purposes pursuant to section 2905(b)(7) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. AUTHORITY FOR INDO-PACIFIC POSTURE MILITARY CONSTRUCTION PROJECTS.

(a) AUTHORITY.—The Commander of the United States Indo-Pacific Command (in this section referred to as the ''Commander'') may carry out an unspecified military construction project not otherwise authorized by law or may authorize the Secretary of a military department to carry out such a project.

(b) SCOPE OF PROJECT AUTHORITY.—A project carried out under this section may include any planning, designing, construction, development, conversion, extension, renovation, or repair, whether to satisfy temporary or permanent requirements, and, to the extent necessary, any acquisition of land.

(c) PURPOSES.—A project carried out under this section shall be for the purpose of—

(1) supporting the rotational deployments of the Armed Forces;

(2) enhancing facility preparedness and military installation resilience (as defined in section 101(e)(8) of title 10, United States Code) in support of potential, planned, or anticipated national defense activities; or

(3) providing for prepositioning and storage of equipment and supplies.

(d) LOCATION OF PROJECTS.—A project carried out under this section—

(1) may be located—

(A) at a cooperative security location, forward operating site, or contingency location for use by the Armed Forces; or

(B) at a location used by the Armed Forces that is owned or operated by Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands; and

(2) may be carried out without regard to whether the real property or facilities at the location are under the jurisdiction of the Department of Defense if the Commander determines that the United States has a sufficient interest in the property or facility to support the project.

(e) MAXIMUM AMOUNT.—The cost of any project carried out under this section may not exceed $15,000,000.

(f) AVAILABLE AMOUNTS.—In carrying out a project under this section, the Commander, or the Secretary of a military department when authorized by the Commander, may use amounts authorized for—

(1) the INDOPACOM Military Construction Pilot Program fund; and

(2) operation and maintenance that are made available to the Commander, not to exceed 200 percent of the amount specified in section 2805(c) of title 10, United States Code.

(g) NOTICE TO CONGRESS.—

(1) IN GENERAL.—If the Commander decides to carry out a project under this section with a cost exceeding $2,000,000, the Commander shall notify the congressional defense committees of that determination in an electronic medium pursuant to section 480 of title 10, United States Code.

(2) RELEVANT DETAILS.—Notice under paragraph (1) with respect to a project shall include relevant details of the project, including the estimated cost, and may include a classified annex.

(3) TIMING.—A project under this section covered by paragraph (1) may not be carried out until the end of the 14-day period beginning on the date the notification under such paragraph is received by the congressional defense committees.

(h) ANNUAL REPORT.—Not later than December 31 of each year, the Commander shall submit to the congressional defense committees a report containing a list of projects funded, lessons learned, and, subject to the concurrence of the President, recommended adjustments to the authority under this section for the most recently ended fiscal year.

(i) PROJECT EXECUTION.—

(1) PROJECT SUPERVISION.—Subsections (a) and (b) of section 2851 of title 10, United States Code, shall not apply to projects carried out under this section.

(2) APPLICATION OF CHAPTER 169 OF TITLE 10, UNITED STATES CODE.—When exercising the authority under subsection (a), the Commander shall, for purposes of chapter 169 of title 10, United States Code, be considered the Secretary concerned.

(j) SUNSET.—The authority to carry out a project under this section expires on March 31, 2029.

SEC. 2802. ORDERING AUTHORITY FOR MAINTENANCE, REPAIR, AND CONSTRUCTION OF FACILITIES OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2817. Ordering authority

''(a) IN GENERAL.—The head of a department or organization within the Department of Defense may place an order, on a reimbursable basis, with any other such department or organization for a project for the maintenance and repair of a facility of the Department of Defense or for a minor military construction project.

''(b) OBLIGATIONS.—An order placed by the head of a department or organization under subsection (a) is deemed to be an obligation of such department or organization in the same manner as a similar order or contract placed with a private contractor.

''(c) CONTINGENCY EXPENSES.—An order placed under subsection (a) for a project may include an amount for contingency expenses that shall not exceed 10 percent of the cost of the project.

''(d) AVAILABILITY OF AMOUNTS.—Amounts appropriated or otherwise made available to a department or organization of the Department of Defense shall be available to pay an obligation of such department or organization under this section in the same manner and to the same extent as those amounts are available to pay an obligation to a private contractor.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''2817. Ordering authority.''.

SEC. 2803. APPLICATION OF AREA CONSTRUCTION COST INDICES OUTSIDE THE UNITED STATES.

Section 2805(f) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''inside the United States'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 2804. AUTHORIZATION OF COST-PLUS INCENTIVE-FEE CONTRACTING FOR MILITARY CONSTRUCTION PROJECTS TO MITIGATE RISK TO THE SENTINEL PROGRAM SCHEDULE AND COST.

(a) IN GENERAL.—Notwithstanding section 3323(a) of title 10, United States Code, the Secretary of Defense may authorize the use of contracts using cost-plus incentive-fee contracting for military construction projects associated with launch facilities, launch centers, and related infrastructure of the Sentinel Program of the Department of Defense for not more than one low-rate initial production lot at each of the following locations:

(1) F.E. Warren Air Force Base.

(2) Malmstrom Air Force Base.

(3) Minot Air Force Base.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than quarterly thereafter, the Secretary of Defense shall brief the congressional defense committees on the following:

(1) Uncertainties with site conditions at locations specified under subsection (a).

(2) The plan of the Department of Defense to transition to firm, fixed price contracts for military construction following any military construction projects carried out under subsection (a).

(3) The acquisition process for military construction projects carried out under subsection (a).

(4) Updates on the execution of military construction projects carried out under subsection (a).

SEC. 2805. EXTENSIONS TO THE MILITARY LANDS WITHDRAWAL ACT RELATING TO BARRY M. GOLDWATER RANGE.

(a) RENEWAL OF CURRENT WITHDRAWAL AND RESERVATION.—Section 3031(d)(1) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 907) is amended by striking ''25 years after the date of the enactment of this Act'' and inserting ''on October 5, 2049''.

(b) EXTENSION.—Section 3031(e) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 908) is amended—

(1) in the subsection heading, by striking ''INITIAL''; and

(2) in paragraph (1), by striking ''initial''.

SEC. 2806. AUTHORITY TO LEASE LAND PARCEL FOR HOSPITAL AND MEDICAL CAMPUS, BARRIGADA TRANSMITTER SITE, GUAM.

(a) NO-COST LEASE AUTHORIZED.—The Secretary of the Navy (in this section referred to as the ''Secretary'') may lease to the Government of Guam parcels of real property, including any improvements thereon, consisting of approximately 102 acres of undeveloped land and approximately 10.877 acres of utility easements in the municipality of Barrigada and Mangilao, Guam, known as the Barrigada Transmitter Site, for construction of a public hospital and medical campus, without fair market consideration.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be leased under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(c) APPRAISAL NOT REQUIRED.—The lease under subsection (a) shall not require an appraisal.

(d) CONDITIONS OF LEASE.—

(1) SUBJECT TO CERTAIN EXISTING ENCUMBRANCES.—A lease of property under subsection (a) shall be subject to all existing easements, restrictions, and covenants of record, including restrictive covenants, that the Secretary determines are necessary to ensure that—

(A) the use of the property is compatible with continued military activities by the Armed Forces of the United States in Guam;

(B) the environmental condition of the property is compatible with the use of the property as a public hospital and medical campus;

(C) access is available to the United States to conduct environmental remediation or monitoring as required under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h));

(D) the property is used only for a public hospital and medical campus, which may include ancillary facilities to support the hospital and campus, or as set forth in subsection (e); and

(E) the public hospital and medical campus to be constructed on the property shall—

(i) include—

(I) an MV–22-capable helipad;

(II) recompression chamber capability; and

(III) perimeter fencing; and

(ii) allow for the relocation of weather radar equipment owned by the United States at the hospital or campus.

(2) FUNDING.—The Secretary is not required to fund the construction or operation of a hospital or medical campus on the property leased under subsection (a).

(3) PAYMENT OF ADMINISTRATIVE COSTS.—All direct and indirect administrative costs, including for surveys, title work, document drafting, closing, and labor, incurred by the Secretary related to any lease of the property under subsection (a) shall be borne by the Government of Guam.

(e) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) NOT TO BE CONSIDERED EXCESS, TRANSFERRED, OR DISPOSED OF.—The property subject to any lease under subsection (a) may not be declared to be excess real property to the needs of the Navy or transferred or otherwise disposed of by the Navy or any Federal agency.

SEC. 2807. REVISION TO ACCESS AND MANAGEMENT OF AIR FORCE MEMORIAL.

Section 2863(e) of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1332), is amended by striking ''the Foundation'' and inserting ''non-Federal Government entities, the Secretary of the Air Force, or both''.

SEC. 2808. DEVELOPMENT AND OPERATION OF THE MARINE CORPS HERITAGE CENTER AND THE NATIONAL MUSEUM OF THE MARINE CORPS.

(a) IN GENERAL.—Chapter 861 of title 10, United States Code, is amended by inserting after section 8617 the following new section:

"§ 8618. Marine Corps Heritage Center and the National Museum of the Marine Corps

''(a) JOINT VENTURE FOR DEVELOPMENT AND CONTINUED MAINTENANCE AND OPERATION.—

The Secretary of the Navy (in this section referred to as the 'Secretary') may enter into a joint venture with the Marine Corps Heritage Foundation (in this section referred to as the 'Foundation'), a nonprofit entity, for the design, construction, maintenance, and operation of a multipurpose facility to be used for historical displays for public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities consistent with the mission of the Marine Corps University. The facility shall be known as the Marine Corps Heritage Center and the National Museum of the Marine Corps (in this section referred to as the 'Facility').

''(b) DESIGN AND CONSTRUCTION.—For each phase of development of the Facility, the Secretary may—

''(1) permit the Foundation to contract for the design, construction, or both of such phase of development; or

''(2) accept funds from the Foundation for the design, construction, or both of such phase of development.

''(c) ACCEPTANCE AUTHORITY.—Upon completion of construction of any phase of development of the Facility by the Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Foundation, the Facility shall become the real property of the Department of the Navy with all right, title, and interest in and to the Facility belonging to the United States.

''(d) MAINTENANCE, OPERATION, AND SUPPORT.—

''(1) IN GENERAL.—The Secretary may, for the purpose of maintenance and operation of the Facility—

''(A) enter into contracts or cooperative agreements, on a sole-source basis, with the Foundation for the procurement of property or services for the direct benefit or use of the Facility; and

''(B) notwithstanding the requirements of subsection (h) of section 2667 of this title and under such terms and conditions as the Secretary considers appropriate for the joint venture authorized under subsection (a), lease in accordance with such section 2667 portions of the Facility to the Foundation for use in generating revenue for activities of the Facility and for such administrative purposes as may be necessary for support of the Facility.

''(2) CONSIDERATION FOR LEASE.—In making a determination of fair market value under section 2667(b)(4) of this title for payment of consideration pursuant to a lease described in paragraph (1)(B), the Secretary may consider the entirety of the educational efforts of the Foundation, support by the Foundation to the history division of the Marine Corps Heritage Center, funding of museum programs and exhibits by the Foundation, or other support related to the Facility, in addition to the types of in-kind consideration provided under section 2667(c) of this title.

''(3) USE FOR REVENUE-GENERATING ACTIVITIES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may authorize the Foundation to use real or personal property within the Facility to conduct revenue-generating activities in addition to those authorized under paragraph (1)(B), as the Secretary considers appropriate considering the work of the Foundation and the needs of the Facility.

''(B) LIMITATION.—The Secretary may only authorize the use of the Facility for a revenue-generating activity if the Secretary determines the activity will not interfere with activities and personnel of the armed forces or the activities of the Facility.

''(4) RETENTION OF LEASE PAYMENTS.—The Secretary shall retain lease payments received under paragraph (1)(B), other than in-kind consideration authorized under paragraph (2) or section 2667(c) of this title, solely for use in support of the Facility, and funds received as lease payments shall remain available until expended.

''(e) USE OF CERTAIN GIFTS.—

''(1) IN GENERAL.—Under regulations prescribed by the Secretary, the Commandant of the Marine Corps may, without regard to section 2601 of this title, accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property of a value of $250,000 or less made to the United States if such gift, devise, or bequest is for the benefit of the Facility.

''(2) EXPENSES.—The Secretary may pay or authorize the payment of any reasonable and necessary expense in connection with the conveyance or transfer of a gift, devise, or bequest under paragraph (1).

''(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the joint venture authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 861 of such title is amended by inserting after the item relating to section 8617 the following new item:

''8618. Marine Corps Heritage Center and the National Museum of the Marine Corps.''.

(c) CONFORMING REPEAL.—Section 2884 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 114 Stat. 1654A–440) is repealed.

SEC. 2809. AUTHORITY FOR ACQUISITION OF REAL PROPERTY INTEREST IN PARK LAND OWNED BY THE COMMONWEALTH OF VIRGINIA.

(a) AUTHORITY.—The Secretary of the Navy (in this section referred to as the ''Secretary'') may acquire by purchase or lease approximately 225 square feet of land, including ingress and egress, at Westmoreland State Park, Virginia, for the purpose of installing, operating, maintaining, and protecting equipment to support research and development activities by the Department of the Navy in support of national security.

(b) TERMS AND CONDITIONS.—The acquisition of property under subsection (a) shall be subject to the following terms and conditions:

(1) The Secretary shall pay the Commonwealth of Virginia fair market value for the property to be acquired, as determined by the Secretary.

(2) Such other terms and conditions as considered appropriate by the Secretary.

(c) DESCRIPTION OF PROPERTY.—The legal description of the property to be acquired under subsection (a) shall be determined by a survey that is satisfactory to the Secretary and the Commonwealth of Virginia.

(d) APPLICABILITY OF THE LAND AND WATER CONSERVATION FUND ACT.—The provisions of chapter 2003 of title 54, United States Code, shall not apply to the acquisition of property under subsection (a).

(e) REIMBURSEMENT.—The Secretary shall reimburse the Commonwealth of Virginia for the reasonable and documented administrative costs incurred by the Commonwealth of Virginia to execute the acquisition by the Secretary of property under subsection (a).

(f) TERMINATION OF REAL PROPERTY INTEREST.—The real property interest acquired by the Secretary under subsection (a) shall terminate, and be released without cost to the Commonwealth of Virginia, when the Secretary determines such real property interest is no longer required for national security purposes.

SEC. 2810. MOVEMENT OR CONSOLIDATION OF JOINT SPECTRUM CENTER TO FORT MEADE, MARYLAND, OR ANOTHER APPROPRIATE LOCATION.

(a) LEAVING CURRENT LOCATION.—Not later than September 30, 2026, the Secretary of Defense shall completely vacate the offices of the Joint Spectrum Center of the Department of Defense in Annapolis, Maryland.

(b) MOVEMENT OR CONSOLIDATION.—The Secretary shall take appropriate action to move, consolidate, or both, the offices of the Joint Spectrum Center to the headquarters building of the Defense Information Systems Agency at Fort Meade, Maryland, or another appropriate location chosen by the Secretary for national security purposes to ensure the physical and cybersecurity protection of personnel and missions of the Department of Defense.

(c) STATUS UPDATE.—Not later than January 31 and July 31 of each year until the Secretary has completed the requirements under subsections (a) and (b), the Commander of the Defense Information Systems Agency shall provide an in-person and written update on the status of the completion of those requirements to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of Maryland.

(d) TERMINATION OF EXISTING LEASE.—Upon vacating the offices of the Joint Spectrum Center in Annapolis, Maryland, pursuant to subsection (a), all right, title, and interest of the United States in and to the existing lease for the Joint Spectrum Center in such location shall be terminated.

(e) REPEAL OF OBSOLETE AUTHORITY.—Section 2887 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 569) is repealed.

SEC. 2811. TEMPORARY EXPANSION OF AUTHORITY FOR USE OF ONE-STEP TURNKEY SELECTION PROCEDURES FOR REPAIR PROJECTS.

During the five-year period beginning on the date of the enactment of this Act, section 2862(a)(2) of title 10, United States Code, shall be applied and administered by substituting ''$12,000,000'' for ''$4,000,000''.

SEC. 2812. MODIFICATION OF TEMPORARY INCREASE OF AMOUNTS IN CONNECTION WITH AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION.

(a) IN GENERAL.—Section 2801 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) in subsection (b)(2), by substituting '$4,000,000' for '$2,000,000';''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply as if included in the enactment of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263).

SEC. 2813. PILOT PROGRAM ON REPLACEMENT OF SUBSTANDARD ENLISTED BARRACKS.

(a) IN GENERAL.—The Secretary concerned may, in accordance with this section, carry out a pilot program under which the Secretary concerned may replace an existing enlisted barracks with a new enlisted barracks not otherwise authorized by law.

(b) FACILITY REQUIREMENTS.—A new facility for an enlisted barracks replaced under subsection (a)—

(1) may not have a greater personnel capacity than the facility being replaced but may be physically larger than the facility being replaced;

(2) must be replacing a facility that is in a substandard condition, as determined by the Secretary concerned, and which determination may not be delegated, in advance of project approval;

(3) must be designed and utilized for the same purpose as the facility being replaced;

(4) must be located on the same installation as the facility being replaced; and

(5) must be designed to meet, at a minimum, current standards for construction, utilization, and force protection.

(c) SOURCE OF FUNDS.—The Secretary concerned, in using the authority under this section, may spend amounts available to the Secretary concerned for operation and maintenance or unspecified military construction.

(d) CONGRESSIONAL NOTIFICATION.—When a decision is made to carry out a replacement project under this section with an estimated cost in excess of $10,000,000, the Secretary concerned shall submit, in an electronic medium pursuant to section 480 of title 10, United States Code, to the appropriate committees of Congress a report containing—

(1) the justification for the replacement project and the current estimate of the cost of the project; and

(2) a description of the elements of military construction, including the elements specified in section 2802(b) of such title, incorporated into the project.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS; FACILITY; SECRETARY CONCERNED.—The terms ''appropriate committees of Congress'', ''facility'', and ''Secretary concerned'' have the meanings given those terms in section 2801 of title 10, United States Code.

(2) ENLISTED BARRACKS.—The term ''enlisted barracks'' means barracks designed and utilized for housing enlisted personnel of the Armed Forces.

(3) PERSONNEL CAPACITY.—The term ''personnel capacity'', with respect to an enlisted barracks, means the design capacity for the number of enlisted personnel housed in the enlisted barracks.

(4) SUBSTANDARD CONDITION.—The term ''substandard condition'', with respect to a facility, means the facility can no longer meet the requirements of current standards without repair that would cost more than 75 percent of the replacement cost.

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

SEC. 2814. EXPANSION OF DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM TO INCLUDE INSTALLATIONS OF THE COAST GUARD.

Section 2391 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1)(B), in the matter preceding clause (i), by inserting '', in consultation with the Commandant of the Coast Guard,'' after ''The Secretary''; and

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

''(5) In considering grants, agreements, or other funding under paragraph (1)(A) with respect to community infrastructure supportive of a military installation of the Coast Guard, the Secretary of Defense shall consult with the Commandant of the Coast Guard to assess the selection and prioritization of the project concerned.''; and

(2) in subsection (e)(1), by adding at the end the following new sentence: ''For purposes of subsection (d), the term 'military installation' includes an installation of the Coast Guard under the jurisdiction of the Department of Homeland Security.''.

SEC. 2815. MODIFICATION OF PILOT PROGRAM ON INCREASED USE OF SUSTAINABLE BUILDING MATERIALS IN MILITARY CONSTRUCTION.

Section 2861 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2802 note) is amended—

(1) in subsection (b)(1), by striking the period at the end and inserting ''to include, under the pilot program as a whole, at a minimum—

''(A) one project for mass timber; and

''(B) one project for low carbon concrete.'';

(2) in subsection (d), by striking ''September 30, 2024'' and inserting ''September 30, 2025'';

(3) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(4) by inserting after subsection (d) the following new subsection (e):

''(e) COMMENCEMENT OF CONSTRUCTION.—Each military construction project carried out under the pilot program must commence construction by not later than January 1, 2025.''; and

(5) in subsection (f)(1), as redesignated by paragraph (3), by striking ''December 31, 2024'' and inserting ''December 31, 2025''.

Subtitle B—Military Housing

PART I—MILITARY UNACCOMPANIED HOUSING

SEC. 2821. UNIFORM CONDITION INDEX FOR MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations requiring the Assistant Secretary of Defense for Energy, Installations, and Environment to complete and issue a uniform facility condition index for military unaccompanied housing, including such housing that is existing as of the date of the enactment of this Act and any such housing constructed or used on or after such date of enactment.

(b) COMPLETION OF INDEX.—The uniform facility condition index required under subsection (a) shall be completed and issued by not later than October 1, 2024.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2822. CERTIFICATION OF HABITABILITY OF MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—The Secretary of Defense shall include with the submission to Congress by the President of the annual budget of the Department of Defense under section 1105(a) of title 31, United States Code, a certification from the Secretary of each military department to the congressional defense committees that the cost for all needed repairs and improvements for each occupied military unaccompanied housing facility under the jurisdiction of such Secretary does not exceed 20 percent of the replacement cost of such facility, as mandated by Department of Defense Manual 4165.63, ''DoD Housing Management'', or successor issuance.

(b) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2823. MAINTENANCE WORK ORDER MANAGEMENT PROCESS FOR MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to establish for each military department a process associated with maintenance work order management for military unaccompanied housing under the jurisdiction of such military department, including such housing that is existing as of the date of the enactment of this Act and any such housing constructed or used on or after such date of enactment.

(b) USE OF PROCESS.—The processes required under subsection (a) shall clearly define requirements for effective and timely maintenance work order management, including requirements with respect to—

(1) quality assurance for maintenance completed;

(2) communication of maintenance progress and resolution with management of military unaccompanied housing, barracks managers, and residents; and

(3) standardized performance metrics, such as the timeliness of completion of work orders.

(c) ADMINISTRATION.—The Secretary of each military department shall administer the work order process required under subsection (a) for such military department and shall issue or update relevant guidance as necessary.

(d) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2824. EXPANSION OF UNIFORM CODE OF BASIC STANDARDS FOR MILITARY HOUSING TO INCLUDE MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Section 2818 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2871 note) is amended—

(1) in the section heading, by striking ''**FAMILY**''; and

(2) in subsection (a)—

(A) by striking ''family''; and

(B) by inserting '', including military unaccompanied housing (as defined in section 2871 of title 10, United States Code)'' before the period at the end.

(b) IMPLEMENTATION.—

(1) IN GENERAL.—In implementing the amendments made by subsection (a), the Secretary of Defense shall ensure that the standards required under section 2818 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2871 note), as modified pursuant to those amendments, apply to military unaccompanied housing that is existing as of the date of the enactment of this Act and any such housing constructed or used on or after such date of enactment.

(2) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this subsection, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(A) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(B) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2825. OVERSIGHT OF MILITARY UNACCOMPANIED HOUSING.

(a) CIVILIAN OVERSIGHT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to require that the Secretary of each military department establish a civilian employee of the Department of Defense, or of the military department concerned, at the housing office for each installation of the Department under the jurisdiction of such Secretary to oversee military unaccompanied housing at that installation.

(2) SUPERVISORY CHAIN.—For any installation of the Department for which the unaccompanied housing manager is a member of the Armed Forces, the civilian employee established under paragraph (1) at such installation shall report to a civilian employee at the housing office for such installation.

(b) BARRACKS OR DORMITORY MANAGER REQUIREMENTS.—

(1) LIMITATION ON ROLE BY MEMBERS OF THE ARMED FORCES.—No enlisted member of the Armed Forces or commissioned officer may be designated as a barracks manager or supervisor in charge of overseeing, managing, accepting, or compiling maintenance records for any military unaccompanied housing as a collateral duty.

(2) POSITION DESIGNATION.—The function of a barracks manager or supervisor described in paragraph (1) for an installation of the Department shall be completed by a civilian employee or contractor of the Department who shall report to the government housing office of the installation.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2826. ELIMINATION OF FLEXIBILITIES FOR ADEQUACY OR CONSTRUCTION STANDARDS FOR MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall modify all directives, instructions, manuals, regulations, policies, and other guidance and issuances of the Department of Defense to eliminate the grant of any flexibilities to—

(1) minimum adequacy standards for configuration, privacy, condition, health, and safety for existing permanent party military unaccompanied housing to be considered suitable for assignment or occupancy; and

(2) standards for the construction of new military unaccompanied housing.

(b) MATTERS INCLUDED.—The requirement under subsection (a) shall include modifications that remove the flexibility provided to the military departments with respect to standards for adequacy for assignment and new construction standards for military unaccompanied housing, including modification of the Housing Management Manual of the Department of Defense and Department of Defense Manual 4165.63, ''DoD Housing Management''.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2827. DESIGN STANDARDS FOR MILITARY UNACCOMPANIED HOUSING.

(a) UNIFORM STANDARDS FOR FLOOR SPACE, NUMBER OF MEMBERS ALLOWED, AND HABITABILITY.—

(1) IN GENERAL.—Section 2856 of title 10, United States Code, is amended—

(A) in the section heading, by striking ''**local comparability of floor areas**'' and inserting ''**standards**'';

(B) by striking ''In'' and inserting ''(a) LOCAL COMPARABILITY IN FLOOR AREAS.—In'';

(C) in subsection (a), as designated by subparagraph (B), by inserting '', except for purposes of meeting minimum area requirements under subsection (b)(1)(A),'' after ''exceed''; and

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

''(b) FLOOR SPACE, NUMBER OF MEMBERS ALLOWED, AND HABITABILITY.—

''(1) IN GENERAL.—In the design, assignment, and use of military unaccompanied housing, the Secretary of Defense shall establish uniform standards that—

''(A) provide a minimum area of floor space, not including bathrooms or closets, per individual occupying a unit of military unaccompanied housing;

''(B) ensure that not more than two individuals may occupy such a unit; and

''(C) provide definitions and measures for habitability, specifying criteria of design and materiel quality to be applied and levels of maintenance to be required.

''(2) WAIVER.—Standards established under paragraph (1) may be waived for specific units of military unaccompanied housing by the Secretary concerned (who may not delegate such waiver) for a period not longer than one year and may not be renewed.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of title 10, United States Code, is amended by striking the item relating to section 2856 and inserting the following new item:

''2856. Military unaccompanied housing: standards.''.

(b) COMPLETION AND ISSUANCE OF UNIFORM STANDARDS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1)(A) ensure that the uniform standards required under section 2856(b)(1) of title 10, United States Code, as added by subsection (a)(1)(D), are completed and issued; and

(B) submit to the congressional defense committees a copy of those standards; or

(2) submit to the congressional defense committees a report, under the Secretary's signature—

(A) explaining in detail why those standards are not completed and issued;

(B) indicating when those standards are expected to be completed and issued; and

(C) specifying the names of the personnel responsible for the failure of the Department of Defense to comply with paragraph (1).

(c) COMPLIANCE WITH UNIFORM STANDARDS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of each military department shall ensure that all military unaccompanied housing, including privatized military housing under subchapter IV of chapter 169 of title 10, United States Code, located on an installation under the jurisdiction of such Secretary complies with the uniform standards established under section 2856(b)(1) of title 10, United States Code, as added by subsection (a)(1)(D).

(2) NO WAIVER.—The requirement under paragraph (1) may not be waived.

(3) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this subsection, the term ''military unaccompanied housing'' has the meaning given that term in section 2871 of title 10, United States Code.

(d) CERTIFICATION OF BUDGET REQUIREMENTS.—The Under Secretary of Defense (Comptroller) shall include with the submission to Congress by the President of the annual budget of the Department of Defense for each of fiscal years 2025 through 2029 under section 1105(a) of title 31, United States Code, a signed certification that the Department of Defense and each of the military departments has requested sufficient funds to comply with this section and the amendments made by this section.

SEC. 2828. TERMINATION OF HABITABILITY STANDARD WAIVERS AND ASSESSMENT AND PLAN WITH RESPECT TO MILITARY UNACCOMPANIED HOUSING.

(a) TERMINATION OF HABITABILITY STANDARD WAIVERS.—On and after February 1, 2025, any waiver by the Department of Defense of habitability standards for military unaccompanied housing in effect as of such date shall terminate.

(b) ASSESSMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of each military department, shall submit to the congressional defense committees an assessment on the following:

(1) The number of waivers currently in place for any standards for military unaccompanied housing as it relates to occupancy and habitability, disaggregated by Armed Force, location, and facility.

(2) A list of each such waiver, disaggregated by Armed Force, with a notation of which official appointed by the President and confirmed by the Senate approved the waiver.

(3) The number of members of the Armed Forces impacted by each such waiver, disaggregated by location.

(c) PLAN.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of each military department, shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the Comptroller General of the United States a plan on addressing the deficiencies of military unaccompanied housing, including barracks and dormitories, that led to the use of waivers described in subsection (b)(1).

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

(A) a timeline for repairs, renovations, or minor or major military construction;

(B) the cost of any such repair, renovation, or construction; and

(C) an installation-by-installation get-well plan.

(3) IMPLEMENTATION.—Not later than 60 days after receiving the plan required under paragraph (1), the Comptroller General shall brief the Committees on Armed Services of the Senate and the House of Representatives on—

(A) the ability of the Department of Defense to execute the plan; and

(B) any recommendations of the Comptroller General for modifying the plan.

(d) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military

unaccompanied housing'' means the following housing owned by the United States Government:

(1) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(2) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2829. REQUIREMENT FOR SECURITY CAMERAS IN COMMON AREAS AND ENTRY POINTS OF MILITARY UNACCOMPANIED HOUSING.

(a) NEW HOUSING.—The Secretary of Defense shall ensure that all renovations of military unaccompanied housing authorized on or after the date of the enactment of this Act that exceed 20 percent of the replacement cost of such facility and all construction of new military unaccompanied housing authorized on or after such date are designed and executed with security cameras in all common areas and entry points as part of a closed circuit television system.

(b) RETROFITTING.—Not later than three years after the date of the enactment of this Act, the Secretary shall ensure that all military unaccompanied housing facilities are retrofitted with security cameras in all common areas and entry points as part of a closed circuit television system.

(c) DEFINITIONS.—In this section:

(1) COMMON AREA.—The term ''common area'' has the meaning given that term by the Secretary of Defense and shall balance the need to increase security in appropriate areas with the privacy expectations of members of the Armed Forces in military unaccompanied housing.

(2) MILITARY UNACCOMPANIED HOUSING.—The term ''military unaccompanied housing'' means the following housing owned by the United States Government:

(A) Military housing intended to be occupied by members of the Armed Forces serving a tour of duty unaccompanied by dependents.

(B) Transient housing intended to be occupied by members of the Armed Forces on temporary duty.

SEC. 2830. ANNUAL REPORT ON MILITARY UNACCOMPANIED HOUSING.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the following four years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on military unaccompanied housing, excluding privatized military housing under subchapter IV of chapter 169 of title 10, United States Code.

(b) ELEMENTS.—Each report required under subsection (a) shall contain a section provided by each Secretary of a military department that—

(1) is certified by the Secretary concerned;

(2) includes a list of all military unaccompanied housing facilities located on each installation under the jurisdiction of the Secretary concerned;

(3) identifies the replacement cost for each such facility;

(4) identifies the percentage of repair costs as it compares to the total replacement cost for each such facility; and

(5) specifies the funding required to conduct all needed repairs and improvements at each such facility.

(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—In this section, the term ''military unaccompanied housing'' has the meaning given that term in section 2871 of title 10, United States Code.

PART II—PRIVATIZED MILITARY HOUSING

SEC. 2841. IMPROVEMENTS TO PRIVATIZED MILITARY HOUSING.

(a) LIMITATION ON HOUSING ENHANCEMENT PAYMENTS.—Section 606(a)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232;10 U.S.C. 2871 note) is amended—

(1) in subparagraph (A)—

(A) by striking ''Each month'' and inserting ''Except as provided in subparagraph (D), each month''; and

(B) by striking ''one of more'' and inserting ''one or more''; and

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

''(D) LIMITATION ON PAYMENT.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of a military department may not make a payment under subparagraph (A) to a lessor unless the Assistant Secretary of Defense for Energy, Installations, and Environment determines the lessor is in compliance with the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of title 10, United States Code.

''(ii) APPLICATION.—The limitation under clause (i) shall apply to any payment under a housing agreement entered into on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 by the Secretary of a military department with a lessor.''.

(b) INCLUSION OF INFORMATION ON COMPLIANCE WITH TENANT BILL OF RIGHTS IN NOTICE OF LEASE EXTENSION.—Section 2878(f)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) An assessment of compliance by the lessor with the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of this title.''.

(c) MODIFICATION OF AUTHORITY TO INVESTIGATE REPRISALS.—Subsection (e) of section 2890 of such title is amended—

(1) in paragraph (1)—

(A) by striking ''Assistant Secretary of Defense for Sustainment'' and inserting ''Inspector General of the Department of Defense''; and

(B) by striking ''member of the armed forces'' and inserting ''tenant'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''Assistant Secretary of Defense for Sustainment'' and inserting ''Inspector General'';

(ii) by striking ''member of the armed forces'' and inserting ''tenant''; and

(iii) by striking ''Assistant Secretary'' and inserting ''Inspector General''; and

(B) in subparagraph (B), by striking ''Assistant Secretary'' and inserting ''Inspector General''; and

(3) in paragraph (3)—

(A) by striking ''Assistant Secretary of Defense for Sustainment'' and inserting ''Inspector General of the Department of Defense''; and

(B) by striking ''Secretary of the military department concerned'' and inserting ''Inspector General of the military department concerned''.

SEC. 2842. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS RELATING TO STRENGTHENING OVERSIGHT OF PRIVATIZED MILITARY HOUSING.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) implement the recommendations of the Comptroller General of the United States contained in the report published by the Comptroller General on April 6, 2023, reissued with revisions on April 20, 2023, and titled ''DOD Can Further Strengthen Oversight of Its Privatized Housing Program'' (GAO–23–105377); or

(2) if the Secretary does not implement any such recommendation, submit to the Committees on Armed Services of the Senate and the House of Representatives a report explaining why the Secretary has not implemented those recommendations.

SEC. 2843. TREATMENT OF NONDISCLOSURE AGREEMENTS WITH RESPECT TO PRIVATIZED MILITARY HOUSING.

Section 2890(f)(1) of title 10, United States Code, is amended—

(1) by striking ''A tenant or prospective tenant of a housing unit may not be required to sign'' and inserting ''A landlord may not request that a tenant or prospective tenant of a housing unit sign''; and

(2) by inserting at the end the following: ''The military services should seek to inform members of the armed forces of the possible consequences of entering into a nondisclosure agreement and encourage members to seek legal counsel before entering into such an agreement if they have questions about specific contractual terms.''.

PART III—OTHER HOUSING MATTERS

SEC. 2851. DEPARTMENT OF DEFENSE MILITARY HOUSING READINESS COUNCIL.

(a) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1781c the following new section:

''§ 1781d. Department of Defense Military Housing Readiness Council

''(a) IN GENERAL.—There is in the Department of Defense the Department of Defense Military Housing Readiness Council (in this section referred to as the 'Council').

''(b) MEMBERS.—

''(1) IN GENERAL.—The Council shall be composed of the following members:

''(A) The Assistant Secretary of Defense for Energy, Installations, and Environment, who shall serve as chair of the Council and who may designate a representative to chair the Council in the absence of the Assistant Secretary.

''(B) One representative of each of the Army, Navy, Air Force, Marine Corps, and Space Force, each of whom shall be a member of the armed force to be represented and not fewer than two of which shall be from an enlisted component.

''(C) One spouse of a member of each of the Army, Navy, Air Force, Marine Corps, and Space Force on active duty, not fewer than two of which shall be the spouse of an enlisted member.

''(D) One professional from each of the following fields, each of whom shall possess expertise in State and Federal housing standards in their respective field:

''(i) Plumbing.

''(ii) Electrical.

''(iii) Heating, ventilation, and air conditioning (HVAC).

''(iv) Certified home inspection.

''(v) Roofing.

''(vi) Structural engineering.

''(vii) Window fall prevention and safety.

''(E) Two representatives of organizations that advocate on behalf of military families with respect to military housing.

''(F) One individual appointed by the Secretary of Defense among representatives of the International Code Council.

''(G) One individual appointed by the Secretary of Defense among representatives of the Institute of Inspection Cleaning and Restoration Certification.

''(H) One individual appointed by the Secretary of Defense among representatives of a voluntary consensus standards body that develops construction standards (such as building, plumbing, mechanical, or electrical).

''(I) One individual appointed by the Secretary of Defense among representatives of a voluntary consensus standards body that develops personnel certification standards for building maintenance or restoration.

''(2) TERMS.—The term on the Council of the members specified under subparagraphs (B) through (M) of paragraph (1) shall be two years and may be renewed by the Secretary of Defense.

''(3) ATTENDANCE BY LANDLORDS.—The chair of the Council shall extend an invitation to each landlord for one representative of each landlord to attend such meetings of the Council as the chair considers appropriate.

''(4) ADDITIONAL REQUIREMENTS FOR CERTAIN MEMBERS.—Each member appointed under paragraph (1)(D) may not be affiliated with—

''(A) any organization that provides privatized military housing; or

''(B) the Department of Defense.

''(c) MEETINGS.—The Council shall meet two times each year.

''(d) DUTIES.—The duties of the Council shall include the following:

''(1) To review and make recommendations to the Secretary of Defense regarding policies for privatized military housing, including inspections practices, resident surveys, landlord payment of medical bills for residents of housing units that have not maintained minimum standards of habitability, and access to maintenance work order systems.

''(2) To monitor compliance by the Department of Defense with and effective implementation by the Department of statutory and regulatory improvements to policies for privatized military housing, including the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of this title and the complaint database established under section 2894a of this title.

''(3) To make recommendations to the Secretary of Defense to improve collaboration, awareness, and promotion of accurate and timely information about privatized military housing, accommodations available through the Exceptional Family Member Program of the Department, and other support services among policymakers, providers of such accommodations and other support services, and targeted beneficiaries of such accommodations and other support services.

''(e) PUBLIC REPORTING.—

''(1) AVAILABILITY OF DOCUMENTS.—Subject to section 552 of title 5 (commonly known as the 'Freedom of Information Act'), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, and other documents made available to or prepared for or by the Council shall be available for public inspection and copying at a single location in a publicly accessible format on a website of the Department of Defense until the Council ceases to exist.

''(2) MINUTES.—

''(A) IN GENERAL.—Detailed minutes of each meeting of the Council shall be kept and shall contain—

''(i) a record of the individuals present;

''(ii) a complete and accurate description of matters discussed and conclusions reached; and

''(iii) copies of all reports received, issued, or approved by the Council.

''(B) CERTIFICATION.—The chair of the Council shall certify the accuracy of the minutes of each meeting of the Council.

''(f) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than March 1 each year, the Council shall submit to the Secretary of Defense and the congressional defense committees a report on privatized military housing readiness.

''(2) ELEMENTS.—Each report under this subsection shall include the following:

''(A) An assessment of the adequacy and effectiveness of the provision of privatized military housing and the activities of the Department of Defense in meeting the needs of military families relating to housing during the preceding fiscal year.

''(B) A description of activities of the Council during the preceding fiscal year, including—

''(i) analyses of complaints of tenants of housing units;

''(ii) data received by the Council on maintenance response time and completion of maintenance requests relating to housing units;

''(iii) assessments of dispute resolution processes;

''(iv) assessments of overall customer service for tenants;

''(v) assessments of results of housing inspections conducted with and without notice; and

''(vi) any survey results conducted on behalf of or received by the Council.

''(C) Recommendations on actions to be taken to improve the capability of the provision of privatized military housing and the activities of the Department of Defense to meet the needs and requirements of military families relating to housing, including actions relating to the allocation of funding and other resources.

''(3) PUBLIC AVAILABILITY.—Each report under this subsection shall be made available in a publicly accessible format on a website of the Department of Defense.

''(g) DEFINITIONS.—In this section:

''(1) LANDLORD.—The term 'landlord' has the meaning given that term in section 2871 of this title.

''(2) PRIVATIZED MILITARY HOUSING.—The term 'privatized military housing' means housing provided under subchapter IV of chapter 169 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1781c the following new item:

''1781d. Department of Defense Military Housing Readiness Council.''.

SEC. 2852. INCLUSION IN ANNUAL STATUS OF FORCES SURVEY OF QUESTIONS REGARDING LIVING CONDITIONS OF MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall include in each status of forces survey of the Department of Defense conducted on or after the date of the enactment of this Act questions specifically targeting the following areas:

(1) Overall satisfaction of members of the Armed Forces with their current living accommodation.

(2) Satisfaction of such members with the physical condition of their current living accommodation.

(3) Satisfaction of such members with the affordability of their current living accommodation.

(4) Whether the current living accommodation of such members has impacted any decision related to reenlistment in the Armed Forces.

Subtitle C—Land Conveyances

SEC. 2861. LAND CONVEYANCE, BG J SUMNER JONES ARMY RESERVE CENTER, WHEELING, WEST VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey to the City of Wheeling, West Virginia (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 3.33 acres, known as the former BG J Sumner Jones Army Reserve Center, located within the City, for the purpose of providing emergency management response or law enforcement services.

(2) CONTINUATION OF EXISTING EASEMENTS, RESTRICTIONS, AND COVENANTS.—The conveyance of the property under paragraph (1) shall be subject to any easement, restriction, or covenant of record applicable to the property and in existence on the date of the enactment of this Act.

(b) REVISIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property, including any improvements thereto, may, at the option of the Secretary, revert to and become the property of the United States, and the United States may have the right of immediate entry onto such property.

(2) DETERMINATION.—A determination by the Secretary under paragraph (1) may be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including costs for environmental and real estate due diligence and any other administrative costs related to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If amounts are collected from the City under paragraph (1) in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the City.

(d) LIMITATION ON SOURCE OF FUNDS.—The City may not use Federal funds to cover any portion of the costs required to be paid by the City under this section.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2862. LAND CONVEYANCE, WETZEL COUNTY MEMORIAL ARMY RESERVE CENTER, NEW MARTINSVILLE, WEST VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey to the City of New Martinsville, West Virginia (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 2.96 acres, known as the former Wetzel County Memorial Army Reserve Center, located within the City, for the purpose of providing emergency management response or law enforcement services.

(2) CONTINUATION OF EXISTING EASEMENTS, RESTRICTIONS, AND COVENANTS.—The conveyance of the property under paragraph (1) shall be subject to any easement, restriction, or covenant of record applicable to the property and in existence on the date of the enactment of this Act.

(b) REVISIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property, including any improvements thereto, may, at the option of the Secretary, revert to and become the property of the United States, and the United States may have the right of immediate entry onto such property.

(2) DETERMINATION.—A determination by the Secretary under paragraph (1) may be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including costs for environmental and real estate due diligence and any other administrative costs related to the conveyance.

(2) REFUND OF EXCESS AMOUNTS.—If amounts are collected from the City under paragraph (1) in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the City.

(d) LIMITATION ON SOURCE OF FUNDS.—The City may not use Federal funds to cover any portion of the costs required to be paid by the City under this section.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Subtitle D—Other Matters

SEC. 2871. AUTHORITY TO CONDUCT ENERGY RESILIENCE AND CONSERVATION PROJECTS AT INSTALLATIONS WHERE NON-DEPARTMENT OF DEFENSE FUNDED ENERGY PROJECTS HAVE OCCURRED.

Subsection (k) of section 2688 of title 10, United States Codes, is amended to read as follows:

''(k) IMPROVEMENT OF CONVEYED UTILITY SYSTEM.—(1) In the case of a utility system that has been conveyed under this section and that only provides utility services to a military installation, the Secretary of Defense or the Secretary of a military department may authorize a contract on a sole source basis with the conveyee of the utility system to carry out a military construction project as authorized and appropriated for by law for an infrastructure improvement that enhances the reliability, resilience, efficiency, physical security, or cybersecurity of the utility system.

''(2) The Secretary of Defense or the Secretary of a military Department may convey under subsection (j) any infrastructure constructed under paragraph (1) that is in addition to the utility system conveyed under such paragraph.''.

SEC. 2872. LIMITATION ON AUTHORITY TO MODIFY OR RESTRICT PUBLIC ACCESS TO GREENBURY POINT CONSERVATION AREA AT NAVAL SUPPORT ACTIVITY ANNAPOLIS, MARYLAND.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of the Navy may not modify or restrict public access to the Greenbury Point Conservation Area at Naval Support Activity Annapolis, Maryland, until—

(1) the Secretary submits to Congress a report describing the manner in which such access will be modified or restricted; and

(2) a law is enacted permitting such modifications or restrictions.

(b) EXCEPTIONS.—Subsection (a) shall not apply to—

(1) temporary restrictions to protect public safety that are necessitated by emergent situations, hazardous conditions, maintenance of existing facilities, or live fire exercises; or

(2) the lease or transfer of the Greenbury Point Conservation Area to another public entity.

SEC. 2873. AUTHORIZATION FOR THE SECRETARY OF THE NAVY TO RESOLVE THE ELECTRICAL UTILITY OPERATIONS AT FORMER NAVAL AIR STATION BARBERS POINT (CURRENTLY KNOWN AS "KALAELOA"), HAWAII.

(a) IN GENERAL.—The Secretary of the Navy (in this section referred to as the ''Secretary'') may enter into an agreement with the State of Hawaii for the purpose of resolving the electrical utility operations at Former Naval Air Station Barbers Point, also known as ''Kalaeloa'', Hawaii.

(b) ELEMENTS OF AGREEMENT.—An agreement entered into under subsection (a) shall include a requirement that the Secretary—

(1) assist with—

(A) the transfer of customers of the Navy off of the electrical utility system of the Navy in the location specified in such subsection; and

(B) the enhancement of the new surrounding electrical system to accept any additional load from such transfer, with a priority in the downtown area, which is home to nine large customers, including the Hawaii Army National Guard;

(2) provide the instantaneous peak demand analysis and design necessary to conduct such transfer;

(3) provide rights of way and easements necessary to support the construction of replacement electrical infrastructure; and

(4) be responsible for all environmental assessments and remediation and costs related to the removal and disposal of the electrical utility system of the Navy once it is no longer in use.

(c) LIMITATION ON EXPENDITURE OF AMOUNTS.—The Secretary may expend not more than $48,000,000 during any fiscal year to provide support for an agreement entered into under subsection (a).

(d) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the Secretary shall submit to the congressional defense committees a report on progress made in initiating and executing an agreement under subsection (a).

SEC. 2874. CLARIFICATION OF OTHER TRANSACTION AUTHORITY FOR INSTALLATION OR FACILITY PROTOTYPING.

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

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''; and'' and inserting a period;

(B) by striking subparagraph (B); and

(C) by striking ''paragraph (1)'' and all that follows through ''not more'' and inserting ''paragraph (1), except for projects carried out for the purpose of repairing a facility, not more'';

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

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

''(3) USE OF AMOUNTS.—The Secretary of Defense or the Secretary of a military department may carry out prototype projects under the pilot program established under paragraph (1) using amounts available for military construction, notwithstanding—

''(A) subchapters I and III of chapter 169 of this title; and

''(B) chapters 221 and 223 of this title.''.

SEC. 2875. REQUIREMENT THAT DEPARTMENT OF DEFENSE INCLUDE MILITARY INSTALLATION RESILIENCE IN REAL PROPERTY MANAGEMENT AND INSTALLATION MASTER PLANNING OF DEPARTMENT.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) update Department of Defense Instruction 4165.70 (relating to real property management) and Unified Facilities Criteria 2–100–01 (relating to installation master planning) to—

(A) include a requirement to incorporate the impact of military installation resilience in all installation master plans;

(B) include a list of all sources of information approved by the Department of Defense;

(C) define the 17 military installation resilience hazards to ensure that the impacts from such hazards are reported consistently across the Department;

(D) require military installations to address the rationale for determining that any such hazard is not applicable to the installation;

(E) standardize reporting formats for military installation resilience plans;

(F) establish and define standardized risk rating categories for the use by all military departments; and

(G) define criteria for determining the level of risk to an installation to compare hazards between military departments; and

(2) require the Secretary of each military department to update the handbook for the military department concerned to incorporate the requirements under paragraph (1).

SEC. 2876. INCREASE OF LIMITATION ON FEE FOR ARCHITECTURAL AND ENGINEERING SERVICES PROCURED BY MILITARY DEPARTMENTS.

(a) ARMY.—Section 7540(b) of title 10, United States Code, is amended by striking ''6 percent'' and inserting ''10 percent''.

(b) NAVY.—Section 8612(b) of such title is amended by striking ''6 percent'' and inserting ''10 percent''.

(c) AIR FORCE.—Section 9540(b) of such title is amended by striking ''6 percent'' and inserting ''10 percent''.

SEC. 2877. REQUIREMENT THAT ALL MATERIAL TYPES BE CONSIDERED FOR DESIGN-BID-BUILD MILITARY CONSTRUCTION PROJECTS.

(a) IN GENERAL.—The Secretary concerned may not proceed from the design phase of a design-bid-build military construction project or solicit bids for the construction phase of a design-bid-build military construction project until the Secretary of Defense certifies that all materials included in the Unified Facilities Criteria of the Department of Defense have been equally considered for such project.

(b) ANNUAL REPORT.—Not later than January 1 of each year, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report—

(1) detailing the primary construction material for each design-bid-build military construction project for which a contract was awarded during the previous fiscal year in an amount that exceeds $6,000,000; and

(2) identifying whether each such project was designed or constructed based off a shelf design used at another installation of the Department of Defense.

(c) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SEC. 2878. CONTINUING EDUCATION CURRICULUM FOR MEMBERS OF THE MILITARY CONSTRUCTION PLANNING AND DESIGN WORKFORCE AND ACQUISITION WORKFORCE OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall establish a continuing education curriculum for members of the military construction planning and design workforce of the Department of Defense and the acquisition workforce of the Department responsible for military construction projects.

(b) CURRICULUM.—The continuing education curriculum required under subsection (a)—

(1) shall be focused on improving the understanding, awareness, and utilization of innovative products for construction systems with increased benefits relating to—

(A) construction speed;

(B) anti-terrorism force protection;

(C) lateral wind, seismic activity, and fire performance standards;

(D) designs that factor in military installation resilience and protection against extreme weather events;

(E) life-cycle cost effectiveness and sustainability;

(F) renewability; and

(G) carbon sequestration; and

(2) shall include instruction relating to—

(A) all sustainable building materials, such as innovative wood products and mass timber systems; and

(B) designs to improve military installation resilience using projection data against extreme weather events.

(c) AVAILABILITY AND UPDATE.—The Secretary shall ensure that—

(1) the continuing education curriculum required under subsection (a) is made available to each element of the military construction community not later than 60 days after completion of the curriculum; and

(2) such curriculum is updated whenever a new construction material is approved by the Unified Facilities Criteria of the Department.

(d) ACADEMIA INPUT.—In developing the continuing education curriculum required under subsection (a), the Secretary shall consult with academic institutions.

(e) TIMING.—Not later than January 1, 2025, the Secretary shall ensure that—

(1) not less than 75 percent of the workforce described in subsection (a) has completed the first iteration of the continuing education curriculum required under such subsection; and

(2) such workforce receives updated information on innovative construction techniques on a continuing basis.

(f) REPORT.—Not later than June 1, 2024, the Secretary shall submit to appropriate committees of Congress a report containing an update on the status of the continuing education curriculum required under subsection (a).

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the House of Representatives.

(2) MILITARY INSTALLATION RESILIENCE.—The term ''military installation resilience'' has the meaning given that term in section 101(e)(8) of title 10, United States Code.

SEC. 2879. GUIDANCE ON DEPARTMENT OF DEFENSE-WIDE STANDARDS FOR ACCESS TO INSTALLATIONS OF THE DEPARTMENT.

(a) INTERIM GUIDANCE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate interim guidance to the appropriate official or officials within the Department of Defense for purposes of establishing final standards of the Department for fitness of individuals for access to installations of the Department, which shall include modifying Department of Defense Manual 5200.08, ''Physical Security Program: Access to DoD Installations'', or any comparable or successor policy guidance document.

(b) FINAL GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate final guidance described in subsection (a).

(c) BRIEFING.—Not later than 60 days after promulgating interim guidance required under subsection (a), the Secretary of Defense shall brief the Committees on Armed Services of the Senate the House of Representatives on such guidance, which shall include a timeline for promulgation of final guidance as required under subsection (b).

SEC. 2880. DEPLOYMENT OF EXISTING CONSTRUCTION MATERIALS.

(a) PLAN.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a plan to utilize, transfer, or donate to States on the southern border of the United States all existing excess border wall construction materials, including bollards, for constructing a permanent physical barrier to stop illicit human and vehicle traffic along the border of the United States with Mexico.

(b) EXECUTION OF PLAN.—Not later than 15 days after submitting to Congress the plan required under subsection (a), taking into account ongoing audits being conducted by the Defense Contract Audit Agency and ongoing construction contract negotiations by the Army Corps of Engineers, so long as any ongoing audits or construction contract negotiations are not a cause for delay, the Secretary shall work with the Defense Logistics Agency to execute that plan until the Department of Defense is no longer incurring any costs to maintain, store, or protect the materials specified under such subsection.

(c) REQUIREMENTS OF REQUESTING STATES.—Any State requesting border wall construction materials made available under this section must certify, in writing, that the materials it accepts will be exclusively used for the construction of a permanent physical barrier along the border of the United States with Mexico.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the following:

(1) A detailed description of the decision process of the Secretary to forgo the excess property disposal process of the Department of Defense and instead pay to store border wall panels.

(2) A list of entities the Department is paying for use of their privately owned land to store unused border wall construction materials, with appropriate action taken to protect personally identifiable information, such as by making the list of entities available in an annex that is labeled as controlled unclassified information.

(3) An explanation of the process through which the Department contracted with private landowners to store unused border wall construction materials, including whether there was a competitive contracting process and whether the landowners have instituted an inventory review system.

(4) A description of any investigations by the Inspector General of the Department that have been opened related to storing border wall construction materials.

SEC. 2881. TECHNICAL CORRECTIONS.

(a) NUMU NEWE SPECIAL MANAGEMENT AREA.—Section 2902(c) of the Military Construction Authorization Act for Fiscal Year 2023 (16 U.S.C. 460gggg(c)) is amended by striking ''217,845'' and inserting ''209,181''.

(b) REDUCTION OF IMPACT OF FALLON RANGE TRAINING COMPLEX MODERNIZATION.—Section 2995(a)(3)(A) of the Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66), as added by section 2901 of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263; 136 Stat. 3016) is amended by inserting ''Gas'' after ''Basin''.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 24–D–513, Z-Pinch Experimental Underground System Test Bed Facilities Improvement, Nevada National Security Site, Nye County, Nevada, $80,000,000.

Project 24–D–512, TA-46 Protective Force Facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 24–D–511, Plutonium Production Building, Los Alamos National Laboratory, Los Alamos, New Mexico, $48,500,000.

Project 24–D–510, Analytic Gas Laboratory, Pantex Plant, Panhandle, Texas, $35,000,000.

Project 24–D–530, Naval Reactors Facility Medical Science Complex, Idaho Falls, Idaho, $36,584,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 24–D–401, Environmental Restoration Disposal Facility Super Cell 11 Expansion Project, Hanford Site, Richland, Washington, $1,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2024 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. LIMITATION ON USE OF FUNDS FOR NAVAL NUCLEAR FUEL SYSTEMS BASED ON LOW-ENRICHED URANIUM.

None of the funds authorized to be appropriated by this Act for fiscal year 2024 for the National Nuclear Security Administration for the purpose of conducting research and development of an advanced naval nuclear fuel system based on low-enriched uranium may be obligated or expended until the following determinations are submitted to the congressional defense committees:

(1) A determination made jointly by the Secretary of Energy and the Secretary of Defense with respect to whether the determination made jointly by the Secretary of Energy and the Secretary of the Navy pursuant to section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium, remains valid.

(2) A determination by the Secretary of the Navy with respect to whether an advanced naval nuclear fuel system based on low-enriched uranium can be produced that would not reduce vessel capability, increase expense, or reduce operational availability as a result of refueling requirements.

SEC. 3112. PROHIBITION ON ARIES EXPANSION BEFORE REALIZATION OF 30 PIT PER YEAR BASE CAPABILITY.

Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is amended by—

(a) redesignating subsection (f) as subsection (g); and

(b) inserting after subsection (e) the following new subsection (f):

''(f) PROHIBITION ON ARIES EXPANSION BEFORE REALIZATION OF 30 PIT PER YEAR BASE CAPABILITY.—

''(1) IN GENERAL.—Unless the Administrator certifies to the congressional defense committees that the base capability to produce 30 plutonium pits per year has been established at Los Alamos National Laboratory, the Advanced Recovery and Integrated Extraction System (commonly known as 'ARIES') spaces at the Plutonium Facility at Technical Area 55 (commonly known as 'PF–4') may not be modified, including by installing additional equipment.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply with respect to—

''(A) the planning and design of an additional ARIES capability; or

''(B) the transfer of the ARIES capability to a location other than PF–4.''.

SEC. 3113. PLUTONIUM MODERNIZATION PROGRAM MANAGEMENT.

Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is amended by adding at the end the following new subsection:

''(h) Not later than 570 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall ensure that the plutonium modernization program established by the Office of Defense Programs of the National Nuclear Security Administration, or any subsequently developed program designed to meet the requirements under subsection (a), is managed in accordance with the requirements of the Enhanced Management A program management category described in the execution instruction of the Office of Defense Programs entitled 'DP Program Execution Instruction: NA-10 Program Management Tools and Processes' and issued on January 14, 2016, or any subsequent directive.''.

SEC. 3114. PANTEX EXPLOSIVES MANUFACTURING CAPABILITY.

Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

''SEC. 4225. PANTEX EXPLOSIVES MANUFACTURING CAPABILITY.

''(a) IN GENERAL.—Not later than the date on which the W87–1 modification program enters into phase 6.5 of the joint nuclear weapons life cycle process (as defined in section 4220), the Administrator shall establish at the Pantex Plant a conventional high explosives production capability with sufficient capacity to support full rate production of the main explosives used for the W87–1 warhead.

''(b) BRIEFING.—On the day after the date that the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2025 and each fiscal year thereafter, the Administrator shall brief the congressional defense committees on the progress of the Administration in achieving the capability described in subsection (a).

''(c) TERMINATION.—Subsection (b) shall terminate upon the date that the Administrator certifies to the congressional defense committees that the capability described in subsection (a) has been achieved.''.

SEC. 3115. LIMITATION ON ESTABLISHING AN ENDURING BIOASSURANCE PROGRAM WITHIN THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Subtitle B of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is amended by adding at the end the following section:

''SEC. 4815. LIMITATION ON ESTABLISHING AN ENDURING BIOASSURANCE PROGRAM WITHIN THE ADMINISTRATION.

''(a) IN GENERAL.—The Administrator may not establish a program within the Administration for the purposes of executing an enduring national security research and development effort to broaden the role of the Department of Energy in national biodefense.

''(b) RULE OF CONSTRUCTION.—The limitation described in subsection (a) shall not be interpreted—

''(1) to prohibit the establishment of a bioassurance program for the purpose of executing enduring national security research and development in any component of the Department of Energy other than the Administration or in any other Federal agency; or

''(2) to impede the use of resources of the Administration, including resources provided by a national security laboratory or a nuclear weapons production facility site, to support the execution of a bioassurance program, if such support is provided—

''(A) on a cost-reimbursable basis to an entity that is not a component of the Department of Energy; and

''(B) in a manner that does not interfere with mission of such laboratory or facility.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4814 the following new item:

''Sec. 4815. Limitation on establishing an enduring bioassurance program within the Administration.''.

SEC. 3116. EXTENSION OF AUTHORITY ON ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OR REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.

Section 4306B(f)(6) of the Atomic Energy Defense Act (50 U.S.C. 2569(f)(6)) is amended by striking ''2028'' and inserting ''2033''.

SEC. 3117. MODIFICATION OF REPORTING REQUIREMENTS FOR PROGRAM ON VULNERABLE SITES.

(a) IN GENERAL.—Section 4306B of the Atomic Energy Defense Act (50 U.S.C. 2569) is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively; and

(3) in paragraph (6) of subsection (e), as so redesignated, by striking ''2028'' and inserting ''2030''.

(b) CONFORMING AMENDMENT.—Section 4309(c)(7) of the Atomic Energy Defense Act (50 U.S.C. 2575(c)(7)) is amended by striking ''section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f))'' and inserting ''section 4306B(e)''.

SEC. 3118. IMPLEMENTATION OF ENHANCED MISSION DELIVERY INITIATIVE.

(a) IN GENERAL.—Concurrent with the submission of the budget of the President to Congress under section 1105(a) of title 31, United States Code, for each of fiscal years 2025 through 2029, the Administrator for Nuclear Security, acting through the Director for Cost Estimating and Program Evaluation, shall brief the congressional defense committees on the status of implementing the 18 principal recommendations and associated subelements of the report entitled ''Evolving the Nuclear Security Enterprise: A Report of the Enhanced Mission Delivery Initiative'', published by the National Nuclear Security Administration in September 2022.

(b) ELEMENTS OF BRIEFINGS.—Each briefing required by subsection (a) shall address—

(1) the status of implementing each recommendation described in subsection (a);

(2) with respect to each recommendation that has been implemented, whether the outcome of such implementation is achieving the desired result;

(3) with respect to each recommendation that has not been implemented, the reason for not implementing such recommendation;

(4) whether additional legislation is required in order to implement a recommendation; and

(5) such other matters as the Administrator considers necessary.

SEC. 3119. LIMITATION ON USE OF FUNDS UNTIL PROVISION OF SPEND PLAN FOR W80-4 ALT WEAPON DEVELOPMENT.

Of the funds authorized to be appropriated by this Act for fiscal year 2024 for operations of the Office of the Administrator for Nuclear Security, not more than 50 percent may be obligated or expended until the date on which the Administrator for Nuclear Security submits to the congressional defense committees the spend plan for the warhead associated with the sea-launched cruise missile required by section 1642(d) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

SEC. 3120. ANALYSES OF NUCLEAR PROGRAMS OF FOREIGN COUNTRIES.

(a) CAPABILITY TO CONDUCT ANALYSES OF NUCLEAR PROGRAMS.—The Secretary of Energy shall, using existing authorities of the Secretary, take such actions as are necessary to improve the ability of the Department of Energy to conduct comprehensive, integrated analyses of the nuclear programs of foreign countries.

(b) ADDITIONAL ANALYSES REQUIRED.—The Secretary shall conduct analyses of—

(1) countries that may pursue nuclear weapons programs in the future;

(2) developing technologies that make it easier for the governments of countries or for non-state actors to acquire nuclear weapons; and

(3) entities that may be developing the ability to supply sensitive nuclear technologies but may not yet have effective programs in place to ensure compliance with export controls.

SEC. 3121. ENHANCING NATIONAL NUCLEAR SECURITY ADMINISTRATION SUPPLY CHAIN RELIABILITY.

(a) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:

''SEC. 4808. SUPPLY CHAIN RELIABILITY ASSURANCE PROGRAM.

''The Administrator shall establish a supply chain reliability assurance program—

''(1) to facilitate collaboration with the Department of Defense and industrial partners to maintain a reliable domestic supplier base for critical materials to meet engineering and performance requirements of the Administration and the Department of Defense; and

''(2) to improve coordination with the Infrastructure and Operations Program and the Programmatic Recapitalization Working Group to improve planning for material requirements and potential disruptions to commercial or contractor supply chains, including with respect to—

''(A) assisting in coordination for forecasting future needs in both legacy inventories and new procurements;

''(B) establishing clear requirements for nuclear security enterprise assurance and, when cost-effective, to use capabilities of the Administration to restore mission schedules at risk; and

''(C) collaborating with the Department of Defense and industrial partners to establish processes to mitigate manufacturing challenges and to develop strategies to lower long-term costs, while identifying and preserving production of materials and components by the Administration.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4807 the following new item:

''Sec. 4808. Supply chain reliability assurance program.''.

SEC. 3122. TRANSFER OF CYBERSECURITY RESPONSIBILITIES TO ADMINISTRATOR FOR NUCLEAR SECURITY.

The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended—

(1) in section 3212(b) (50 U.S.C. 2402(b)), by adding at the end the following new paragraph:

''(20) Information resources management, including cybersecurity.''; and

(2) in section 3232(b)(3)(50 U.S.C. 2422(b)(3)), by striking ''and cyber''.

SEC. 3123. REDESIGNATING DUTIES RELATED TO DEPARTMENTAL RADIOLOGICAL AND NUCLEAR INCIDENT RESPONSES.

(a) DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS.—Section 3214(b) of the National Nuclear Security Administration Act (50 U.S.C. 2404 (b)) is amended by striking paragraph (3).

(b) ADMINISTRATOR FOR NUCLEAR SECURITY.—Section 3212(b)(7) of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)(7)) is amended by inserting ''and Nuclear Emergency Support Team capabilities, including all field-deployed and remote technical support to public health and safety missions, countering weapons of mass destruction operations, technical and operational nuclear forensics, and responses to United States nuclear weapon accidents'' after ''management''.

SEC. 3124. MODIFICATION OF AUTHORITY TO ESTABLISH CERTAIN CONTRACTING, PROGRAM MANAGEMENT, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.

Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking ''800'' and inserting ''1,200''.

SEC. 3125. TECHNICAL AMENDMENTS TO THE ATOMIC ENERGY DEFENSE ACT.

The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended—

(1) in section 4306(d)—

(A) in paragraph (1), by striking ''Not later than March 15, 2005, the'' and inserting ''The''; and

(B) in paragraph (2), by striking ''Not later than January 1, 2006, the'' and inserting ''The''; and

(2) in section 4807(f)(1), by striking ''2022'' and inserting ''2030''.

SEC. 3126. AMENDMENT TO PERIOD FOR BRIEFING REQUIREMENTS.

Section 4807(f)(1) of the Atomic Energy Defense Act (50 U.S.C. 2787(f)(1)) is amended by striking ''2022'' and inserting ''2032''.

SEC. 3127. REPEAL OF REPORTING REQUIREMENTS FOR URANIUM CAPABILITIES REPLACEMENT PROJECT.

Section 3123(g) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2178) is repealed.

Subtitle C—Budget and Financial Management Matters

SEC. 3131. UPDATED FINANCIAL INTEGRATION POLICY.

Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall issue an updated financial integration policy, which shall include the following:

(1) Updated responsibilities for offices of the National Nuclear Security Administration and requirements for management and operating contractors, including contractors at sites that are not sites of the Administration.

(2) Guidance for how offices of the Administration should use common financial data, including guidance requiring that such data be used as the primary source of financial data by program offices, to the extent practicable.

(3) Processes recommended by the Government Accountability Office to improve financial integration efforts of the Administration, including an internal process to verify how management and operating contractors crosswalk data from their systems to the appropriate work breakdown structure of the Administration and apply common cost element definitions.

(4) Any other matters the Administrator considers appropriate.

Subtitle D—Other Matters

SEC. 3141. INTEGRATION OF TECHNICAL EXPERTISE OF DEPARTMENT OF ENERGY INTO POLICYMAKING.

The Secretary of Energy shall take such measures as are necessary to improve the integration of the scientific and technical expertise of the Department of Energy, especially the expertise of the national laboratories, into policymaking, including by—

(1) ensuring that such expertise is involved during interagency discussions, regardless of the topic of such discussions;

(2) decreasing restrictions on personnel of laboratories and other facilities of the Department working in the Department headquarters for 2- to 3-year rotations;

(3) increasing collaboration among program managers and personnel of laboratories and other facilities of the Department during policy deliberations; and

(4) creating mechanisms for providing technical advice to officials of the Department responsible for nonproliferation policy.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2024, $47,230,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

''§ 109. Maritime Administration

''(a) ORGANIZATION AND MISSION.—The Maritime Administration is an administration in the Department of Transportation. The mission of the Maritime Administration is to foster, promote, and develop the merchant maritime industry of the United States.

''(b) MARITIME ADMINISTRATOR.—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

''(c) DEPUTY MARITIME ADMINISTRATOR.—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

''(d) DUTIES AND POWERS VESTED IN SECRETARY.—All duties and powers of the Maritime Administration are vested in the Secretary.

''(e) REGIONAL OFFICES.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

''(f) INTERAGENCY AND INDUSTRY RELATIONS.—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

''(g) DETAILING OFFICERS FROM ARMED FORCES.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer's pay and allowances as an officer in the Armed Forces, makes the officer's total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

''(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—In the same manner that a private

corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—

''(A) carry out the Secretary's duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

''(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

''(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

''(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

''(j) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.

''(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

''(A) acquisition, construction, or reconstruction of vessels;

''(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

''(C) costs of national defense features;

''(D) payments of obligations incurred for operating-differential subsidies;

''(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

''(F) the Vessel Operations Revolving Fund;

''(G) National Defense Reserve Fleet expenses;

''(H) expenses necessary to carry out part B of subtitle V of title 46; and

''(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.''.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 3201 and 4024 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL OR WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT
(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 (MRC)	169,519	169,519

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	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
	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	65,370	65,370
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		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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**
	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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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 (EWPMT)	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: LHMBC XM32	2,965	2,965
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	IAMD 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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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**
	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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	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
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	65,863	65,863
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	55,172	55,172
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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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
	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

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(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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		
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	C4ISR 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	165,268	165,268
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
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

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Line	Item	FY 2024 Request	Senate Authorized
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
	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

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Line	Item	FY 2024 Request	Senate Authorized
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
	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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	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 POSTIONING (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]
	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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	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 TRANSPT 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
	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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	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 IIAS	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
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**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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
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	265,772
		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 MISSLE 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

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
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
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

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
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
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 TARGETS	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	11,204	11,204
177	0605801A	PROGRAMWIDE 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 PROGRAMS	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 PROGRAM	4,520	4,520
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

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
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 ACITIVITIES	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)	308,217	323,217
		Adaptive Future Force		[5,000]
		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**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
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 COUNTERMEASURES	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

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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 COUNTERMEASURES (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
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

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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	0604755N	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
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 (TMPC)	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

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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
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

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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]
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	0207455F	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
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]

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
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	ENTEPRISE 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
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 MODERNIZATION 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

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
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) C4I	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 (ATCALS)	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
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 (LAIRCM)	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

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
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
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 IIIF)	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)	1,266,437	1,519,222
		DAF requested realignment of funds		[252,785]
39	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO)	538,208	790,992
		DAF requested realignment of funds		[252,784]
40	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT	505,569	0
		DAF requested realignment of funds to 6446SF		[–252,785]
		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]

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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—TW/AA 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		
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
		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	0603330D8Z	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
		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	252,965	264,965
		Additive manufacturing at scale		[7,000]
		Digital manufacturing modernization		[5,000]
55	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	46,404	46,404
56	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	16,580	16,580
57	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	60,387	60,387
58	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	144,707	144,707
59	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,749	2,749
60	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	254,033	254,033
61	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	321,591	321,591
62	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	885,425	885,425
63	0603767E	SENSOR TECHNOLOGY	358,580	358,580
65	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	16,699	16,699
66	0603838D8Z	DEFENSE INNOVATION ACCELERATION (DIA)	257,110	257,110
67	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	111,799	111,799
68	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	345,384	345,384
69	0603945D8Z	AUKUS INNOVATION INITIATIVES	25,000	25,000
70	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	21,575	28,575
		National Security Innovation Network		[7,000]
71	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	171,668	181,668
		Increase for tristructural-isotrophic fuel		[10,000]
72	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	156,097	156,097
		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	76,764	76,764
75	0603600D8Z	WALKOFF	143,486	143,486
76	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	117,196	123,196
		Sustainable Technology Evaluation and Demonstration program increase		[6,000]
77	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	220,311	220,311
78	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,633	903,633
79	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	316,853	316,853
80	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	239,159	239,159
81	0603890C	BMD ENABLING PROGRAMS	597,720	597,720
82	0603891C	SPECIAL PROGRAMS—MDA	552,888	552,888
83	0603892C	AEGIS BMD	693,727	693,727
84	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	554,201	554,201
85	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	48,248	48,248
86	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	50,549	50,549
87	0603906C	REGARDING TRENCH	12,564	27,564
		Program increase—MDA UFR		[15,000]
88	0603907C	SEA BASED X-BAND RADAR (SBX)	177,868	177,868
89	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	325,000
		U.S.-Israel cooperation on directed energy capabilities		[25,000]
90	0603914C	BALLISTIC MISSILE DEFENSE TEST	360,455	360,455
91	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	570,258	580,258
		Hypersonic Targets and Countermeasures Program		[10,000]
92	0603923D8Z	COALITION WARFARE	12,103	12,103
93	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G)	179,278	179,278
94	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,185	3,185
95	0604102C	GUAM DEFENSE DEVELOPMENT	397,578	397,578
97	0604124D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP	34,350	34,350
98	0604181C	HYPERSONIC DEFENSE	208,997	208,997
99	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,085,826	1,085,826
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	810,839	810,839
101	0604331D8Z	RAPID PROTOTYPING PROGRAM	110,291	110,291
102	0604331J	RAPID PROTOTYPING PROGRAM	9,880	9,880
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
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	OUSD(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 (EEIM)	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
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)	65,715	60,715
		Information Analysis Centers reduction		[–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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2024 Request	Senate Authorized
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	1,017,141	1,045,141
		Domestic advanced microelectronics packaging		[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&UP)	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
		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**

TITLE XLIII—OPERATION AND MAINTENANCE

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
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 ACCOUNT	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		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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
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 & MODERNIZATION	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 & MODERNIZATION	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
	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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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
470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	745,666	745,666
490	MEDICAL ACTIVITIES	323,978	323,978
500	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	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**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	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
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 RESERVE	**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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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 & MODERNIZATION	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 SUPPORT	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]
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 ACCOUNT	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 & MODERNIZATION	678,648	678,648
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,380,350	1,380,350

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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 ACTIVITIES		
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**
	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]
	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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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]
430	MISSILE DEFENSE AGENCY	564,078	564,078
440	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION	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, DEFENSE-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, DEFENSE	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		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	114,900	114,900
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, 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 DEVELOPMENT	**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**
	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, DEFENSE	**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**

TITLE XLIV—MILITARY PERSONNEL

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 APPROPRIATIONS	**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
SUBTOTAL 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
TOTAL MILITARY PERSONNEL	**178,873,966**	**177,333,126**

TITLE XLV—OTHER AUTHORIZATIONS

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
	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

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
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 EXPLORATRY 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**

TITLE XLVI—MILITARY CONSTRUCTION

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	Aliamanu 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			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
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
	South Carolina			
Army	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 PHII	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
Navy	Marine Corps Base Kaneohe Bay	WATER RECLAMATION FACILITY COMPLIANCE UPGRADE	0	40,000
	Italy			
Navy	Naval Air Station Sigonella	EDI: ORDNANCE MAGAZINES	77,072	77,072
	Maine			
Navy	Portsmouth Naval Shipyard	MULTI-MISSION DRYDOCK #1 EXTENSION (INC)	544,808	544,808

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
	Maryland			
Navy	Fort Meade	CYBERSECURITY OPERATIONS FACILITY	186,480	60,580
Navy	Naval Air Station Patuxent River	AIRCRAFT DEVELOPMENT AND MAINTENANCE FACILITIES	141,700	62,000
	North Carolina			
Navy	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
	Pennsylvania			
Navy	Naval Surface Warfare Center Philadelphia	AI MACHINERY CONTROL DEVELOPMENT CENTER	0	88,200
	Virginia			
Navy	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
	Washington			
Navy	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
	Worldwide Unspecified			
Navy	Unspecified Worldwide	BARRACKS REPLACEMENT FUND	0	75,000
Navy	Unspecified Worldwide	INDOPACOM PLANNING & DESIGN	0	69,000
Navy	Unspecified Worldwide	SIOP (P&D)	0	50,000
Navy	Unspecified Worldwide Locations	PLANNING & DESIGN	578,942	578,942
Navy	Unspecified Worldwide Locations	PLANNING & DESIGN	21,000	21,000
Navy	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	34,430	34,430
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
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			

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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			
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

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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
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			
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
	North Carolina			
Defense-Wide	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
	Oklahoma			
Defense-Wide	Fort Sill	MICROGRID AND BACKUP POWER	0	76,650
	Pennsylvania			

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Defense-Wide	Fort Indiantown Gap	COST TO COMPLETE: GEOTHERMAL AND SOLAR PV	0	9,250
	Puerto Rico			
Defense-Wide	Fort Buchanan	MICROGRID AND BACKUP POWER	0	56,000
Defense-Wide	Juana Diaz	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
	Spain			
Defense-Wide	Naval Station Rota	BULK TANK FARM, PHASE 1	80,000	80,000
	Texas			
Defense-Wide	Fort Cavazos	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	18,900
Defense-Wide	Fort Cavazos	MICROGRID AND BACKUP POWER	0	18,250
	Utah			
Defense-Wide	Hill Air Force Base	OPEN STORAGE	14,200	14,200
	Virginia			
Defense-Wide	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
	Washington			
Defense-Wide	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
	Worldwide Unspecified			
Defense-Wide	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
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
	Wyoming			
Defense-Wide	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			

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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			
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	Greenlief 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

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	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
Army National Guard	McCrady Training Center	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	7,900	7,900
	South Dakota			
Army National Guard	Sioux Falls	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	5,250
	Tennessee			
Army National Guard	Campbell Army Air Field	ARMY AIR TRAFFIC CONTROL TOWERS (P&D)	0	2,500
Army National Guard	McMinnville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	500
	Texas			
Army National Guard	Fort Cavazos	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
	Utah			
Army National Guard	Camp Williams	COLLECTIVE TRAINING UNACCOMPANIED HOUSING, SENIOR NCO AND OFFICER (P&D)	0	2,875
	Vermont			
Army National Guard	Bennington	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	3,415
	Virgin Islands			
Army National Guard	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
	Virginia			
Army National Guard	Sandston Rc & 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
	West Virginia			
Army National Guard	Parkersburg	NATIONAL GUARD READINESS CENTER (P&D)	0	3,300
	Wisconsin			
Army National Guard	Viroqua	NATIONAL GUARD READINESS CENTER	18,200	18,200
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Army National Guard	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				
	Alabama			
Army Reserve	Birmingham	ARMY RESERVE CENTER/AMSA/LAND	57,000	57,000
	Arizona			
Army Reserve	San Tan Valley	AREA MAINTENANCE SUPPORT ACTIVITY	12,000	12,000
	California			
Army Reserve	Camp Pendleton	COST TO COMPLETE: AREA MAINTENANCE SUPPORT ACTIVITY	0	3,000
Army Reserve	Fort Hunter Liggett	NETWORK ENTERPRISE CENTER	0	40,000
	Florida			
Army Reserve	Perrine	COST TO COMPLETE: ARMY RESERVE CENTER	0	3,000
	North Carolina			
Army Reserve	Asheville	COST TO COMPLETE: ARMY RESERVE CENTER	0	12,000
	Ohio			
Army Reserve	Wright-Patterson Air Force Base	COST TO COMPLETE: ARMY RESERVE CENTER	0	5,000
	Worldwide Unspecified			
Army Reserve	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**
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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
	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			
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
	Guam			
Air Force Reserve	Joint Region Marianas	AERIAL PORT FACILITY	27,000	27,000
	Louisiana			
Air Force Reserve	Barksdale Air Force Base	307 BW MEDICAL FACILITY ADDITION	0	7,000
	Ohio			
Air Force Reserve	Youngstown Air Reserve Station	BASE FIRE STATION (P&D)	0	2,500
	Texas			
Air Force Reserve	Naval Air Station Joint Reserve Base Fort Worth	LRS WAREHOUSE	16,000	16,000
	Worldwide Unspecified			
Air Force Reserve	Unspecified Worldwide Locations	PLANNING & DESIGN	12,146	12,146
Air Force Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION	9,926	9,926
	Subtotal Military Construction, Air Force Reserve		**291,572**	**309,572**
NATO SECURITY INVESTMENT PROGRAM				
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO SECURITY INVESTMENT PROGRAM	293,434	293,434
	Subtotal NATO Security Investment Program		**293,434**	**293,434**
INDOPACIFIC COMBATANT COMMAND				
	Worldwide Unspecified			
MILCON, INDOPACOM	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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
FAMILY HOUSING CONSTRUCTION, ARMY				
	Georgia			
Fam Hsg Con, Army	Fort Eisenhower	FORT EISENHOWER MHPI EQUITY INVESTMENT	50,000	50,000
	Germany			
Fam Hsg Con, Army	Baumholder	FAMILY HOUSING NEW CONSTRUCTION	78,746	78,746
	Kwajalein			
Fam Hsg Con, Army	Kwajalein Atoll	FAMILY HOUSING REPLACEMENT CONSTRUCTION	98,600	98,600
	Missouri			
Fam Hsg Con, Army	Fort Leonard Wood	FORT LEONARD WOOD MHPI EQUITY INVESTMENT	50,000	50,000
	Worldwide Unspecified			
Fam Hsg Con, Army	Unspecified Worldwide Locations	FAMILY HOUSING P&D	27,549	27,549
Subtotal Family Housing Construction, Army			**304,895**	**304,895**
FAMILY HOUSING O&M, ARMY				
	Worldwide Unspecified			
Fam Hsg O&M, Army	Unspecified Worldwide Locations	FURNISHINGS	12,121	12,121
Fam Hsg O&M, Army	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	86,019	86,019
Fam Hsg O&M, Army	Unspecified Worldwide Locations	LEASING	112,976	112,976
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MAINTENANCE	86,706	86,706
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MANAGEMENT	41,121	41,121
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MISCELLANEOUS	554	554
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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
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
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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
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				
Family Housing Improvement Fund	Worldwide Unspecified Unspecified Worldwide Locations	ADMINISTRATIVE EXPENSES—FHIF	6,611	6,611
Subtotal Family Housing Improvement Fund			**6,611**	**6,611**
UNACCOMPANIED HOUSING IMPROVEMENT FUND				
Unaccompanied Housing Improvement Fund	Worldwide Unspecified 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				
BRAC, Army	Worldwide Unspecified 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				
BRAC, Navy	Worldwide Unspecified 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				
BRAC, Air Force	Worldwide Unspecified 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				
BRAC, Defense-Wide	Worldwide Unspecified 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**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY 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**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
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
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**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
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
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**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
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
S8G Prototype refueling	0	0
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 Management 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—LBL/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 Addl 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**
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

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
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**

DIVISION E—ADDITIONAL PROVISIONS

TITLE LI—PROCUREMENT

Subtitle D—Air Force Programs

SEC. 5131. INVENTORY OF C–130 AIRCRAFT.

(a) MINIMUM INVENTORY REQUIREMENT.—Section 146(a)(3)(B) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2455) is amended by striking ''2023'' and inserting ''2024''.

(b) PROHIBITION ON REDUCTION OF C–130 AIRCRAFT ASSIGNED TO NATIONAL GUARD.—Section 146(b)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2455) is amended by striking ''fiscal year 2023'' and inserting ''fiscal years 2023 and 2024''.

SEC. 5132. EXTENSION OF PROHIBITION ON CERTAIN REDUCTIONS TO B–1 BOMBER AIRCRAFT SQUADRONS.

Section 133(c)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1574) is amended by striking ''September 30, 2023'' and inserting ''September 30, 2026''.

SEC. 5133. PROHIBITION ON DIVESTMENT OF F–15E AIRCRAFT.

None of the funds authorized to be appropriated by this Act for any of fiscal years 2024 through 2029 may be obligated or expended to divest any F–15E aircraft.

TITLE LII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 5201. APPLICATION OF PUBLIC-PRIVATE TALENT EXCHANGE PROGRAMS IN THE DEPARTMENT OF DEFENSE TO QUANTUM INFORMATION SCIENCES AND TECHNOLOGY RESEARCH.

In carrying out section 1599g of title 10, United States Code, the Secretary of Defense

may establish public-private exchange programs, each with up to 10 program participants, focused on private sector entities working on quantum information sciences and technology research applications.

SEC. 5202. BRIEFING ON SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE EDUCATION PROGRAM.

Not later than three years after the date of the enactment of this Act, the Secretary of Defense shall provide Congress with a briefing on participation and use of the program under section 4093 of title 10, United States Code, with a particular focus on levels of interest from students engaged in studying quantum fields.

SEC. 5203. IMPROVEMENTS TO DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

(a) FELLOWSHIP PROGRAM AUTHORIZED.—Section 234 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4001 note) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) FELLOWSHIPS.—

''(1) PROGRAM AUTHORIZED.—In carrying out the program required by subsection (a) and subject to the availability of appropriations to carry out this subsection, the Secretary may carry out a program of fellowships in quantum information science and technology research and development for individuals who have a graduate or post-graduate degree.

''(2) EQUAL ACCESS.—In carrying out the program under paragraph (1), the Secretary may establish procedures to ensure that minority, geographically diverse, and economically disadvantaged students have equal access to fellowship opportunities under such program.''.

(b) MULTIDISCIPLINARY PARTNERSHIPS WITH UNIVERSITIES.—Such section is further amended—

(1) by redesignating subsection (g), as redesignated by subsection (a)(1), as subsection (h); and

(2) by inserting after subsection (f), as added by subsection (a)(2), the following new subsection (g):

''(g) MULTIDISCIPLINARY PARTNERSHIPS WITH UNIVERSITIES.—In carrying out the program under subsection (a), the Secretary of Defense may develop partnerships with universities to enable students to engage in multidisciplinary courses of study.''.

SEC. 5204. IMPROVEMENTS TO NATIONAL QUANTUM INITIATIVE PROGRAM.

(a) INVOLVEMENT OF DEPARTMENT OF DEFENSE AND INTELLIGENCE COMMUNITY IN NATIONAL QUANTUM INITIATIVE ADVISORY COMMITTEE.—

(1) QUALIFICATIONS.—Subsection (b) of section 104 of the National Quantum Initiative Act (15 U.S.C. 8814) is amended by striking ''and Federal laboratories'' and inserting ''Federal laboratories, and intelligence researchers''.

(2) INTEGRATION.—Such section is amended—

(A) by redesignating subsections (e) through (g) as subsection (f) through (h), respectively; and

(B) by inserting after subsection (d) the following new subsection (e):

''(e) INTEGRATION OF DEPARTMENT OF DEFENSE AND INTELLIGENCE COMMUNITY.—The Advisory Committee shall take such actions as may be necessary, including by modifying policies and procedures of the Advisory Committee, to ensure the full integration of the Department of Defense and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) in activities of the Advisory Committee.''.

(b) CLARIFICATION OF PURPOSE OF MULTIDISCIPLINARY CENTERS FOR QUANTUM RESEARCH AND EDUCATION.—Section 302(c) of the National Quantum Initiative Act (15 U.S.C. 8842(c)) is amended—

(1) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

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

''(4) encouraging workforce collaboration, both with private industry and among Federal entities, including Department of Defense components and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).''.

(c) COORDINATION OF NATIONAL QUANTUM INFORMATION SCIENCE RESEARCH CENTERS.—Section 402(d) of the National Quantum Initiative Act (15 U.S.C. 8852(d)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) other research entities of the Federal government, including research entities in the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003));''.

(d) NATIONAL QUANTUM COORDINATION OFFICE, COLLABORATION WHEN REPORTING TO CONGRESS.—Section 102 of the National Quantum Initiative Act (15 U.S.C. 8812) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) COLLABORATION WHEN REPORTING TO CONGRESS.—The Coordination Office shall ensure that when participants in the National Quantum Initiative Program prepare and submit reports to Congress that they do so in collaboration with each other and as appropriate Federal civilian, defense, and intelligence research entities.''.

(e) REPORTING TO ADDITIONAL COMMITTEES OF CONGRESS.—Paragraph (2) of section 2 of such Act (15 U.S.C. 8801) is amended to read as follows:

''(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

''(B) the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.''.

SEC. 5205. ANNUAL REVIEW OF STATUS OF IMPLEMENTATION PLAN FOR DIGITAL ENGINEERING CAREER TRACKS.

(a) ANNUAL REVIEW AND REPORT REQUIRED.—Not less frequently than once each year until December 31, 2029, the Secretary of Defense shall—

(1) conduct an internal review of the status of the implementation of the plan submitted pursuant to section 230(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. note prec. 501); and

(2) submit to the congressional defense committees—

(A) a summary of the status described in paragraph (1);

(B) a report on the findings of the Secretary with respect to the most recent review conducted pursuant to such paragraph; and

(C) a plan for how the Department of Defense will plan for digital engineering personnel needs in the coming years.

(b) CONSIDERATION.—The review conducted pursuant to subsection (a)(1) shall include consideration of the rapid rate of technological change in data science and machine learning.

SEC. 5206. RAPID RESPONSE TO EMERGENT TECHNOLOGY ADVANCEMENTS OR THREATS.

(a) AUTHORITIES.—Upon approval by the Secretary of Defense of a determination described in subsection (b), the Secretary of a military department may use the rapid acquisition and funding authorities established pursuant to section 3601 of title 10, United States Code, to initiate urgent or emerging operational development activities for a period of up to one year, in order to—

(1) leverage an emergent technological advancement of value to the national defense to address a military service-specific need; or

(2) provide a rapid response to an emerging threat identified by a military service.

(b) DETERMINATION.—A determination described in this subsection is a determination by the Secretary of a military department submitted in writing to the Secretary of Defense that provides the following:

(1) Identification of a compelling urgent or emergency national security need to immediately initiate development activity in anticipation of a programming or budgeting action, in order to leverage an emergent technological advancement or provide a rapid response to an emerging threat.

(2) Justification for why the effort cannot be delayed until the next submission of the budget of the President (under section 1105(a) of title 31, United States Code) without harming the national defense.

(3) Funding is identified for the effort in the current fiscal year to initiative the activity.

(4) An appropriate acquisition pathway and programmed funding for transition to continued development, integration, or sustainment is identified to on-ramp this activity within two years.

(c) ADDITIONAL PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend the procedures for the rapid acquisition and deployment of capabilities needed in response to urgent operational needs prescribed pursuant to such section 3601 to carry out this section. Such updated procedures shall be provided to the congressional defense committees concurrently with the promulgation to the rest of the Department of Defense.

(2) REQUIREMENTS TO BE INCLUDED.—The procedures amended under paragraph (1) shall include the following requirements:

(A) FUNDING.—(i) Subject to clause (ii), in any fiscal year in which a determination described in subsection (b) is made, the Secretary of the military department making the determination may initiate the activities authorized under subsection (a) using any funds available to the Secretary for such fiscal year for—

(I) procurement; or

(II) research, development, test, and evaluation.

(ii) The total cost of all developmental activities within the Department of Defense, funded under this section, may not exceed $100,000,000 for any fiscal year.

(B) WAIVER AUTHORITY.—(i) Subject to clause (ii), the Secretary of the military department making a determination under subsection (b) may issue a waiver under subsection (d) of such section 3601.

(ii) Chapter 221 of title 10, United States Code, may not be waived pursuant to clause (i).

(C) TRANSITION.—(i) Any acquisition initiated under subsection (a) shall transition to an appropriate acquisition pathway for transition and integration of the development activity, or be transitioned to a newly established program element or procurement line for completion of such activity.

(ii)(I) Transition shall be completed within one year of initiation, but may be extended one time only at the discretion of the Secretary of the military department for one additional year.

(II) In the event an extension determination is made under subclause (I), the affected Secretary of the military department shall submit to the congressional defense committees, not later than 30 days before the extension takes effect, written notification of the extension with a justification for the extension.

(3) SUBMITTAL TO CONGRESS.—Concurrent with promulgation to the Department of the amendments to the procedures under paragraph (1), the Secretary shall submit to the congressional defense committees the procedures update by such amendments.

(d) CONGRESSIONAL NOTIFICATION.—Within 15 days after the Secretary of Defense approves a determination described in subsection (b), the Secretary of the military department making the determination shall provide written notification of such determination to the congressional defense committees following the procedures for notification in subsections (c)(4)(D) and (c)(4)(F) of such section 3601. A notice under this subsection shall be sufficient to fulfill any requirement to provide notification to Congress for a new start program.

TITLE LIII—OPERATION AND MAINTENANCE

Subtitle A—Briefings and Reports

SEC. 5341. REPORT BY DEPARTMENT OF DEFENSE ON ALTERNATIVES TO BURN PITS.

Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to Congress a report on incinerators and waste-to-energy waste disposal alternatives to burn pits.

TITLE LVI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle C—Other Matters

SEC. 5631. MODIFICATIONS TO TRANSITIONAL COMPENSATION FOR DEPENDENTS OF MEMBERS SEPARATED FOR DEPENDENT ABUSE.

(a) COVERED PUNITIVE ACTIONS.—Subsection (b) of section 1059 of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

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

''(3) who is—

''(A) convicted of a dependent-abuse offense in a district court of the United States or a State court; and

''(B) separated from active duty pursuant to a sentence of a court-martial, or administratively separated, voluntarily or involuntarily, from active duty, for an offense other than the dependent-abuse offense.''.

(b) COMMENCEMENT OF PAYMENT.—Subsection (e)(1) of such section is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting after ''offense'' the following: ''or an offense described in subsection (b)(3)(B)''; and

(B) in clause (ii), by striking ''; and'' and inserting a semicolon; and

(2) in subparagraph (B), by striking ''(if the basis'' and all that follows through ''offense)''.

(c) DEFINITION OF DEPENDENT CHILD.—Subsection (l) of such section is amended, in the matter preceding paragraph (1)—

(1) by striking ''resulting in the separation of the former member or'' and inserting ''referred to in subsection (b) or''; and

(2) by striking ''resulting in the separation of the former member and'' and inserting ''and''.

(d) DELEGATION OF DETERMINATIONS RELATING TO EXCEPTIONAL ELIGIBILITY.—Subsection (m)(4) of such section is amended to read as follows:

''(4) The Secretary concerned may delegate the authority under paragraph (1) to authorize eligibility for benefits under this section for dependents and former dependents of a member or former member to the first general or flag officer (or civilian equivalent) in the chain of command of the member.''.

SEC. 5632. REPORT ON EFFECT OF PHASE-OUT OF REDUCTION OF SURVIVOR BENEFIT PLAN SURVIVOR ANNUITIES BY AMOUNT OF DEPENDENCY AND INDEMNITY COMPENSATION.

(a) IN GENERAL.—The Secretary of Defense shall submit to Congress a report on the effect of section 622 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) and the amendments made by such section.

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

(1) An assessment on the effect that section 622 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) and the amendments made by such section had on beneficiaries and any unintended consequences that were a result of such section or amendments.

(2) An evaluation of the authority that the Secretary has in a situation when the Defense Finance Accounting Service cannot verify the eligibility of a spouse and payments are paused for the child.

(3) Recommendations for legislative action to ensure the Secretary has the flexibility to make payments under subchapter II of chapter 73 of title 10, United States Code, to dependent children that are under the guardianship of someone other than the surviving spouse.

(4) An assessment of the process of the Department for determining eligibility for survivor benefits under subchapter II of chapter 73 of title 10, United States Code, and dependency and indemnity compensation under chapter 13 of title 38, United States Code, and the coordination between the Defense Finance Accounting Service and the Department of Veterans Affairs for such benefits.

TITLE LVII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 5701. EXPANSION OF ELIGIBILITY FOR HEARING AIDS TO INCLUDE CHILDREN OF CERTAIN RETIRED MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (16) of section 1077(a) of title 10, United States Code, is amended to read as follows:

''(16) Except as provided by subsection (g), a hearing aid, but only if the dependent has a profound hearing loss, as determined under standards prescribed in regulations by the Secretary of Defense in consultation with the administering Secretaries, and only for the following dependents:

''(A) A dependent of a member of the uniformed services on active duty.

''(B) A dependent under subparagraph (D) or (I) of section 1072(2) of this title of a former member of the uniformed services who—

''(i) is entitled to retired or retainer pay, or equivalent pay; and

''(ii) is enrolled in family coverage under TRICARE Prime.''.

Subtitle B—Health Care Administration

SEC. 5711. MODIFICATION OF REQUIREMENT TO TRANSFER RESEARCH AND DEVELOPMENT AND PUBLIC HEALTH FUNCTIONS TO DEFENSE HEALTH AGENCY.

Section 720(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 1073c note) is amended, in the matter preceding paragraph (1), by striking ''February 1, 2024'' and inserting ''February 1, 2025''.

Subtitle C—Reports and Other Matters

SEC. 5721. REPORT ON MILITARY MENTAL HEALTH CARE REFERRAL POLICIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report—

(1) detailing the mental health care referral policies of the Armed Forces; and

(2) the impact of removing primary care referral requirements for outpatient mental health care on—

(A) military readiness;

(B) the uptake of outpatient mental health care services by members of the Armed Forces; and

(C) suicide prevention.

(b) RECOMMENDATIONS.—The report required by subsection (a) shall include recommendations and legislative proposals—

(1) to improve resources and access for outpatient mental health care services by members of the Armed Forces;

(2) to encourage the uptake of such services by such members; and

(3) to maintain military readiness.

SEC. 5722. COMPTROLLER GENERAL STUDY ON BIOMEDICAL RESEARCH AND DEVELOPMENT FUNDED BY DEPARTMENT OF DEFENSE.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the management by the Department of Defense of biomedical research and development funded by the Department, including a review of—

(1) patents for drugs approved by the Food and Drug Administration that were supported with intramural or extramural funding from the Department;

(2) requirements of the Department for how grant recipients, contractors, and labs of the Department should disclose support by the Department in patents generated with funding from the Department; and

(3) the data systems of the Department for cataloging information about patents generated with funding from the Department.

(b) BRIEFING.—Not later than March 31, 2024, the Comptroller General shall brief the Committees on Armed Services of the Senate and the House of Representatives on the study conducted under subsection (a).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study conducted under subsection (a).

SEC. 5723. REPORT ON PROVISION OF MENTAL HEALTH SERVICES VIA TELEHEALTH TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Not later than March 31, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the provision by the Department of Defense of mental health services via telehealth that includes the following:

(1) A summary of relevant Federal and State laws and policies of the Department

governing the provision of mental health services via telehealth to members of the Armed Forces and their dependents.

(2) An explanation of any challenges experienced by members of the Armed Forces and their dependents in receiving continuing care from a provider when assigned to a new State or location outside the United States.

(3) An assessment of the value of receiving continuing care from the same mental health provider for various mental health conditions.

(4) A description of how the Department accommodates members of the Armed Forces who would benefit from receiving continuing care from a specific mental health provider.

(5) Such other matters as the Secretary considers relevant.

SEC. 5724. EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

The text of section 706 is hereby deemed to read as follows:

"SEC. 706 EXPANSION OF DOULA CARE FURNISHED BY DEPARTMENT OF DEFENSE.

''(a) EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT.—Section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 1073 note) is amended—

''(1) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

''(2) by inserting after subsection (d) the following new subsection (e):

'''(e) COVERAGE OF DOULA CARE.—The Secretary may add coverage of labor doula care to the demonstration project, or reimbursement for such care, for all beneficiaries under the TRICARE program, including access—

'''(1) by members of the Armed Forces on active duty;

'''(2) by beneficiaries outside the continental United States; and

'''(3) at military medical treatment facilities.'.

''(b) HIRING OF DOULAS.—The hiring authority for each military medical treatment facility may hire a team of doulas to work in coordination with lactation support personnel or labor and delivery units at such facility.''.

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

Subtitle D—Small Business Matters

SEC. 5841. COMPETITION OF SMALL BUSINESS CONCERNS FOR DEPARTMENT OF DEFENSE CONTRACTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance ensuring that covered small businesses are better able to compete for Department of Defense contracts.

(b) EXEMPTIONS FROM CAPABILITY REQUIREMENTS.—

(1) WAIVER AUTHORITY.—The guidance issued under subsection (a) shall provide that the Department of Defense may waive capability requirements, including the waiver described in paragraph (2), to allow a covered small business that does not otherwise meet such requirements to bid on a contract, provided that it makes the certification described under paragraph (3).

(2) SPECIAL CONSIDERATION TO PROVIDE INTERIM ACCESS TO CLASSIFIED INFORMATION FOR DEPARTMENT OF DEFENSE CONTRACTORS WITHOUT SECURITY CLEARANCES.—Notwithstanding section 801 of the National Security Act of 1947 (50 U.S.C. 3161) and the procedures established pursuant to such section, the Secretary of Defense may issue a waiver providing a covered small business that has not been determined eligible to access classified information pursuant to such procedures interim access to classified information under such terms and conditions as the Secretary considers appropriate.

(3) CERTIFICATION REQUIREMENT.— In order to qualify for a waiver under paragraph (1), a covered small business shall certify that it will be able to meet the exempted capability requirements within 180 days after the contract award date. The certification shall include a detailed project and financial plan outlining the tasks to be completed, milestones to be achieved, and resources required.

(4) MONITORING AND COMPLIANCE.—

(A) IN GENERAL.—The contracting officer for a contract awarded pursuant to a waiver under paragraph (1) shall closely monitor the contract performance of the covered small business to ensure that sufficient progress is being made and that any issues that arise are promptly addressed.

(B) FAILURE TO MEET CAPABILITY REQUIREMENTS.—If a covered small business awarded a contract pursuant to a waiver under paragraph (1) fails to meet the requirements promised in the certification required under paragraph (3) within 180 days, the covered small business shall be subject to disqualification from consideration for future contracts of similar scope pursuant to ''Termination for Default'' provisions under subpart 49.4 of the Federal Acquisition Regulation.

(c) COVERED SMALL BUSINESS DEFINED.—In this section, the term ''covered small business'' means—

(1) a nontraditional defense contractor, as that term is defined in section 3014 of title 10, United States Code;

(2) a small business concern, as that term is defined in section 3(a) of the Small Business Act (15 U.S.C. 632(a)); and

(3) any other contractor that has not been awarded a Department of Defense contract in the five-year period preceding the solicitation of sources by the Department of Defense.

Subtitle E—Other Matters

SEC. 5851. BRIEFING ON THE REDESIGNATION OF NATIONAL SERIAL NUMBER (NSN) PARTS AS PROPRIETARY.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the congressional defense committees identifying which National Serial Number (NSN) parts in the Defense Logistics Agency system have had their designation changed to proprietary over the previous 5 years, including a description of which parts were, or continue to be, produced by small businesses before the proprietary designation was applied, and the justification for the changes in designation.

TITLE LX—OTHER MATTERS

Subtitle D—Counterterrorism

SEC. 6031. ESTABLISHING A COORDINATOR FOR COUNTERING MEXICO'S CRIMINAL CARTELS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President, in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, the Attorney General, and the Secretary of the Treasury, shall designate an existing official within the executive branch to serve as senior-level coordinator to coordinate, in conjunction with other relevant agencies, all defense, diplomatic, intelligence, financial, and legal efforts to counter the drug- and human-trafficking activities of Mexico's criminal cartels.

(b) RETENTION OF AUTHORITY.—The designation of a coordinator under subsection (a) shall not deprive any agency of any authority to independently perform functions of that agency.

(c) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter through January 31, 2029, the coordinator designated under subsection (a) shall submit to the appropriate committees of Congress a detailed report on the following:

(A) Efforts taken during the previous quarter to bolster defense cooperation with the Government of Mexico against Mexico's criminal cartels, and any other activities of the Department of Defense with respect to countering the cartels, including in cooperation with the Government of Mexico or interagency partners.

(B) Diplomatic efforts, including numbers of demarches and meetings, taken during the previous quarter to highlight and counter the human rights abuses of Mexico's criminal cartels, including human trafficking, sex trafficking, other exploitation of migrants, endangerment of children, and other abuses.

(C) Diplomatic efforts taken during the previous quarter to improve cooperation with the Government of Mexico in countering Mexico's criminal cartels, and a detailed list and assessment of any actions that the Government of Mexico has taken during the previous quarter to counter the cartels.

(D) Diplomatic efforts taken during the previous quarter to improve cooperation with partners and allies in countering Mexico's criminal cartels.

(E) Efforts taken during the previous quarter to bolster the screening process at ports of entry to prevent members and associates of Mexico's criminal cartels, and individuals who are working for the cartels, from entering or trafficking drugs, humans, and contraband into the United States.

(F) Efforts taken during the previous quarter to encourage the Government of Mexico to improve its screening process along its own ports of entry in order to prevent illicit cash, weapons, and contraband that is destined for Mexico's criminal cartels from entering Mexico.

(G) Efforts taken during the previous quarter to investigate and prosecute members and associates of Mexico's criminal cartels, including members and associates operating from within the United States.

(H) Efforts taken during the previous quarter to encourage the Government of Mexico to increase its investigation and prosecution of leaders, members, and associates of Mexcio's criminal cartels within Mexico.

(I) Efforts taken during the previous quarter to initiate or improve the sharing of intelligence with allies and partners, including the Government of Mexico, for the purpose of countering Mexico's criminal cartels.

(J) Efforts taken during the previous quarter to impose sanctions with respect to—

(i) leaders, members, and associates of Mexico's criminal cartels; and

(ii) any companies, banks, or other institutions that facilitate the cartels' human-trafficking, drug-trafficking, and other criminal enterprises.

(K) The total number of personnel and resources in the Department of Defense, the Department of State, the Department of Homeland Security, the Department of Justice, and the Department of the Treasury focused on countering Mexico's criminal cartels.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Homeland Security, and the Committee on Financial Services of the House of Representatives.

(2) MEXICO'S CRIMINAL CARTELS.—The term ''Mexico's criminal cartels'' means the following:

(A) Criminal organizations the operations of which include human-trafficking, drug-trafficking, and other types of smuggling operations across the southwest border of the United States and take place largely within Mexico, including the following:

(i) The Sinaloa Cartel.

(ii) The Jalisco New Generation Cartel.

(iii) The Gulf Cartel.

(iv) The Los Zetas Cartel.

(v) The Northeast Cartel.

(vi) The Juarez Cartel.

(vii) The Tijuana Cartel.

(viii) The Beltran-Leyva Cartel.

(ix) The La Familia Michoacana, also known as the Knights Templar Cartel.

(x) Las Moicas.

(xi) La Empresa Nueva.

(xii) MS–13.

(xiii) The Medellin Cartel.

(B) Any successor organization to an organization described in subparagraph (A).

Subtitle F—Studies and Reports

SEC. 6051. REPORT ON FOOD PURCHASING BY THE DEPARTMENT OF DEFENSE.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives and make publicly available on the website of the Department of Defense a report on the following for each of fiscal years 2018, 2019, 2020, 2021, and 2022:

(1) The total dollar amount spent by the Department of Defense on food service operations worldwide for all personnel, contractors, and families, including all food service provided at or through—

(A) all facilities, such as combat operations, military posts, medical facilities;

(B) all vessels (air, land, and sea);

(C) all entertainment and hosting operations such as officers' clubs and other such facilities; and

(D) all food programs provided to other Federal agencies, such as the Fresh Fruit and Vegetable Program of the Department of Agriculture and the Department of Defense.

(2) The total dollar amount spent by the Department for each category described in paragraph (1).

(3) The dollar amount spend by the Department for each of—

(A) the 25 largest food service contractors or operators; and

(B) the top 10 categories of food, such as meat and poultry, seafood, eggs, dairy product, produce (fruits, vegetables, and nuts), grains and legumes, and processed and packaged foods.

(4) The percentage of all food purchased by the Department that was a product of the United States, pursuant to section 4862 of title 10, United States Code.

(5) The dollar amount of third-party certified and verified foods (such as USDA Organic, Equitable Food Initiative, Fair Trade Certified, and other categories determined to be appropriate by the Secretary) purchased by the Department.

(6) The dollar amount of contracts for food service, food, or food products entered into by the Department with woman-, minority-, and veteran-owned businesses.

Subtitle G—Other Matters

SEC. 6071. IMPROVEMENTS TO DEPARTMENT OF VETERANS AFFAIRS-DEPARTMENT OF DEFENSE JOINT EXECUTIVE COMMITTEE.

(a) SHORT TITLE.—This section may be cited as the ''Ensuring Interagency Cooperation to Support Veterans Act of 2023''.

(b) IN GENERAL.—Section 320 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

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

''(C) the Assistant Secretary of Labor for Veterans' Employment and Training and such other officers and employees of the Department of Labor as the Secretary of Labor may designate; and

''(D) such officers and employees of other Executive agencies as the Secretary of Veterans Affairs and the Secretary of Defense jointly determine, with the consent of the heads of the Executive agencies of such officers and employees, necessary to carry out the goals and objectives of the Committee.'';

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

''(3) The co-chairs of the Committee are the Deputy Secretary of Veterans Affairs and the Under Secretary of Defense for Personnel and Readiness.'';

(2) in subsection (b)(2), by striking ''Job Training and Post-Service Placement Executive Committee'' and inserting ''Transition Executive Committee'';

(3) in subsection (d), by adding at the end the following new paragraph:

''(6) Develop, implement, and oversee such other joint actions, initiatives, programs, and policies as the two Secretaries determine appropriate and consistent with the purpose of the Committee.''; and

(4) in subsection (e)—

(A) in the subsection heading, by striking ''JOB TRAINING AND POST-SERVICE PLACEMENT'' and inserting ''TRANSITION'';

(B) in the matter before paragraph (1)—

(i) by striking ''Job Training and Post-Service Placement'' and inserting ''Transition'';

(ii) by inserting '', in addition to such other activities as may assigned to the committee under subsection (d)(6)'' after ''shall''; and

(C) in paragraph (2), by inserting '', transition from life in the Armed Forces to civilian life,'' after ''job training''.

SEC. 6072. GRAVE MARKERS AT SANTA FE NATIONAL CEMETERY, NEW MEXICO.

(a) IN GENERAL.—Section 612 of the Veterans Millennium Health Care and Benefits Act (38 U.S.C. 2404 note; Public Law 106–117) is repealed.

(b) STUDY REQUIRED.—The Secretary of Veterans Affairs shall conduct a study on the cost to replace the flat grave markers that were provided under such section at the Santa Fe National Cemetery, New Mexico, with upright grave markers.

SEC. 6073. MODIFICATION OF COMPENSATION FOR MEMBERS OF THE AFGHANISTAN WAR COMMISSION.

Section 1094(g)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1942) is amended to read as follows:

''(1) COMPENSATION OF MEMBERS.—

''(A) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

''(B) FEDERAL EMPLOYEES.—

''(i) IN GENERAL.—A member of the Commission who is an employee of the Federal Government may be compensated as provided for under subparagraph (a) for periods of time during which the member is engaged in the performance of the duties of the Commission that fall outside of ordinary agency working hours, as determined by the employing agency of such member.

''(ii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize dual pay for work performed on behalf of the Commission and for a Federal agency during the same hours of the same day.''.

SEC. 6074. RED HILL HEALTH IMPACTS.

(a) REGISTRY FOR IMPACTED INDIVIDUALS OF THE RED HILL INCIDENT.—

(1) ESTABLISHMENT OF REGISTRY.—The Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'') shall establish within the Agency for Toxic Substances and Disease Registry or the Centers for Disease Control and Prevention or through an award of a grant or contract, as the Secretary determines appropriate, a Red Hill Incident exposure registry to collect data on health implications of petroleum contaminated water for impacted individuals on a voluntary basis. Such registry shall be complementary to, and not duplicative of, the Red Hill Incident Report of the Defense Occupational and Environmental Health Readiness System.

(2) OTHER RESPONSIBILITIES.—

(A) IN GENERAL.—The Secretary, in coordination with the Director of the Centers for Disease Control and Prevention, and in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and such State and local authorities or other partners as the Secretary of Health and Human Services considers appropriate, shall—

(i) review the Federal programs and services available to individuals exposed to petroleum;

(ii) review current research on petroleum exposure in order to identify additional research needs; and

(iii) undertake any other review or activities that the Secretary determines to be appropriate.

(B) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 6 additional years, the Secretary shall submit to the appropriate congressional committees a report on the review and activities undertaken under subparagraph (A) that includes—

(i) strategies for communicating and engaging with stakeholders on the Red Hill Incident;

(ii) the number of impacted and potentially impacted individuals enrolled in the registry established under paragraph (1);

(iii) measures and frequency of follow-up to collect data and specimens related to exposure, health, and developmental milestones as appropriate; and

(iv) a summary of data and analyses on exposure, health, and developmental milestones for impacted individuals.

(C) CONSULTATION.—In carrying out subparagraphs (A) and (B), the Secretary shall consult with non-Federal experts, including individuals with certification in epidemiology, toxicology, mental health, pediatrics, and environmental health, and members of the impacted community.

(3) FUNDING.—Without regard to section 2215 of title 10, United States Code, the Secretary of the Defense is authorized to provide, from amounts made available to such Secretary, such sums as may be necessary for each of fiscal years 2024 through 2030 for the Secretary of Health and Human Services to carry out this subsection.

(b) RED HILL EPIDEMIOLOGICAL HEALTH OUTCOMES STUDY.—

(1) CONTRACTS.—The Secretary of Health and Human Services may contract with independent research institutes or consultants, nonprofit or public entities, laboratories, or medical schools, as the Secretary considers appropriate, that are not part of the Federal Government to assist with the feasibility assessment required by paragraph (2).

(2) FEASIBILITY ASSESSMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the appropriate congressional committees the results of a feasibility assessment to inform the design of the epidemiological study or studies to assess health outcomes for impacted individuals, which may include—

(A) a strategy to recruit impacted individuals to participate in the study or studies, including incentives for participation;

(B) a description of protocols and methodologies to assess health outcomes from the Red Hill Incident, including data management protocols to secure the privacy and security of the personal information of impacted individuals; and

(C) the periodicity for data collection that takes into account the differences between health care practices among impacted individuals who are—

(i) members of the Armed Forces on active duty or spouses or dependents of such members;

(ii) members of the Armed Forces separating from active duty or spouses or dependents of such members;

(iii) veterans and other individuals with access to health care from the Department of Veterans Affairs; and

(iv) individuals without access to health care from the Department of Defense or the Department of Veterans Affairs;

(D) a description of methodologies to analyze data received from the study or studies to determine possible connections between exposure to water contaminated during the Red Hill Incident and adverse impacts to the health of impacted individuals;

(E) an identification of exposures resulting from the Red Hill Incident that may qualify individuals to be eligible for participation in the study or studies as a result of those exposures; and

(F) steps that will be taken to provide individuals impacted by the Red Hill Incident with information on available resources and services.

(3) NOTIFICATIONS; BRIEFINGS.—Not later than one year after the completion of the feasibility assessment under paragraph (2), the Secretary of Health and Human Services shall—

(A) notify impacted individuals on the interim findings of the study or studies; and

(B) brief the appropriate congressional committees on the interim findings of the study or studies.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Health, Education, Labor, and Pensions of the Senate;

(B) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(C) the Committee on Veterans' Affairs of the Senate;

(D) the Committee on Energy and Commerce of the House of Representatives;

(E) the Committee on Armed Services and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives; and

(F) the Committee on Veterans' Affairs of the House of Representatives.

(2) IMPACTED INDIVIDUAL.—The term ''impacted individual'' means an individual who, at the time of the Red Hill Incident, lived or worked in a building or residence served by the community water system at Joint Base Pearl Harbor-Hickam, Oahu, Hawaii.

(3) RED HILL INCIDENT.—The term ''Red Hill Incident'' means the release of fuel from the Red Hill Bulk Fuel Storage Facility, Oahu, Hawaii, into the sole-source basal aquifer located 100 feet below the facility, contaminating the community water system at Joint Base Pearl Harbor-Hickam on November 20, 2021.

SEC. 6075. PERMANENT AUTHORIZATION OF UNDETECTABLE FIREARMS ACT OF 1988.

Section 2(f) of the Undetectable Firearms Act of 1988 (18 U.S.C. 922 note; Public Law 100–649) is amended—

(1) by striking ''EFFECTIVE DATE AND SUNSET PROVISION'' and all that follows through ''This Act and the amendments'' and inserting the following: ''EFFECTIVE DATE.—This Act and the amendments''; and

(2) by striking paragraph (2).

SEC. 6076. SENSE OF CONGRESS ON THE IMPORTANCE OF NON-GOVERNMENTAL RECOGNITION OF MILITARY ENLISTEES TO IMPROVE COMMUNITY SUPPORT FOR MILITARY RECRUITMENT.

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

(1) publicly honoring and recognizing the young men and women who upon graduation from high-school enlist to serve in the Armed Forces is a meaningful way to indicate national and local support for those enlistees prior to initial accession training, express gratitude to their families, and enhance the partnerships between military recruiters and high school administrators and guidance counselors;

(2) the intrinsic value of these community ceremonies should be formally recognized by the Office of the Secretary of Defense and the various military service recruiting commands; and

(3) to the extent practicable, an appropriate level of joint military service support should be provided at these events, to include general officer and senior enlisted adviser participation, ceremonial unit involvement, musical support, and local recruiter presence.

(b) BRIEFING.—Not later than March 23, 2024, the Secretary of Defense shall brief the congressional defense committees on the extent of Department of Defense and military service coordination and support rendered for the recognition events described in subsection (a), which are executed at no cost to the Federal Government under the independent, national direction of the ''Our Community Salutes'' organization, a registered 501(c)(3) organization.

SEC. 6077. ADJUSTMENT OF THRESHOLD AMOUNT FOR MINOR MEDICAL FACILITY PROJECTS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) SHORT TITLE.—This section may be cited as the ''Department of Veterans Affairs Minor Construction Threshold Adjustment Act of 2023''.

(b) ADJUSTMENT OF THRESHOLD AMOUNT.—Section 8104(a) of title 38, United States Code, is amended—

(1) in paragraph (3)(A), by striking ''$20,000,000'' each place it appears and inserting ''the amount specified in paragraph (4)''; and

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

''(4)(A) The amount specified in this paragraph is $30,000,000, as adjusted pursuant to this paragraph.

''(B)(i) The Secretary shall develop, through regulations, a mechanism to adjust the amount under subparagraph (A) to account for relevant factors relating to construction, cost of land, real estate, economic conditions, labor conditions, inflation, and other relevant factors the Secretary considers necessary to ensure such amount keeps pace with all economic conditions that impact the price of construction projects, to include planning, management, and delivery of the project.

''(ii) In developing the mechanism under clause (i), the Secretary may—

''(I) use a mechanism or index already relied upon by the Department for other relevant programs, a mechanism or index used by another Federal agency, or a commercial mechanism or index if such mechanism or index satisfactorily addresses the intent of this subparagraph; or

''(II) create a new mechanism or index if the Secretary considers it appropriate and necessary to do so.

''(C)(i) Not less frequently than once every two years, the Secretary shall—

''(I) adjust the amount under subparagraph (A); or

''(II) publish a notice in the Federal Register indicating that no adjustment is warranted.

''(ii) Not later than 30 days before adjusting an amount pursuant to clause (i)(I) or publishing a notice pursuant to clause (i)(II), the Secretary shall notify the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate and the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives.

''(D) The Secretary shall determine a logical schedule for adjustments under this paragraph to take effect so that the amounts for and types of construction projects requested by the Department in the budget of the President under section 1105(a) of title 31 are consistent with the threshold for construction projects as so adjusted.''.

SEC. 6078. DESIGNATION OF NATIONAL MUSEUM OF THE MIGHTY EIGHTH AIR FORCE.

(a) DESIGNATION.—The National Museum of the Mighty Eighth Air Force located at 175 Bourne Avenue, Pooler, Georgia (or any successor location), is designated as the official National Museum of the Mighty Eighth Air Force of the United States (referred to in this section as the ''National Museum'').

(b) RELATION TO NATIONAL PARK SYSTEM.—The National Museum shall not be included as a unit of the National Park System.

(c) RULE OF CONSTRUCTION.—This section shall not be construed to appropriate, or authorize the appropriation of, Federal funds for any purpose related to the National Museum.

SEC. 6079. REVISION OF REQUIREMENT FOR TRANSFER OF CERTAIN AIRCRAFT TO STATE OF CALIFORNIA FOR WILDFIRE SUPPRESSION PURPOSES.

(a) TRANSFER OF EXCESS COAST GUARD HC–130H AIRCRAFT.—

(1) TRANSFER TO STATE OF CALIFORNIA.—If the Governor of the State of California submits to the Secretary of Homeland Security a written request to acquire, pursuant to this section, the Federal property described in this paragraph, the Secretary of Homeland Security shall transfer to the State of California without reimbursement—

(A) all right, title, and interest of the United States in and to the seven HC–130H aircraft specified in paragraph (2); and

(B) initial spares (calculated based on shelf stock support for seven HC–130H aircraft

each flying 400 hours each year) and necessary ground support equipment for such aircraft.

(2) AIRCRAFT SPECIFIED.—The aircraft specified in this paragraph are the HC–130H Coast Guard aircraft with serial numbers 1706, 1708, 1709, 1713, 1714, 1719, and 1721.

(3) TIMING; FAILURE TO SUBMIT REQUEST.—

(A) IN GENERAL.—The transfers under paragraph (1) shall be made as soon as practicable after the date on which the Secretary of Homeland Security receives a request under such paragraph.

(B) FAILURE TO SUBMIT REQUEST.—If the Governor of the State of California fails to submit a request under paragraph (1) before the date that is 120 days after the date of the enactment of this Act—

(i) paragraph (1) shall have no force or effect; and

(ii) the Secretary of Homeland Security may retain title and disposition of the Federal property described in paragraph (1).

(4) MODIFICATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the transfers under paragraph (1) may be carried out without further modifications by the United States to the aircraft transferred under such paragraph.

(B) DEMILITARIZED.—Before an aircraft may be transferred under paragraph (1), the aircraft shall be demilitarized as determined necessary by the Secretary of Homeland Security.

(b) CONDITIONS OF TRANSFER.—Aircraft transferred to the State of California under subsection (a)(1)—

(1) may be used only for wildfire suppression purposes;

(2) may not be flown outside of, or otherwise removed from, the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other disaster-related response purposes approved by the Governor of the State of California in writing in advance;

(3) may be used for wildfire suppression purposes only after the aircraft is modified to conform with the standards and requirements for firefighting aircraft set forth by the National Interagency Aviation Committee and the Interagency Airtanker Board; and

(4) may only be disposed of by the State of California pursuant to the statutes and regulations governing disposal of aircraft provided to the State of California through the Federal Excess Personal Property Program.

(c) TRANSFER OF RESIDUAL KITS AND PARTS HELD BY AIR FORCE.—The Secretary of the Air Force may transfer to the State of California, without reimbursement, any residual kits and parts held by the Secretary of the Air Force that were procured in anticipation of the transfer to the Secretary of the Air Force of the aircraft specified in subsection (a)(2).

(d) COSTS AFTER TRANSFER.—Any costs of operation, maintenance, sustainment, and disposal of aircraft, initial spares, and ground support equipment transferred to the Governor of the State of California under this section that are incurred after the date of transfer shall be borne by the Governor of the State of California.

(e) CONFORMING AMENDMENTS.—

(1) SECTION 1098 OF FISCAL YEAR 2014 NDAA.—Section 1098 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 881), as amended by section 1083 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1989), is amended—

(A) by striking subsection (a);

(B) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''and subject to the certification requirement under subsection (f),'';

(C) in subsection (c), by striking ''or the Governor of California'' each place it appears;

(D) in subsection (e), in the matter preceding paragraph (1)—

(i) by striking ''Promptly following the completion of the certification requirement under subsection (f) and notwithstanding'' and inserting ''Notwithstanding''; and

(ii) by striking ''begin''; and

(E) by striking subsection (f).

(2) SECTION 1083 OF FISCAL YEAR 2019 NDAA.—Section 1083 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1989) is repealed.

SEC. 6080. EXTENSION OF ACTIVE DUTY TERM FOR ATTENDING PHYSICIAN AT UNITED STATES CAPITOL.

The present incumbent Attending Physician at the United States Capitol shall be continued on active duty until 10 years after the date of the enactment of this Act.

SEC. 6081. DISCLOSURES BY DIRECTORS, OFFICERS, AND PRINCIPAL STOCKHOLDERS.

(a) IN GENERAL.—Section 16(a)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78p(a)(1)) is amended by inserting ''(including any such security of a foreign private issuer, as that term is defined in section 240.3b–4 of title 17, Code of Federal Regulations, or any successor regulation)'' after ''pursuant to section 12''.

(b) EFFECT ON REGULATION.—If any provision of section 240.3a12–3(b) of title 17, Code of Federal Regulations, or any successor regulation, is inconsistent with the amendment made by subsection (a), that provision of such section 240.3a12–3(b) (or such successor) shall have no force or effect.

(c) ISSUANCE OR AMENDMENT OF REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall issue final regulations (or amend existing regulations of the Commission) to carry out the amendment made by subsection (a).

SEC. 6082. PREVENTING CHILD SEX ABUSE.

(a) SHORT TITLE.—This section may be cited as the ''Preventing Child Sex Abuse Act of 2023''.

(b) SENSE OF CONGRESS.—The sense of Congress is the following:

(1) The safety of children should be a top priority for public officials and communities in the United States.

(2) According to the Rape, Abuse & Incest National Network, an individual in the United States is sexually assaulted every 68 seconds. And every 9 minutes, that victim is a child. Meanwhile, only 25 out of every 1,000 perpetrators will end up in prison.

(3) The effects of child sexual abuse can be long-lasting and affect the victim's mental health.

(4) Victims are more likely than non-victims to experience the following mental health challenges:

(A) Victims are about 4 times more likely to develop symptoms of drug abuse.

(B) Victims are about 4 times more likely to experience post-traumatic stress disorder as adults.

(C) Victims are about 3 times more likely to experience a major depressive episode as adults.

(5) The criminal justice system should and has acted as an important line of defense to protect children and hold perpetrators accountable.

(6) However, the horrific crimes perpetuated by Larry Nassar demonstrate firsthand the loopholes that still exist in the criminal justice system. While Larry Nassar was found guilty of several State-level offenses, he was not charged federally for his illicit sexual contact with minors, despite crossing State and international borders to commit this conduct.

(7) The Department of Justice has also identified a growing trend of Americans who use charitable or missionary work in a foreign country as a cover for sexual abuse of children.

(8) It is the intent of Congress to prohibit Americans from engaging in sexual abuse or exploitation of minors under the guise of work, including volunteer work, with an organization that affects interstate or foreign commerce, such as an international charity.

(9) Federal law does not require that an abuser's intention to engage in sexual abuse be a primary, significant, dominant, or motivating purpose of the travel.

(10) Child sexual abuse does not require physical contact between the abuser and the child. This is especially true as perpetrators turn increasingly to internet platforms, online chat rooms, and webcams to commit child sexual abuse.

(11) However, a decision of the United States Court of Appeals for the Seventh Circuit found the use of a webcam to engage in sexually provocative activity with a minor did not qualify as ''sexual activity''.

(12) Congress can address this issue by amending the definition of the term ''sexual activity'' to clarify that it does not require interpersonal, physical contact.

(13) It is the duty of Congress to provide clearer guidance to ensure that those who commit crimes against children are prosecuted to the fullest extent of the law.

(c) INTERSTATE CHILD SEXUAL ABUSE.—Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''with a motivating purpose of engaging in any illicit sexual conduct with another person'' and inserting ''with intent to engage in any illicit sexual conduct with another person'';

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (i), respectively;

(3) in subsection (e), as so redesignated, by striking ''with a motivating purpose of engaging in any illicit sexual conduct'' and inserting ''with intent to engage in any illicit sexual conduct''; and

(4) by inserting after subsection (g), as so redesignated, the following:

''(h) RULE OF CONSTRUCTION.—As used in this section, the term 'intent' shall be construed as any intention to engage in illicit sexual conduct at the time of the travel.''.

(d) ABUSE UNDER THE GUISE OF CHARITY.—Section 2423 of title 18, United States Code, as amended by subsection (c) of this section, is amended—

(1) by inserting after subsection (c) the following:

''(d) ILLICIT SEXUAL CONDUCT IN CONNECTION WITH CERTAIN ORGANIZATIONS.—Any citizen of the United States or alien admitted for permanent residence who—

''(1) is an officer, director, employee, or agent of an organization that affects interstate or foreign commerce;

''(2) makes use of the mails or any means or instrumentality of interstate or foreign commerce through the connection or affiliation of the person with such organization; and

''(3) commits an act in furtherance of illicit sexual conduct through the connection or affiliation of the person with such organization,

shall be fined under this title, imprisoned for not more than 30 years, or both.'';

(2) in subsection (f), as so redesignated, by striking ''or (d)'' and inserting ''(d), or (e)''; and

(3) in subsection (i), as so redesignated, by striking ''(f)(2)'' and inserting ''(g)(2)''.

(e) SEXUAL ACTIVITY WITH MINORS.—Section 2427 of title 18, United States Code, is amended by inserting ''does not require interpersonal physical contact, and'' before ''includes''.

SEC. 6083. SENATE NATIONAL SECURITY WORKING GROUP.

(a) IN GENERAL.—Section 21 of Senate Resolution 64 (113th Congress), agreed to March 5, 2013, is amended by striking subsection (d).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as though enacted on December 31, 2022.

SEC. 6084. RECOGNITION AS CORPORATION AND GRANT OF FEDERAL CHARTER FOR NATIONAL AMERICAN INDIAN VETERANS, INCORPORATED.

(a) IN GENERAL.—Part B of subtitle II of title 36, United States Code, is amended by inserting after chapter 1503 the following:

''CHAPTER 1504—NATIONAL AMERICAN INDIAN VETERANS, INCORPORATED

''§ 150401 Organization

''The National American Indian Veterans, Incorporated, a nonprofit corporation organized in the United States (referred to in this chapter as the 'corporation'), is a federally chartered corporation.

''§ 150402. Purposes

''The purposes of the corporation are those stated in the articles of incorporation, constitution, and bylaws of the corporation, and include a commitment—

''(1) to uphold and defend the Constitution of the United States while respecting the sovereignty of the American Indian Nations;

''(2) to unite under one body all American Indian veterans who served in the Armed Forces of United States;

''(3) to be an advocate on behalf of all American Indian veterans without regard to whether they served during times of peace, conflict, or war;

''(4) to promote social welfare (including educational, economic, social, physical, and cultural values and traditional healing) in the United States by encouraging the growth and development, readjustment, self-respect, self-confidence, contributions, and self-identity of American Indian veterans;

''(5) to serve as an advocate for the needs of American Indian veterans and their families and survivors in their dealings with all Federal and State government agencies;

''(6) to promote, support, and utilize research, on a nonpartisan basis, pertaining to the relationship between American Indian veterans and American society; and

''(7) to provide technical assistance to the Bureau of Indian Affairs regional areas that are not served by any veterans committee or organization or program by—

''(A) providing outreach service to Indian Tribes in need; and

''(B) training and educating Tribal Veterans Service Officers for Indian Tribes in need.

''§ 150403. Membership

''Subject to section 150406, eligibility for membership in the corporation, and the rights and privileges of members, shall be as provided in the constitution and bylaws of the corporation.

''§ 150404. Board of directors

''Subject to section 150406, the board of directors of the corporation, and the responsibilities of the board, shall be as provided in the constitution and bylaws of the corporation and in conformity with the laws under which the corporation is incorporated.

''§ 150405. Officers

''Subject to section 150406, the officers of the corporation, and the election of such officers, shall be as provided in the constitution and bylaws of the corporation and in conformity with the laws of the jurisdiction under which the corporation is incorporated.

''§ 150406. Nondiscrimination

''In establishing the conditions of membership in the corporation, and in determining the requirements for serving on the board of directors or as an officer of the corporation, the corporation may not discriminate on the basis of race, color, religion, sex, national origin, handicap, or age.

''§ 150407. Powers

''The corporation shall have only those powers granted the corporation through its articles of incorporation, constitution, and bylaws, which shall conform to the laws of the jurisdiction under which the corporation is incorporated.

''§ 150408. Exclusive right to name, seals, emblems, and badges

''(a) IN GENERAL.—The corporation shall have the sole and exclusive right to use the names 'National American Indian Veterans, Incorporated' and 'National American Indian Veterans', and such seals, emblems, and badges as the corporation may lawfully adopt.

''(b) EFFECT.—Nothing in this section interferes or conflicts with any established or vested rights.

''§ 150409. Restrictions

''(a) STOCK AND DIVIDENDS.—The corporation may not—

''(1) issue any shares of stock; or

''(2) declare or pay any dividends.

''(b) DISTRIBUTION OF INCOME OR ASSETS.—

''(1) IN GENERAL.—The income or assets of the corporation may not—

''(A) inure to any person who is a member, officer, or director of the corporation; or

''(B) be distributed to any such person during the life of the charter granted by this chapter.

''(2) EFFECT.—Nothing in this subsection prevents the payment of reasonable compensation to the officers of the corporation, or reimbursement for actual and necessary expenses, in amounts approved by the board of directors.

''(c) LOANS.—The corporation may not make any loan to any officer, director, member, or employee of the corporation.

''(d) NO FEDERAL ENDORSEMENT.—The corporation may not claim congressional approval or Federal Government authority by virtue of the charter granted by this chapter for any of the activities of the corporation.

''§ 150410. Duty to maintain tax-exempt status

''The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986.

''§ 150411. Records and inspection

''(a) RECORDS.—The corporation shall keep—

''(1) correct and complete books and records of accounts;

''(2) minutes of any proceeding of the corporation involving any of member of the corporation, the board of directors, or any committee having authority under the board of directors; and

''(3) at the principal office of the corporation, a record of the names and addresses of all members of the corporation having the right to vote.

''(b) INSPECTION.—

''(1) IN GENERAL.—All books and records of the corporation may be inspected by any member having the right to vote, or by any agent or attorney of such a member, for any proper purpose, at any reasonable time.

''(2) EFFECT.—Nothing in this section contravenes—

''(A) the laws of the jurisdiction under which the corporation is incorporated; or

''(B) the laws of those jurisdictions within the United States and its territories within which the corporation carries out activities in furtherance of the purposes of the corporation.

''§ 150412. Service of process

''With respect to service of process, the corporation shall comply with the laws of—

''(1) the jurisdiction under which the corporation is incorporated; and

''(2) those jurisdictions within the United States and its territories within which the corporation carries out activities in furtherance of the purposes of the corporation.

''§ 150413. Liability for acts of officers and agents

''The corporation shall be liable for the acts of the officers and agents of the corporation acting within the scope of their authority.

''§ 150414. Failure to comply with requirements

''If the corporation fails to comply with any of the requirements of this chapter, including the requirement under section 150410 to maintain its status as an organization exempt from taxation, the charter granted by this chapter shall expire.

''§ 150415. Annual report

''(a) IN GENERAL.—The corporation shall submit to Congress an annual report describing the activities of the corporation during the preceding fiscal year.

''(b) SUBMITTAL DATE.—Each annual report under this section shall be submitted at the same time as the report of the audit of the corporation required by section 10101(b).

''(c) REPORT NOT PUBLIC DOCUMENT.—No annual report under this section shall be printed as a public document.''.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle II of title 36, United States Code, is amended by inserting after the item relating to chapter 1503 the following:

''1504. National American Indian Veterans, Incorporated ..... 150401''.

Subtitle H—Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act

SEC. 6091. SHORT TITLE.

This subtitle may be cited as the ''Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act'' or ''GRATEFUL Act''.

SEC. 6092. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) In 1952, with the enactment of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Congress established an immigrant visa program to reward foreign nationals who are United States Government employees for their service to the United States (referred to in this Act as the ''Government Employee Immigrant Visa program'').

(2) For 71 years, the Government Employee Immigrant Visa program has allowed foreign nationals with at least 15 years of exceptional service to the United States to immigrate to the United States with their families.

(3) Such foreign national employees of the United States Government are the bulwark of United States foreign policy, risking their lives year after year through civil unrest, terrorism, natural disasters, and war.

(4) The work of such foreign nationals—

(A) ensures the safety and well-being of United States citizens;

(B) provides security and logistics for visiting delegations; and

(C) supports United States Government operations abroad.

(5) Such foreign nationals include employees of the Department of State, the United States Agency for International Development, the Department of Defense, the Department of Homeland Security, the Department of Justice, the Department of Commerce, and the Department of Agriculture.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should preserve the immigrant visa program for foreign nationals who are employees of the United States Government abroad or of the American Institute in Taiwan, and who have provided exceptional service over a long term to the United States, by providing a dedicated allocation of visas for such employees and their immediate family members when visas are not immediately available in the corresponding visa category.

SEC. 6093. VISA AVAILABILITY FOR GOVERNMENT EMPLOYEE IMMIGRANT VISA PROGRAM.

(a) IN GENERAL.—Beginning in fiscal year 2024, subject to subsection (b), visas shall be made available to a special immigrant described in section 101(a)(27)(D) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(D)) if a visa is not immediately available for issuance to the special immigrant under section 203(b)(4) of that Act (8 U.S.C. 1153(b)(4)).

(b) NUMERICAL LIMITATIONS.—

(1) FISCAL YEAR 2024.—For fiscal year 2024, not more than 3,500 visas shall be made available under subsection (a).

(2) SUBSEQUENT FISCAL YEARS.—For fiscal year 2025 and each fiscal year thereafter, not more than 3,000 visas shall be made available under subsection (a).

(c) TEMPORARY REDUCTION IN DIVERSITY VISAS.—Section 203(d)(2) of the Nicaraguan Adjustment and Central America Relief Act (8 U.S.C. 1151 note; Public Law 105–100) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) In no case shall the reduction under paragraph (1) for a fiscal year exceed the amount by which—

''(A) the sum of—

''(i) one-half of the total number of individuals described in subclauses (I), (II), (III), and (IV) of section 309(c)(5)(C)(i) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note; Public Law 104–208) who have adjusted their status to that of aliens lawfully admitted for permanent residence under section 202 of the Nicaraguan Adjustment and Central American Relief Act (Public Law 105–100; 8 U.S.C. 1255 note) as of the end of the previous fiscal year; and

''(ii) the total number of individuals described in section 101(a)(27)(D) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(D)) for whom visas shall be made available for the applicable fiscal year under section 1093(b) of the Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act; exceeds

''(B) the total of the reductions in available visas under this subsection for all previous fiscal years.''; and

(2) by adding at the end the following:

''(3)(A) Paragraph (1) shall not apply in a fiscal year following a fiscal year for which the total number of aliens described in subparagraph (B) is zero.

''(B) For a fiscal year, the total number of aliens described in this subparagraph is the total number of individuals described in section 101(a)(27)(D) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(D)) who have been issued visas during the previous fiscal year under the Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act.

''(C) Nothing in this paragraph may be construed—

''(i) to repeal, modify, or render permanently inapplicable paragraph (1); or

''(ii) to prevent the offsetting of the number of visas described in that paragraph for the purpose of providing visa availability for aliens described in subparagraph (B).

''(4) In the event that the number of visas available for a fiscal year under section 201(e) of the Immigration and Nationality Act (8 U.S.C. 1151(e)) is reduced to a number fewer than 50,000, not fewer than 3,000 visas shall be made available for individuals described in section 1093(a) of the Granting Recognition to Accomplished Talented Employees for Unwavering Loyalty Act.''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section may be construed to modify the number of visas available under section 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(4)) to special immigrants described in section 101(a)(27)(D) of that Act (8 U.S.C. 1101(a)(27)(D)).

Subtitle I—Additional Matters Relating to Artificial Intelligence

SEC. 6096. REPORT ON ARTIFICIAL INTELLIGENCE REGULATION IN FINANCIAL SERVICES INDUSTRY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each of the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the National Credit Union Administration, and the Bureau of Consumer Financial Protection shall submit to the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on its gap in knowledge relating to artificial intelligence, including an analysis on—

(1) which tasks are most frequently being assisted or completed with artificial intelligence in the institutions the agency regulates;

(2) current governance standards in place for artificial intelligence use at the agency and current standards in place for artificial intelligence oversight by the agency;

(3) potentially additional regulatory authorities required by the agency to continue to successfully execute its mission;

(4) where artificial intelligence may lead to overlapping regulatory issues between agencies that require clarification;

(5) how the agency is currently using artificial intelligence, how the agency plans to use such artificial intelligence the next 3 years, and the expected impact, including fiscal and staffing, of those plans; and

(6) what resources, monetary or other resources, if any, the agency requires to both adapt to the changes that artificial intelligence will bring to the regulatory landscape and to adequately adopt and oversee the use of artificial intelligence across its operations described in paragraph (5).

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require an agency to include confidential supervisory information or pre-decisional or deliberative non-public information in a report under this section.

SEC. 6097. ARTIFICIAL INTELLIGENCE BUG BOUNTY PROGRAMS.

(a) PROGRAM FOR FOUNDATIONAL ARTIFICIAL INTELLIGENCE PRODUCTS BEING INCORPORATED BY DEPARTMENT OF DEFENSE.—

(1) DEVELOPMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and subject to the availability of appropriations, the Chief Data and Artificial Intelligence Officer of the Department of Defense shall develop a bug bounty program for foundational artificial intelligence models being integrated into Department of Defense missions and operations.

(2) COLLABORATION.—In developing the program required by paragraph (1), the Chief may collaborate with the heads of other government agencies that have expertise in cybersecurity and artificial intelligence.

(3) IMPLEMENTATION AUTHORIZED.—The Chief may carry out the program developed pursuant to subsection (a).

(4) CONTRACTS.—The Secretary of Defense shall ensure, as may be appropriate, that whenever the Department of Defense enters into any contract, the contract allows for participation in the bug bounty program developed pursuant to paragraph (1).

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

(A) the use of any foundational artificial intelligence model; or

(B) the implementation of the program developed pursuant to paragraph (1) in order for the Department to incorporate a foundational artificial intelligence model.

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Chief shall provide the congressional defense committees a briefing on—

(1) the development and implementation of bug bounty programs the Chief considers relevant to the matters covered by this section; and

(2) long-term plans of the Chief with respect to such bug bounty programs.

(c) DEFINITION OF FOUNDATIONAL ARTIFICIAL INTELLIGENCE MODEL.—In this section, the term ''foundational artificial intelligence model'' means an adaptive generative model that is trained on a broad set of unlabeled data sets that can be used for different tasks, with minimal fine-tuning.

SEC. 6098. VULNERABILITY ANALYSIS STUDY FOR ARTIFICIAL INTELLIGENCE-ENABLED MILITARY APPLICATIONS.

(a) STUDY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer (CDAO) of the Department of Defense shall complete a study analyzing the vulnerabilities to the privacy, security, and

accuracy of, and capacity to assess, artificial intelligence-enabled military applications, as well as research and development needs for such applications.

(b) ELEMENTS.—The study required by subsection (a) shall cover the following:

(1) Research and development needs and transition pathways to advance explainable and interpretable artificial intelligence-enabled military applications, including the capability to assess the underlying algorithms and data models of such applications.

(2) Assessing the potential risks to the privacy, security, and accuracy of underlying architectures and algorithms of artificial intelligence-enabled military applications, including the following:

(A) Individual foundational artificial intelligence models, including the adequacy of existing testing, training, and auditing for such models to ensure models can be properly assessed over time.

(B) The interactions of multiple artificial intelligence-enabled military applications, and the ability to detect and assess new, complex, and emergent behavior amongst individual agents, as well as the collective impact, including how such changes may affect risk to privacy, security, and accuracy over time.

(C) The impact of increased agency in artificial intelligence-enabled military applications and how such increased agency may affect the ability to detect and assess new, complex, and emergent behavior, as well risks to the privacy, security, and accuracy of such applications over time.

(3) Assessing the survivability and traceability of decision support systems that are integrated with artificial intelligence-enabled military applications and used in a contested environment, including—

(A) potential benefits and risks to Department of Defense missions and operations of implementing such applications; and

(B) other technical or operational constraints to ensure such decision support systems that are integrated with artificial intelligence-enabled military applications are able to adhere to the Department of Defense Ethical Principles for Artificial Intelligence.

(4) Identification of existing artificial intelligence metrics, developmental, testing and audit capabilities, personnel, and infrastructure within the Department of Defense, including test and evaluation facilities, needed to enable ongoing identification and assessment under paragraphs (1) through (3), and other factors such as—

(A) implications for deterrence systems based on systems warfare; and

(B) vulnerability to systems confrontation on the system and system-of-systems level.

(5) Identification of gaps or research needs to sufficiently respond to the elements outlined in this subsection that are not currently, or not sufficiently, funded within the Department of Defense.

(c) COORDINATION.—In carrying out the study required by subsection (a), the Chief Digital and Artificial Intelligence Officer shall coordinate with the following:

(1) The Director of the Defense Advanced Research Projects Agency (DARPA).

(2) The Under Secretary of Defense for Research and Evaluation.

(3) The Under Secretary of Defense for Policy.

(4) The Director for Operational Test and Evaluation (DOT&E) of the Department.

(5) As the Chief Digital and Artificial Intelligence Officer considers appropriate, the following:

(A) The Secretary of Energy.

(B) The Director of the National Institute of Standards and Technology.

(C) The Director of the National Science Foundation.

(D) The head of the National Artificial Intelligence Initiative Office of the Office of Science and Technology Policy.

(E) Members and representatives of industry.

(F) Members and representatives of academia.

(d) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer shall provide the congressional defense committees a briefing on the interim findings of the Chief Digital and Artificial Intelligence Officer with respect to the study being conducted pursuant to subsection (a).

(e) FINAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Chief Digital and Artificial Intelligence Officer shall submit to the congressional defense committees a final report on the findings of the Chief Digital and Artificial Intelligence Officer with respect to the study conducted pursuant to subsection (a).

(2) FORM.—The final report submitted pursuant to paragraph (1) shall be submitted in unclassified for, but may include a classified annex.

(f) DEFINITION OF FOUNDATIONAL ARTIFICIAL INTELLIGENCE MODEL.—In this section, the term ''foundational artificial intelligence model'' means an adaptive generative model that is trained on a broad set of unlabeled data sets that can be used for different tasks, with minimal fine-tuning.

SEC. 6099. REPORT ON DATA SHARING AND COORDINATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on ways to improve data sharing, interoperability, and quality, as may be appropriate, across the Department of Defense.

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

(1) A description of policies, practices, and cultural barriers that impede data sharing and interoperability, and lead to data quality issues, among components of the Department.

(2) The impact a lack of appropriate levels of data sharing, interoperability, and quality has on Departmental collaboration, efficiency, interoperability, and joint-decision-making.

(3) A review of current efforts to promote appropriate data sharing, including to centralize data management, such as the ADVANA program.

(4) A description of near-, mid-, and long-term efforts that the Office of the Secretary of Defense plans to implement to promote data sharing and interoperability, including efforts to improve data quality.

(5) A detailed plan to implement a data sharing and interoperability strategy that supports effective development and employment of artificial intelligence-enabled military applications.

(6) A detailed assessment of the implementation of the Department of Defense Data Strategy issued in 2020, as well as the use of data decrees to improve management rigor in the Department when it comes to data sharing and interoperability.

(7) Any recommendations for Congress with respect to assisting the Department in these efforts.

TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle C—Matters Relating to Europe and the Russian Federation

SEC. 6231. BLACK SEA SECURITY AND DEVELOPMENT STRATEGY.

(a) SHORT TITLE.—This section may be cited as the ''Black Sea Security Act of 2023''.

(b) SENSE OF CONGRESS ON BLACK SEA SECURITY.—It is the sense of Congress that—

(1) it is in the interest of the United States to support efforts to prevent the spread of further armed conflict in Europe by recognizing the Black Sea region as an arena of Russian aggression;

(2) littoral states of the Black Sea are critical in countering aggression by the Government of the Russian Federation and contributing to the collective security of NATO;

(3) the repeated, illegal, unprovoked, and violent attempts of the Russian Federation to expand its territory and control access to the Mediterranean Sea through the Black Sea constitutes a threat to the national security of the United States and NATO;

(4) the United States condemns attempts by the Russian Federation to change or alter boundaries in the Black Sea region by force or any means contrary to international law and to impose a sphere of influence across the region;

(5) the United States condemns Russia's illegitimate territorial claims, including those on the Crimean Peninsula, along Ukraine's territorial waters in the Black Sea and the Sea of Azov, in the Black Sea's international waters, and in the territories it is illegally occupying in Ukraine;

(6) the United States should continue to work within NATO and with NATO allies to develop a long-term strategy to enhance security, establish a permanent, sustainable presence along NATO's eastern flank, and bolster the democratic resilience of its allies and partners in the region;

(7) the United States should consider whether it should work within NATO and with NATO allies to develop a regular, rotational maritime presence in the Black Sea;

(8) the United States should work with the European Union on coordinating a strategy to support democratic initiatives and economic prosperity in the region, which includes 2 European Union members and 4 European Union aspirant nations;

(9) the United States should work to foster dialogue among countries within the Black Sea region to improve communication and intelligence sharing and increase cyber defense capabilities;

(10) countries with historic and economic ties to Russia are looking to the United States and Europe to provide a positive economic presence in the broader region as a counterbalance to the Russian Federation's malign influence in the region;

(11) it is in the interest of the United States to support and bolster the economic ties between the United States and Black Sea states;

(12) the United States should support the initiative undertaken by central and eastern European states to advance the Three Seas Initiative Fund to strengthen transport, energy, and digital infrastructure connectivity in the region between the Adriatic Sea, Baltic Sea, and Black Sea;

(13) there are mutually beneficial opportunities for increased investment and economic expansion, particularly on energy and transport infrastructure initiatives, between the United States and Black Sea states and the broader region;

(14) improved economic ties between the United States and the Black Sea states and the broader region can lead to a strengthened strategic partnership;

(15) the United States must seek to address the food security challenges arising from disruption of Ukraine's Black Sea and Azov Sea ports, as this global challenge will have critical national security implications for the United States, our partners, and allies;

(16) Turkey, in coordination with the United Nations, has played an important role in alleviating global food insecurity by negotiating two agreements to allow grain exports from Ukrainian ports through a safe corridor in the Black Sea;

(17) Russia has a brutal history of using hunger as a weapon and must be stopped; and

(18) countering the PRC's coercive economic pursuits remains an important policy imperative in order to further integrate the Black Sea states into western economies and improve regional stability.

(c) UNITED STATES POLICY.—It is the policy of the United States—

(1) to actively deter the threat of Russia's further escalation in the Black Sea region and defend freedom of navigation in the Black Sea to prevent the spread of further armed conflict in Europe;

(2) to advocate within NATO, among NATO allies, and within the European Union to develop a long-term coordinated strategy to enhance security, establish a sustainable presence in the eastern flank, and bolster the democratic resilience of United States allies and partners in the region;

(3) to consider whether to advocate within NATO and among NATO allies to develop a regular, rotational maritime presence in the Black Sea;

(4) to support and bolster the economic ties between the United States and Black Sea partners and mobilize the Department of State, the Department of Defense, and other relevant Federal departments and agencies by enhancing the United States presence and investment in Black Sea states;

(5) to provide economic alternatives to the PRC's coercive economic options that destabilize and further erode economic integration of the Black Sea states;

(6) to ensure that the United States continues to support Black Sea states' efforts to strengthen their democratic institutions to prevent corruption and accelerate their advancement into the Euroatlantic community; and

(7) to encourage the initiative undertaken by central and eastern European states to advance the Three Seas Initiative to strengthen transport, energy, and digital infrastructure connectivity in the region between the Adriatic Sea, Baltic Sea, and Black Sea.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Select Committee on Intelligence of the Senate;

(E) the Committee on Energy and Natural Resources of the Senate;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Committee on Appropriations of the House of Representatives;

(I) the Permanent Select Committee on Intelligence of the House of Representatives; and

(J) the Committee on Energy and Commerce of the House of Representatives.

(2) BLACK SEA STATES.—The term ''Black Sea states'' means Turkey, Romania, Bulgaria, Moldova, Ukraine, and Georgia.

(3) PRC.—The term ''PRC'' means the People's Republic of China.

(e) BLACK SEA SECURITY AND DEVELOPMENT STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the National Security Council, in coordination with the Department of State, the Department of Defense, and other relevant Federal departments and agencies, shall direct an interagency strategy with a classified annex—

(1) to increase coordination with NATO and the European Union;

(2) to deepen economic ties;

(3) to strengthen energy security;

(4) to support efforts to bolster their democratic resilience; and

(5) to enhance security assistance with our regional partners in accordance with the values and interests of the United States.

(f) PURPOSE AND OBJECTIVES.—The strategy authorized under subsection (e) shall have the following goals and objectives:

(1) Ensuring the efficient and effective delivery of security assistance to regional partners in accordance with the values and interests of the United States, prioritizing assistance that will bolster defenses and improve interoperability with NATO forces.

(2) Bolstering United States support for the region's energy security and integration with Europe and reducing their dependence on Russia while supporting energy diversification.

(3) Mitigating the impact of economic coercion by the Russian Federation and the PRC on Black Sea states and identifying new opportunities for foreign direct investment from the United States and cooperating countries and the enhancement of United States business ties with regional partners in accordance with the values and interests of the United States.

(4) Increasing high-level engagement between the United States and regional partners, and reinforcing economic growth, financing quality infrastructure, and reinforcing trade with a focus on improving high-level economic cooperation.

(5) Increasing United States coordination with the European Union and NATO to maximize effectiveness and minimize duplication.

(g) ACTIVITIES.—

(1) SECURITY.—The strategy authorized under subsection (e) should include the following elements related to security:

(A) A plan to increase interagency coordination on the Black Sea region.

(B) An assessment of whether a United States-led initiative with NATO allies to increase coordination, presence, and regional engagement among Black Sea states is advisable.

(C) An assessment of whether there is a need to increase security assistance or security cooperation with Black Sea states, focused on Ukraine, Romania, Bulgaria, Moldova, and Georgia.

(D) An assessment of the value of establishing a United States or multinational headquarters on the Black Sea, responsible for planning, readiness, exercises, and coordination of military activity in the greater Black Sea region.

(E) An assessment of the challenges and opportunities of establishing a regular, rotational NATO maritime presence in the Black Sea.

(F) An overview of Foreign Military Financing, International Military Education and Training, and other United States security assistance to the Black Sea region.

(G) A plan for combating Russian disinformation and propaganda in the Black Sea region that utilizes the resources of the United States Government.

(H) A plan to promote greater freedom of navigation to allow for greater security and economic Black Sea access.

(2) ECONOMIC PROSPERITY.—The strategy authorized under subsection (e) shall include the following elements related to economic prosperity:

(A) A strategy to foster dialogue between experts from the United States and from the Black Sea states on economic expansion, foreign direct investment, strengthening rule of law initiatives, and mitigating economic coercion by Russia and the PRC.

(B) A strategy for all the relevant Federal departments and agencies that contribute to United States economic statecraft to expand their presence and identify new opportunities for private investment with regional partners in accordance with the values and interests of the United States.

(C) Assessments on energy diversification, focusing on the immediate need to replace energy supplies from Russia, and recognizing the long-term importance of broader energy diversification.

(D) Assessments of potential food security solutions, including sustainable, long-term arrangements beyond the Black Sea Grain Initiative.

(3) DEMOCRATIC RESILIENCE.—The strategy authorized under subsection (e) shall include the following elements related to democratic resilience:

(A) A strategy to increase independent media and United States-supported media initiatives to combat foreign malign influence in the Black Sea region.

(B) Greater mobilization of initiatives spearheaded by the Department of State and the United States Agency for International Development to counter Russian propaganda and disinformation in the Black Sea region.

(4) REGIONAL CONNECTIVITY.—The strategy authorized under subsection (e) shall promote regional connectivity by sending high-level representatives of the Department of State or other agency partners to—

(A) the Black Sea region not less frequently than twice per year; and

(B) major regional fora on infrastructure and energy security, including the Three Seas Initiative Summit.

(h) IDENTIFICATION OF NECESSARY PROGRAMS AND RESOURCES.—Not later than 360 days after the date of the enactment of this Act, the interagency strategy shall identify any necessary program, policy, or budgetary resources required, by agency, to support the implementation of the Black Sea Security Strategy for fiscal years 2024, 2025, and 2026.

(i) RESPONSIBILITIES OF FEDERAL DEPARTMENTS AND AGENCIES.—Nothing under this section may be construed to authorize the National Security Council to assume any of the responsibilities or authorities of the head of any Federal department, agency, or office, including the foreign affairs responsibilities and authorities of the Secretary of State, to oversee the implementation of programs and policies under this section.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 6241. SENSE OF CONGRESS ON THE RENEWAL OF THE COMPACTS OF FREE ASSOCIATION WITH THE REPUBLIC OF PALAU, THE FEDERATED STATES OF MICRONESIA, AND THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) FINDINGS.—Congress finds that—

(1) in 1947, the United Nations entrusted the United States with the defense and security of the region that now comprises—

(A) the Republic of Palau;

(B) the Federated States of Micronesia; and

(C) the Republic of the Marshall Islands;

(2) in 1983, the United States signed Compacts of Free Association with the Federated

States of Micronesia and the Republic of the Marshall Islands;

(3) in 1985, the United States signed a Compact of Free Association with the Republic of Palau;

(4) in 1986, Congress—

(A) enacted the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99–239), which approved the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands; and

(B) enacted Public Law 99–658 (48 U.S.C. 1931 note), which approved the Compact of Free Association with the Republic of Palau;

(5) in 2003, Congress enacted the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188), which approved and renewed the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands;

(6) in 2010, the United States and the Republic of Palau agreed to terms for renewing the Compact of Free Association with the Republic of Palau in the Palau Compact Review Agreement, which was approved by Congress in section 1259C of the National Defense Authorization Act for Fiscal Year 2018 (48 U.S.C. 1931 note; Public Law 115–91);

(7) on January 11, 2023, the United States signed a Memorandum of Understanding with the Republic of the Marshall Islands on funding priorities for the Compact of Free Association with the Republic of the Marshall Islands;

(8) on May 22, 2023, the United States signed the U.S.-Palau 2023 Agreement, following the Compact of Free Association Section 432 Review;

(9) on May 23, 2023, the United States signed 3 agreements relating to the U.S.-FSM Compact of Free Association, which included—

(A) an Agreement to Amend the Compact, as amended;

(B) a new fiscal procedures agreement; and

(C) a new trust fund agreement; and

(10) the United States is undergoing negotiations relating to the Compact of Free Association with the Republic of the Marshall Islands.

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

(1) the close and strategic partnerships of the United States with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands are vital to international peace and security in the Indo-Pacific region;

(2) the Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands form the political, economic, and security architecture that bolsters and sustains security and drives regional development and the prosperity of the larger Indo-Pacific community of nations;

(3) certain provisions of the current Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands expire on September 30, 2023;

(4) certain provisions of the Compact of Free Association with the Republic of Palau expire on September 30, 2024;

(5) it is in the national interest of the United States to successfully renegotiate and renew the Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands; and

(6) enacting legislation to approve amended Compacts of Free Association with the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands is the most important way for Congress to support United States strategic partnerships with the 3 countries.

SEC. 6242. ELIGIBILITY OF TAIWAN FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Taiwan has adopted high standards in the field of export controls.

(2) Taiwan has declared its unilateral adherence to the Missile Technology Control Regime, the Wassenaar Arrangement, the Australia Group, and the Nuclear Suppliers Group.

(3) At the request of President George W. Bush, section 1206 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2321k note) required that Taiwan be treated as if it were designated as a major non-NATO ally (as defined in section 644(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(q)).

(b) ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION.—The President, consistent with the commitments of the United States under international arrangements, shall take steps so that Taiwan may be treated as if it were included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of the Export Administration Regulations to the requirement for a license for the export, re-export, or in-country transfer of an item subject to controls under the Export Administration Regulations.

(c) CRITERIA.—Before the President may treat Taiwan as eligible for the exception described in subsection (b), the President shall ensure that Taiwan satisfies any applicable criteria normally required for inclusion in the Country Group A:5 list set forth in Supplement No. 1 to part 740 of the Export Administration Regulations, particularly with respect to alignment of export control policies with such policies of the United States.

(d) EXPORT ADMINISTRATION REGULATIONS DEFINED.—In this section, the term ''Export Administration Regulations'' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

SEC. 6243. AUDIT TO IDENTIFY DIVERSION OF DEPARTMENT OF DEFENSE FUNDING TO CHINA'S RESEARCH LABS.

Section 1263 is deemed to read as follows:

''SEC. 1263. AUDIT TO IDENTIFY DIVERSION OF DEPARTMENT OF DEFENSE FUNDING TO CHINA'S RESEARCH LABS.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Office of Inspector General shall conduct a study, and submit a report to Congress, regarding the amount of Federal funds awarded by the Department of Defense (whether directly or indirectly) through grants, contracts, subgrants, subcontracts, or any other type of agreement or collaboration, during the 10-year period immediately preceding such date of enactment, that—

''(1) was provided, whether purposely or inadvertently, to—

''(A) the People's Republic of China;

''(B) the Communist Party of China;

''(C) the Wuhan Institute of Virology or any other organization administered by the Chinese Academy of Sciences;

''(D) EcoHealth Alliance Inc., including any subsidiaries and related organizations that are directly controlled by EcoHealth Alliance, Inc.;

''(E) the Academy of Military Medical Sciences or any of its research institutes, including the Beijing Institute of Microbiology and Epidemiology; or

''(F) any other lab, agency, organization, individual, or instrumentality that is owned, controlled (directly or indirectly), or overseen (officially or unofficially) by any of the entities listed in subparagraphs (A) through (D); or

''(2) was used to fund research or experiments that could have reasonably resulted in the enhancement of any coronavirus, influenza, Nipah, Ebola, or other pathogen of pandemic potential or chimeric versions of such a virus or pathogen in the People's Republic of China or any other foreign country.

''(b) IDENTIFICATION OF COUNTRIES AND PATHOGENS.—The report required under subsection (a) shall specify—

''(1) the countries in which the research or experiments described in subsection (a)(2) was conducted; and

''(2) the pathogens involved in such research or experiments.''.

Subtitle G—Other Matters

SEC. 6291. SENSE OF THE SENATE ON DIGITAL TRADE AND THE DIGITAL ECONOMY.

(a) FINDINGS.—Congress makes the following findings:

(1) Over half of the world's population, totaling more than 5,000,000,000 people, use the internet.

(2) The digital economy encompasses the economic and social activity from billions of online connections among people, businesses, devices, and data as a result of the internet, mobile technology, and the internet of things.

(3) The Bureau of Economic Analysis found that the digital economy contributed nearly 10.3 percent of United States gross domestic product and supported 8,000,000 United States jobs in 2020.

(4) The digital sector added 1,400,000 new jobs between 2019 and 2022.

(5) United States jobs supported by the digital economy have sustained annual wage growth at a rate of 5.9 percent since 2010, as compared to a 4.2 percent for all jobs.

(6) In 2021, United States exports of digital services surpassed $594,000,000,000, accounting for more than half of all United States services exports and generating a digital services trade surplus for the United States of $262,300,000,000.

(7) Digital trade bolsters the digital economy by enabling the sale of goods on the internet and the supply of online services across borders and depends on the free flow of data across borders to promote commerce, manufacturing, and innovation.

(8) Digital trade has become increasingly vital to United States workers and businesses of all sizes, including the countless small and medium-sized enterprises that use digital technology, data flows, and e-commerce to export goods and services across the world.

(9) Digital trade has advanced entrepreneurship opportunities for women, people of color, and individuals from otherwise underrepresented backgrounds and enabled the formation of innovative start-ups.

(10) International supply chains are becoming increasingly digitized and data driven and businesses in a variety of industries, such as construction, healthcare, transportation, and aerospace, invested heavily in digital supply chain technologies in 2020.

(11) United States Trade Representative Katherine Tai said, ''[T]here is no bright line separating digital trade from the digital economy—or the 'traditional' economy for that matter. Nearly every aspect of our economy has been digitized to some degree.''.

(12) Industries outside of the technology sector, such as manufacturing and agriculture, are integrating digital technology into their businesses in order to increase efficiency, improve safety, reach new customers, and remain globally competitive.

(13) The increasing reliance on digital technologies has modernized legacy processes, accelerated workflows, increased access to information and services, and strengthened security in a variety of industries, leading to better health, environmental, and safety outcomes.

(14) The COVID–19 pandemic has led to increased uptake and reliance on digital technologies, data flows, and e-commerce.

(15) Ninety percent of adults in the United States say that the internet has been essential or important for them personally during the COVID–19 pandemic.

(16) United States families, workers, and business owners have seen how vital access to the internet has been to daily life, as work, education, medicine, and communication with family and friends have shifted increasingly online.

(17) Many individuals and families, especially in rural and Tribal communities, struggle to participate in the digital economy because of a lack of access to a reliable internet connection.

(18) New developments in technology must be deployed with consideration to the unique access challenges of rural, urban underserved, and vulnerable communities.

(19) Digital trade has the power to help level the playing field and uplift those in traditionally unrepresented or underrepresented communities.

(20) Countries have negotiated international rules governing digital trade in various bilateral and plurilateral agreements, but those rules remain fragmented, and no multilateral agreement on digital trade exists within the World Trade Organization.

(21) The United States, through free trade agreements or other digital agreements, has been a leader in developing a set of rules and standards on digital governance and e-commerce that has helped allies and partners of the United States unlock the full economic and social potential of digital trade.

(22) Congress recognizes the need for agreements on digital trade, as indicated by its support for a robust digital trade chapter in the United States-Mexico-Canada Agreement.

(23) Other countries are operating under their own digital rules, some of which are contrary to democratic values shared by the United States and many allies and partners of the United States.

(24) Those countries are attempting to advance their own digital rules on a global scale.

(25) Examples of the plethora of nontariff barriers to digital trade that have emerged around the globe include—

(A) overly restrictive data localization requirements and limitations on cross border data flows that do not achieve legitimate public policy objectives;

(B) intellectual property rights infringement;

(C) policies that make market access contingent on forced technology transfers or voluntary transfers subject to coercive terms;

(D) web filtering;

(E) economic espionage;

(F) cybercrime exposure; and

(G) government-directed theft of trade secrets.

(26) Certain countries are pursuing or have implemented digital policies that unfairly discriminate against innovative United States technology companies and United States workers that create and deliver digital products and services.

(27) The Government of the People's Republic of China is currently advancing a model for digital governance and the digital economy domestically and abroad through its Digital Silk Road Initiative that permits censorship, surveillance, human and worker rights abuses, forced technology transfers, and data flow restrictions at the expense of human and worker rights, privacy, the free flow of data, and an open internet.

(28) The 2022 Country Reports on Human Rights Practices of the Department of State highlighted significant human rights issues committed by the People's Republic of China in the digital realm, including ''arbitrary interference with privacy including pervasive and intrusive technical surveillance and monitoring including the use of COVID–19 tracking apps for nonpublic-health purposes; punishment of family members for offenses allegedly committed by an individual; serious restrictions on free expression and media, including physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others; serious restrictions on internet freedom, including site blocking''.

(29) The United States discourages digital authoritarianism, including practices that undermine human and worker rights and result in other social and economic coercion.

(30) Allies and trading partners of the United States in the Indo-Pacific region have urged the United States to deepen economic engagement in the region by negotiating rules on digital trade and technology standards.

(31) The digital economy has provided new opportunities for economic development, entrepreneurship, and growth in developing countries around the world.

(32) Negotiating strong digital trade principles and commitments with allies and partners across the globe enables the United States to unite like-minded economies around common standards and ensure that principles of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of digital governance.

(33) United States leadership and substantive engagement is necessary to ensure that global digital rules reflect United States values so that workers are treated fairly, small businesses can compete and win in the global economy, and consumers are guaranteed the right to privacy and security.

(34) The United States supports rules that reduce digital trade barriers, promote free expression and the free flow of information, enhance privacy protections, protect sensitive information, defend human and worker rights, prohibit forced technology transfer, and promote digitally enabled commerce.

(35) The United States supports efforts to cooperate with allies and trading partners to mitigate the risks of cyberattacks, address potentially illegal or deceptive business activities online, promote financial inclusion and digital workforce skills, and develop rules to govern the use of artificial intelligence and other emerging and future technologies.

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

(1) the United States should negotiate strong, inclusive, forward-looking, and enforceable rules on digital trade and the digital economy with like-minded countries as part of a broader trade and economic strategy to address digital barriers and ensure that the United States values of democracy, rule of law, freedom of speech, human and worker rights, privacy, and a free and open internet are at the very core of the digital world and advanced technology;

(2) in conducting such negotiations, the United States must—

(A) pursue digital trade rules that—

(i) serve the best interests of workers, consumers, and small and medium-sized enterprises;

(ii) empower United States workers;

(iii) fuel wage growth; and

(iv) lead to materially positive economic outcomes for all people in the United States;

(B) ensure that any future agreement prevents the adoption of non-democratic, coercive, or overly restrictive policies that would be obstacles to a free and open internet and harm the ability of the e-commerce marketplace to continue to grow and thrive;

(C) coordinate sufficient trade-related assistance to ensure that developing countries can improve their capacity and benefit from increased digital trade; and

(D) consult closely with all relevant stakeholders, including workers, consumers, small and medium-sized enterprises, civil society groups, and human rights advocates; and

(3) with respect to any negotiations for an agreement facilitating digital trade, the United States Trade Representative and the heads of other relevant Federal agencies must consult closely and on a timely basis with Congress.

SEC. 6292. ASSESSMENT OF CERTAIN UNITED STATES-ORIGIN TECHNOLOGY USED BY FOREIGN ADVERSARIES.

(a) IN GENERAL.—The Director of National Intelligence shall conduct an assessment to evaluate the top five technologies that originate in the United States and are not currently subject to export controls as prioritized by the Director of National Intelligence, in order to identify and assess the risk from those specified technologies that could be or are being used by foreign adversaries in foreign espionage programs targeting the United States.

(b) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director shall submit a report on the assessment required by subsection (a) to—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 6293. VIRGINIA CLASS SUBMARINE TRANSFER CERTIFICATION.

(a) CERTIFICATION REQUIRED.—

(1) IN GENERAL.—Not less than 60 days prior to transferring one or more Virginia class submarines from the inventory of the United States Navy to the Government of Australia, under section 21 of the Arms Export Control Act (22 U.S.C. 2761), the President shall certify to the appropriate congressional committees that—

(A) any submarine transferred under such authority shall be used to support the joint security interests and military operations of the United States and Australia;

(B) Submarine Rotational Forces-West Full Operational Capability to support 4 rotationally deployed Virginia-class submarines and one Astute-class submarine has been achieved, including the Government of Australia having demonstrated the domestic capacity to fully perform all the associated activities necessary for the safe hosting and operation of nuclear-powered submarines; and

(C) Australia Sovereign-Ready Initial Operational Capability to support a Royal Australian Navy Virginia-class submarine has been achieved, including the Government of Australia having demonstrated the domestic capacity to fully perform all the associated—

(i) activities necessary for the safe hosting and operation of nuclear-powered submarines;

(ii) crewing;

(iii) operations;

(iv) regulatory and emergency procedures, including those specific to nuclear power plants; and

(v) detailed planning for enduring Virginia-class submarine ownership, including each significant event leading up to and including nuclear defueling.

(b) DEFINITIONS.—In this section:

(1) ACTIVITIES NECESSARY FOR THE SAFE HOSTING OR OPERATION OF NUCLEAR-POWERED SUBMARINES.—The term ''activities necessary for the safe hosting and operation of nuclear-powered submarines'' means each of the following activities as it relates to Virginia-class and Astute-class submarines, as appropriate, and in accordance with applicable United States Navy or other Government agency instructions, regulations, and standards:

(A) Maintenance.

(B) Training.

(C) Technical oversight.

(D) Safety certifications.

(E) Physical, communications, operational, cyber, and other security measures.

(F) Port operations and infrastructure support.

(G) Storage, including spare parts, repair parts, and munitions.

(H) Hazardous material handling and storage.

(I) Information technology systems.

(J) Support functions, including those related to medical, quality-of-life, and family needs.

(K) Such other related tasks as may be specified by the Secretary of Defense.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

TITLE LXV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

Subtitle B—Nuclear Forces

SEC. 6511. ANNUAL REPORT ON DEVELOPMENT OF LONG-RANGE STAND-OFF WEAPON.

(a) REPORT REQUIRED.—Not later than March 1, 2024, and annually thereafter until the date on which long-range stand-off weapon reaches initial operational capability, the Administrator for Nuclear Security, in coordination with the Secretary of the Air Force and the Chairman of the Nuclear Weapons Council, shall submit to the congressional defense committees a report on the joint development of the long-range stand-off weapon, including the missile developed by the Air Force and the W80–4 warhead life extension program conducted by the National Nuclear Security Administration.

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

(1) An estimate of the date on which the long-range stand-off weapon will reach initial operational capability.

(2) A description of any development milestones for the missile developed by the Air Force or the warhead developed by the National Nuclear Security Administration that depend on corresponding progress at the other agency.

(3) A description of coordination efforts between the Air Force and the National Nuclear Security Administration during the period covered by the report.

(4) A description of any schedule delays projected by the Air Force or the National Nuclear Security Administration and the anticipated effect such delays would have on the schedule of work of the other agency.

(5) Plans to mitigate the effects of any delays described in paragraph (4).

(6) A description of any ways, including through the availability of additional funding or authorities, in which the development milestones described in paragraph (2) or the estimated date of initial operational capability referred to in paragraph (1), could be achieved more quickly.

(7) An estimate of the acquisition costs for the long-range stand-off weapon and the W80–4 warhead life extension program.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

TITLE LXVIII—FEND OFF FENTANYL ACT

SEC. 6801. SHORT TITLE.

This title may be cited as the ''Fentanyl Eradication and Narcotics Deterrence Off Fentanyl Act'' or the ''FEND Off Fentanyl Act''.

SEC. 6802. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the proliferation of fentanyl is causing an unprecedented surge in overdose deaths in the United States, fracturing families and communities, and necessitating a comprehensive policy response to combat its lethal flow and to mitigate the drug's devastating consequences;

(2) the trafficking of fentanyl into the United States is a national security threat that has killed hundreds of thousands of United States citizens;

(3) transnational criminal organizations, including cartels primarily based in Mexico, are the main purveyors of fentanyl into the United States and must be held accountable;

(4) precursor chemicals sourced from the People's Republic of China are—

(A) shipped from the People's Republic of China by legitimate and illegitimate means;

(B) transformed through various synthetic processes to produce different forms of fentanyl; and

(C) crucial to the production of illicit fentanyl by transnational criminal organizations, contributing to the ongoing opioid crisis;

(5) the United States Government must remain vigilant to address all new forms of fentanyl precursors and drugs used in combination with fentanyl, such as Xylazine, which attribute to overdose deaths of people in the United States;

(6) to increase the cost of fentanyl trafficking, the United States Government should work collaboratively across agencies and should surge analytic capability to impose sanctions and other remedies with respect to transnational criminal organizations (including cartels), including foreign nationals who facilitate the trade in illicit fentanyl and its precursors from the People's Republic of China; and

(7) the Department of the Treasury should focus on fentanyl trafficking and its facilitators as one of the top national security priorities for the Department.

SEC. 6803. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(2) FOREIGN PERSON.—The term ''foreign person''—

(A) means—

(i) any citizen or national of a foreign country; or

(ii) any entity not organized under the laws of the United States or a jurisdiction within the United States; and

(B) does not include the government of a foreign country.

(3) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) TRAFFICKING.—The term ''trafficking'', with respect to fentanyl, fentanyl precursors, or other related opioids, has the meaning given the term ''opioid trafficking'' in section 7203 of the Fentanyl Sanctions Act (21 U.S.C. 2302).

(5) TRANSNATIONAL CRIMINAL ORGANIZATION.—The term ''transnational criminal organization'' includes—

(A) any organization designated as a significant transnational criminal organization under part 590 of title 31, Code of Federal Regulations;

(B) any of the organizations known as—

(i) the Sinaloa Cartel;

(ii) the Jalisco New Generation Cartel;

(iii) the Gulf Cartel;

(iv) the Los Zetas Cartel;

(v) the Juarez Cartel;

(vi) the Tijuana Cartel;

(vii) the Beltran-Leyva Cartel; or

(viii) La Familia Michoacana; or

(C) any other organization that the President determines is a transnational criminal organization; or

(D) any successor organization to an organization described in subparagraph (B) or as otherwise determined by the President.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

Subtitle A—Sanctions Matters

PART I—SANCTIONS IN RESPONSE TO NATIONAL EMERGENCY RELATING TO FENTANYL TRAFFICKING

SEC. 6811. FINDING; POLICY.

(a) FINDING.—Congress finds that international trafficking of fentanyl, fentanyl precursors, or other related opioids constitutes an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and is a national emergency.

(b) POLICY.—It shall be the policy of the United States to apply economic and other financial sanctions to those who engage in the international trafficking of fentanyl, fentanyl precursors, or other related opioids to protect the national security, foreign policy, and economy of the United States.

SEC. 6812. USE OF NATIONAL EMERGENCY AUTHORITIES; REPORTING.

(a) IN GENERAL.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this part.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on actions taken by the executive branch pursuant to this part and any national emergency declared with respect to the trafficking of fentanyl and trade in other illicit drugs, including—

(A) the issuance of any new or revised regulations, policies, or guidance;

(B) the imposition of sanctions;

(C) the collection of relevant information from outside parties;

(D) the issuance or closure of general licenses, specific licenses, and statements of licensing policy by the Office of Foreign Assets Control;

(E) a description of any pending enforcement cases; or

(F) the implementation of mitigation procedures.

(2) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include the matters required by subparagraphs (C), (D), (E), and (F) of that paragraph in a classified annex.

SEC. 6813. CODIFICATION OF EXECUTIVE ORDER IMPOSING SANCTIONS WITH RESPECT TO FOREIGN PERSONS INVOLVED IN GLOBAL ILLICIT DRUG TRADE.

United States sanctions provided for in Executive Order 14059 (50 U.S.C. 1701 note; relating to imposing sanctions on foreign persons involved in the global illicit drug trade), and any amendments to or directives issued pursuant to such Executive order before the date of the enactment of this Act, shall remain in effect.

SEC. 6814. IMPOSITION OF SANCTIONS WITH RESPECT TO FENTANYL TRAFFICKING BY TRANSNATIONAL CRIMINAL ORGANIZATIONS.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any foreign person the President determines—

(1) is knowingly involved in the significant trafficking of fentanyl, fentanyl precursors, or other related opioids, including such trafficking by a transnational criminal organization; or

(2) otherwise is knowingly involved in significant activities of a transnational criminal organization relating to the trafficking of fentanyl, fentanyl precursors, or other related opioids.

(b) SANCTIONS DESCRIBED.—The President may, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in property and interests in property of a foreign person described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on actions taken by the executive branch with respect to the foreign persons identified under subsection (a).

SEC. 6815. PENALTIES; WAIVERS; EXCEPTIONS.

(a) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this part or any regulation, license, or order issued to carry out this part shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(b) NATIONAL SECURITY WAIVER.—The President may waive the application of sanctions under this part with respect to a foreign person if the President determines that the waiver is in the national security interest of the United States.

(c) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—This part shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION FOR COMPLIANCE WITH INTERNATIONAL OBLIGATIONS AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this part shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

(B) to carry out or assist law enforcement activity of the United States.

(3) HUMANITARIAN EXEMPTION.—The President may not impose sanctions under this part with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

SEC. 6816. TREATMENT OF FORFEITED PROPERTY OF TRANSNATIONAL CRIMINAL ORGANIZATIONS.

(a) TRANSFER OF FORFEITED PROPERTY TO FORFEITURE FUNDS.—

(1) IN GENERAL.—Any covered forfeited property shall be deposited into the Department of the Treasury Forfeiture Fund established under section 9705 of title 31, United States Code, or the Department of Justice Assets Forfeiture Fund established under section 524(c) of title 28, United States Code.

(2) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on any deposits made under paragraph (1) during the 180-day period preceding submission of the report.

(3) COVERED FORFEITED PROPERTY DEFINED.—In this subsection, the term ''covered forfeited property'' means property—

(A) forfeited to the United States under chapter 46 or section 1963 of title 18, United States Code; and

(B) that belonged to or was possessed by an individual affiliated with or connected to a transnational criminal organization subject to sanctions under—

(i) this part;

(ii) the Fentanyl Sanctions Act (21 U.S.C. 2301 et seq.); or

(iii) Executive Order 14059 (50 U.S.C. 1701 note; relating to imposing sanctions on foreign persons involved in the global illicit drug trade).

(b) BLOCKED ASSETS UNDER TERRORISM RISK INSURANCE ACT OF 2002.—Nothing in this part affects the treatment of blocked assets of a terrorist party described in subsection (a) of section 201 of the Terrorism Risk Insurance 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.''.

(b) TRADING WITH THE ENEMY ACT.—Section 16 of the Trading with the Enemy Act (50 U.S.C. 4315) 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 (a) 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.''.

SEC. 6822. CLASSIFIED REPORT AND BRIEFING ON STAFFING OF OFFICE OF FOREIGN ASSETS CONTROL.

Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Foreign Assets Control shall provide to the appropriate congressional committees a classified report and briefing on the staffing of the Office of Foreign Assets Control, disaggregated by staffing dedicated to each sanctions program and each country or issue.

SEC. 6823. REPORT ON DRUG TRANSPORTATION ROUTES AND USE OF VESSELS WITH MISLABELED CARGO.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in conjunction with the heads of other relevant Federal agencies, shall provide to the appropriate congressional committees a classified report and briefing on efforts to target drug transportation routes and modalities, including an assessment of the prevalence of false cargo labeling and shipment of precursor chemicals without accurate tracking of the customers purchasing the chemicals.

SEC. 6824. REPORT ON ACTIONS OF PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO PERSONS INVOLVED IN FENTANYL SUPPLY CHAIN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in conjunction with the heads of other relevant Federal agencies, shall provide to the appropriate congressional committees a classified report and briefing on actions taken by the Government of the People's Republic of China with respect to persons involved in the shipment of fentanyl, fentanyl analogues, fentanyl precursors, precursors for fentanyl analogues, and equipment for the manufacturing of fentanyl and fentanyl-laced counterfeit pills.

Subtitle B—Anti-Money Laundering Matters

SEC. 6831. DESIGNATION OF ILLICIT FENTANYL TRANSACTIONS OF SANCTIONED PERSONS AS OF PRIMARY MONEY LAUNDERING CONCERN.

Subtitle A of the Fentanyl Sanctions Act (21 U.S.C. 2311 et seq.) is amended by inserting after section 7213 the following:

''SEC. 7213A. DESIGNATION OF TRANSACTIONS OF SANCTIONED PERSONS AS OF PRIMARY MONEY LAUNDERING CONCERN.

''(a) IN GENERAL.—If the Secretary of the Treasury determines that reasonable grounds exist for concluding that one or more financial institutions operating outside of the United States, 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States, or 1 or more types of accounts within, or involving, a jurisdiction outside of the United States, is of primary money laundering concern in connection with illicit opioid trafficking, the Secretary of the Treasury may, by order, regulation, or otherwise as permitted by law—

''(1) require domestic financial institutions and domestic financial agencies to take 1 or more of the special measures provided for in section 9714(a)(1) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note); or

''(2) prohibit, or impose conditions upon, certain transmittals of funds (to be defined by the Secretary) by any domestic financial institution or domestic financial agency, if such transmittal of funds involves any such institution, class of transaction, or type of accounts.

''(b) CLASSIFIED INFORMATION.—In any judicial review of a finding of the existence of a primary money laundering concern, or of the requirement for 1 or more special measures with respect to a primary money laundering concern made under this section, if the designation or imposition, or both, were based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)), such information may be submitted by the Secretary to the reviewing court ex parte and in camera. This subsection does not confer or imply any right to judicial review of any finding made or any requirement imposed under this section.

''(c) AVAILABILITY OF INFORMATION.—The exemptions from, and prohibitions on, search and disclosure referred to in section 9714(c) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note) shall apply to any report or record of report filed pursuant to a requirement imposed under subsection (a). For purposes of section 552 of title 5, United States Code, this subsection shall be considered a statute described in subsection (b)(3)(B) of that section.

''(d) PENALTIES.—The penalties referred to in section 9714(d) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note) shall apply to violations of any order, regulation, special measure, or other requirement imposed under subsection (a), in the same manner and to the same extent as described in such section 9714(d).

''(e) INJUNCTIONS.—The Secretary of the Treasury may bring a civil action to enjoin a violation of any order, regulation, special measure, or other requirement imposed under subsection (a) in the same manner and to the same extent as described in section 9714(e) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note).''.

SEC. 6832. TREATMENT OF TRANSNATIONAL CRIMINAL ORGANIZATIONS IN SUSPICIOUS TRANSACTIONS REPORTS OF THE FINANCIAL CRIMES ENFORCEMENT NETWORK.

(a) FILING INSTRUCTIONS.—Not later than 180 days after the date of the enactment of this Act, the Director of the Financial Crimes Enforcement Network shall issue guidance or instructions to United States financial institutions for filing reports on suspicious transactions required by section 1010.320 of title 31, Code of Federal Regulations, related to suspected fentanyl trafficking by transnational criminal organizations.

(b) PRIORITIZATION OF REPORTS RELATING TO FENTANYL TRAFFICKING OR TRANSNATIONAL CRIMINAL ORGANIZATIONS.—The Director shall prioritize research into reports described in subsection (a) that indicate a connection to trafficking of fentanyl or related synthetic opioids or financing of suspected transnational criminal organizations.

SEC. 6833. REPORT ON TRADE-BASED MONEY LAUNDERING IN TRADE WITH MEXICO, THE PEOPLE'S REPUBLIC OF CHINA, AND BURMA.

(a) IN GENERAL.—In the first update to the national strategy for combating the financing of terrorism and related forms of illicit finance submitted to Congress after the date of the enactment of this Act, the Secretary of the Treasury shall include a report on trade-based money laundering originating in Mexico or the People's Republic of China and involving Burma.

(b) DEFINITION.—In this section, the term ''national strategy for combating the financing of terrorism and related forms of illicit finance'' means the national strategy for combating the financing of terrorism and related forms of illicit finance required by section 261 of the Countering America's Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 934), as amended by section 6506 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2428).

Subtitle C—Exception Relating to Importation of Goods

SEC. 6841. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authority or a requirement to block and prohibit all transactions in all property and interests in property under this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

TITLE LXXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle B—Military Housing

PART III—OTHER HOUSING MATTERS

SEC. 7851. REPORT ON PLAN TO REPLACE HOUSES AT FORT LEONARD WOOD.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress an unclassified report on the plan of the Army to replace all 1,142 houses at Fort Leonard Wood that the Army has designated as being in need of repair.

Subtitle D—Other Matters

SEC. 7881. STUDY ON IMPACT ON MEMBERS OF THE ARMED FORCES AND DEPENDENTS OF CONSTRUCTION PROJECTS THAT AFFECT QUALITY OF LIFE.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study, through the use of an independent and objective organization outside the Department of Defense, on the correlation between military construction projects and facilities sustainment, restoration, and modernization projects at installations of the Department of Defense that affect the quality of life of members of the Armed Forces and their dependents and the following:

(1) Retention of members of the Armed Forces on active duty.

(2) Physical health of members of the Armed Forces, including an identification of whether the age, condition, and deferred maintenance of a dormitory or barracks is in any way related to the frequency of sexual assaults and other crimes at installations of the Department.

(3) Mental health of members of the Armed Forces.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study conducted under subsection (a).

SEC. 7882. MODIFICATION OF PILOT PROGRAM ON ESTABLISHMENT OF ACCOUNT FOR REIMBURSEMENT FOR USE OF TESTING FACILITIES AT INSTALLATIONS OF THE DEPARTMENT OF THE AIR FORCE.

(a) IN GENERAL.—Section 2862 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 10 U.S.C. 9771 note prec.) is amended—

(1) in subsection (a), by striking ''testing'' and inserting ''Major Range and Test Facility Base (MRTFB)'';

(2) in subsection (b), by inserting '', have Major Range and Test Facility Base facilities,'' after ''construct'';

(3) by amending subsection (c) to read as follows:

''(c) OVERSIGHT OF FUNDS.—

''(1) USE OF AMOUNTS.—The commander of an installation selected to participate in the pilot program may obligate or expend amounts reimbursed under the pilot program for projects at the installation.

''(2) DESIGNATION OF MAINTENANCE COSTS.—

''(A) IN GENERAL.—The commander of an installation selected to participate in the pilot program may designate the appropriate amount of maintenance costs to be charged to users of Major Range and Test Facility Base facilities under the pilot program.

''(B) USE OF MAINTENANCE COST REIMBURSEMENTS.—Maintenance cost reimbursements under subparagraph (A) for an installation may be used either singly or in combination with appropriated funds to satisfy the costs of maintenance projects at the installation.

''(3) OVERSIGHT.—The commander of an installation selected for the pilot program shall have direct oversight over amounts reimbursed to the installation under the pilot program for Facility, Sustainment, Restoration, and Modernization.'';

(4) by redesignating subsection (e) as subsection (f);

(5) by inserting after subsection (d) the following new subsection (e):

''(e) NO REDUCTION OF APPROPRIATION.—In order to allow full assessment of the viability of the pilot program, appropriations to installations selected to participate in the pilot program for Facility, Sustainment, Restoration, and Modernization shall not be reduced on the basis of participation in the pilot program or usage of the pilot program reimbursements and realized reimbursements from customers under the pilot program shall not be used as a basis for reduction of such appropriations.''; and

(6) in subsection (f) as redesignated by paragraph (2), by striking ''December 1, 2026'' and inserting ''December 1, 2027''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADER.—The header for such section is amended to read as follows:

''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.''.

(2) TABLE OF CONTENTS.—The table of contents for the National Defense Authorization

Act for Fiscal Year 2022 (Public Law 117–81) and the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81) are each amended by striking the item relating to section 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.''.

TITLE LXXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle D—Other Matters

SEC. 8141. ACCELERATING DEPLOYMENT OF VERSATILE, ADVANCED NUCLEAR FOR CLEAN ENERGY.

(a) SHORT TITLE.—This section may be cited as the ''Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2023'' or the ''ADVANCE Act of 2023''.

(b) DEFINITIONS.—In this section:

(1) ACCIDENT TOLERANT FUEL.—The term ''accident tolerant fuel'' has the meaning given the term in section 107(a) of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5577).

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) ADVANCED NUCLEAR FUEL.—The term ''advanced nuclear fuel'' means—

(A) advanced nuclear reactor fuel; and

(B) accident tolerant fuel.

(4) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(5) ADVANCED NUCLEAR REACTOR FUEL.—The term ''advanced nuclear reactor fuel'' has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439).

(6) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(7) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(8) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(c) INTERNATIONAL NUCLEAR REACTOR EXPORT AND INNOVATION ACTIVITIES.—

(1) COORDINATION.—

(A) IN GENERAL.—The Commission shall—

(i) coordinate all work of the Commission relating to—

(I) nuclear reactor import and export licensing; and

(II) international regulatory cooperation and assistance relating to nuclear reactors, including with countries that are members of—

(aa) the Organisation for Economic Co-operation and Development; or

(bb) the Nuclear Energy Agency; and

(ii) support interagency and international coordination with respect to—

(I) the consideration of international technical standards to establish the licensing and regulatory basis to assist the design, construction, and operation of nuclear systems;

(II) efforts to help build competent nuclear regulatory organizations and legal frameworks in countries seeking to develop nuclear power; and

(III) exchange programs and training provided, in coordination with the Secretary of State, to other countries relating to nuclear regulation and oversight to improve nuclear technology licensing, in accordance with subparagraph (B).

(B) EXCHANGE PROGRAMS AND TRAINING.—With respect to the exchange programs and training described in subparagraph (A)(ii)(III), the Commission shall coordinate, as applicable, with—

(i) the Secretary of Energy;

(ii) the Secretary of State;

(iii) National Laboratories;

(iv) the private sector; and

(v) institutions of higher education.

(2) AUTHORITY TO ESTABLISH BRANCH.—The Commission may establish within the Office of International Programs a branch, to be known as the ''International Nuclear Reactor Export and Innovation Branch'', to carry out such international nuclear reactor export and innovation activities as the Commission determines to be appropriate and within the mission of the Commission.

(3) EXCLUSION OF INTERNATIONAL ACTIVITIES FROM THE FEE BASE.—

(A) IN GENERAL.—Section 102 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215) is amended—

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

''(4) INTERNATIONAL NUCLEAR REACTOR EXPORT AND INNOVATION ACTIVITIES.—The Commission shall identify in the annual budget justification international nuclear reactor export and innovation activities described in subsection (c)(1) of the ADVANCE Act of 2023.''; and

(ii) in subsection (b)(1)(B), by adding at the end the following:

''(iv) Costs for international nuclear reactor export and innovation activities described in subsection (c)(1) of the ADVANCE Act of 2023.''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on October 1, 2024.

(4) COORDINATION.—The Commission shall coordinate all international activities under this subsection with the Secretary of State and other applicable agencies, as appropriate.

(5) SAVINGS CLAUSE.—Nothing in this subsection alters the authority of the Commission to license and regulate the civilian use of radioactive materials.

(d) DENIAL OF CERTAIN DOMESTIC LICENSES FOR NATIONAL SECURITY PURPOSES.—

(1) DEFINITION OF COVERED FUEL.—In this subsection, the term ''covered fuel'' means enriched uranium that is fabricated into fuel assemblies for nuclear reactors by an entity that—

(A) is owned or controlled by the Government of the Russian Federation or the Government of the People's Republic of China; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, the Russian Federation or the People's Republic of China.

(2) PROHIBITION ON UNLICENSED POSSESSION OR OWNERSHIP OF COVERED FUEL.—Unless specifically authorized by the Commission in a license issued under section 53 of the Atomic Energy Act of 1954 (42 U.S.C. 2073) and part 70 of title 10, Code of Federal Regulations (or successor regulations), no person subject to the jurisdiction of the Commission may possess or own covered fuel.

(3) LICENSE TO POSSESS OR OWN COVERED FUEL.—

(A) CONSULTATION REQUIRED PRIOR TO ISSUANCE.—The Commission shall not issue a license to possess or own covered fuel under section 53 of the Atomic Energy Act of 1954 (42 U.S.C. 2073) and part 70 of title 10, Code of Federal Regulations (or successor regulations), unless the Commission has first consulted with the Secretary of Energy and the Secretary of State before issuing the license.

(B) PROHIBITION ON ISSUANCE OF LICENSE.—

(i) IN GENERAL.—Subject to clause (iii), a license to possess or own covered fuel shall not be issued if the Secretary of Energy and the Secretary of State make the determination described in clause (ii)(I)(aa).

(ii) DETERMINATION.—

(I) IN GENERAL.—The determination referred to in clause (i) is a determination that possession or ownership, as applicable, of covered fuel—

(aa) poses a threat to the national security of the United States, including because of an adverse impact on the physical and economic security of the United States; or

(bb) does not pose a threat to the national security of the United States.

(II) JOINT DETERMINATION.—A determination described in subclause (I) shall be jointly made by the Secretary of Energy and the Secretary of State.

(III) TIMELINE.—

(aa) NOTICE OF APPLICATION.—Not later than 30 days after the date on which the Commission receives an application for a license to possess or own covered fuel, the Commission shall notify the Secretary of Energy and the Secretary of State of the application.

(bb) DETERMINATION.—The Secretary of Energy and the Secretary of State shall have a period of 180 days, beginning on the date on which the Commission notifies the Secretary of Energy and the Secretary of State under item (aa) of an application for a license to possess or own covered fuel, in which to make the determination described in subclause (I).

(cc) COMMISSION NOTIFICATION.—On making the determination described in subclause (I), the Secretary of Energy and the Secretary of State shall immediately notify the Commission.

(dd) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after the date on which the Secretary of Energy and the Secretary of State notify the Commission under item (cc), the Commission shall notify the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives of the determination.

(ee) PUBLIC NOTICE.—Not later than 15 days after the date on which the Commission notifies Congress under item (dd) of a determination made under subclause (I), the Commission shall make that determination publicly available.

(iii) EFFECT OF NO DETERMINATION.—The Commission shall not issue a license if the Secretary of Energy and the Secretary of State have not made a determination described in clause (ii).

(4) SAVINGS CLAUSE.—Nothing in this subsection alters any treaty or international agreement in effect on the date of enactment of this Act or that enters into force after the date of enactment of this Act.

(e) EXPORT LICENSE REQUIREMENTS.—

(1) DEFINITION OF LOW-ENRICHED URANIUM.—In this subsection, the term ''low-enriched uranium'' means uranium enriched to less than 20 percent of the uranium-235 isotope.

(2) REQUIREMENT.—The Commission shall not issue an export license for the transfer of any item described in paragraph (4) to a country described in paragraph (3) unless the

Commission, in consultation with the Secretary of State and any other relevant agencies, makes a determination that such transfer will not be inimical to the common defense and security of the United States.

(3) COUNTRIES DESCRIBED.—A country referred to in paragraph (2) is a country that—

(A) has not concluded and ratified an Additional Protocol to its safeguards agreement with the International Atomic Energy Agency; or

(B) has not ratified or acceded to the amendment to the Convention on the Physical Protection of Nuclear Material, adopted at Vienna October 26, 1979, and opened for signature at New York March 3, 1980 (TIAS 11080), described in the information circular of the International Atomic Energy Agency numbered INFCIRC/274/Rev.1/Mod.1 and dated May 9, 2016 (TIAS 16–508).

(4) ITEMS DESCRIBED.—An item referred to in paragraph (2) includes—

(A) unirradiated nuclear fuel containing special nuclear material (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)), excluding low-enriched uranium;

(B) a nuclear reactor that uses nuclear fuel described in subparagraph (A); and

(C) any plant or component listed in Appendix I to part 110 of title 10, Code of Federal Regulations (or successor regulations), that is involved in—

(i) the reprocessing of irradiated nuclear reactor fuel elements;

(ii) the separation of plutonium; or

(iii) the separation of the uranium-233 isotope.

(5) NOTIFICATION.—If the Commission, in consultation with the Secretary of State and any other relevant agencies, makes a determination, in accordance with applicable laws and regulations, under paragraph (2) that the transfer of any item described in paragraph (4) to a country described in paragraph (3) will not be inimical to the common defense and security of the United States, the Commission shall notify the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives.

(f) FEES FOR ADVANCED NUCLEAR REACTOR APPLICATION REVIEW.—

(1) DEFINITIONS.—Section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439) is amended—

(A) by redesignating paragraphs (2) through (15) as paragraphs (3), (6), (7), (8), (9), (10), (12), (15), (16), (17), (18), (19), (20), and (21), respectively;

(B) by inserting after paragraph (1) the following:

''(2) ADVANCED NUCLEAR REACTOR APPLICANT.—The term 'advanced nuclear reactor applicant' means an entity that has submitted to the Commission an application to receive a license for an advanced nuclear reactor under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).'';

(C) by inserting after paragraph (3) (as so redesignated) the following:

''(4) ADVANCED NUCLEAR REACTOR PRE-APPLICANT.—The term 'advanced nuclear reactor pre-applicant' means an entity that has submitted to the Commission a licensing project plan for the purposes of submitting a future application to receive a license for an advanced nuclear reactor under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

''(5) AGENCY SUPPORT.—The term 'agency support' means the resources of the Commission that are located in executive, administrative, and other support offices of the Commission, as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).'';

(D) by inserting after paragraph (10) (as so redesignated) the following:

''(11) HOURLY RATE FOR MISSION-DIRECT PROGRAM SALARIES AND BENEFITS FOR THE NUCLEAR REACTOR SAFETY PROGRAM.—The term 'hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program' means the quotient obtained by dividing—

''(A) the full-time equivalent rate (within the meaning of the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document)) for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program (as determined by the Commission) for a fiscal year; by

''(B) the productive hours assumption for that fiscal year, determined in accordance with the formula established in the document referred to in subparagraph (A) (or a successor document).''; and

(E) by inserting after paragraph (12) (as so redesignated) the following:

''(13) MISSION-DIRECT PROGRAM SALARIES AND BENEFITS FOR THE NUCLEAR REACTOR SAFETY PROGRAM.—The term 'mission-direct program salaries and benefits for the Nuclear Reactor Safety Program' means the resources of the Commission that are allocated to the Nuclear Reactor Safety Program (as determined by the Commission) to perform core work activities committed to fulfilling the mission of the Commission, as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).

''(14) MISSION-INDIRECT PROGRAM SUPPORT.—The term 'mission-indirect program support' means the resources of the Commission that support the core mission-direct activities for the Nuclear Reactor Safety Program of the Commission (as determined by the Commission), as described in the document of the Commission entitled 'FY 2023 Final Fee Rule Work Papers' (or a successor document).''.

(2) EXCLUDED ACTIVITIES.—Section 102(b)(1)(B) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as amended by subsection (c)(3)(A)(ii)) is amended by adding at the end the following:

''(v) The total costs of mission-indirect program support and agency support that, under paragraph (2)(B), may not be included in the hourly rate charged for fees assessed to advanced nuclear reactor applicants.

''(vi) The total costs of mission-indirect program support and agency support that, under paragraph (2)(C), may not be included in the hourly rate charged for fees assessed to advanced nuclear reactor pre-applicants.''.

(3) FEES FOR SERVICE OR THING OF VALUE.—Section 102(b) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)) is amended by striking paragraph (2) and inserting the following:

''(2) FEES FOR SERVICE OR THING OF VALUE.—

''(A) IN GENERAL.—In accordance with section 9701 of title 31, United States Code, the Commission shall assess and collect fees from any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

''(B) ADVANCED NUCLEAR REACTOR APPLICANTS.—The hourly rate charged for fees assessed to advanced nuclear reactor applicants under this paragraph relating to the review of a submitted application described in section 3(1) shall not exceed the hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program.

''(C) ADVANCED NUCLEAR REACTOR PRE-APPLICANTS.—The hourly rate charged for fees assessed to advanced nuclear reactor pre-applicants under this paragraph relating to the review of submitted materials as described in the licensing project plan of an advanced nuclear reactor pre-applicant shall not exceed the hourly rate for mission-direct program salaries and benefits for the Nuclear Reactor Safety Program.''.

(4) SUNSET.—Section 102 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215) is amended by adding at the end the following:

''(g) CESSATION OF EFFECTIVENESS.—Paragraphs (1)(B)(vi) and (2)(C) of subsection (b) shall cease to be effective on September 30, 2029.''.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2024.

(g) ADVANCED NUCLEAR REACTOR PRIZES.—Section 103 of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5571) is amended by adding at the end the following:

''(f) PRIZES FOR ADVANCED NUCLEAR REACTOR LICENSING.—

''(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) a non-Federal entity; and

''(B) the Tennessee Valley Authority.

''(2) PRIZE FOR ADVANCED NUCLEAR REACTOR LICENSING.—

''(A) IN GENERAL.—Notwithstanding section 169 of the Atomic Energy Act of 1954 (42 U.S.C. 2209) and subject to the availability of appropriations, the Secretary is authorized to make, with respect to each award category described in subparagraph (C), an award in an amount described in subparagraph (B) to the first eligible entity—

''(i) to which the Commission issues an operating license for an advanced nuclear reactor under part 50 of title 10, Code of Federal Regulations (or successor regulations), for which an application has not been approved by the Commission as of the date of enactment of this subsection; or

''(ii) for which the Commission makes a finding described in section 52.103(g) of title 10, Code of Federal Regulations (or successor regulations), with respect to a combined license for an advanced nuclear reactor—

''(I) that is issued under subpart C of part 52 of that title (or successor regulations); and

''(II) for which an application has not been approved by the Commission as of the date of enactment of this subsection.

''(B) AMOUNT OF AWARD.—An award under subparagraph (A) shall be in an amount equal to the total amount assessed by the Commission and collected under section 102(b)(2) from the eligible entity receiving the award for costs relating to the issuance of the license described in that subparagraph, including, as applicable, costs relating to the issuance of an associated construction permit described in section 50.23 of title 10, Code of Federal Regulations (or successor regulations), or early site permit (as defined in section 52.1 of that title (or successor regulations)).

''(C) AWARD CATEGORIES.—An award under subparagraph (A) may be made for—

''(i) the first advanced nuclear reactor for which the Commission—

''(I) issues a license in accordance with clause (i) of subparagraph (A); or

''(II) makes a finding in accordance with clause (ii) of that subparagraph;

''(ii) an advanced nuclear reactor that—

''(I) uses isotopes derived from spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C.

10101)) or depleted uranium as fuel for the advanced nuclear reactor; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph;

''(iii) an advanced nuclear reactor that—

''(I) is a nuclear integrated energy system—

''(aa) that is composed of 2 or more co-located or jointly operated subsystems of energy generation, energy storage, or other technologies;

''(bb) in which not fewer than 1 subsystem described in item (aa) is a nuclear energy system; and

''(cc) the purpose of which is—

''(AA) to reduce greenhouse gas emissions in both the power and nonpower sectors; and

''(BB) to maximize energy production and efficiency; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph;

''(iv) an advanced reactor that—

''(I) operates flexibly to generate electricity or high temperature process heat for nonelectric applications; and

''(II) is the first advanced nuclear reactor described in subclause (I) for which the Commission—

''(aa) issues a license in accordance with clause (i) of subparagraph (A); or

''(bb) makes a finding in accordance with clause (ii) of that subparagraph; and

''(v) the first advanced nuclear reactor for which the Commission grants approval to load nuclear fuel pursuant to the technology-inclusive regulatory framework established under subsection (a)(4).

''(3) FEDERAL FUNDING LIMITATIONS.—

''(A) EXCLUSION OF TVA FUNDS.—In this paragraph, the term 'Federal funds' does not include funds received under the power program of the Tennessee Valley Authority.

''(B) LIMITATION ON AMOUNTS EXPENDED.—An award under this subsection shall not exceed the total amount expended (excluding any expenditures made with Federal funds received for the applicable project and an amount equal to the minimum cost-share required under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352)) by the eligible entity receiving the award for licensing costs relating to the project for which the award is made.

''(C) REPAYMENT AND DIVIDENDS NOT REQUIRED.—Notwithstanding section 9104(a)(4) of title 31, United States Code, or any other provision of law, an eligible entity that receives an award under this subsection shall not be required—

''(i) to repay that award or any part of that award; or

''(ii) to pay a dividend, interest, or other similar payment based on the sum of that award.''.

(h) REPORT ON UNIQUE LICENSING CONSIDERATIONS RELATING TO THE USE OF NUCLEAR ENERGY FOR NONELECTRIC APPLICATIONS.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report (referred to in this subsection as the ''report'') addressing any unique licensing issues or requirements relating to—

(A) the flexible operation of nuclear reactors, such as ramping power output and switching between electricity generation and nonelectric applications;

(B) the use of advanced nuclear reactors exclusively for nonelectric applications; and

(C) the colocation of nuclear reactors with industrial plants or other facilities.

(2) STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from—

(A) the Secretary of Energy;

(B) the nuclear energy industry;

(C) technology developers;

(D) the industrial, chemical, and medical sectors;

(E) nongovernmental organizations; and

(F) other public stakeholders.

(3) CONTENTS.—

(A) IN GENERAL.—The report shall describe—

(i) any unique licensing issues or requirements relating to the matters described in subparagraphs (A) through (C) of paragraph (1), including, with respect to the nonelectric applications referred to in subparagraphs (A) and (B) of that paragraph, any licensing issues or requirements relating to the use of nuclear energy in—

(I) hydrogen or other liquid and gaseous fuel or chemical production;

(II) water desalination and wastewater treatment;

(III) heat for industrial processes;

(IV) district heating;

(V) energy storage;

(VI) industrial or medical isotope production; and

(VII) other applications, as identified by the Commission;

(ii) options for addressing those issues or requirements—

(I) within the existing regulatory framework of the Commission;

(II) as part of the technology-inclusive regulatory framework required under subsection (a)(4) of section 103 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439) or described in the report required under subsection (e) of that section (Public Law 115–439; 132 Stat. 5575); or

(III) through a new rulemaking; and

(iii) the extent to which Commission action is needed to implement any matter described in the report.

(B) COST ESTIMATES, BUDGETS, AND TIMEFRAMES.—The report shall include cost estimates, proposed budgets, and proposed timeframes for implementing risk-informed and performance-based regulatory guidance in the licensing of nuclear reactors for nonelectric applications.

(i) ENABLING PREPARATIONS FOR THE DEMONSTRATION OF ADVANCED NUCLEAR REACTORS ON DEPARTMENT OF ENERGY SITES OR CRITICAL NATIONAL SECURITY INFRASTRUCTURE SITES.—

(1) IN GENERAL.—Section 102(b)(1)(B) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as amended by subsection (f)(2)) is amended by adding at the end the following:

''(vii) Costs for—

''(I) activities to review and approve or disapprove an application for an early site permit (as defined in section 52.1 of title 10, Code of Federal Regulations (or a successor regulation)) to demonstrate an advanced nuclear reactor on a Department of Energy site or critical national security infrastructure (as defined in section 327(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1722)) site; and

''(II) pre-application activities relating to an early site permit (as defined in section 52.1 of title 10, Code of Federal Regulations (or a successor regulation)) to demonstrate an advanced nuclear reactor on a Department of Energy site or critical national security infrastructure (as defined in section 327(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1722)) site.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2024.

(j) CLARIFICATION ON FUSION REGULATION.—Section 103(a)(4) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2133 note; Public Law 115–439) is amended—

(1) by striking ''Not later'' and inserting the following:

''(A) IN GENERAL.—Not later''; and

(2) by adding at the end the following:

''(B) EXCLUSION OF FUSION REACTORS.—For purposes of subparagraph (A), the term 'advanced reactor applicant' does not include an applicant seeking a license for a fusion reactor.''.

(k) REGULATORY ISSUES FOR NUCLEAR FACILITIES AT BROWNFIELD SITES.—

(1) DEFINITIONS.—

(A) BROWNFIELD SITE.—The term ''brownfield site'' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(B) PRODUCTION FACILITY.—The term ''production facility'' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(C) RETIRED FOSSIL FUEL SITE.—The term ''retired fossil fuel site'' means the site of 1 or more fossil fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down.

(D) UTILIZATION FACILITY.—The term ''utilization facility'' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

(2) IDENTIFICATION OF REGULATORY ISSUES.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall evaluate the extent to which modification of regulations, guidance, or policy is needed to enable timely licensing reviews for, and to support the oversight of, production facilities or utilization facilities at brownfield sites.

(B) REQUIREMENT.—In carrying out subparagraph (A), the Commission shall consider how licensing reviews for production facilities or utilization facilities at brownfield sites may be expedited by considering matters relating to siting and operating a production facility or a utilization facility at or near a retired fossil fuel site to support—

(i) the reuse of existing site infrastructure, including—

(I) electric switchyard components and transmission infrastructure;

(II) heat-sink components;

(III) steam cycle components;

(IV) roads;

(V) railroad access; and

(VI) water availability;

(ii) the use of early site permits;

(iii) the utilization of plant parameter envelopes or similar standardized site parameters on a portion of a larger site; and

(iv) the use of a standardized application for similar sites.

(C) REPORT.—Not later than 14 months after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing any regulations, guidance, and policies identified under subparagraph (A).

(3) LICENSING.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Commission shall—

(i) develop and implement strategies to enable timely licensing reviews for, and to support the oversight of, production facilities or

utilization facilities at brownfield sites, including retired fossil fuel sites; or

(ii) initiate a rulemaking to enable timely licensing reviews for, and to support the oversight of, of production facilities or utilization facilities at brownfield sites, including retired fossil fuel sites.

(B) REQUIREMENTS.—In carrying out subparagraph (A), consistent with the mission of the Commission, the Commission shall consider matters relating to—

(i) the use of existing site infrastructure;

(ii) existing emergency preparedness organizations and planning;

(iii) the availability of historical site-specific environmental data;

(iv) previously approved environmental reviews required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(v) activities associated with the potential decommissioning of facilities or decontamination and remediation at brownfield sites; and

(vi) community engagement and historical experience with energy production.

(4) REPORT.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing the actions taken by the Commission under paragraph (3).

(l) APPALACHIAN REGIONAL COMMISSION NUCLEAR ENERGY DEVELOPMENT.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14512. Appalachian Regional Commission nuclear energy development

''(a) DEFINITIONS.—In this section:

''(1) BROWNFIELD SITE.—The term 'brownfield site' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

''(2) PRODUCTION FACILITY.—The term 'production facility' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

''(3) RETIRED FOSSIL FUEL SITE.—The term 'retired fossil fuel site' means the site of 1 or more fossil fuel electric generation facilities that are retired or scheduled to retire, including multi-unit facilities that are partially shut down.

''(4) UTILIZATION FACILITY.—The term 'utilization facility' has the meaning given the term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

''(b) AUTHORITY.—The Appalachian Regional Commission may provide technical assistance to, make grants to, enter into contracts with, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

''(1) to conduct research and analysis regarding the economic impact of siting, constructing, and operating a production facility or a utilization facility at a brownfield site, including a retired fossil fuel site;

''(2) to assist with workforce training or retraining to perform activities relating to the siting and operation of a production facility or a utilization facility at a brownfield site, including a retired fossil fuel site; and

''(3) to engage with the Nuclear Regulatory Commission, the Department of Energy, and other Federal agencies with expertise in civil nuclear energy.

''(c) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any project or activity eligible for a grant under this section—

''(1) except as provided in paragraphs (2) and (3), not more than 50 percent may be provided from amounts made available to carry out this section;

''(2) in the case of a project or activity to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts made available to carry out this section; and

''(3) in the case of a project or activity to be carried out in a county for which an at-risk county designation is in effect under section 14526, not more than 70 percent may be provided from amounts made available to carry out this section.

''(d) SOURCES OF ASSISTANCE.—Subject to subsection (c), a grant provided under this section may be provided from amounts made available to carry out this section, in combination with amounts made available—

''(1) under any other Federal program; or

''(2) from any other source.

''(e) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(A) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(B) by inserting after subsection (d) the following:

''(e) APPALACHIAN REGIONAL COMMISSION NUCLEAR ENERGY DEVELOPMENT.—Of the amounts made available under subsection (a), $5,000,000 may be used to carry out section 14512 for each of fiscal years 2023 through 2026.''.

(3) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by striking the item relating to section 14511 and inserting the following:

''14511. Appalachian regional energy hub initiative.
''14512. Appalachian Regional Commission nuclear energy development.''.

(m) FOREIGN OWNERSHIP.—

(1) IN GENERAL.—The prohibitions against issuing certain licenses for utilization facilities to certain corporations and other entities described in the second sentence of section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) and the second sentence of section 104 d. of that Act (42 U.S.C. 2134(d)) shall not apply to an entity described in paragraph (2) if the Commission determines that issuance of the applicable license to that entity is not inimical to—

(A) the common defense and security; or

(B) the health and safety of the public.

(2) ENTITIES DESCRIBED.—

(A) IN GENERAL.—An entity referred to in paragraph (1) is a corporation or other entity that is owned, controlled, or dominated by—

(i) the government of—

(I) a country that is a member of the Organisation for Economic Co-operation and Development on the date of enactment of this Act, subject to subparagraph (B); or

(II) the Republic of India;

(ii) a corporation that is incorporated in a country described in subclause (I) or (II) of clause (i); or

(iii) an alien who is a national of a country described in subclause (I) or (II) of clause (i).

(B) EXCLUSION.—An entity described in subparagraph (A)(i)(I) is not an entity referred to in paragraph (1), and paragraph (1) shall not apply to that entity, if, on the date of enactment of this Act—

(i) the entity (or any department, agency, or instrumentality of the entity) is a person subject to sanctions under section 231 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525); or

(ii) any citizen of the entity, or any entity organized under the laws of, or otherwise subject to the jurisdiction of, the entity, is a person subject to sanctions under that section.

(3) TECHNICAL AMENDMENT.—Section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is amended, in the second sentence, by striking ''any any'' and inserting ''any''.

(4) SAVINGS CLAUSE.—Nothing in this subsection affects the requirements of section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565).

(n) EXTENSION OF THE PRICE-ANDERSON ACT.—

(1) EXTENSION.—Section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the ''Price-Anderson Act'') is amended by striking ''December 31, 2025'' each place it appears and inserting ''December 31, 2045''.

(2) LIABILITY.—Section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the ''Price-Anderson Act'') is amended—

(A) in subsection d. (5), by striking ''$500,000,000'' and inserting ''$2,000,000,000''; and

(B) in subsection e. (4), by striking ''$500,000,000'' and inserting ''$2,000,000,000''.

(3) REPORT.—Section 170 p. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(p)) (commonly known as the ''Price-Anderson Act'') is amended by striking ''December 31, 2021'' and inserting ''December 31, 2041''.

(4) DEFINITION OF NUCLEAR INCIDENT.—Section 11 q. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(q)) is amended, in the second proviso, by striking ''if such occurrence'' and all that follows through ''United States:'' and inserting a colon.

(o) REPORT ON ADVANCED METHODS OF MANUFACTURING AND CONSTRUCTION FOR NUCLEAR ENERGY APPLICATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report (referred to in this subsection as the ''report'') on manufacturing and construction for nuclear energy applications.

(2) STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from—

(A) the Secretary of Energy;

(B) the nuclear energy industry;

(C) National Laboratories;

(D) institutions of higher education;

(E) nuclear and manufacturing technology developers;

(F) the manufacturing and construction industries, including manufacturing and construction companies with operating facilities in the United States;

(G) standards development organizations;

(H) labor unions;

(I) nongovernmental organizations; and

(J) other public stakeholders.

(3) CONTENTS.—

(A) IN GENERAL.—The report shall—

(i) examine any unique licensing issues or requirements relating to the use of innovative—

(I) advanced manufacturing processes;

(II) advanced construction techniques; and

(III) rapid improvement or iterative innovation processes;

(ii) examine—

(I) the requirements for nuclear-grade components in manufacturing and construction for nuclear energy applications;

(II) opportunities to use standard materials, parts, or components in manufacturing and construction for nuclear energy applications;

(III) opportunities to use standard materials that are in compliance with existing codes to provide acceptable approaches to

support or encapsulate new materials that do not yet have applicable codes; and

(IV) requirements relating to the transport of a fueled advanced nuclear reactor core from a manufacturing licensee to a licensee that holds a license to construct and operate a facility at a particular site;

(iii) identify any safety aspects of innovative advanced manufacturing processes and advanced construction techniques that are not addressed by existing codes and standards, so that generic guidance may be updated or created, as necessary;

(iv) identify options for addressing the issues, requirements, and opportunities examined under clauses (i) and (ii)—

(I) within the existing regulatory framework; or

(II) through a new rulemaking;

(v) identify how addressing the issues, requirements, and opportunities examined under clauses (i) and (ii) will impact opportunities for domestic nuclear manufacturing and construction developers; and

(vi) describe the extent to which Commission action is needed to implement any matter described in the report.

(B) COST ESTIMATES, BUDGETS, AND TIMEFRAMES.—The report shall include cost estimates, proposed budgets, and proposed timeframes for implementing risk-informed and performance-based regulatory guidance for manufacturing and construction for nuclear energy applications.

(p) NUCLEAR ENERGY TRAINEESHIP.—Section 313 of division C of the Omnibus Appropriations Act, 2009 (42 U.S.C. 16274a), is amended—

(1) in subsection (a), by striking ''Nuclear Regulatory'';

(2) in subsection (b)(1), in the matter preceding subparagraph (A), by inserting ''and subsection (c)'' after ''paragraph (2)'';

(3) in subsection (c)—

(A) by redesignating paragraph (2) as paragraph (5); and

(B) by striking paragraph (1) and inserting the following:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

''(2) COMMISSION.—The term 'Commission' means the Nuclear Regulatory Commission.

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(4) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).'';

(4) in subsection (d)(2), by striking ''Nuclear Regulatory'';

(5) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(6) by inserting after subsection (b) the following:

''(c) NUCLEAR ENERGY TRAINEESHIP SUBPROGRAM.—

''(1) IN GENERAL.—The Commission shall establish, as a subprogram of the Program, a nuclear energy traineeship subprogram under which the Commission, in coordination with institutions of higher education and trade schools, shall competitively award traineeships that provide focused training to meet critical mission needs of the Commission and nuclear workforce needs, including needs relating to the nuclear tradecraft workforce.

''(2) REQUIREMENTS.—In carrying out the nuclear energy traineeship subprogram described in paragraph (1), the Commission shall—

''(A) coordinate with the Secretary of Energy to prioritize the funding of traineeships that focus on—

''(i) nuclear workforce needs; and

''(ii) critical mission needs of the Commission;

''(B) encourage appropriate partnerships among—

''(i) National Laboratories;

''(ii) institutions of higher education;

''(iii) trade schools;

''(iv) the nuclear energy industry; and

''(v) other entities, as the Commission determines to be appropriate; and

''(C) on an annual basis, evaluate nuclear workforce needs for the purpose of implementing traineeships in focused topical areas that—

''(i) address the workforce needs of the nuclear energy community; and

''(ii) support critical mission needs of the Commission.''.

(q) REPORT ON COMMISSION READINESS AND CAPACITY TO LICENSE ADDITIONAL CONVERSION AND ENRICHMENT CAPACITY TO REDUCE RELIANCE ON URANIUM FROM RUSSIA.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the readiness and capacity of the Commission to license additional conversion and enrichment capacity at existing and new fuel cycle facilities to reduce reliance on nuclear fuel that is recovered, converted, enriched, or fabricated by an entity that—

(A) is owned or controlled by the Government of the Russian Federation; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, the Russian Federation.

(2) CONTENTS.—The report required under paragraph (1) shall analyze how the capacity of the Commission to license additional conversion and enrichment capacity at existing and new fuel cycle facilities may conflict with or restrict the readiness of the Commission to review advanced nuclear reactor applications.

(r) ANNUAL REPORT ON THE SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE INVENTORY IN THE UNITED STATES.—

(1) DEFINITIONS.—In this subsection:

(A) HIGH-LEVEL RADIOACTIVE WASTE.—The term ''high-level radioactive waste'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(B) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(C) STANDARD CONTRACT.—The term ''standard contract'' has the meaning given the term ''contract'' in section 961.3 of title 10, Code of Federal Regulations (or a successor regulation).

(2) REPORT.—Not later than January 1, 2025, and annually thereafter, the Secretary of Energy shall submit to Congress a report that describes—

(A) the annual and cumulative amount of payments made by the United States to the holder of a standard contract due to a partial breach of contract under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) resulting in financial damages to the holder;

(B) the cumulative amount spent by the Department of Energy since fiscal year 2008 to reduce future payments projected to be made by the United States to any holder of a standard contract due to a partial breach of contract under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.);

(C) the cumulative amount spent by the Department of Energy to store, manage, and dispose of spent nuclear fuel and high-level radioactive waste in the United States as of the date of the report;

(D) the projected lifecycle costs to store, manage, transport, and dispose of the projected inventory of spent nuclear fuel and high-level radioactive waste in the United States, including spent nuclear fuel and high-level radioactive waste expected to be generated from existing reactors through 2050;

(E) any mechanisms for better accounting of liabilities for the lifecycle costs of the spent nuclear fuel and high-level radioactive waste inventory in the United States;

(F) any recommendations for improving the methods used by the Department of Energy for the accounting of spent nuclear fuel and high-level radioactive waste costs and liabilities;

(G) any actions taken in the previous fiscal year by the Department of Energy with respect to interim storage; and

(H) any activities taken in the previous fiscal year by the Department of Energy to develop and deploy nuclear technologies and fuels that enhance the safe transportation or storage of spent nuclear fuel or high-level radioactive waste, including technologies to protect against seismic, flooding, and other extreme weather events.

(s) AUTHORIZATION OF APPROPRIATIONS FOR SUPERFUND ACTIONS AT ABANDONED MINING SITES ON TRIBAL LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE NON-NPL SITE.—The term ''eligible non-NPL site'' means a site—

(i) that is not on the National Priorities List; but

(ii) with respect to which the Administrator determines that—

(I) the site would be eligible for listing on the National Priorities List based on the presence of hazards from contamination at the site, applying the hazard ranking system described in section 105(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(c)); and

(II) for removal site evaluations, engineering evaluations/cost analyses, remedial planning activities, remedial investigations and feasibility studies, and other actions taken pursuant to section 104(b) of that Act (42 U.S.C. 9604), the site—

(aa) has undergone a pre-CERCLA screening; and

(bb) is included in the Superfund Enterprise Management System.

(B) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(C) NATIONAL PRIORITIES LIST.—The term ''National Priorities List'' means the National Priorities List developed by the President in accordance with section 105(a)(8)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)(B)).

(D) REMEDIAL ACTION; REMOVAL; RESPONSE.—The terms ''remedial action'', ''removal'', and ''response'' have the meanings given those terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(E) TRIBAL LAND.—The term ''Tribal land'' has the meaning given the term ''Indian country'' in section 1151 of title 18, United States Code.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2023 through 2032, to remain available until expended—

(A) $97,000,000 to the Administrator to carry out this subsection (except for paragraph (4)); and

(B) $3,000,000 to the Administrator of the Agency for Toxic Substances and Disease Registry to carry out paragraph (4).

(3) USES OF AMOUNTS.—Amounts appropriated under paragraph (2)(A) shall be used by the Administrator—

(A) to carry out removal actions on abandoned mine land located on Tribal land;

(B) to carry out response actions, including removal and remedial planning activities, removal and remedial studies, remedial actions, and other actions taken pursuant to section 104(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(b)) on abandoned mine land located on Tribal land at—

(i) eligible non-NPL sites; and

(ii) sites listed on the National Priorities List; and

(C) to make grants under paragraph (5).

(4) HEALTH ASSESSMENTS.—Subject to the availability of appropriations, the Agency for Toxic Substances and Disease Registry, in coordination with Tribal health authorities, shall perform 1 or more health assessments at each eligible non-NPL site that is located on Tribal land, in accordance with section 104(i)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(i)(6)).

(5) TRIBAL GRANTS.—

(A) IN GENERAL.—The Administrator may use amounts appropriated under paragraph (2)(A) to make grants to eligible entities described in subparagraph (B) for the purposes described in subparagraph (C).

(B) ELIGIBLE ENTITIES DESCRIBED.—An eligible entity referred to in subparagraph (A) is—

(i) the governing body of an Indian Tribe; or

(ii) a legally established organization of Indians that—

(I) is controlled, sanctioned, or chartered by the governing bodies of 2 or more Indian Tribes to be served, or that is democratically elected by the adult members of the Indian community to be served, by that organization; and

(II) includes the maximum participation of Indians in all phases of the activities of that organization.

(C) USE OF GRANT FUNDS.—A grant under this paragraph shall be used—

(i) in accordance with the second sentence of section 117(e)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9617(e)(1));

(ii) for obtaining technical assistance in carrying out response actions under clause (iii); or

(iii) for carrying out response actions, if the Administrator determines that the Indian Tribe has the capability to carry out any or all of those response actions in accordance with the criteria and priorities established pursuant to section 105(a)(8) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)).

(D) APPLICATIONS.—An eligible entity desiring a grant under this paragraph shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(E) LIMITATIONS.—A grant under this paragraph shall be governed by the rules, procedures, and limitations described in section 117(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9617(e)(2)), except that—

(i) ''Administrator of the Environmental Protection Agency'' shall be substituted for ''President'' each place it appears in that section; and

(ii) in the first sentence of that section, ''under subsection (s) of the ADVANCE Act of 2023'' shall be substituted for ''under this subsection''.

(6) STATUTE OF LIMITATIONS.—If a remedial action described in paragraph (3)(B) is scheduled at an eligible non-NPL site, no action may be commenced for damages (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) with respect to that eligible non-NPL site unless the action is commenced within the timeframe provided for such actions with respect to facilities on the National Priorities List in the first sentence of the matter following subparagraph (B) of section 113(g)(1) of that Act (42 U.S.C. 9613(g)(1)).

(7) COORDINATION.—The Administrator shall coordinate with the Indian Tribe on whose land the applicable site is located in—

(A) selecting and prioritizing sites for response actions under subparagraphs (A) and (B) of paragraph (3); and

(B) carrying out those response actions.

(t) DEVELOPMENT, QUALIFICATION, AND LICENSING OF ADVANCED NUCLEAR FUEL CONCEPTS.—

(1) IN GENERAL.—The Commission shall establish an initiative to enhance preparedness and coordination with respect to the qualification and licensing of advanced nuclear fuel.

(2) AGENCY COORDINATION.—Not later than 180 days after the date of enactment of this Act, the Commission and the Secretary of Energy shall enter into a memorandum of understanding—

(A) to share technical expertise and knowledge through—

(i) enabling the testing and demonstration of accident tolerant fuels for existing commercial nuclear reactors and advanced nuclear reactor fuel concepts to be proposed and funded, in whole or in part, by the private sector;

(ii) operating a database to store and share data and knowledge relevant to nuclear science and engineering between Federal agencies and the private sector;

(iii) leveraging expertise with respect to safety analysis and research relating to advanced nuclear fuel; and

(iv) enabling technical staff to actively observe and learn about technologies, with an emphasis on identification of additional information needed with respect to advanced nuclear fuel; and

(B) to ensure that—

(i) the Department of Energy has sufficient technical expertise to support the timely research, development, demonstration, and commercial application of advanced nuclear fuel;

(ii) the Commission has sufficient technical expertise to support the evaluation of applications for licenses, permits, and design certifications and other requests for regulatory approval for advanced nuclear fuel;

(iii)(I) the Department of Energy maintains and develops the facilities necessary to enable the timely research, development, demonstration, and commercial application by the civilian nuclear industry of advanced nuclear fuel; and

(II) the Commission has access to the facilities described in subclause (I), as needed; and

(iv) the Commission consults, as appropriate, with the modeling and simulation experts at the Office of Nuclear Energy of the Department of Energy, at the National Laboratories, and within industry fuel vendor teams in cooperative agreements with the Department of Energy to leverage physics-based computer modeling and simulation capabilities.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing the efforts of the Commission under paragraph (1), including—

(i) an assessment of the preparedness of the Commission to review and qualify for use—

(I) accident tolerant fuel;

(II) ceramic cladding materials;

(III) fuels containing silicon carbide;

(IV) high-assay, low-enriched uranium fuels;

(V) molten-salt based liquid fuels;

(VI) fuels derived from spent nuclear fuel or depleted uranium; and

(VII) other related fuel concepts, as determined by the Commission;

(ii) activities planned or undertaken under the memorandum of understanding described in paragraph (2);

(iii) an accounting of the areas of research needed with respect to advanced nuclear fuel; and

(iv) any other challenges or considerations identified by the Commission.

(B) CONSULTATION.—In developing the report under subparagraph (A), the Commission shall seek input from—

(i) the Secretary of Energy;

(ii) National Laboratories;

(iii) the nuclear energy industry;

(iv) technology developers;

(v) nongovernmental organizations; and

(vi) other public stakeholders.

(u) COMMISSION WORKFORCE.—

(1) DEFINITION OF CHAIRMAN.—In this subsection, the term ''Chairman'' means the Chairman of the Commission.

(2) HIRING BONUS AND APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Notwithstanding section 161 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(d)), any provision of Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), and any provision of title 5, United States Code, governing appointments and General Schedule classification and pay rates, the Chairman may, subject to the limitations described in subparagraph (C), and without regard to the civil service laws—

(i) establish the positions described in subparagraph (B); and

(ii) appoint persons to the positions established under clause (i).

(B) POSITIONS DESCRIBED.—The positions referred to in subparagraph (A)(i) are—

(i) permanent or term-limited positions with highly specialized scientific, engineering, and technical competencies to address a critical licensing or regulatory oversight need for the Commission, including—

(I) health physicist;

(II) reactor operations engineer;

(III) human factors analyst or engineer;

(IV) risk and reliability analyst or engineer;

(V) licensing project manager;

(VI) reactor engineer for severe accidents;

(VII) geotechnical engineer;

(VIII) structural engineer;

(IX) reactor systems engineer;

(X) reactor engineer;

(XI) radiation scientist;

(XII) seismic engineer; and

(XIII) electronics engineer; or

(ii) permanent or term-limited positions to be filled by exceptionally well-qualified individuals that the Chairman, subject to paragraph (5), determines are necessary to fulfill the mission of the Commission.

(C) LIMITATIONS.—

(i) IN GENERAL.—Appointments under subparagraph (A)(ii) may be made to not more than—

(I)(aa) 15 permanent positions described in subparagraph (B)(i) during fiscal year 2024; and

(bb) 10 permanent positions described in subparagraph (B)(i) during each fiscal year thereafter;

(II)(aa) 15 term-limited positions described in subparagraph (B)(i) during fiscal year 2024; and

(bb) 10 term-limited positions described in subparagraph (B)(i) during each fiscal year thereafter;

(III)(aa) 15 permanent positions described in subparagraph (B)(ii) during fiscal year 2024; and

(bb) 10 permanent positions described in subparagraph (B)(ii) during each fiscal year thereafter; and

(IV)(aa) 15 term-limited positions described in subparagraph (B)(ii) during fiscal year 2024; and

(bb) 10 term-limited positions described in subparagraph (B)(ii) during each fiscal year thereafter.

(ii) TERM OF TERM-LIMITED APPOINTMENT.—If a person is appointed to a term-limited position described in clause (i) or (ii) of subparagraph (B), the term of that appointment shall not exceed 4 years.

(iii) STAFF POSITIONS.—Subject to paragraph (5), appointments made to positions established under this paragraph shall be to a range of staff positions that are of entry, mid, and senior levels, to the extent practicable.

(D) HIRING BONUS.—The Commission may pay a person appointed under subparagraph (A) a 1-time hiring bonus in an amount not to exceed the least of—

(i) $25,000;

(ii) the amount equal to 15 percent of the annual rate of basic pay of the employee; and

(iii) the amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(3) COMPENSATION AND APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Notwithstanding section 161 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(d)), any provision of Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), and chapter 51, and subchapter III of chapter 53, of title 5, United States Code, the Chairman, subject to the limitations described in subparagraph (C) and without regard to the civil service laws, may—

(i) establish and fix the rates of basic pay for the positions described in subparagraph (B); and

(ii) appoint persons to the positions established under clause (i).

(B) POSITIONS DESCRIBED.—The positions referred to in subparagraph (A)(i) are—

(i) positions with highly specialized scientific, engineering, and technical competencies to address a critical need for the Commission, including—

(I) health physicist;

(II) reactor operations engineer;

(III) human factors analyst or engineer;

(IV) risk and reliability analyst or engineer;

(V) licensing project manager;

(VI) reactor engineer for severe accidents;

(VII) geotechnical engineer;

(VIII) structural engineer;

(IX) reactor systems engineer;

(X) reactor engineer;

(XI) radiation scientist;

(XII) seismic engineer; and

(XIII) electronics engineer; or

(ii) positions to be filled by exceptionally well-qualified persons that the Chairman, subject to paragraph (5), determines are necessary to fulfill the mission of the Commission.

(C) LIMITATIONS.—

(i) IN GENERAL.—The annual rate of basic pay for a position described in subparagraph (B) may not exceed the per annum rate of salary payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(ii) NUMBER OF POSITIONS.—Appointments under subparagraph (A)(ii) may be made to not more than—

(I) 10 positions described in subparagraph (B)(i) per fiscal year, not to exceed a total of 50 positions; and

(II) 10 positions described in subparagraph (B)(ii) per fiscal year, not to exceed a total of 50 positions.

(D) PERFORMANCE BONUS.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), an employee may be paid a 1-time performance bonus in an amount not to exceed the least of—

(I) $25,000;

(II) the amount equal to 15 percent of the annual rate of basic pay of the person; and

(III) the amount of the limitation that is applicable for a calendar year under section 5307(a)(1) of title 5, United States Code.

(ii) PERFORMANCE.—Any 1-time performance bonus under clause (i) shall be made to a person who demonstrated exceptional performance in the applicable fiscal year, including—

(I) leading a project team in a timely, efficient, and predictable licensing review to enable the safe use of nuclear technology;

(II) making significant contributions to a timely, efficient, and predictable licensing review to enable the safe use of nuclear technology;

(III) the resolution of novel or first-of-a-kind regulatory issues;

(IV) developing or implementing licensing or regulatory oversight processes to improve the effectiveness of the Commission; and

(V) other performance, as determined by the Chairman, subject to paragraph (5).

(iii) LIMITATIONS.—The Commission may pay a 1-time performance bonus under clause (i) for not more than 15 persons per fiscal year, and a person who receives a 1-time performance bonus under that clause may not receive another 1-time performance bonus under that clause for a period of 5 years thereafter.

(4) ANNUAL SOLICITATION FOR NUCLEAR REGULATOR APPRENTICESHIP NETWORK APPLICATIONS.—The Chairman, on an annual basis, shall solicit applications for the Nuclear Regulator Apprenticeship Network.

(5) APPLICATION OF MERIT SYSTEM PRINCIPLES.—To the maximum extent practicable, appointments under paragraphs (2)(A) and (3)(A) and any 1-time performance bonus under paragraph (3)(D) shall be made in accordance with the merit system principles set forth in section 2301 of title 5, United States Code.

(6) DELEGATION.—Pursuant to Reorganization Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.), the Chairman shall delegate, subject to the direction and supervision of the Chairman, the authority provided by paragraphs (2), (3), and (4) to the Executive Director for Operations of the Commission.

(7) ANNUAL REPORT.—The Commission shall include in the annual budget justification of the Commission—

(A) information that describes—

(i) the total number of and the positions of the persons appointed under the authority provided by paragraph (2);

(ii) the total number of and the positions of the persons paid at the rate determined under the authority provided by paragraph (3)(A);

(iii) the total number of and the positions of the persons paid a 1-time performance bonus under the authority provided by paragraph (3)(D);

(iv) how the authority provided by paragraphs (2) and (3) is being used, and has been used during the previous fiscal year, to address the hiring and retention needs of the Commission with respect to the positions described in those subsections to which that authority is applicable;

(v) if the authority provided by paragraphs (2) and (3) is not being used, or has not been used, the reasons, including a justification, for not using that authority; and

(vi) the attrition levels with respect to the term-limited appointments made under paragraph (2), including, with respect to persons leaving a position before completion of the applicable term of service, the average length of service as a percentage of the term of service;

(B) an assessment of—

(i) the current critical workforce needs of the Commission, including any critical workforce needs that the Commission anticipates in the subsequent 5 fiscal years; and

(ii) further skillsets that are or will be needed for the Commission to fulfill the licensing and oversight responsibilities of the Commission; and

(C) the plans of the Commission to assess, develop, and implement updated staff performance standards, training procedures, and schedules.

(8) REPORT ON ATTRITION AND EFFECTIVENESS.—Not later than September 30, 2032, the Commission shall submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Energy and Commerce of the House of Representatives a report that—

(A) describes the attrition levels with respect to the term-limited appointments made under paragraph (2), including, with respect to persons leaving a position before completion of the applicable term of service, the average length of service as a percentage of the term of service;

(B) provides the views of the Commission on the effectiveness of the authorities provided by paragraphs (2) and (3) in helping the Commission fulfill the mission of the Commission; and

(C) makes recommendations with respect to whether the authorities provided by paragraphs (2) and (3) should be continued, modified, or discontinued.

(v) COMMISSION CORPORATE SUPPORT FUNDING.—

(1) REPORT.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress and make publicly available a report that describes—

(A) the progress on the implementation of section 102(a)(3) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(a)(3)); and

(B) whether the Commission is meeting and is expected to meet the total budget authority caps required for corporate support under that section.

(2) LIMITATION ON CORPORATE SUPPORT COSTS.—Section 102(a)(3) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(a)(3)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) 30 percent for fiscal year 2024 and each fiscal year thereafter.''.

(3) CORPORATE SUPPORT COSTS CLARIFICATION.—Paragraph (9) of section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115–439) (as redesignated by subsection (f)(1)(A)) is amended—

(A) by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(B) by adding at the end the following:

''(B) EXCLUSIONS.—The term 'corporate support costs' does not include—

''(i) costs for rent and utilities relating to any and all space in the Three White Flint North building that is not occupied by the Commission; or

''(ii) costs for salaries, travel, and other support for the Office of the Commission.''.

(w) PERFORMANCE AND REPORTING UPDATE.—Section 102(c) of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215(c)) is amended—

(1) in paragraph (3)—

(A) in the paragraph heading, by striking ''180'' and inserting ''90''; and

(B) by striking ''180'' and inserting ''90''; and

(2) by adding at the end the following:

''(4) PERIODIC UPDATES TO METRICS AND SCHEDULES.—

''(A) REVIEW AND ASSESSMENT.—Not less frequently than once every 3 years, the Commission shall review and assess, based on the licensing and regulatory activities of the Commission, the performance metrics and milestone schedules established under paragraph (1).

''(B) REVISIONS.—After each review and assessment under subparagraph (A), the Commission shall revise and improve, as appropriate, the performance metrics and milestone schedules described in that subparagraph to provide the most efficient metrics and schedules reasonably achievable.''.

(x) NUCLEAR CLOSURE COMMUNITIES.—

(1) DEFINITIONS.—In this subsection:

(A) COMMUNITY ADVISORY BOARD.—The term ''community advisory board'' means a community committee or other advisory organization that aims to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect.

(B) DECOMMISSION.—The term ''decommission'' has the meaning given the term in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

(C) ELIGIBLE RECIPIENT.—The term ''eligible recipient'' has the meaning given the term in section 3 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122).

(D) LICENSEE.—The term ''licensee'' has the meaning given the term in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

(E) NUCLEAR CLOSURE COMMUNITY.—The term ''nuclear closure community'' means a unit of local government, including a county, city, town, village, school district, or special district, that has been impacted, or reasonably demonstrates to the satisfaction of the Secretary that it will be impacted, by a nuclear power plant licensed by the Commission that—

(i) is not co-located with an operating nuclear power plant;

(ii) is at a site with spent nuclear fuel; and

(iii) as of the date of enactment of this Act—

(I) has ceased operations; or

(II) has provided a written notification to the Commission that it will cease operations.

(F) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Economic Development.

(2) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a grant program to provide grants to eligible recipients—

(A) to assist with economic development in nuclear closure communities; and

(B) to fund community advisory boards in nuclear closure communities.

(3) REQUIREMENT.—In carrying out this subsection, to the maximum extent practicable, the Secretary shall implement the recommendations described in the report submitted to Congress under section 108 of the Nuclear Energy Innovation and Modernization Act (Public Law 115–439; 132 Stat. 5577) entitled ''Best Practices for Establishment and Operation of Local Community Advisory Boards Associated with Decommissioning Activities at Nuclear Power Plants''.

(4) DISTRIBUTION OF FUNDS.—The Secretary shall establish a formula to ensure, to the maximum extent practicable, geographic diversity among grant recipients under this subsection.

(5) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There are authorized to be appropriated to the Secretary—

(i) to carry out paragraph (2)(A), $35,000,000 for each of fiscal years 2023 through 2028; and

(ii) to carry out paragraph (2)(B), $5,000,000 for each of fiscal years 2023 through 2025.

(B) AVAILABILITY.—Amounts made available under this subsection shall remain available for a period of 5 years beginning on the date on which the amounts are made available.

(C) NO OFFSET.—None of the funds made available under this subsection may be used to offset the funding for any other Federal program.

(y) TECHNICAL CORRECTION.—Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

(1) by striking the third sentence and inserting the following:

''(3) LIMITATION ON UTILIZATION FACILITIES.—The Commission may issue a license under this section for a utilization facility useful in the conduct of research and development activities of the types specified in section 31 if—

''(A) not more than 75 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale, other than for research and development or education and training, of—

''(i) nonenergy services;

''(ii) energy; or

''(iii) a combination of nonenergy services and energy; and

''(B) not more than 50 percent of the annual costs to the licensee of owning and operating the facility are devoted to the sale of energy.'';

(2) in the second sentence, by striking ''The Commission'' and inserting the following:

''(2) REGULATION.—The Commission''; and

(3) by striking ''c. The Commission'' and inserting the following:

''c. RESEARCH AND DEVELOPMENT ACTIVITIES.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Commission''.

(z) REPORT ON ENGAGEMENT WITH THE GOVERNMENT OF CANADA WITH RESPECT TO NUCLEAR WASTE ISSUES IN THE GREAT LAKES BASIN.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress, the Committee on Foreign Relations of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report describing any engagement between the Commission and the Government of Canada with respect to nuclear waste issues in the Great Lakes Basin.

(aa) SAVINGS CLAUSE.—Nothing in this section affects authorities of the Department of State.

DIVISION F—DEPARTMENT OF STATE AUTHORIZATION ACT OF 2023

SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Department of State Authorization Act of 2023''.

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

SEC. 6002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE LXI—DIPLOMATIC SECURITY AND CONSULAR AFFAIRS

SEC. 6101. SPECIAL HIRING AUTHORITY FOR PASSPORT SERVICES.

During the 3-year period beginning on the date of the enactment of this Act, the Secretary of State, without regard to the provisions under sections 3309 through 3318 of title 5, United States Code, may directly appoint up to 80 candidates to positions in the competitive service (as defined in section 2102 of such title) at the Department in the Passport and Visa Examining Series 0967.

SEC. 6102. QUARTERLY REPORT ON PASSPORT WAIT TIMES.

Not later than 30 days after the date of the enactment of this Act, and quarterly thereafter for the following 3 years, the Secretary shall submit a report to the appropriate congressional committees that describes—

(1) the current estimated wait times for passport processing;

(2) the steps that have been taken by the Department to reduce wait times to a reasonable time;

(3) efforts to improve the rollout of the online passport renewal processing program, including how much of passport revenues the Department is spending on consular systems modernization;

(4) the demand for urgent passport services by major metropolitan area;

(5) the steps that have been taken by the Department to reduce and meet the demand for urgent passport services, particularly in areas that are greater than 5 hours driving time from the nearest passport agency; and

(6) how the Department details its staff and resources to passport services programs.

SEC. 6103. PASSPORT TRAVEL ADVISORIES.

Not later than 180 days after the date of the enactment of this Act, the Department shall make prominently available in United States regular passports, on the first three pages of the passport, the following information:

(1) A prominent, clear advisory for all travelers to check travel.state.gov for updated travel warnings and advisories.

(2) A prominent, clear notice urging all travelers to register with the Department prior to overseas travel.

(3) A prominent, clear advisory—

(A) noting that many countries deny entry to travelers during the last 6 months of their passport validity period; and

(B) urging all travelers to renew their passport not later than 1 year prior to its expiration.

SEC. 6104. STRATEGY TO ENSURE ACCESS TO PASSPORT SERVICES FOR ALL AMERICANS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives for ensuring reasonable access to passport services for all Americans, which shall include—

(1) a detailed strategy describing how the Department could—

(A) by not later than 1 year after submission of the strategy, reduce passport processing times to an acceptable average for renewals and for expedited service; and

(B) by not later than 2 years after the submission of the strategy, provide United States residents living in a significant population center more than a 5-hour drive from a passport agency with urgent, in-person passport services, including the possibility of building new passport agencies; and

(2) a description of the specific resources required to implement the strategy.

SEC. 6105. STRENGTHENING THE NATIONAL PASSPORT INFORMATION CENTER.

(a) SENSE OF CONGRESS.—It is the sense of Congress that passport wait times since 2021 have been unacceptably long and have created frustration among those seeking to obtain or renew passports.

(b) ONLINE CHAT FEATURE.—The Department should develop an online tool with the capability for customers to correspond with customer service representatives regarding questions and updates pertaining to their application for a passport or for the renewal of a passport.

(c) GAO REPORT.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate a review of NPIC operations, which shall include an analysis of the extent to which NPIC—

(1) responds to constituent inquiries by telephone, including how long constituents are kept on hold and their ability to be placed in a queue;

(2) provides personalized customer service;

(3) maintains its telecommunications infrastructure to ensure it effectively handles call volumes; and

(4) other relevant issues the Comptroller General deems appropriate.

SEC. 6106. STRENGTHENING PASSPORT CUSTOMER VISIBILITY AND TRANSPARENCY.

(a) ONLINE STATUS TOOL.—Not later than 2 years after the date of the enactment of this Act, the Department should modernize the online passport application status tool to include, to the greatest extent possible, step by step updates on the status of their application, including with respect to the following stages:

(1) Submitted for processing.

(2) In process at a lockbox facility.

(3) Awaiting adjudication.

(4) In process of adjudication.

(5) Adjudicated with a result of approval or denial.

(6) Materials shipped.

(b) ADDITIONAL INFORMATION.—The tool pursuant to subsection (a) should include a display that informs each passport applicant of—

(1) the date on which his or her passport application was received; and

(2) the estimated wait time remaining in the passport application process.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of State for Consular Affairs shall submit a report to the appropriate congressional committees that outlines a plan for coordinated comprehensive public outreach to increase public awareness and understanding of—

(1) the online status tool required under subsection (a);

(2) passport travel advisories required under section 6103; and

(3) passport wait times.

SEC. 6107. ANNUAL OFFICE OF AUTHENTICATIONS REPORT.

(a) REPORT.—The Assistant Secretary of State for Consular Affairs shall submit an annual report for 5 years to the appropriated congressional committees that describes—

(1) the number of incoming authentication requests, broken down by month and type of request, to show seasonal fluctuations in demand;

(2) the average time taken by the Office of Authentications of the Department of State to authenticate documents, broken down by month to show seasonal fluctuations in wait times;

(3) how the Department of State details staff to the Office of Authentications; and

(4) the impact that hiring additional, permanent, dedicated staff for the Office of Authentications would have on the processing times referred to in paragraph (2).

(b) AUTHORIZATION.—The Secretary of State is authorized to hire additional, permanent, dedicated staff for the Office of Authentications.

SEC. 6108. INCREASED ACCOUNTABILITY IN ASSIGNMENT RESTRICTIONS AND REVIEWS.

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

(1) the use of policies to restrict personnel from serving in certain assignments may undermine the Department's ability to deploy relevant cultural and linguistic skills at diplomatic posts abroad if not applied judiciously; and

(2) the Department should continuously evaluate all processes relating to assignment restrictions, assignment reviews, and preclusions at the Department.

(b) NOTIFICATION OF STATUS.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary shall—

(1) provide a status update for all Department personnel who, prior to such date of enactment, were subject to a prior assignment restriction, assignment review, or preclusion for whom a review or decision related to assignment is pending; and

(2) on an ongoing basis, provide a status update for any Department personnel who has been the subject of a pending assignment restriction or pending assignment review for more than 30 days.

(c) NOTIFICATION CONTENT.—The notification required under subsection (b) shall inform relevant personnel, as of the date of the notification—

(1) whether any prior assignment restriction has been lifted;

(2) if their assignment status is subject to ongoing review, and an estimated date for completion; and

(3) if they are subject to any other restrictions on their ability to serve at posts abroad.

(d) ADJUDICATION OF ONGOING ASSIGNMENT REVIEWS.—

(1) TIME LIMIT.—The Department shall establish a reasonable time limit for the Department to complete an assignment review and establish a deadline by which it must inform personnel of a decision related to such a review.

(2) APPEALS.—For any personnel the Department determines are ineligible to serve in an assignment due to an assignment restriction or assignment review, a Security Appeal Panel shall convene not later than 120 days of an appeal being filed.

(3) ENTRY-LEVEL BIDDING PROCESS.—The Department shall include a description of the assignment review process and critical human intelligence threat posts in a briefing to new officers as part of their entry-level bidding process.

(4) POINT OF CONTACT.—The Department shall designate point of contacts in the Bureau of Diplomatic Security and Bureau of Global Talent Management to answer employee and Career Development Officer questions about assignment restrictions, assignment reviews, and preclusions.

(e) SECURITY APPEAL PANEL.—Not later than 90 days after the date of the enactment of this Act, the Security Appeal Panel shall be comprised of—

(1) the head of an office responsible for human resources or discrimination who reports directly to the Secretary;

(2) the Principal Deputy Assistant Secretary for the Bureau of Global Talent Management;

(3) the Principal Deputy Assistant Secretary for the Bureau of Intelligence and Research;

(4) an Assistant Secretary or Deputy, or equivalent, from a third bureau as designated by the Under Secretary for Management;

(5) a representative from the geographic bureau to which the restriction applies; and

(6) a representative from the Office of the Legal Adviser and a representative from the Bureau of Diplomatic Security, who shall serve as non-voting advisors.

(f) APPEAL RIGHTS.—Section 414(a) of the Department of State Authorities Act, Fiscal Year 2017 (22 U.S.C. 2734c(a)) is amended by striking the first two sentences and inserting ''The Secretary shall establish and maintain a right and process for employees to appeal a decision related to an assignment, based on a restriction, review, or preclusion. Such right and process shall ensure that any such employee shall have the same appeal rights as provided by the Department regarding denial or revocation of a security clearance.''.

(g) FAM UPDATE.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend all relevant provisions of the Foreign Service Manual, and any associated or related policies of the Department, to comply with this section.

SEC. 6109. SUITABILITY REVIEWS FOR FOREIGN SERVICE INSTITUTE INSTRUCTORS.

The Secretary shall ensure that all instructors at the Foreign Service Institute, including direct hires and contractors, who provide language instruction are—

(1) subject to suitability reviews and background investigations; and

(2) subject to continuous vetting or reinvestigations to the extend consistent with Department and Executive policy for other Department personnel.

SEC. 6110. DIPLOMATIC SECURITY FELLOWSHIP PROGRAMS.

(a) IN GENERAL.—Section 47 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2719) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary''; and

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

''(b) DIPLOMATIC SECURITY FELLOWSHIP PROGRAMS.—

''(1) ESTABLISHMENT.—The Secretary of State, working through the Assistant Secretary for Diplomatic Security, is authorized to establish Diplomatic Security fellowship programs to provide grants to United States nationals pursuing undergraduate studies who commit to pursuing a career as a special agent, security engineering officer, or in the civil service in the Bureau of Diplomatic Security.

''(2) RULEMAKING.—The Secretary is authorized to promulgate regulations for the administration of Diplomatic Security fellowship programs that set forth—

''(A) the eligibility requirements for receiving a grant under this subsection;

''(B) the process by which eligible applicants may request such a grant;

''(C) the maximum amount of such a grant; and

''(D) the educational progress to which all grant recipients are obligated.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for each of fiscal years 2024 through 2028 to carry out this section.

TITLE LXII—PERSONNEL MATTERS

Subtitle A—Hiring, Promotion, and Development

SEC. 6201. ADJUSTMENT TO PROMOTION PRECEPTS.

Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003(b)) is amended—

(1) by redesignating paragraph (2), (3), and (4) as paragraphs (7), (8), and (9), respectively; and

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) experience serving at an international organization, multilateral institution, or engaging in multinational negotiations;

''(3) willingness to serve in hardship posts overseas or across geographically distinct regions;

''(4) experience advancing policies or developing expertise that enhance the United States' competitiveness with regard to critical and emerging technologies;

''(5) willingness to participate in appropriate and relevant professional development opportunities offered by the Foreign Service Institute or other educational institutions associated with the Department;

''(6) willingness to enable and encourage subordinates at various levels to avail themselves of appropriate and relevant professional development opportunities offered by the Foreign Service Institute or other educational institutions associated with the Department;''.

SEC. 6202. HIRING AUTHORITIES.

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

(1) the Department should possess hiring authorities to enable recruitment of individuals representative of the nation with special skills needed to address 21st century diplomacy challenges; and

(2) the Secretary shall conduct a survey of hiring authorities held by the Department to identify—

(A) hiring authorities already authorized by Congress;

(B) others authorities granted through Presidential decree or executive order; and

(C) any authorities needed to enable recruitment of individuals with the special skills described in paragraph (1).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report that includes a description of all existing hiring authorities and legislative proposals on any new needed authorities.

(c) SPECIAL HIRING AUTHORITY.—For an initial period of not more than 3 years after the date of the enactment of this Act, the Secretary may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, up to 80 candidates directly to positions in the competitive service at the Department, as defined in section 2102 of that title, in the following occupational series: 25 candidates under 1560 Data Science, 25 candidates under 2210 Information Technology Management, and 30 candidates under 0201 Human Resources Management.

SEC. 6203. EXTENDING PATHS TO SERVICE FOR PAID STUDENT INTERNS.

For up to 2 years following the end of a compensated internship at the Department, the Department may offer employment to up to 25 such interns and appoint them directly to positions in the competitive service, as defined in section 2102 of title 5, United States Code, without regard to the provisions of sections 3309 through 3318 of such title.

SEC. 6204. LATERAL ENTRY PROGRAM.

(a) IN GENERAL.—Section 404 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323; 130 Stat. 1928) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''3-year'' and inserting ''5-year'';

(B) in paragraph (5), by striking ''; and'';

(C) in paragraph (6), by striking the period at the end and inserting a semicolon; and

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

''(7) does not include the use of Foreign Service-Limited or other noncareer Foreign Service hiring authorities; and

''(8) includes not fewer than 30 participants for each year of the pilot program.''; and

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

''(e) CERTIFICATION.—If the Secretary does not commence the lateral entry program within 180 days after the date of the enactment of this subsection, the Secretary shall submit a report to the appropriate congressional committees—

''(1) certifying that progress is being made on implementation of the pilot program and describing such progress, including the date on which applicants will be able to apply;

''(2) estimating the date by which the pilot program will be fully implemented;

''(3) outlining how the Department will use the Lateral Entry Program to fill needed skill sets in key areas such as cyberspace, emerging technologies, economic statecraft, multilateral diplomacy, and data and other sciences.''.

SEC. 6205. MID-CAREER MENTORING PROGRAM.

(a) AUTHORIZATION.—The Secretary, in collaboration with the Director of the Foreign Service Institute, is authorized to establish a Mid-Career Mentoring Program (referred to in this section as the ''Program'') for employees who have demonstrated outstanding service and leadership.

(b) SELECTION.—

(1) NOMINATIONS.—The head of each bureau shall semiannually nominate participants for the Program from a pool of applicants in the positions described in paragraph (2)(B), including from posts both domestically and abroad.

(2) SUBMISSION OF SLATE OF NOMINEES TO SECRETARY.—The Director of the Foreign Service Institute, in consultation with the Director General of the Foreign Service, shall semiannually—

(A) vet the nominees most recently nominated pursuant to paragraph (1); and

(B) submit to the Secretary a slate of applicants to participate in the Program, who shall consist of at least—

(i) 10 Foreign Service Officers and specialists classified at the FS-03 or FS-04 level of the Foreign Service Salary Schedule;

(ii) 10 Civil Service employees classified at GS-12 or GS-13 of the General Schedule; and

(iii) 5 Foreign Service Officers from the United States Agency for International Development.

(3) FINAL SELECTION.—The Secretary shall select the applicants who will be invited to participate in the Program from the slate received pursuant to paragraph (2)(B) and extend such an invitation to each selected applicant.

(4) MERIT PRINCIPLES.—Section 105 of the Foreign Service Act of 1980 (22 U.S.C. 3905) shall apply to nominations, submissions to the Secretary, and selections for the Program under this section.

(c) PROGRAM SESSIONS.—

(1) FREQUENCY; DURATION.—All of the participants who accept invitations extended pursuant to subsection (b)(3) shall meet 3 to 4 times per year for training sessions with high-level leaders of the Department and USAID, including private group meetings with the Secretary and the Administrator of the United States Agency for International Development.

(2) THEMES.—Each session referred to in paragraph (1) shall focus on specific themes developed jointly by the Foreign Service Institute and the Executive Secretariat focused on substantive policy issues and leadership practices.

(d) MENTORING PROGRAM.—The Secretary and the Administrator each is authorized to establish a mentoring and coaching program that pairs a senior leader of the Department or USAID with each of the program participants who complete the Program during the 1-year period immediately following their participation in the Program.

(e) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter for three years, the Secretary shall submit a report to the appropriate congressional committees that describes the activities of the Program during the most recent year and includes disaggregated demographic data on participants in the Program.

SEC. 6206. REPORT ON THE FOREIGN SERVICE INSTITUTE'S LANGUAGE PROGRAM .

Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) the average pass and fail rates for language programs at the Foreign Service Institute disaggregated by language during the 5-year period immediately preceding the date of the enactment of this Act;

(2) the number of language instructors at the Foreign Service Institute, and a comparison of the instructor/student ratio in the language programs at the Foreign Service Institute disaggregated by language;

(3) salaries for language instructors disaggregated by language, and a comparison to salaries for instructors teaching languages in comparable employment;

(4) recruitment and retention plans for language instructors, disaggregated by language where necessary and practicable; and

(5) any plans to increase pass rates for languages with high failure rates.

SEC. 6207. CONSIDERATION OF CAREER CIVIL SERVANTS AS CHIEFS OF MISSIONS.

Section 304(b) of the Foreign Service Act of 1980 (22 U.S.C. 3944) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) The Secretary shall also furnish to the President, on an annual basis and to assist the President in selecting qualified candidates for appointments or assignments as chief of mission, the names of between 5 and 10 career civil servants serving at the Department of State or the United States Agency for International Development who are qualified to serve as chiefs of mission, together with pertinent information about such individuals.''.

SEC. 6208. CIVIL SERVICE ROTATIONAL PROGRAM.

(a) ESTABLISHMENT OF PILOT ROTATIONAL PROGRAM FOR CIVIL SERVICE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a program to provide qualified civil servants serving at the Department an opportunity to serve at a United States embassy, including identifying criteria and an application process for such program.

(b) PROGRAM.—The program established under this section shall—

(1) provide at least 20 career civil servants the opportunity to serve for 2 to 3 years at a United States embassy to gain additional skills and experience;

(2) offer such civil servants the opportunity to serve in a political or economic section at a United States embassy; and

(3) include clear and transparent criteria for eligibility and selection, which shall include a minimum of 5 years of service at the Department.

(c) SUBSEQUENT POSITION AND PROMOTION.—Following a rotation at a United States embassy pursuant to the program established by this section, participants in the program must be afforded, at minimum, a position equivalent in seniority, compensation, and responsibility to the position occupied prior serving in the program. Successful completion of a rotation at a United States embassy shall be considered favorably with regard to applications for promotion in civil service jobs at the Department.

(d) IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall identify not less than 20 positions in United States embassies for the program established under this section and offered at least 20 civil servants the opportunity to serve in a rotation at a United States embassy pursuant to this section.

SEC. 6209. REPORTING REQUIREMENT ON CHIEFS OF MISSION.

Not later than 30 days following the end of each calendar quarter, the Secretary shall

submit to the appropriate congressional committees—

(1) a list of every chief of mission or United States representative overseas with the rank of Ambassador who, during the prior quarter, was outside a country of assignment for more than 14 cumulative days for purposes other than official travel or temporary duty orders; and

(2) the number of days each such chief of mission or United States representative overseas with the rank of Ambassador was outside a country of assignment during the previous quarter for purposes other than official travel or temporary duty orders.

SEC. 6210. REPORT ON CHIEFS OF MISSION AND DEPUTY CHIEFS OF MISSION.

Not later than April 1, 2024, and annually thereafter for the next 4 years, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) the Foreign Service cone of each current chief of mission and deputy chief of mission (or whoever is acting in the capacity of chief or deputy chief if neither is present) for each United States embassy at which there is a Foreign Service office filling either of those positions; and

(2) aggregated data for all chiefs of mission and deputy chiefs of mission described in paragraph (1), disaggregated by cone.

SEC. 6211. PROTECTION OF RETIREMENT ANNUITY FOR REEMPLOYMENT BY DEPARTMENT.

(a) NO TERMINATION OR REDUCTION OF RETIREMENT ANNUITY OR PAY FOR REEMPLOYMENT.—Notwithstanding section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064), if a covered annuitant becomes employed by the Department—

(1) the payment of any retirement annuity, retired pay, or retainer pay otherwise payable to the covered annuitant shall not terminate; and

(2) the amount of the retirement annuity, retired pay, or retainer pay otherwise payable to the covered annuitant shall not be reduced.

(b) COVERED ANNUITANT DEFINED.—In this section, the term ''covered annuitant'' means any individual who is receiving a retirement annuity under—

(1) the Foreign Service Retirement and Disability System under subchapter I of chapter 8 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.); or

(2) the Foreign Service Pension System under subchapter II of such chapter (22 U.S.C. 4071 et seq.).

SEC. 6212. EFFORTS TO IMPROVE RETENTION AND PREVENT RETALIATION.

(a) STREAMLINED REPORTING.—Not later than one year after the date of the enactment of this Act, the Secretary shall establish a single point of initial reporting for allegations of discrimination, bullying, and harassment that provides an initial review of the allegations and, if necessary, the ability to file multiple claims based on a single complaint.

(b) CLIMATE SURVEYS OF EMPLOYEES OF THE DEPARTMENT.—

(1) REQUIRED BIENNIAL SURVEYS.—Not later than 180 days after the date of the enactment of this Act and every 2 years thereafter, the Secretary shall conduct a Department-wide survey of all Department personnel regarding harassment, discrimination, bullying, and related retaliation that includes workforce perspectives on the accessibility and effectiveness of the Bureau of Global Talent Management and Office of Civil Rights in the efforts and processes to address these issues.

(2) REQUIRED ANNUAL SURVEYS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall conduct an annual employee satisfaction survey to assess the level of job satisfaction, work environment, and overall employee experience within the Department.

(B) OPEN-ENDED RESPONSES.—The survey required under subparagraph (A) shall include options for open-ended responses.

(C) SURVEY QUESTIONS.—The survey shall include questions regarding—

(i) work-life balance;

(ii) compensation and benefits;

(iii) career development opportunities;

(iv) the performance evaluation and promotion process, including fairness and transparency;

(v) communication channels and effectiveness;

(vi) leadership and management;

(vii) organizational culture;

(viii) awareness and effectiveness of complaint measures;

(ix) accessibility and accommodations;

(x) availability of transportation to and from a work station;

(xi) information technology infrastructure functionality and accessibility;

(xii) the employee's understanding of the Department's structure, mission, and goals;

(xiii) alignment and relevance of work to the Department's mission; and

(xiv) sense of empowerment to affect positive change.

(3) REQUIRED EXIT SURVEYS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and implement a standardized, confidential exit survey process that includes anonymous feedback and exit interviews with employees who voluntarily separate from the Department, whether through resignation, retirement, or other means.

(B) SCOPE.—The exit surveys conducted pursuant to subparagraph (A)shall—

(i) be designed to gather insights and feedback from departing employees regarding—

(I) their reasons for leaving, including caretaking responsibilities, career limitations for partner or spouse, and discrimination, harassment, bullying, or retaliation;

(II) their overall experience with the Department; and

(III) any suggestions for improvement; and

(ii) include questions related to—

(I) the employee's reasons for leaving;

(II) job satisfaction;

(III) work environment;

(IV) professional growth opportunities;

(V) leadership effectiveness;

(VI) suggestions for enhancing the Department's performance; and

(VII) if applicable, the name and industry of the employee's future employer.

(C) COMPILATION OF RESULTS.—The Secretary shall compile and analyze the anonymized exit survey data collected pursuant to this paragraph to identify trends, common themes, and areas needing improvement within the Department.

(4) PILOT SURVEYS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a Department-wide survey for Locally Employed Staff regarding retention, training, promotion, and other matters, including harassment, discrimination, bullying, and related retaliation, that includes workforce perspectives on the accessibility and effectiveness of complaint measures.

(5) REPORT.—Not later than 60 days after the conclusion of each survey conducted pursuant to this subsection, the Secretary shall make the key findings available to the Department workforce and shall submit them to the appropriate congressional committees.

(c) RETALIATION PREVENTION EFFORTS.—

(1) EMPLOYEE EVALUATION.—

(A) IN GENERAL.—If there is a pending investigation of discrimination, bullying, or harassment against a superior who is responsible for rating or reviewing the complainant employee, the complainant shall be reviewed by the superior's supervisor.

(B) EFFECTIVE DATE.—This paragraph shall take effect 90 days after the date of the enactment of this Act.

(2) RETALIATION PREVENTION GUIDANCE.—Any Department employee against whom an allegation of discrimination, bullying, or harassment has been made shall receive written guidance (a ''retaliation hold'') on the types of actions that can be considered retaliation against the complainant employee. The employee's immediate supervisor shall also receive the retaliation hold guidance.

SEC. 6213. NATIONAL ADVERTISING CAMPAIGN.

Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees that assesses the potential benefits and costs of a national advertising campaign to improve the recruitment in the Civil Service and the Foreign Service by raising public awareness of the important accomplishments of the Department.

SEC. 6214. EXPANSION OF DIPLOMATS IN RESIDENCE PROGRAMS.

Not later than two years after the date of the enactment of this Act—

(1) the Secretary is authorized to increase the number of diplomats in the Diplomats in Residence Program from 17 to at least 20; and

(2) the Administrator of the United States Agency for International Development is authorized to increase the number of development diplomats in the Diplomats in Residence Program from 1 to at least 3.

Subtitle B—Pay, Benefits, and Workforce Matters

SEC. 6221. EDUCATION ALLOWANCE.

(a) IN GENERAL.—Chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

''SEC. 908. EDUCATION ALLOWANCE.

''A Department employee who is on leave to perform service in the uniformed services (as defined in section 4303(13) of title 38, United States Code) may receive an education allowance if the employee would, if not for such service, be eligible to receive the education allowance.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of the Foreign Service Act of 1980 (22 U.S.C. 3901 note) is amended by inserting after the item relating to section 907 the following:

''Sec. 908. Education allowance''.

SEC. 6222. PER DIEM ALLOWANCE FOR NEWLY HIRED MEMBERS OF THE FOREIGN SERVICE.

(a) PER DIEM ALLOWANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), any newly hired Foreign Service employee who is in initial orientation training, or any other training expected to last less than 6 months before transferring to the employee's first assignment, in the Washington, D.C., area shall, for the duration of such training, receive a per diem allowance at the levels prescribed under subchapter I of chapter 57 of title 5, United States Code.

(2) LIMITATION ON LODGING EXPENSES.—A newly hired Foreign Service employee may not receive any lodging expenses under the applicable per diem allowance pursuant to paragraph (1) if that employee—

(A) has a permanent residence in the Washington, D.C., area (not including Government-supplied housing during such orientation training or other training); and

(B) does not vacate such residence during such orientation training or other training.

(b) DEFINITIONS.—In this section—

(1) the term ''per diem allowance'' has the meaning given that term under section 5701 of title 5, United States Code; and

(2) the term ''Washington, D.C., area'' means the geographic area within a 50 mile radius of the Washington Monument.

SEC. 6223. IMPROVING MENTAL HEALTH SERVICES FOR FOREIGN AND CIVIL SERVANTS.

(a) ADDITIONAL PERSONNEL TO ADDRESS MENTAL HEALTH.—

(1) IN GENERAL.—The Secretary shall seek to increase the number of personnel within the Bureau of Medical Services to address mental health needs for both foreign and civil servants.

(2) EMPLOYMENT TARGETS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall seek to employ not fewer than 15 additional personnel in the Bureau of Medical Services, compared to the number of personnel employed as of the date of the enactment of this Act.

(b) STUDY.—The Secretary shall conduct a study on the accessibility of mental health care providers and services available to Department personnel, including an assessment of—

(1) the accessibility of mental health care providers at diplomatic posts and in the United States;

(2) the accessibility of inpatient services for mental health care for Department personnel;

(3) steps that may be taken to improve such accessibility;

(4) the impact of the COVID–19 pandemic on the mental health of Department personnel, particularly those who served abroad between March 1, 2020, and December 31, 2022, and Locally Employed Staff, where information is available;

(5) recommended steps to improve the manner in which the Department advertises mental health services to the workforce; and

(6) additional authorities and resources needed to better meet the mental health needs of Department personnel.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to appropriate congressional committees a report containing the findings of the study under subsection (b).

SEC. 6224. EMERGENCY BACK-UP CARE.

(a) IN GENERAL.—The Secretary and the Administrator for the United States Agency for International Development are authorized to provide for unanticipated non-medical care, including childcare, eldercare, and essential services directly related to caring for an acute injury or illness, for USAID and Department employees and their family members, including through the provision of such non-medical services, referrals to care providers, and reimbursement of reasonable expenses for such services.

(b) LIMITATION.—Services provided pursuant to this section shall not exceed $2,000,000 per fiscal year.

SEC. 6225. AUTHORITY TO PROVIDE SERVICES TO NON-CHIEF OF MISSION PERSONNEL.

Section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4084) is amended—

(1) in subsection (g), by striking ''abroad for employees and eligible family members'' and inserting ''under this section''; and

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

''(a) PHYSICAL AND MENTAL HEALTH CARE SERVICES IN SPECIAL CIRCUMSTANCES.—

''(1) IN GENERAL.—The Secretary is authorized to direct health care providers employed under subsection (c) of this section to furnish physical and mental health care services to an individual otherwise ineligible for services under this section if necessary to preserve life or limb or if intended to facilitate an overseas evacuation, recovery, or return. Such services may be provided incidental to the following activities:

''(A) Activities undertaken abroad pursuant to section 3 and section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2670, 2671).

''(B) Recovery of hostages or of wrongfully or unlawfully detained individuals abroad, including pursuant to section 302 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741).

''(C) Secretarial dispatches to international disaster sites deployed pursuant to section 207 of the Aviation Security Improvement Act of 1990 (22 U.S.C. 5506).

''(D) Deployments undertaken pursuant to section 606(a)(6)(A)(iii) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(6)(A)(iii)).

''(2) PRIORITIZATION OF OTHER FUNCTIONS.—The Secretary shall prioritize the allocation of Department resources to the health care program described in subsections (a) through (g) above the functions described in paragraph (1).

''(3) REGULATIONS.—The Secretary should prescribe applicable regulations to implement this section, taking into account the prioritization in paragraph (2) and the activities described in paragraph (1).

''(4) REIMBURSABLE BASIS.—Services rendered under this subsection shall be provided on a reimbursable basis to the extent practicable.''.

SEC. 6226. EXCEPTION FOR GOVERNMENT-FINANCED AIR TRANSPORTATION.

(a) REDUCING HARDSHIP FOR TRANSPORTATION OF DOMESTIC ANIMALS.—

(1) IN GENERAL.—Notwithstanding subsections (a) and (c) of section 40118 of title 49, United States Code, the Department is authorized to pay for the transportation by a foreign air carrier of Department personnel and any in-cabin or accompanying checked baggage or cargo if—

(A) no air carrier holding a certificate under section 41102 of such title is willing and able to transport up to 3 domestic animals accompanying such Federal personnel; and

(B) the transportation is from a place—

(i) outside the United States to a place in the United States;

(ii) in the United States to a place outside the United States; or

(iii) outside the United States to another place outside the United States.

(2) LIMITATION.—An amount paid pursuant to paragraph (1) for transportation by a foreign carrier may not be greater than the amount that would otherwise have been paid had the transportation been on an air carrier holding a certificate under section 41102 had that carrier been willing and able to provide such transportation. If the amount that would otherwise have been paid to such an air carrier is less than the cost of transportation on the applicable foreign carrier, the Department personnel may pay the difference of such amount.

(3) DOMESTIC ANIMAL DEFINED.—In this subsection, the term ''domestic animal'' means a dog or a cat.

SEC. 6227. ENHANCED AUTHORITIES TO PROTECT LOCALLY EMPLOYED STAFF DURING EMERGENCIES.

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

(1) locally employed staff provide essential contributions at United States diplomatic and consular posts around the world, including by providing—

(A) security to United States government personnel serving in the country;

(B) advice, expertise, and other services for the promotion of political, economic, public affairs, commercial, security, and other interests of critical importance to the United States;

(C) a wide range of logistical and administrative support to every office in each mission working to advance United States interests around the world, including services and support vital to the upkeep and maintenance of United States missions;

(D) consular services to support the welfare and well-being of United States citizens and to provide for the expeditious processing of visa applications;

(E) institutional memory on a wide range of embassy engagements on bilateral issues; and

(F) enduring connections to host country contacts, both inside and outside the host government, including within media, civil society, the business community, academia, the armed forces, and elsewhere; and

(2) locally employed staff make important contributions that should warrant the United States Government to give due consideration for their security and safety when diplomatic missions face emergency situations.

(b) AUTHORIZATION TO PROVIDE EMERGENCY SUPPORT.—In emergency situations, in addition to other authorities that may be available in emergencies or other exigent circumstances, the Secretary is authorized to use funds made available to the Department to provide support to ensure the safety and security of locally employed staff and their immediate family members, including for—

(1) providing transport or relocating locally employed staff and their immediate family members to a safe and secure environment;

(2) providing short-term housing or lodging for up to six months for locally employed staff and their immediate family members;

(3) procuring or providing other essential items and services to support the safety and security of locally employed staff and their immediate family members.

(c) TEMPORARY HOUSING.—To ensure the safety and security of locally employed staff and their immediate family members consistent with this section, Chiefs of Missions are authorized to allow locally employed staff and their immediate family members to reside temporarily in the residences of United States direct hire employees, either in the host country or other countries, provided that such stays are offered voluntarily by United States direct hire employees.

(d) FOREIGN AFFAIRS MANUAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall amend the Foreign Affairs Manual to reflect the authorizations and requirements of this section.

(e) EMERGENCY SITUATION DEFINED.—In this section, the term ''emergency situation'' means armed conflict, civil unrest, natural disaster, or other types of instability that pose a threat to the safety and security of locally employed staff, particularly when and if a United States diplomatic or consular post must suspend operations.

(f) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing prior actions the Department has taken with regard to locally employed staff and their immediate family members following suspensions or closures of United States diplomatic posts over the prior 10 years, including Kyiv, Kabul, Minsk, Khartoum, and Juba.

(2) ELEMENTS.—The report required under paragraph (1) shall—

(A) describe any actions the Department took to assist locally employed staff and their immediate family members;

(B) identify any obstacles that made providing support or assistance to locally employed staff and their immediate family members difficult;

(C) examine lessons learned and propose recommendations to better protect the safety and security of locally employed staff and their family members, including any additional authorities that may be required; and

(D) provide an analysis of and offer recommendations on any other steps that could improve efforts to protect the safety and security of locally employed staff and their immediate family members.

SEC. 6228. INTERNET AT HARDSHIP POSTS.

Section 3 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2670) is amended—

(1) in subsection (l), by striking ''; and'' and inserting a semicolon;

(2) in subsection (m) by striking the period at the end and by inserting ''; and''; and

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

''(n) pay expenses to provide internet services in residences owned or leased by the United States Government in foreign countries for the use of Department personnel where Department personnel receive a post hardship differential equivalent to 30 percent or more above basic compensation.''.

SEC. 6229. COMPETITIVE LOCAL COMPENSATION PLAN.

(a) ESTABLISHMENT AND IMPLEMENTATION OF PREVAILING WAGE RATES GOAL.—Section 401(a) of the Department of State Authorities Act, fiscal year 2017 (22 U.S.C. 3968a(a)) is amended in the matter preceding paragraph (1), by striking ''periodically'' and inserting ''every 3 years''.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that includes—

(1) compensation (including position classification) plans for locally employed staff based upon prevailing wage rates and compensation practices for corresponding types of positions in the locality of employment; and

(2) an assessment of the feasibility and impact of changing the prevailing wage rate goal for positions in the local compensation plan from the 50th percentile to the 75th percentile.

SEC. 6230. SUPPORTING TANDEM COUPLES IN THE FOREIGN SERVICE.

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

(1) challenges finding and maintaining spousal employment and family dissatisfaction are one of the leading reasons employees cite for leaving the Department;

(2) tandem Foreign Service personnel represent important members of the Foreign Service community, who act as force multipliers for our diplomacy;

(3) the Department can and should do more to keep tandem couples posted together and consider family member employment needs when assigning tandem officers; and

(4) common sense steps providing more flexibility in the assignments process would improve outcomes for tandem officers without disadvantaging other Foreign Service officers.

(b) DEFINITIONS.—In this section:

(1) FAMILY TOGETHERNESS.—The term ''family togetherness'' means facilitating the placement of Foreign Service personnel at the same United States diplomatic post when both spouses are members of a tandem couple of Foreign Service personnel.

(2) TANDEM FOREIGN SERVICE PERSONNEL; TANDEM.—The terms ''tandem Foreign Service personnel'' and ''tandem'' mean a member of a couple of which one spouse is a career or career candidate employee of the Foreign Service and the other spouse is a career or career candidate employee of the Foreign Service or an employee of one of the agencies authorized to use the Foreign Service Personnel System under section 202 of the Foreign Service Act of 1980 (22 U.S.C. 3922).

(c) FAMILY TOGETHERNESS IN ASSIGNMENTS.—Not later than 90 days after the date of enactment of this Act, the Department shall amend and update its policies to further promote the principle of family togetherness in the Foreign Service, which shall include the following:

(1) ENTRY-LEVEL FOREIGN SERVICE PERSONNEL.—The Secretary shall adopt policies and procedures to facilitate the assignment of entry-level tandem Foreign Service personnel on directed assignments to the same diplomatic post or country as their tandem spouse if they request to be assigned to the same post or country. The Secretary shall also provide a written justification to the requesting personnel explaining any denial of a request that would result in a tandem couple not serving together at the same post or country.

(2) TENURED FOREIGN SERVICE PERSONNEL.—The Secretary shall add family togetherness to the criteria when making a needs of the Service determination, as defined by the Foreign Affairs Manual, for the placement of tenured tandem Foreign Service personnel at United States diplomatic posts.

(3) UPDATES TO ANTINEPOTISM POLICY.—The Secretary shall update antinepotism policies so that nepotism rules only apply when an employee and a relative are placed into positions wherein they jointly and exclusively control government resources, property, or money or establish government policy.

(4) TEMPORARY SUPERVISION OF TANDEM SPOUSE.—The Secretary shall update policies to allow for a tandem spouse to temporarily supervise another tandem spouse for up to 90 days in a calendar year, including at a United States diplomatic mission.

(d) REPORT.—Not later than 90 days after the date of enactment of this Act, and annually thereafter for two years, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) the number of Foreign Service tandem couples currently serving;

(2) the number of Foreign Service tandems currently serving in separate locations, or, to the extent possible, are on leave without pay (LWOP); and

(3) an estimate of the cost savings that would result if all Foreign Service tandem couples were placed at a single post.

SEC. 6231. ACCESSIBILITY AT DIPLOMATIC MISSIONS.

Not later than 180 days after the date of the enactment of this Act, the Department shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that includes—

(1) a list of the overseas United States diplomatic missions that, as of the date of the enactment of this Act, are not readily accessible to and usable by individuals with disabilities;

(2) any efforts in progress to make such missions readily accessible to and usable by individuals with disabilities; and

(3) an estimate of the cost to make all such missions readily accessible to and usable by individuals with disabilities.

SEC. 6232. REPORT ON BREASTFEEDING ACCOMMODATIONS OVERSEAS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) a detailed report on the Department's efforts to equip 100 percent of United States embassies and consulates with dedicated lactation spaces, other than bathrooms, that are shielded from view and free from intrusion from coworkers and the public for use by employees, including the expected demand for such space as well as the status of such rooms when there is no demand for such space; and

(2) a description of costs and other resources needed to provide such spaces.

SEC. 6233. DETERMINING THE EFFECTIVENESS OF KNOWLEDGE TRANSFERS BETWEEN FOREIGN SERVICE OFFICERS.

The Secretary shall assess the effectiveness of knowledge transfers between Foreign Service officers who are departing from overseas positions and Foreign Service Officers who are arriving at such positions, and make recommendations for approving such knowledge transfers, as appropriate, by—

(1) not later than 90 days after the date of the enactment of this Act, conducting a written survey of a representative sample of Foreign Service Officers working in overseas assignments that analyzes the effectiveness of existing mechanisms to facilitate transitions, including training, mentorship, information technology, knowledge management, relationship building, the role of locally employed staff, and organizational culture; and

(2) not later than 120 days after the date of the enactment of this Act, submitting to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes a summary and analysis of results of the survey conducted pursuant to paragraph (1) that—

(A) identifies best practices and areas for improvement;

(B) describes the Department's methodology for determining which Foreign Service Officers should receive familiarization trips before arriving at a new post;

(C) includes recommendations regarding future actions the Department should take to maximize effective knowledge transfer between Foreign Service Officers;

(D) identifies any steps taken, or intended to be taken, to implement such recommendations, including any additional resources or authorities necessary to implement such recommendations; and

(E) provides recommendations to Congress for legislative action to advance the priority described in subparagraph (C).

SEC. 6234. EDUCATION ALLOWANCE FOR DEPENDENTS OF DEPARTMENT OF STATE EMPLOYEES LOCATED IN UNITED STATES TERRITORIES.

(a) IN GENERAL.—An individual employed by the Department at a location described in subsection (b) shall be eligible for a cost-of-living allowance for the education of the dependents of such employee in an amount that does not exceed the educational allowance authorized by the Secretary of Defense for such location.

(b) LOCATION DESCRIBED.—A location is described in this subsection if—

(1) such location is in a territory of the United States; and

(2) the Secretary of Defense has determined that schools available in such location are unable to adequately provide for the education of—

(A) dependents of members of the Armed Forces; or

(B) dependents of employees of the Department of Defense.

TITLE LXIII—INFORMATION SECURITY AND CYBER DIPLOMACY

SEC. 6301. DATA-INFORMED DIPLOMACY.

(a) FINDINGS.—Congress makes the following findings:

(1) In a rapidly evolving and digitally interconnected global landscape, access to and maintenance of reliable, readily available data is key to informed decisionmaking and diplomacy and therefore should be considered a strategic asset.

(2) In order to achieve its mission in the 21st century, the Department must adapt to these trends by maintaining and providing timely access to high-quality data at the time and place needed, while simultaneously cultivating a data-savvy workforce.

(3) Leveraging data science and data analytics has the potential to improve the performance of the Department's workforce by providing otherwise unknown insights into program deficiencies, shortcomings, or other gaps in analysis.

(4) While innovative technologies such as artificial intelligence and machine learning have the potential to empower the Department to analyze and act upon data at scale, systematized, sustainable data management and information synthesis remain a core competency necessary for data-driven decisionmaking.

(5) The goals set out by the Department's Enterprise Data Council (EDC) as the areas of most critical need for the Department, including Cultivating a Data Culture, Accelerating Decisions through Analytics, Establishing Mission-Driven Data Management, and Enhancing Enterprise Data Governance, are laudable and will remain critical as the Department develops into a data-driven agency.

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

(1) the Department should prioritize the recruitment and retainment of top data science talent in support of its data-informed diplomacy efforts as well as its broader modernization agenda; and

(2) the Department should strengthen data fluency among its workforce, promote data collaboration across and within its bureaus, and enhance its enterprise data oversight.

SEC. 6302. ESTABLISHMENT AND EXPANSION OF THE BUREAU CHIEF DATA OFFICER PROGRAM.

(a) BUREAU CHIEF DATA OFFICER PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a program, which shall be known as the ''Bureau Chief Data Officer Program'' (referred to in this section as the ''Program''), overseen by the Department's Chief Data Officer. The Bureau Chief Data Officers hired under this program shall report to their respective Bureau leadership.

(2) GOALS.—The goals of the Program shall include the following:

(A) Cultivating a data culture by promoting data fluency and data collaboration across the Department.

(B) Promoting increased data analytics use in critical decisionmaking areas.

(C) Promoting data integration and standardization.

(D) Increasing efficiencies across the Department by incentivizing acquisition of enterprise data solutions and subscription data services to be shared across bureaus and offices and within bureaus.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an implementation plan that outlines strategies for—

(1) advancing the goals described in subsection (a)(2);

(2) hiring Bureau Chief Data Officers at the GS-14 or GS-15 grade or a similar rank;

(3) assigning at least one Bureau Chief Data Officer to—

(A) each regional bureau of the Department;

(B) the Bureau of International Organization Affairs;

(C) the Office of the Chief Economist;

(D) the Office of the Science and Technology Advisor;

(E) the Bureau of Cyber and Digital Policy;

(F) the Bureau of Diplomatic Security;

(G) the Bureau for Global Talent Management; and

(H) the Bureau of Consular Affairs; and

(4) allocation of necessary resources to sustain the Program.

(c) ASSIGNMENT.—In implementing the Bureau Chief Data Officer Program, Bureaus may not dual-hat currently employed personnel as Bureau Chief Data Officers.

(d) ANNUAL REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 3 years, the Secretary shall submit a report to the appropriate congressional committees regarding the status of the implementation plan required under subsection (b).

SEC. 6303. ESTABLISHMENT OF THE CHIEF ARTIFICIAL INTELLIGENCE OFFICER OF THE DEPARTMENT OF STATE.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(n) CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—

''(1) IN GENERAL.—There shall be within the Department of State a Chief Artificial Intelligence Officer, which may be dual-hatted as the Department's Chief Data Officer, who shall be a member of the Senior Executive Service.

''(2) DUTIES DESCRIBED.—The principal duties and responsibilities of the Chief Artificial Intelligence Officer shall be—

''(A) to evaluate, oversee, and, if appropriate, facilitate the responsible adoption of artificial intelligence (AI) and machine learning applications to help inform decisions by policymakers and to support programs and management operations of the Department of State; and

''(B) to act as the principal advisor to the Secretary of State on the ethical use of AI and advanced analytics in conducting data-informed diplomacy.

''(3) QUALIFICATIONS.—The Chief Artificial Intelligence Officer should be an individual with demonstrated skill and competency in—

''(A) the use and application of data analytics, AI, and machine learning; and

''(B) transformational leadership and organizational change management, particularly within large, complex organizations.

''(4) PARTNER WITH THE CHIEF INFORMATION OFFICER ON SCALING ARTIFICIAL INTELLIGENCE USE CASES.—To ensure alignment between the Chief Artificial Intelligence Officer and the Chief Information Officer, the Chief Information Officer will consult with the Chief Artificial Intelligence Officer on best practices for rolling out and scaling AI capabilities across the Bureau of Information and Resource Management's broader portfolio of software applications.

''(5) ARTIFICIAL INTELLIGENCE DEFINED.—In this subsection, the term 'artificial intelligence' has the meaning given the term in section 238(g) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 4001 note).''.

SEC. 6304. STRENGTHENING THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF STATE.

(a) IN GENERAL.—The Chief Information Officer of the Department shall be consulted on all decisions to approve or disapprove, significant new unclassified information technology expenditures, including software, of the Department, including expenditures related to information technology acquired, managed, and maintained by other bureaus and offices within the Department, in order to—

(1) encourage the use of enterprise software and information technology solutions where such solutions exist or can be developed in a timeframe and manner consistent with maintaining and enhancing the continuity and improvement of Department operations;

(2) increase the bargaining power of the Department in acquiring information technology solutions across the Department;

(3) reduce the number of redundant Authorities to Operate (ATO), which, instead of using one ATO-approved platform across bureaus, requires multiple ATOs for software use cases across different bureaus;

(4) enhance the efficiency, reduce redundancy, and increase interoperability of the use of information technology across the enterprise of the Department;

(5) enhance training and alignment of information technology personnel with the skills required to maintain systems across the Department;

(6) reduce costs related to the maintenance of, or effectuate the retirement of, legacy systems;

(7) ensure the development and maintenance of security protocols regarding the use of information technology solutions and software across the Department; and

(8) improve end-user training on the operation of information technology solutions and to enhance end-user cybersecurity practices.

(b) STRATEGY AND IMPLEMENTATION PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Department shall develop, in consultation with relevant bureaus and offices as appropriate, a strategy and a 5-year implementation plan to advance the objectives described in subsection (a).

(2) CONSULTATION.—No later than one year after the date of the enactment of this Act, the Chief Information Officer shall submit the strategy required by this subsection to the appropriate congressional committees and shall consult with the appropriate congressional committees, not less than on an annual basis for 5 years, regarding the progress related to the implementation plan required by this subjection.

(c) IMPROVEMENT PLAN FOR THE BUREAU FOR INFORMATION RESOURCES MANAGEMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer shall develop policies and protocols to improve the customer service orientation, quality and timely delivery of information technology solutions, and training and support for bureau and office-level information technology officers.

(2) SURVEY.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the Chief Information Officer shall undertake a client satisfaction survey of bureau information technology officers to obtain feedback on metrics related to—

(A) customer service orientation of the Bureau of Information Resources Management;

(B) quality and timelines of capabilities delivered;

(C) maintenance and upkeep of information technology solutions;

(D) training and support for senior bureau and office-level information technology officers; and

(E) other matters which the Chief Information Officer, in consultation with client bureaus and offices, determine appropriate.

(3) SUBMISSION OF FINDINGS.—Not later than 60 days after completing each survey required under paragraph (2), the Chief Information Officer shall submit a summary of the findings to the appropriate congressional committees.

(d) SIGNIFICANT EXPENDITURE DEFINED.—For purposes of this section, the term ''significant expenditure'' means any cumulative expenditure in excess of $250,000 total in a single fiscal year for a new unclassified software or information technology capability.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to alter the authorities of the United States Office of Management and Budget, Office of the National Cyber Director, the Department of Homeland Security, or the Cybersecurity and Infrastructure Security Agency with respect to Federal information systems; or

(2) to alter the responsibilities and authorities of the Chief Information Officer of the Department of State as described in titles 40 or 44, United States Code, or any other law defining or assigning responsibilities or authorities to Federal Chief Information Officers.

SEC. 6305. SENSE OF CONGRESS ON STRENGTHENING ENTERPRISE GOVERNANCE.

It is the sense of Congress that in order to modernize the Department, enterprise-wide governance regarding budget and finance, information technology, and the creation, analysis, and use of data across the Department is necessary to better align resources to strategy, including evaluating trade-offs, and to enhance efficiency and security in using data and technology as tools to inform and evaluate the conduct of United States foreign policy.

SEC. 6306. DIGITAL CONNECTIVITY AND CYBERSECURITY PARTNERSHIP.

(a) DIGITAL CONNECTIVITY AND CYBERSECURITY PARTNERSHIP.—The Secretary is authorized to establish a program, which may be known as the ''Digital Connectivity and Cybersecurity Partnership'', to help foreign countries—

(1) expand and increase secure internet access and digital infrastructure in emerging markets, including demand for and availability of high-quality information and communications technology (ICT) equipment, software, and services;

(2) protect technological assets, including data;

(3) adopt policies and regulatory positions that foster and encourage open, interoperable, reliable, and secure internet, the free flow of data, multi-stakeholder models of internet governance, and pro-competitive and secure ICT policies and regulations;

(4) access United States exports of ICT goods and services;

(5) expand interoperability and promote the diversification of ICT goods and supply chain services to be less reliant on PRC imports;

(6) promote best practices and common standards for a national approach to cybersecurity; and

(7) advance other priorities consistent with paragraphs (1) through (6), as determined by the Secretary.

(b) USE OF FUNDS.—Funds made available to carry out this section may be used to strengthen civilian cybersecurity and information and communications technology capacity, including participation of foreign law enforcement and military personnel in non-military activities, notwithstanding any other provision of law, provided that such support is essential to enabling civilian and law enforcement of cybersecurity and information and communication technology related activities in their respective countries.

(c) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees an implementation plan for the coming year to advance the goals identified in subsection (a).

(d) CONSULTATION.—In developing and operationalizing the implementation plan required under subsection (c), the Secretary shall consult with—

(1) the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives;

(2) United States industry leaders;

(3) other relevant technology experts, including the Open Technology Fund;

(4) representatives from relevant United States Government agencies; and

(5) representatives from like-minded allies and partners.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $100,000,000 for each of fiscal years 2024 through 2028 to carry out this section. Such funds, including funds authorized to be appropriated under the heading ''Economic Support Fund'', may be made available, notwithstanding any other provision of law to strengthen civilian cybersecurity and information and communications technology capacity, including for participation of foreign law enforcement and military personnel in non-military activities, and for contributions. Such funds shall remain available until expended.

SEC. 6307. ESTABLISHMENT OF A CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) FUND.

Part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.) is amended by adding at the end the following new chapter:

''CHAPTER 10—CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) FUND

''SEC. 591. FINDINGS.

''Congress makes the following findings:

''(1) Increasingly digitized and interconnected social, political, and economic systems have introduced new vulnerabilities for malicious actors to exploit, which threatens economic and national security.

''(2) The rapid development, deployment, and integration of information and communication technologies into all aspects of modern life bring mounting risks of accidents and malicious activity involving such technologies, and their potential consequences.

''(3) Because information and communication technologies are globally manufactured, traded, and networked, the economic and national security of the United State depends greatly on cybersecurity practices of other actors, including other countries.

''(4) United States assistance to countries and international organizations to bolster civilian capacity to address national cybersecurity and deterrence in cyberspace can help—

''(A) reduce vulnerability in the information and communication technologies ecosystem; and

''(B) advance national and economic security objectives.

''SEC. 592. AUTHORIZATION OF ASSISTANCE AND FUNDING FOR CYBERSPACE, DIGITAL CONNECTIVITY, AND RELATED TECHNOLOGIES (CDT) CAPACITY BUILDING ACTIVITIES.

''(a) AUTHORIZATION.—The Secretary of State is authorized to provide assistance to foreign governments and organizations, including national, regional, and international institutions, on such terms and conditions as the Secretary may determine, in order to—

''(1) advance a secure and stable cyberspace;

''(2) protect and expand trusted digital ecosystems and connectivity;

''(3) build the cybersecurity capacity of partner countries and organizations; and

''(4) ensure that the development of standards and the deployment and use of technology supports and reinforces human rights and democratic values, including through the Digital Connectivity and Cybersecurity Partnership.

''(b) SCOPE OF USES.—Assistance under this section may include programs to—

''(1) advance the adoption and deployment of secure and trustworthy information and communications technology (ICT) infrastructure and services, including efforts to grow global markets for secure ICT goods and services and promote a more diverse and resilient ICT supply chain;

''(2) provide technical and capacity building assistance to—

''(A) promote policy and regulatory frameworks that create an enabling environment for digital connectivity and a vibrant digital economy;

''(B) ensure technologies, including related new and emerging technologies, are developed, deployed, and used in ways that support and reinforce democratic values and human rights;

''(C) promote innovation and competition; and

''(D) support digital governance with the development of rights-respecting international norms and standards;

''(3) help countries prepare for, defend against, and respond to malicious cyber activities, including through—

''(A) the adoption of cybersecurity best practices;

''(B) the development of national strategies to enhance cybersecurity;

''(C) the deployment of cybersecurity tools and services to increase the security, strength, and resilience of networks and infrastructure;

''(D) support for the development of cybersecurity watch, warning, response, and recovery capabilities, including through the development of cybersecurity incident response teams;

''(E) support for collaboration with the Cybersecurity and Infrastructure Security Agency (CISA) and other relevant Federal agencies to enhance cybersecurity;

''(F) programs to strengthen allied and partner governments' capacity to detect, investigate, deter, and prosecute cybercrimes;

''(G) programs to provide information and resources to diplomats engaging in discussions and negotiations around international law and capacity building measures related to cybersecurity;

''(H) capacity building for cybersecurity partners, including law enforcement and military entities as described in subsection (f);

''(I) programs that enhance the ability of relevant stakeholders to act collectively against shared cybersecurity threats;

''(J) the advancement of programs in support of the Framework of Responsible State Behavior in Cyberspace; and

''(K) the fortification of deterrence instruments in cyberspace; and

''(4) such other purpose and functions as the Secretary of State may designate.

''(c) RESPONSIBILITY FOR POLICY DECISIONS AND JUSTIFICATION.—The Secretary of State shall be responsible for policy decisions regarding programs under this chapter, with respect to—

''(1) whether there will be cybersecurity and digital capacity building programs for a foreign country or entity operating in that country;

''(2) the amount of funds for each foreign country or entity; and

''(3) the scope and nature of such uses of funding.

''(d) DETAILED JUSTIFICATION FOR USES AND PURPOSES OF FUNDS.—The Secretary of State shall provide, on an annual basis, a detailed justification for the uses and purposes of the amounts provided under this chapter, including information concerning—

''(1) the amounts and kinds of grants;

''(2) the amounts and kinds of budgetary support provided, if any; and

''(3) the amounts and kinds of project assistance provided for what purpose and with such amounts.

''(e) ASSISTANCE AND FUNDING UNDER OTHER AUTHORITIES.—The authority granted under this section to provide assistance or funding for countries and organizations does not preclude the use of funds provided to carry out other authorities also available for such purpose.

''(f) AVAILABILITY OF FUNDS.—Amounts appropriated to carry out this chapter may be used, notwithstanding any other provision of law, to strengthen civilian cybersecurity and information and communications technology capacity, including participation of foreign law enforcement and military personnel in non-military activities, provided that such support is essential to enabling civilian and law enforcement of cybersecurity and information and communication technology related activities in their respective countries.

''(g) NOTIFICATION REQUIREMENTS.—Funds made available under this section shall be obligated in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act.

''SEC. 593. REVIEW OF EMERGENCY ASSISTANCE CAPACITY.

''(a) IN GENERAL.—The Secretary of State, in consultation as appropriate with other relevant Federal departments and agencies is authorized to conduct a review that—

''(1) analyzes the United States Government's capacity to promptly and effectively deliver emergency support to countries experiencing major cybersecurity and ICT incidents;

''(2) identifies relevant factors constraining the support referred to in paragraph (1); and

''(3) develops a strategy to improve coordination among relevant Federal agencies and to resolve such constraints.

''(b) REPORT.—Not later than one year after the date of the enactment of this chapter, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that contains the results of the review conducted pursuant to subsection (a).

''SEC. 594. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated $150,000,000 during the 5-year period beginning on October 1, 2023, to carry out the purposes of this chapter.''.

SEC. 6308. CYBER PROTECTION SUPPORT FOR PERSONNEL OF THE DEPARTMENT OF STATE IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) AT-RISK PERSONNEL.—The term ''at-risk personnel'' means personnel of the Department—

(A) whom the Secretary determines to be highly vulnerable to cyber attacks and hostile information collection activities because of their positions in the Department; and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(2) PERSONAL ACCOUNTS.—The term ''personal accounts'' means accounts for online and telecommunications services, including telephone, residential internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the Department outside of the scope of their employment with the Department.

(3) PERSONAL TECHNOLOGY DEVICES.—The term ''personal technology devices'' means technology devices used by personnel of the Department outside of the scope of their employment with the Department, including networks to which such devices connect.

(b) REQUIREMENT TO PROVIDE CYBER PROTECTION SUPPORT.—The Secretary, in consultation with the Secretary of Homeland Security and the Director of National Intelligence, as appropriate—

(1) shall offer cyber protection support for the personal technology devices and personal accounts of at-risk personnel; and

(2) may provide the support described in paragraph (1) to any Department personnel who request such support.

(c) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel pursuant to subsection (b) may include training, advice, assistance, and other services relating to protection against cyber attacks and hostile information collection activities.

(d) PRIVACY PROTECTIONS FOR PERSONAL DEVICES.—The Department is prohibited pursuant to this section from accessing or retrieving any information from any personal technology device or personal account of Department employees unless—

(1) access or information retrieval is necessary for carrying out the cyber protection support specified in this section; and

(2) the Department has received explicit consent from the employee to access a personal technology device or personal account prior to each time such device or account is accessed.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to encourage Department personnel to use personal technology devices for official business; or

(2) to authorize cyber protection support for senior Department personnel using personal devices, networks, and personal accounts in an official capacity.

(f) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees regarding the provision of cyber protection support pursuant to subsection (b), which shall include—

(1) a description of the methodology used to make the determination under subsection (a)(1); and

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support pursuant to subsection (b).

TITLE LXIV—ORGANIZATION AND OPERATIONS

SEC. 6401. PERSONAL SERVICES CONTRACTORS.

(a) EXIGENT CIRCUMSTANCES AND CRISIS RESPONSE.—To assist the Department in addressing and responding to exigent circumstances and urgent crises abroad, the Department is authorized to employ, domestically and abroad, a limited number of personal services contractors in order to meet exigent needs, subject to the requirements of this section.

(b) AUTHORITY.—The authority to employ personal services contractors is in addition to any existing authorities to enter into personal services contracts and authority provided in the Afghanistan Supplemental Appropriations Act, 2022 (division C of Public Law 117–43).

(c) EMPLOYING AND ALLOCATION OF PERSONNEL.—To meet the needs described in subsection (a) and subject to the requirements in subsection (d), the Department may—

(1) enter into contracts to employ a total of up to 100 personal services contractors at any given time for each of fiscal years 2024, 2025, and 2026; and

(2) allocate up to 20 personal services contractors to a given bureau, without regard to the sources of funding such office relies on to compensate individuals.

(d) LIMITATION.—Employment authorized by this section shall not exceed two calendar years.

(e) NOTIFICATION AND REPORTING TO CONGRESS.—

(1) NOTIFICATION.—Not later than 15 days after the use of authority under this section, the Secretary shall notify the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives of the number of personal services contractors being employed, the expected length of employment, the relevant bureau, the purpose for using personal services contractors, and the justification, including the exigent circumstances requiring such use.

(2) ANNUAL REPORTING.—Not later than 60 days after the end of each fiscal year, the Department shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report describing the number of personal services contractors employed pursuant to this section for the prior fiscal year, the length of employment, the relevant bureau by which they were employed pursuant to this section, the purpose for using personal services contractors, disaggregated demographic data of such contractors, and the justification for the employment, including the exigent circumstances.

SEC. 6402. HARD-TO-FILL POSTS.

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

(1) the number of hard-to-fill vacancies at United States diplomatic missions is far too high, particularly in Sub-Saharan Africa;

(2) these vacancies—

(A) adversely impact the Department's execution of regional strategies;

(B) hinder the ability of the United States to effectively compete with strategic competitors, such as the People's Republic of China and the Russian Federation; and

(C) present a clear national security risk to the United States; and

(3) if the Department is unable to incentivize officers to accept hard-to-fill positions, the Department should consider directed assignments, particularly for posts in Africa, and other means to more effectively advance the national interests of the United States.

(b) REPORT ON DEVELOPMENT OF INCENTIVES FOR HARD-TO-FILL POSTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on efforts to develop new incentives for hard-to-fill positions at United States diplomatic

missions. The report shall include a description of the incentives developed to date and proposals to try to more effectively fill hard-to-fill posts.

(c) STUDY ON FEASIBILITY OF ALLOWING NON-CONSULAR FOREIGN SERVICE OFFICERS GIVEN DIRECTED CONSULAR POSTS TO VOLUNTEER FOR HARD-TO-FILL POSTS IN UNDERSTAFFED REGIONS.—

(1) STUDY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a study on—

(i) the number of Foreign Service positions vacant for six months or longer at overseas posts, including for consular, political, and economic positions, over the last five years, broken down by region, and a comparison of the proportion of vacancies between regions; and

(ii) the feasibility of allowing first-tour Foreign Service generalists in non-Consular cones, directed for a consular tour, to volunteer for reassignment at hard-to-fill posts in understaffed regions.

(B) MATTERS TO BE CONSIDERED.—The study conducted under subparagraph (A) shall consider whether allowing first-tour Foreign Service generalists to volunteer as described in such subparagraph would address current vacancies and what impact the new mechanism would have on consular operations.

(2) REPORT.—Not later than 60 days after completing the study required under paragraph (1), the Secretary shall submit to the appropriate congressional committees a report containing the findings of the study.

SEC. 6403. ENHANCED OVERSIGHT OF THE OFFICE OF CIVIL RIGHTS.

(a) REPORT WITH RECOMMENDATIONS AND MANAGEMENT STRUCTURE.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report with any recommendations for the long-term structure and management of the Office of Civil Rights (OCR), including—

(1) an assessment of the strengths and weaknesses of OCR's investigative processes and procedures;

(2) any changes made within OCR to its investigative processes to improve the integrity and thoroughness of its investigations; and

(3) any recommendations to improve the management structure, investigative process, and oversight of the Office.

SEC. 6404. CRISIS RESPONSE OPERATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall institute the following changes and ensure that the following elements have been integrated into the ongoing crisis response management and response by the Crisis Management and Strategy Office:

(1) The Department's crisis response planning and operations shall conduct, maintain, and update on a regular basis contingency plans for posts and regions experiencing or vulnerable to conflict or emergency conditions, including armed conflict, national disasters, significant political or military upheaval, and emergency evacuations.

(2) The Department's crisis response efforts shall be led by an individual with significant experience responding to prior crises, who shall be so designated by the Secretary.

(3) The Department's crisis response efforts shall provide at least quarterly updates to the Secretary and other relevant senior officials, including a plan and schedule to develop contingency planning for identified posts and regions consistent with paragraph (1).

(4) The decision to develop contingency planning for any particular post or region shall be made independent of any regional bureau.

(5) The crisis response team shall develop and maintain best practices for evacuations, closures, and emergency conditions.

(b) UPDATE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for the next five years, the Secretary shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an update outlining the steps taken to implement this section, along with any other recommendations to improve the Department's crisis management and response operations.

(2) CONTENTS.—Each update submitted pursuant to paragraph (1) should include—

(A) a list of the posts whose contingency plans, including any noncombatant evacuation contingencies, has been reviewed and updated as appropriate during the preceding 180 days; and

(B) an assessment of the Secretary's confidence that each post—

(i) has continuously reached out to United States persons in country to maintain and update contact information for as many such persons as practicable; and

(ii) is prepared to communicate with such persons in an emergency or crisis situation.

(3) FORM.—Each update submitted pursuant to paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6405. SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.

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

(1) the United States must increase its diplomatic activity and presence in the Pacific, particularly among Pacific Island nations; and

(2) the Special Envoy to the Pacific Islands Forum—

(A) should advance the United States partnership with Pacific Island Forum nations and with the organization itself on key issues of importance to the Pacific region; and

(B) should coordinate policies across the Pacific region with like-minded democracies.

(b) APPOINTMENT OF SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended by section 6304, is further amended by adding at the end the following new subsection:

''(o) SPECIAL ENVOY TO THE PACIFIC ISLANDS FORUM.—

''(1) APPOINTMENT.—The President shall appoint, by and with the advice and consent of the Senate, a qualified individual to serve as Special Envoy to the Pacific Islands Forum (referred to in this section as the 'Special Envoy').

''(2) CONSIDERATIONS.—

''(A) SELECTION.—The Special Envoy shall be—

''(i) a United States Ambassador to a country that is a member of the Pacific Islands Forum; or

''(ii) a qualified individual who is not described in clause (i).

''(B) LIMITATIONS.—If the President appoints an Ambassador to a country that is a member of the Pacific Islands Forum to serve concurrently as the Special Envoy to the Pacific Islands Forum, such Ambassador—

''(i) may not begin service as the Special Envoy until he or she has been confirmed by the Senate for an ambassadorship to a country that is a member of the Pacific Islands Forum; and

''(ii) shall not receive additional compensation for his or her service as Special Envoy.

''(3) DUTIES.—The Special Envoy shall—

''(A) represent the United States in its role as dialogue partner to the Pacific Islands Forum; and

''(B) carry out such other duties as the President or the Secretary of State may prescribe.''.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that describes how the Department will increase its ability to recruit and retain highly-qualified ambassadors, special envoys, and other senior personnel in posts in Pacific island countries as the Department expands its diplomatic footprint throughout the region.

SEC. 6406. SPECIAL ENVOY FOR BELARUS.

(a) SPECIAL ENVOY.—The President shall appoint a Special Envoy for Belarus within the Department (referred to in this section as the ''Special Envoy''). The Special Envoy should be a person of recognized distinction in the field of European security, geopolitics, democracy and human rights, and may be a career Foreign Service officer.

(b) CENTRAL OBJECTIVE.—The central objective of the Special Envoy is to coordinate and promote efforts—

(1) to improve respect for the fundamental human rights of the people of Belarus;

(2) to sustain focus on the national security implications of Belarus's political and military alignment for the United States; and

(3) to respond to the political, economic, and security impacts of events in Belarus upon neighboring countries and the wider region.

(c) DUTIES AND RESPONSIBILITIES.—The Special Envoy shall—

(1) engage in discussions with Belarusian officials regarding human rights, political, economic and security issues in Belarus;

(2) support international efforts to promote human rights and political freedoms in Belarus, including coordination and dialogue between the United States and the United Nations, the Organization for Security and Cooperation in Europe, the European Union, Belarus, and the other countries in Eastern Europe;

(3) consult with nongovernmental organizations that have attempted to address human rights and political and economic instability in Belarus;

(4) make recommendations regarding the funding of activities promoting human rights, democracy, the rule of law, and the development of a market economy in Belarus;

(5) review strategies for improving protection of human rights in Belarus, including technical training and exchange programs;

(6) develop an action plan for holding to account the perpetrators of the human rights violations documented in the United Nations High Commissioner for Human Rights report on the situation of human rights in Belarus in the run-up to the 2020 presidential election and its aftermath (Human Rights Council Resolution 49/36);

(7) engage with member countries of the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe and the European Union with respect to the implications of Belarus's political and security alignment for transatlantic security; and

(8) work within the Department and among partnering countries to sustain focus on the political situation in Belarus.

(d) ROLE.—The position of Special Envoy—

(1) shall be a full-time position;

(2) may not be combined with any other position within the Department;

(3) shall only exist as long as United States diplomatic operations in Belarus at United

States Embassy Minsk have been suspended; and

(4) shall oversee the operations and personnel of the Belarus Affairs Unit.

(e) REPORT ON ACTIVITIES.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary, in consultation with the Special Envoy, shall submit a report to the appropriate congressional committees that describes the activities undertaken pursuant to subsection (c) during the reporting period.

(f) SUNSET.—The position of Special Envoy for Belarus Affairs and the authorities provided by this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 6407. OVERSEAS PLACEMENT OF SPECIAL APPOINTMENT POSITIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on current special appointment positions at United States diplomatic missions that do not exercise significant authority, and all positions under schedule B or schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, at United States diplomatic missions. The report shall include the title and responsibilities of each position, the expected duration of the position, the name of the individual currently appointed to the position, and the hiring authority utilized to fill the position.

SEC. 6408. RESOURCES FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

Section 302(d) of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741(d)) is amended—

(1) in the subsection heading, by striking ''RESOURCE GUIDANCE'' and inserting ''RESOURCES FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD'';

(2) in paragraph (1), by striking the paragraph heading and all that follows through ''Not later than'' and inserting the following:

''(1) RESOURCE GUIDANCE.—

''(A) IN GENERAL.—Not later than'';

(3) in paragraph (2), by redesignating subparagraphs (A), (B), (C), (D), and (E) and clauses (i), (ii), (iii), (iv), and (v), respectively, and moving such clauses (as so redesignated) 2 ems to the right;

(4) by redesignating paragraph (2) as subparagraph (B) and moving such subparagraph (as so redesignated) 2 ems to the right;

(5) in subparagraph (B), as redesignated by paragraph (4), by striking ''paragraph (1)'' and inserting ''subparagraph (A)''; and

(6) by adding at the end the following:

''(2) TRAVEL ASSISTANCE.—

''(A) FAMILY ADVOCACY.—For the purpose of facilitating meetings between the United States Government and the family members of United States nationals unlawfully or wrongfully detained abroad, the Secretary shall provide financial assistance to cover the costs of travel to Washington, D.C., including travel by air, train, bus, or other transit as appropriate, to any individual who—

''(i) is—

''(I) a family member of a United States national unlawfully or wrongfully detained abroad as determined by the Secretary under subsection (a); or

''(II) an appropriate individual who—

''(aa) is approved by the Special Presidential Envoy for Hostage Affairs; and

''(bb) does not represent in any legal capacity a United States national unlawfully or wrongfully detained abroad or the family of such United States national;

''(ii) has a permanent address that is more than 50 miles from Washington, D.C.; and

''(iii) requests such assistance.

''(B) TRAVEL AND LODGING.—

''(i) IN GENERAL.—For each such United States national unlawfully or wrongfully detained abroad, the financial assistance described in subparagraph (A) shall be provided for not more than 2 trips per fiscal year, unless the Special Presidential Envoy for Hostage Affairs determines that a third trip is warranted.

''(ii) LIMITATIONS.—Any trip described in clause (i) shall—

''(I) consist of not more than 2 family members or other individuals approved in accordance with subparagraph (A)(i)(II), unless the Special Presidential Envoy for Hostage Affairs determines that circumstances warrant an additional family member or other individual approved in accordance with subparagraph (A)(i)(II) and approves assistance to such third family member or other individual; and

''(II) not exceed more than 2 nights lodging, which shall not exceed the applicable government rate.

''(C) RETURN TRAVEL.—If other United States Government assistance is unavailable, the Secretary may provide to a United States national unlawfully or wrongfully detained abroad as determined by the Secretary under subsection (a), compensation and assistance, as necessary, for return travel to the United States upon release of such United States national.

''(3) SUPPORT.—The Secretary shall seek to make available operational psychologists and clinical social workers, to support the mental health and well-being of—

''(A) any United States national unlawfully or wrongfully detained abroad; and

''(B) any family member of such United States national, with regard to the psychological, social, and mental health effects of such unlawful or wrongful detention.

''(4) NOTIFICATION REQUIREMENT.—The Secretary shall notify the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives of any amount spent above $250,000 for any fiscal year to carry out paragraphs (2) and (3).

''(5) REPORT.—Not later than 90 days after the end of each fiscal year, the Secretary shall submit to the Committees on Foreign Relations and Appropriations of the Senate and the Committee on Foreign Affairs and Appropriations of the House of Representatives a report that includes—

''(A) a detailed description of expenditures made pursuant to paragraphs (2) and (3);

''(B) a detailed description of support provided pursuant to paragraph (3) and the individuals providing such support; and

''(C) the number and location of visits outside of Washington, D.C., during the prior fiscal year made by the Special Presidential Envoy for Hostage Affairs to family members of each United States national unlawfully or wrongfully detained abroad.

''(6) SUNSET.—The authority and requirements under paragraphs (2), (3), (4), and (5) shall terminate on December 31, 2027.

''(7) FAMILY MEMBER DEFINED.—In this subsection, the term 'family member' means a spouse, father, mother, child, brother, sister, grandparent, grandchild, aunt, uncle, nephew, niece, cousin, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.''.

TITLE LXV—ECONOMIC DIPLOMACY

SEC. 6501. REPORT ON RECRUITMENT, RETENTION, AND PROMOTION OF FOREIGN SERVICE ECONOMIC OFFICERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees regarding the recruitment, retention, and promotion of economic officers in the Foreign Service.

(b) ELEMENTS.—The report required under subsection (b) shall include—

(1) an overview of the key challenges the Department faces in—

(A) recruiting individuals to serve as economic officers in the Foreign Service; and

(B) retaining individuals serving as economic officers in the Foreign Service, particularly at the level of GS–14 of the General Schedule and higher;

(2) an overview of the key challenges in recruiting and retaining qualified individuals to serve in economic positions in the Civil Service;

(3) a comparison of promotion rates for economic officers in the Foreign Service relative to other officers in the Foreign Service;

(4) a summary of the educational history and training of current economic officers in the Foreign Service and Civil Service officers serving in economic positions;

(5) the identification, disaggregated by region, of hard-to-fill posts and proposed incentives to improve staffing of economic officers in the Foreign Service at such posts;

(6) a summary and analysis of the factors that lead to the promotion of—

(A) economic officers in the Foreign Service; and

(B) individuals serving in economic positions in the Civil Service; and

(7) a summary and analysis of current Department-funded or run training opportunities and externally-funded programs, including the Secretary's Leadership Seminar at Harvard Business School, for—

(A) economic officers in the Foreign Service; and

(B) individuals serving in economic positions in the Civil Service.

SEC. 6502. MANDATE TO REVISE DEPARTMENT OF STATE METRICS FOR SUCCESSFUL ECONOMIC AND COMMERCIAL DIPLOMACY.

(a) MANDATE TO REVISE DEPARTMENT OF STATE PERFORMANCE MEASURES FOR ECONOMIC AND COMMERCIAL DIPLOMACY.—The Secretary shall, as part of the Department's next regularly scheduled review on metrics and performance measures, include revisions of Department performance measures for economic and commercial diplomacy, by identifying outcome-oriented, and not process-oriented, performance metrics, including metrics that—

(1) measure how Department efforts advanced specific economic and commercial objectives and led to successes for the United States or other private sector actors overseas; and

(2) focus on customer satisfaction with Department services and assistance.

(b) PLAN FOR ENSURING COMPLETE DATA FOR PERFORMANCE MEASURES.—As part of the review required under subsection (a), the Secretary shall include a plan for ensuring that—

(1) the Department, both at its main headquarters and at domestic and overseas posts, maintains and fully updates data on performance measures; and

(2) Department leadership and the appropriate congressional committees can evaluate the extent to which the Department is advancing United States economic and commercial interests abroad through meeting performance targets.

(c) REPORT ON PRIVATE SECTOR SURVEYS.—The Secretary shall prepare a report that lists and describes all the methods through which the Department conducts surveys of the private sector to measure private sector

satisfaction with assistance and services provided by the Department to advance private sector economic and commercial goals in foreign markets.

(d) REPORT.—Not later than 90 days after conducting the review pursuant to subsection (a), the Secretary shall submit to the appropriate congressional committees—

(1) the revised performance metrics required under subsection (a); and

(2) the report required under subsection (c).

SEC. 6503. CHIEF OF MISSION ECONOMIC RESPONSIBILITIES.

Section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) is amended by adding at the end the following:

''(e) EMBASSY ECONOMIC TEAM.—

''(1) COORDINATION AND SUPERVISION.—Each chief of mission shall coordinate and supervise the implementation of all United States economic policy interests within the host country in which the diplomatic mission is located, among all United States Government departments and agencies present in such country.

''(2) ACCOUNTABILITY.—The chief of mission is responsible for the performance of the diplomatic mission in advancing United States economic policy interests within the host country.

''(3) MISSION ECONOMIC TEAM.—The chief of mission shall designate appropriate embassy staff to form a mission economic team that—

''(A) monitors notable economic, commercial, and investment-related developments in the host country; and

''(B) develops plans and strategies for advancing United States economic and commercial interests in the host country, including—

''(i) tracking legislative, regulatory, judicial, and policy developments that could affect United States economic, commercial, and investment interests;

''(ii) advocating for best practices with respect to policy and regulatory developments;

''(iii) conducting regular analyses of market systems, trends, prospects, and opportunities for value-addition, including risk assessments and constraints analyses of key sectors and of United States strategic competitiveness, and other reporting on commercial opportunities and investment climate; and

''(iv) providing recommendations for responding to developments that may adversely affect United States economic and commercial interests.''.

SEC. 6504. DIRECTION TO EMBASSY DEAL TEAMS.

(a) PURPOSES.—The purposes of deal teams at United States embassies and consulates are—

(1) to promote a private sector-led approach—

(A) to advance economic growth and job creation that is tailored, as appropriate, to specific economic sectors; and

(B) to advance strategic partnerships;

(2) to prioritize efforts—

(A) to identify commercial and investment opportunities;

(B) to advocate for improvements in the business and investment climate;

(C) to engage and consult with private sector partners; and

(D) to report on the activities described in subparagraphs (A) through (C), in accordance with the applicable requirements under sections 706 and 707 of the Championing American Business Through Diplomacy Act of 2019 (22 U.S.C. 9902 and 9903);

(3)(A)(i) to identify trade and investment opportunities for United States companies in foreign markets; or

(ii) to assist with existing trade and investment opportunities already identified by United States companies; and

(B) to deploy United States Government economic and other tools to help such United States companies to secure their objectives;

(4) to identify and facilitate opportunities for entities in a host country to increase exports to, or investment in, the United States in order to grow two-way trade and investment;

(5) to modernize, streamline, and improve access to resources and services designed to promote increased trade and investment opportunities;

(6) to identify and secure United States or allied government support of strategic projects, such as ports, railways, energy production and distribution, critical minerals development, telecommunications networks, and other critical infrastructure projects vulnerable to predatory investment by an authoritarian country or entity in such country where support or investment serves an important United States interest;

(7) to coordinate across the Unites States Government to ensure the appropriate and most effective use of United States Government tools to support United States economic, commercial, and investment objectives; and

(8) to coordinate with the multi-agency DC Central Deal Team, established in February 2020, on the matters described in paragraphs (1) through (7) and other relevant matters.

(b) CLARIFICATION.—A deal team may be composed of the personnel comprising the mission economic team formed pursuant to section 207(e)(3) of the Foreign Service Act of 1980, as added by section 6503.

(c) RESTRICTIONS.—A deal team may not provide support for, or assist a United States person with a transaction involving, a government, or an entity owned or controlled by a government, if the Secretary determines that such government—

(1) has repeatedly provided support for acts of international terrorism, as described in—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115–232);

(B) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other relevant provision of law; or

(2) has engaged in an activity that would trigger a restriction under section 116(a) or 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a) and 2304(a)(2)) or any other relevant provision of law.

(d) FURTHER RESTRICTIONS.—

(1) PROHIBITION ON SUPPORT OF SANCTIONED PERSONS.—Deal teams may not carry out activities prohibited under United States sanctions laws or regulations, including dealings with persons on the list of specially designated persons and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, except to the extent otherwise authorized by the Secretary of the Treasury or the Secretary.

(2) PROHIBITION ON SUPPORT OF ACTIVITIES SUBJECT TO SANCTIONS.—Any person receiving support from a deal team must be in compliance with all United States sanctions laws and regulations as a condition for receiving such assistance.

(e) CHIEF OF MISSION AUTHORITY AND ACCOUNTABILITY.—The chief of mission to a foreign country—

(1) is the designated leader of a deal team in such country; and

(2) shall be held accountable for the performance and effectiveness of United States deal teams in such country.

(f) GUIDANCE CABLE.—The Department shall send out regular guidance on Deal Team efforts by an All Diplomatic and Consular Posts (referred to in this section as ''ALDAC'') that—

(1) describes the role of deal teams; and

(2) includes relevant and up-to-date information to enhance the effectiveness of deal teams in a country.

(g) CONFIDENTIALITY OF INFORMATION.—

(1) IN GENERAL.—In preparing the cable required under subsection (f), the Secretary shall protect from disclosure any proprietary information of a United States person marked as business confidential information unless the person submitting such information—

(A) had notice, at the time of submission, that such information would be released by; or

(B) subsequently consents to the release of such information.

(2) TREATMENT AS TRADE SECRETS.—Proprietary information obtained by the United States Government from a United States person pursuant to the activities of deal teams shall be—

(A) considered to be trade secrets and commercial or financial information (as such terms are used under section 552b(c)(4) of title 5, United States Code); and

(B) exempt from disclosure without the express approval of the person.

(h) SUNSET.—The requirements under subsections (f) through (h) shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 6505. ESTABLISHMENT OF A "DEAL TEAM OF THE YEAR" AWARD.

(a) ESTABLISHMENT.—The Secretary shall establish a new award, to be known as the ''Deal Team of the Year Award'', and annually present the award to a deal team at one United States mission in each region to recognize outstanding achievements in supporting a United States company or companies pursuing commercial deals abroad or in identifying new deal prospects for United States companies.

(b) AWARD CONTENT.—

(1) DEPARTMENT OF STATE.—Each member of a deal team receiving an award pursuant to subsection (a) shall receive a certificate that is signed by the Secretary and—

(A) in the case of a member of the Foreign Service, is included in the next employee evaluation report; or

(B) in the case of a Civil Service employee, is included in the next annual performance review.

(2) OTHER FEDERAL AGENCIES.—If an award is presented pursuant to subsection (a) to a Federal Government employee who is not employed by the Department, the employing agency may determine whether to provide such employee any recognition or benefits in addition to the recognition or benefits provided by the Department.

(c) ELIGIBILITY.—Any interagency economics team at a United States overseas mission under chief of mission authority that assists United States companies with identifying, navigating, and securing trade and investment opportunities in a foreign country or that facilitates beneficial foreign investment into the United States is eligible for an award under this section.

(d) REPORT.—Not later than the last day of the fiscal year in which awards are presented pursuant to subsection (a), the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) each mission receiving a Deal Team of the Year Award.

(2) the names and agencies of each awardee within the recipient deal teams; and

(3) a detailed description of the reason such deal teams received such award.

TITLE LXVI—PUBLIC DIPLOMACY

SEC. 6601. PUBLIC DIPLOMACY OUTREACH.

(a) COORDINATION OF RESOURCES.—The Administrator of the United States Agency for International Development and the Secretary shall direct public affairs sections at United States embassies and USAID Mission Program Officers at USAID missions to coordinate, enhance and prioritize resources for public diplomacy and awareness campaigns around United States diplomatic and development efforts, including through—

(1) the utilization of new media technology for maximum public engagement; and

(2) enact coordinated comprehensive community outreach to increase public awareness and understanding and appreciation of United States diplomatic and development efforts.

(b) DEVELOPMENT OUTREACH AND COORDINATION OFFICERS.—USAID should prioritize hiring of additional Development Outreach and Coordination officers in USAID missions to support the purposes of subsection (a).

(c) BEST PRACTICES.—The Secretary and the Administrator of USAID shall identify 10 countries in which Embassies and USAID missions have successfully executed efforts, including monitoring and evaluation of such efforts, described in (a) and develop best practices to be turned into Department and USAID guidance.

SEC. 6602. MODIFICATION ON USE OF FUNDS FOR RADIO FREE EUROPE/RADIO LIBERTY.

In section 308(h) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207(h)) is amended—

(1) by striking subparagraphs (1), (3), and (5); and

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

SEC. 6603. INTERNATIONAL BROADCASTING.

(a) VOICE OF AMERICA.—Section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) is amended by adding at the end the following:

''(d) VOICE OF AMERICA OPERATIONS AND STRUCTURE.—

''(1) OPERATIONS.—The Director of the Voice of America (VOA)—

''(A) shall direct and supervise the operations of VOA, including making all major decisions relating its staffing; and

''(B) may utilize any authorities made available to the United States Agency for Global Media or to its Chief Executive Officer under this Act or under any other Act to carry out its operations in an effective manner.

''(2) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of VOA shall submit to the Committee on Foreign Relations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Homeland Security of the House of Representatives a plan to ensure that the personnel structure of VOA is sufficient to effectively carry out the principles described in subsection (c).''.

(b) APPOINTMENT OF CHIEF EXECUTIVE OFFICER.—Section 304 of such Act (22 U.S.C. 6203) is amended—

(1) in subsection (a), by striking ''as an entity described in section 104 of title 5, United States Code'' and inserting ''under the direction of the International Broadcasting Advisory Board''; and

(2) in subsection (b)(1), by striking the second sentence and inserting the following: ''Notwithstanding any other provision of law, when a vacancy arises, until such time as a Chief Executive Officer, to whom sections 3345 through 3349b of title 5, United States Code, shall not apply, is appointed and confirmed by the Senate, an acting Chief Executive Officer shall be appointed by the International Broadcasting Advisory Board and shall continue to serve and exercise the authorities and powers under this title as the sole means of filling such vacancy, for the duration of the vacancy. In the absence of a quorum on the International Broadcasting Advisory Board, the first principal deputy of the United States Agency for Global Media shall serve as acting Chief Executive Officer.''.

(c) CHIEF EXECUTIVE OFFICER AUTHORITIES.—Section 305(a)(1) of such Act (22 U.S.C. 6204(a)(1)) is amended by striking ''To supervise all'' and inserting ''To oversee, coordinate, and provide strategic direction for''.

(d) INTERNATIONAL BROADCASTING ADVISORY BOARD.—Section 306(a) of such Act (22 U.S.C. 6205(a)) is amended by striking ''advise the Chief Executive Officer of'' and inserting ''oversee and advise the Chief Executive Officer and''.

(e) RADIO FREE AFRICA; RADIO FREE AMERICAS.—Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the United States Agency for Global Media shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that details the financial and other resources that would be required to establish and operate 2 nonprofit organizations, modeled after Radio Free Europe/Radio Liberty and Radio Free Asia, for the purposes of providing accurate, uncensored, and reliable news and information to—

(1) the region of Africa, with respect to Radio Free Africa; and

(2) the region of Latin America and the Caribbean, with respect to Radio Free Americas.

SEC. 6604. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PROGRAM.

(a) IN GENERAL.—The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is amended by adding at the end the following:

''SEC. 115. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PROGRAM.

''(a) ESTABLISHMENT.—There is established the John Lewis Civil Rights Fellowship Program (referred to in this section as the 'Fellowship Program') within the J. William Fulbright Educational Exchange Program.

''(b) PURPOSES.—The purposes of the Fellowship Program are—

''(1) to honor the legacy of Representative John Lewis by promoting a greater understanding of the history and tenets of nonviolent civil rights movements; and

''(2) to advance foreign policy priorities of the United States by promoting studies, research, and international exchange in the subject of nonviolent movements that established and protected civil rights around the world.

''(c) ADMINISTRATION.—The Bureau of Educational and Cultural Affairs (referred to in this section as the 'Bureau') shall administer the Fellowship Program in accordance with policy guidelines established by the Board, in consultation with the binational Fulbright Commissions and United States Embassies.

''(d) SELECTION OF FELLOWS.—

''(1) IN GENERAL.—The Board shall annually select qualified individuals to participate in the Fellowship Program. The Bureau may determine the number of fellows selected each year, which, whenever feasible, shall be not fewer than 25.

''(2) OUTREACH.—

''(A) IN GENERAL.—To the extent practicable, the Bureau shall conduct outreach at institutions, including—

''(i) minority serving institutions, including historically Black colleges and universities; and

''(ii) other appropriate institutions, as determined by the Bureau.

''(B) DEFINITIONS.—In this paragraph:

''(i) HISTORICALLY BLACK COLLEGE AND UNIVERSITY.—The term 'historically Black college and university' has the meaning given the term 'part B institution' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

''(ii) MINORITY SERVING INSTITUTION.—The term 'minority-serving institution' means an eligible institution under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(e) FELLOWSHIP ORIENTATION.—Annually, the Bureau shall organize and administer a fellowship orientation, which shall—

''(1) be held in Washington, D.C., or at another location selected by the Bureau; and

''(2) include programming to honor the legacy of Representative John Lewis.

''(f) STRUCTURE.—

''(1) WORK PLAN.—To carry out the purposes described in subsection (b)—

''(A) each fellow selected pursuant to subsection (d) shall arrange an internship or research placement—

''(i) with a nongovernmental organization, academic institution, or other organization approved by the Bureau; and

''(ii) in a country with an operational Fulbright U.S. Student Program; and

''(B) the Bureau shall, for each fellow, approve a work plan that identifies the target objectives for the fellow, including specific duties and responsibilities relating to those objectives.

''(2) CONFERENCES; PRESENTATIONS.—Each fellow shall—

''(A) attend a fellowship orientation organized and administered by the Bureau under subsection (e);

''(B) not later than the date that is 1 year after the end of the fellowship period, attend a fellowship summit organized and administered by the Bureau, which—

''(i) whenever feasible, shall be held in Atlanta, Georgia, or another location of importance to the civil rights movement in the United States; and

''(ii) may coincide with other events facilitated by the Bureau; and

''(C) at such summit, give a presentation on lessons learned during the period of fellowship.

''(3) FELLOWSHIP PERIOD.—Each fellowship under this section shall continue for a period determined by the Bureau, which, whenever feasible, shall be not fewer than 10 months.

''(g) FELLOWSHIP AWARD.—The Bureau shall provide each fellow under this section with an allowance that is equal to the amount needed for—

''(1) the reasonable costs of the fellow during the fellowship period; and

''(2) travel and lodging expenses related to attending the orientation and summit required under subsection (e)(2).

''(h) ANNUAL REPORT.—Not later than 1 year after the date of the completion of the Fellowship Program by the initial cohort of fellows selected under subsection (d), and annually thereafter, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the implementation of the Fellowship Program, including—

''(1) a description of the demographics of the cohort of fellows who completed a fellowship during the preceding 1-year period;

''(2) a description of internship and research placements, and research projects selected by such cohort, under the Fellowship Program, including feedback from—

''(A) such cohort on implementation of the Fellowship Program; and

''(B) the Secretary on lessons learned; and

''(3) an analysis of trends relating to the diversity of each cohort of fellows and the topics of projects completed since the establishment of the Fellowship Program.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS TO THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961.—Section 112(a) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460(a)) is amended—

(1) in paragraph (8), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (9), by striking the period and inserting ''; and''; and

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

''(10) the John Lewis Civil Rights Fellowship Program established under section 115, which provides funding for international internships and research placements for early- to mid-career individuals from the United States to study nonviolent civil rights movements in self-arranged placements with universities or nongovernmental organizations in foreign countries.''.

SEC. 6605. DOMESTIC ENGAGEMENT AND PUBLIC AFFAIRS.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop a strategy to explain to the American people the value of the work of the Department and United States foreign policy to advancing the national security of the United States. The strategy shall include—

(1) tools to inform the American people about the non-partisan importance of United States diplomacy and foreign relations and to utilize public diplomacy to meet the United States' national security priorities;

(2) efforts to reach the widest possible audience of Americans, including those who historically have not had exposure to United States foreign policy efforts and priorities;

(3) additional staffing and resource needs including—

(A) domestic positions within the Bureau of Global Public Affairs to focus on engagement with the American people as outlined in paragraph (1);

(B) positions within the Bureau of Educational and Cultural Affairs to enhance program and reach the widest possible audience;

(C) increasing the number of fellowship and detail programs that place Foreign Service and civil service employees outside the Department for a limited time, including Pearson Fellows, Reta Joe Lewis Local Diplomats, Brookings Fellows, and Georgetown Fellows; and

(D) recommendations for increasing participation in the Hometown Diplomats program and evaluating this program as well as other opportunities for Department officers to engage with American audiences while traveling within the United States.

SEC. 6606. EXTENSION OF GLOBAL ENGAGEMENT CENTER.

Section 1287(j) of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended by striking ''on the date that is 8 years after the date of the enactment of this Act'' and inserting ''on September 30, 2026''.

SEC. 6607. PAPERWORK REDUCTION ACT.

Section 5603(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended by adding at the end the following new paragraph:

''(4) United States Information and Educational Exchange Act of 1948 (Public Law 80–402).''.

SEC. 6608. MODERNIZATION AND ENHANCEMENT STRATEGY.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a strategy to the appropriate congressional committees for—

(1) modernizing and increasing the operational and programming capacity of American Spaces and American Corners throughout the world, including by leveraging public-private partnerships;

(2) providing salaries to locally employed staff of American Spaces and American Corners; and

(3) providing opportunities for United States businesses and nongovernmental organizations to better utilize American Spaces.

TITLE LXVII—OTHER MATTERS

SEC. 6701. INTERNSHIPS OF UNITED STATES NATIONALS AT INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—The Secretary of State is authorized to bolster efforts to increase the number of United States citizens representative of the American people occupying positions in the United Nations system, agencies, and commissions, and in other international organizations, including by awarding grants to educational institutions and students.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that identifies—

(1) the number of United States citizens who are involved in internship programs at international organizations;

(2) the distribution of the individuals described in paragraph (1) among various international organizations; and

(3) grants, programs, and other activities that are being utilized to recruit and fund United States citizens to participate in internship programs at international organizations.

(c) ELIGIBILITY.—An individual referred to in subsection (a) is an individual who—

(1) is enrolled at or received their degree within two years from—

(A) an institution of higher education; or

(B) an institution of higher education based outside the United States, as determined by the Secretary of State; and

(2) is a citizen of the United States.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,500,000 for the Department of State for fiscal year 2024 to carry out the grant program authorized under subsection (a).

SEC. 6702. TRAINING FOR INTERNATIONAL ORGANIZATIONS.

(a) TRAINING PROGRAMS.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding at the end of the following new subsection:

''(e) TRAINING IN MULTILATERAL DIPLOMACY.—

''(1) IN GENERAL.—The Secretary, in consultation with other senior officials as appropriate, shall establish training courses on—

''(A) the conduct of diplomacy at international organizations and other multilateral institutions; and

''(B) broad-based multilateral negotiations of international instruments.

''(2) REQUIRED TRAINING.—Members of the Service, including appropriate chiefs of mission and other officers who are assigned to United States missions representing the United States to international organizations and other multilateral institutions or who are assigned in other positions that have as their primary responsibility formulation of policy related to such organizations and institutions, or participation in negotiations of international instruments, shall receive specialized training in the areas described in paragraph (1) prior to the beginning of service for such assignment or, if receiving such training at that time is not practical, within the first year of beginning such assignment.''.

(b) TRAINING FOR DEPARTMENT EMPLOYEES.—The Secretary of State shall ensure that employees of the Department of State who are assigned to positions described in paragraph (2) of subsection (e) of section 708 of the Foreign Service Act of 1980 (as added by subsection (a) of this section), including members of the civil service or general service, or who are seconded to international organizations for a period of at least one year, receive training described in such subsection and participate in other such courses as the Secretary may recommend to build or augment identifiable skills that would be useful for such Department officials representing United States interests at these institutions and organizations.

SEC. 6703. MODIFICATION TO TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS.

Section 112b of title 1, United States Code, as most recently amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476), is further amended—

(1) by redesignating subsections (h) through (l) as subsections (i) through (m), respectively; and

(2) by inserting after subsection (g) the following:

''(h)(1) If the Secretary is aware or has reason to believe that the requirements of subsection (a), (b), or (c) have not been fulfilled with respect to an international agreement or qualifying non-binding instrument, the Secretary shall—

''(A) immediately bring the matter to the attention of the office or agency responsible for the agreement or qualifying non-binding instrument; and

''(B) request the office or agency to provide within 7 days the text or other information necessary to fulfill the requirements of the relevant subsection.

''(2) Upon receiving the text or other information requested pursuant to paragraph (1), the Secretary shall—

''(A) fulfill the requirements of subsection (a), (b), or (c), as the case may be, with respect to the agreement or qualifying non-binding instrument concerned—

''(i) by including such text or other information in the next submission required by subsection (a)(1);

''(ii) by providing such information in writing to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees before provision of the submission described in clause (i); or

''(iii) in relation to subsection (b), by making the text of the agreement or qualifying non-binding instrument and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to the agreement or instrument available to the public on the website of the Department of State within 15 days of receiving the text or other information requested pursuant to paragraph (1); and

''(B) provide to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees, either in the next submission required by subsection (a)(1) or before such submission, a written statement

explaining the reason for the delay in fulfilling the requirements of subsection (a), (b), or (c), as the case may be.''.

SEC. 6704. REPORT ON PARTNER FORCES UTILIZING UNITED STATES SECURITY ASSISTANCE IDENTIFIED AS USING HUNGER AS A WEAPON OF WAR.

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

(1) the United States recognizes the link between armed conflict and conflict-induced food insecurity;

(2) Congress recognizes and condemns the role of nefarious security actors, including state and non-state armed groups, who have utilized hunger as a weapon of war, including through the unanimous adoption of House of Representatives Resolution 922 and Senate Resolution 669 relating to ''[c]ondemning the use of hunger as a weapon of war and recognizing the effect of conflict on global food security and famine''; and

(3) the United States should use the diplomatic and humanitarian tools at our disposal to not only fight global hunger, mitigate the spread of conflict, and promote critical, lifesaving assistance, but also hold perpetrators using hunger as a weapon of war to account.

(b) DEFINITIONS.—In this paragraph:

(1) HUNGER AS A WEAPON OF WAR.—The term ''hunger as a weapon of war'' means—

(A) intentional starvation of civilians;

(B) intentional and reckless destruction, removal, looting, or rendering useless objects necessary for food production and distribution, such as farmland, markets, mills, food processing and storage facilities, food stuffs, crops, livestock, agricultural assets, waterways, water systems, drinking water facilities and supplies, and irrigation networks;

(C) undue denial of humanitarian access and deprivation of objects indispensable to people's survival, such as food supplies and nutrition resources; and

(D) willful interruption of market systems for populations in need, including through the prevention of travel and manipulation of currency exchange.

(2) SECURITY ASSISTANCE.—The term ''security assistance'' means assistance meeting the definition of ''security assistance'' under section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator of the United States Agency for International Development, and the Secretary of Defense shall submit a report to the appropriate congressional committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives regarding—

(1) United States-funded security assistance and cooperation; and

(2) whether the governments and entities receiving such assistance have or are currently using hunger as a weapon of war.

(d) ELEMENTS.—The report required under subsection (c) shall—

(1) identify countries receiving United States-funded security assistance or participating in security programs and activities, including in coordination with the Department of Defense, that are currently experiencing famine-like conditions as a result of conflict;

(2) describe the actors and actions taken by such actors in the countries identified pursuant to paragraph (1) who are utilizing hunger as a weapon of war; and

(3) describe any current or existing plans to continue providing United States-funded security assistance to recipient countries.

(e) FORM.—The report required under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6705. INFRASTRUCTURE PROJECTS AND INVESTMENTS BY THE UNITED STATES AND PEOPLE'S REPUBLIC OF CHINA.

Not later than 1 year after the date of the enactment of this Act, the Secretary, in coordination with the Administrator of the United States Agency for International Development and the Chief Executive Officer of the Development Finance Corporation, shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report regarding the opportunities and costs of infrastructure projects in Middle East, African, and Latin American and Caribbean countries, which shall—

(1) describe the nature and total funding of United States infrastructure investments and construction in Middle East, African, and Latin American and Caribbean countries, and that of United States allies and partners in the same regions;

(2) describe the nature and total funding of infrastructure investments and construction by the People's Republic of China in Middle East, African, and Latin American and Caribbean countries;

(3) assess the national security threats posed by the infrastructure investment gap between the People's Republic of China and the United States and United States allies and partners, including—

(A) infrastructure, such as ports;

(B) access to critical and strategic minerals;

(C) digital and telecommunication infrastructure;

(D) threats to supply chains; and

(E) general favorability towards the People's Republic of China and the United States and United States' allies and partners among Middle East, African, and Latin American and Caribbean countries;

(4) assess the opportunities and challenges for companies based in the United States to invest in infrastructure projects in Middle East, African, and Latin American and Caribbean countries;

(5) describe options for the United States Government to undertake to increase support for United States businesses engaged in large-scale infrastructure projects in Middle East, African, and Latin American and Caribbean countries; and

(6) identify regional infrastructure priorities, ranked according to United States national interests, in Middle East, African, and Latin American and Caribbean countries.

SEC. 6706. SPECIAL ENVOYS.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a review of all special envoy positions to determine—

(1) which special envoy positions are needed to accomplish the mission of the Department;

(2) which special envoy positions could be absorbed into the Department's existing bureau structure;

(3) which special envoy positions were established by an Act of Congress; and

(4) which special envoy positions were created by the Executive Branch without explicit congressional approval.

(b) REPORT.—Not later than 60 days after the completion of the review required under subsection (a), the Secretary shall submit a report to the appropriate congressional committees that includes—

(1) a list of every special envoy position in the Department;

(2) a detailed justification of the need for each special envoy, if warranted;

(3) a list of the special envoy positions that could be absorbed into the Department's existing bureau structure without compromising the mission of the Department;

(4) a list of the special envoy positions that were created by an Act of Congress; and

(5) a list of the special envoy positions that are not expressly authorized by statute.

SEC. 6707. US-ASEAN CENTER.

(a) DEFINED TERM.—In this section, the term ''ASEAN'' means the Association of Southeast Asian Nations.

(b) ESTABLISHMENT.—The Secretary is authorized to enter into a public-private partnership for the purposes of establishing a US-ASEAN Center in the United States to support United States economic and cultural engagement with Southeast Asia.

(c) FUNCTIONS.—Notwithstanding any other provision of law, the US-ASEAN Center established pursuant to subsection (b) may—

(1) provide grants for research to support and elevate the importance of the US-ASEAN partnership;

(2) facilitate activities to strengthen US-ASEAN trade and investment;

(3) expand economic and technological relationships between ASEAN countries and the United States into new areas of cooperation;

(4) provide training to United States citizens and citizens of ASEAN countries that improve people-to-people ties;

(5) develop educational programs to increase awareness for the United States and ASEAN countries on the importance of relations between the United States and ASEAN countries; and

(6) carry out other activities the Secretary considers necessary to strengthen ties between the United States and ASEAN countries and achieve the objectives of the US-ASEAN Center.

SEC. 6708. BRIEFINGS ON THE UNITED STATES-EUROPEAN UNION TRADE AND TECHNOLOGY COUNCIL.

It is the sense of Congress that the United States-European Union Trade and Technology Council is an important forum for the United States and in the European Union to engage on transatlantic trade, investment, and engagement on matters related to critical and emerging technology and that the Department should provide regular updates to the appropriate congressional committees on the deliverables and policy initiatives announced at United States-European Union Trade and Technology Council ministerials

SEC. 6709. MODIFICATION AND REPEAL OF REPORTS.

(a) COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—

(1) IN GENERAL.—The Secretary shall examine the production of the 2023 and subsequent annual Country Reports on Human Rights Practices by the Assistant Secretary for Democracy, Human Rights, and Labor as required under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d), 2304(b)) to maximize—

(A) cost and personnel efficiencies;

(B) the potential use of data and analytic tools and visualization; and

(C) advancement of the modernization agenda for the Department announced by the Secretary on October 27, 2021.

(2) TRANSNATIONAL REPRESSION AMENDMENTS TO ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended by adding at the end the following new paragraph:

''(13) Wherever applicable, a description of the nature and extent of acts of transnational repression that occurred during the preceding year, including identification of—

''(A) incidents in which a government harassed, intimidated, or killed individuals outside of their internationally recognized borders and the patterns of such repression among repeat offenders;

''(B) countries in which such transnational repression occurs and the role of the governments of such countries in enabling, preventing, mitigating, and responding to such acts;

''(C) the tactics used by the governments of countries identified pursuant to subparagraph (A), including the actions identified and any new techniques observed;

''(D) in the case of digital surveillance and harassment, the type of technology or platform, including social media, smart city technology, health tracking systems, general surveillance technology, and data access, transfer, and storage procedures, used by the governments of countries identified pursuant to subparagraph (A) for such actions; and

''(E) groups and types of individuals targeted by acts of transnational repression in each country in which such acts occur.''.

(b) ELIMINATION OF OBSOLETE REPORTS.—

(1) ANNUAL REPORTS RELATING TO FUNDING MECHANISMS FOR TELECOMMUNICATIONS SECURITY AND SEMICONDUCTORS.—Division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended—

(A) in section 9202(a)(2) (47 U.S.C. 906(a)(2))—

(i) by striking subparagraph (C); and

(ii) by redesignating subparagraph (D) as subparagraph (C); and

(B) in section 9905 (15 U.S.C. 4655)—

(i) by striking subsection (c); and

(ii) by redesignating subsection (d) as subsection (c).

(2) REPORTS RELATING TO FOREIGN ASSISTANCE TO COUNTER RUSSIAN INFLUENCE AND MEDIA ORGANIZATIONS CONTROLLED BY RUSSIA.—The Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44) is amended—

(A) in section 254(e)—

(i) in paragraph (1)—

(I) by striking ''IN GENERAL.—'';

(II) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and moving such paragraphs 2 ems to the left; and

(ii) by striking paragraph (2); and

(B) by striking section 255.

(3) ANNUAL REPORT ON PROMOTING THE RULE OF LAW IN THE RUSSIAN FEDERATION.—Section 202 of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112–208) is amended by striking subsection (a).

(4) ANNUAL REPORT ON ADVANCING FREEDOM AND DEMOCRACY.—Section 2121 of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2007 (title XXI of Public Law 110–53) is amended by striking subsection (c).

(5) ANNUAL REPORTS ON UNITED STATES-VIETNAM HUMAN RIGHTS DIALOGUE MEETINGS.—Section 702 of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2151n note) is repealed.

SEC. 6710. MODIFICATION OF BUILD ACT OF 2018 TO PRIORITIZE PROJECTS THAT ADVANCE NATIONAL SECURITY.

Section 1412 of the Build Act of 2018 (22 U.S.C. 9612) is amended by adding at the end the following subsection:

''(d) PRIORITIZATION OF NATIONAL SECURITY INTERESTS.—The Corporation shall prioritize the provision of support under title II in projects that advance core national security interests of the United States with respect to the People's Republic of China.''.

SEC. 6711. PERMITTING FOR INTERNATIONAL BRIDGES.

The International Bridge Act of 1972 (33 U.S.C. 535 et seq.) is amended by inserting after section 5 the following:

''SEC. 6. PERMITTING FOR INTERNATIONAL BRIDGES.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE APPLICANT.—The term 'eligible applicant' means an entity that has submitted an application for a Presidential permit during the period beginning on December 1, 2020, and ending on December 31, 2024, for any of the following:

''(A) 1 or more international bridges in Webb County, Texas.

''(B) An international bridge in Cameron County, Texas.

''(C) An international bridge in Maverick County, Texas.

''(2) PRESIDENTIAL PERMIT.—

''(A) IN GENERAL.—The term 'Presidential permit' means—

''(i) an approval by the President to construct, maintain, and operate an international bridge under section 4; or

''(ii) an approval by the President to construct, maintain, and operate an international bridge pursuant to a process described in Executive Order 13867 (84 Fed. Reg. 15491; relating to Issuance of Permits With Respect to Facilities and Land Transportation Crossings at the International Boundaries of the United States) (or any successor Executive Order).

''(B) INCLUSION.—The term 'Presidential permit' includes an amendment to an approval described in clause (i) or (ii) of subparagraph (A).

''(3) SECRETARY.—The term 'Secretary' means the Secretary of State.

''(b) APPLICATION.—An eligible applicant for a Presidential permit to construct, maintain, and operate an international bridge shall submit an application for the permit to the Secretary.

''(c) RECOMMENDATION.—

''(1) IN GENERAL.—Not later than 60 days after the date on which the Secretary receives an application under subsection (b), the Secretary shall make a recommendation to the President—

''(A) to grant the Presidential permit; or

''(B) to deny the Presidential permit.

''(2) CONSIDERATION.—The sole basis for a recommendation under paragraph (1) shall be whether the international bridge is in the foreign policy interests of the United States.

''(d) PRESIDENTIAL ACTION.—

''(1) IN GENERAL.—The President shall grant or deny the Presidential permit for an application under subsection (b) by not later than 60 days after the earlier of—

''(A) the date on which the Secretary makes a recommendation under subsection (c)(1); and

''(B) the date on which the Secretary is required to make a recommendation under subsection (c)(1).

''(2) NO ACTION.—

''(A) IN GENERAL.—Subject to subparagraph (B), if the President does not grant or deny the Presidential permit for an application under subsection (b) by the deadline described in paragraph (1), the Presidential permit shall be considered to have been granted as of that deadline.

''(B) REQUIREMENT.—As a condition on a Presidential permit considered to be granted under subparagraph (A), the eligible applicant shall complete all applicable environmental documents required pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.).

''(e) DOCUMENT REQUIREMENTS.—Notwithstanding any other provision of law, the Secretary shall not require an eligible applicant for a Presidential permit—

''(1) to include in the application under subsection (b) environmental documents prepared pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.); or

''(2) to have completed any environmental review under Public Law 91–190 (42 U.S.C. 4321 et seq.) prior to the President granting a Presidential permit under subsection (d).

''(f) RULES OF CONSTRUCTION.—Nothing in this section—

''(1) prohibits the President from granting a Presidential permit conditioned on the eligible applicant completing all environmental documents pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.);

''(2) prohibits the Secretary from requesting a list of all permits and approvals from Federal, State, and local agencies that the eligible applicant believes are required in connection with the international bridge, or a brief description of how those permits and approvals will be acquired; or

''(3) exempts an eligible applicant from the requirement to complete all environmental documents pursuant to Public Law 91–190 (42 U.S.C. 4321 et seq.) prior to construction of an international bridge.''.

TITLE LXVIII—AUKUS MATTERS

SEC. 6801. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) AUKUS PARTNERSHIP.—

(A) IN GENERAL.—The term ''AUKUS partnership'' means the enhanced trilateral security partnership between Australia, the United Kingdom, and the United States announced in September 2021.

(B) PILLARS.—The AUKUS partnership includes the following two pillars:

(i) Pillar One is focused on developing a pathway for Australia to acquire conventionally armed, nuclear-powered submarines.

(ii) Pillar Two is focused on enhancing trilateral collaboration on advanced defense capabilities, including hypersonic and counter hypersonic capabilities, quantum technologies, undersea technologies, and artificial intelligence.

(3) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means subchapter M of chapter I of title 22, Code of Federal Regulations (or successor regulations).

Subtitle A—Outlining the AUKUS Partnership

SEC. 6811. STATEMENT OF POLICY ON THE AUKUS PARTNERSHIP.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the AUKUS partnership is integral to United States national security, increasing United States and allied capability in the undersea domain of the Indo-Pacific, and developing cutting edge military capabilities;

(2) the transfer of conventionally armed, nuclear-powered submarines to Australia, if implemented appropriately, will position the United States and its allies to maintain peace and security in the Indo-Pacific;

(3) the transfer of conventionally armed, nuclear-powered submarines to Australia will be safely implemented with the highest nonproliferation standards in alignment with—

(A) safeguards established by the International Atomic Energy Agency; and

(B) the Additional Protocol to the Agreement between Australia and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Vienna September 23, 1997;

(4) the United States will enter into a mutual defense agreement with Australia, modeled on the 1958 bilateral mutual defense agreement with the United Kingdom, for the sole purpose of facilitating the transfer of naval nuclear propulsion technology to Australia;

(5) working with the United Kingdom and Australia to develop and provide joint advanced military capabilities to promote security and stability in the Indo-Pacific will have tangible impacts on United States military effectiveness across the world;

(6) in order to better facilitate cooperation under Pillar 2 of the AUKUS partnership, it is imperative that every effort be made to streamline United States export controls consistent with necessary and reciprocal security safeguards on United States technology at least comparable to those of the United States;

(7) the trade authorization mechanism for the AUKUS partnership administered by the Department is a critical first step in reimagining the United States export control system to carry out the AUKUS partnership and expedite technology sharing and defense trade among the United States, Australia, and the United Kingdom; and

(8) the vast majority of United States defense trade with Australia is conducted through the Foreign Military Sales (FMS) process, the preponderance of defense trade with the United Kingdom is conducted through Direct Commercial Sales (DCS), and efforts to streamline United States export controls should focus on both Foreign Military Sales and Direct Commercial Sales.

SEC. 6812. SENIOR ADVISOR FOR THE AUKUS PARTNERSHIP AT THE DEPARTMENT OF STATE.

(a) IN GENERAL.—There shall be a Senior Advisor for the AUKUS partnership at the Department, who—

(1) shall report directly to the Secretary; and

(2) may not hold another position in the Department concurrently while holding the position of Senior Advisor for the AUKUS partnership.

(b) DUTIES.—The Senior Advisor shall—

(1) be responsible for coordinating efforts related to the AUKUS partnership across the Department, including the bureaus engaged in nonproliferation, defense trade, security assistance, and diplomatic relations in the Indo-Pacific;

(2) serve as the lead within the Department for implementation of the AUKUS partnership in interagency processes, consulting with counterparts in the Department of Defense, the Department of Commerce, the Department of Energy, the Office of Naval Reactors, and any other relevant agencies;

(3) lead diplomatic efforts related to the AUKUS partnership with other governments to explain how the partnership will enhance security and stability in the Indo-Pacific; and

(4) consult regularly with the appropriate congressional committees, and keep such committees fully and currently informed, on issues related to the AUKUS partnership, including in relation to the AUKUS Pillar 1 objective of supporting Australia's acquisition of conventionally armed, nuclear-powered submarines and the Pillar 2 objective of jointly developing advanced military capabilities to support security and stability in the Indo-Pacific, as affirmed by the President of the United States, the Prime Minister of the United Kingdom, and the Prime Minister of Australia on April 5, 2022.

(c) PERSONNEL TO SUPPORT THE SENIOR ADVISOR.—The Secretary shall ensure that the Senior Advisor is adequately staffed, including through encouraging details, or assignment of employees of the Department, with expertise related to the implementation of the AUKUS partnership, including staff with expertise in—

(1) nuclear policy, including nonproliferation;

(2) defense trade and security cooperation, including security assistance; and

(3) relations with respect to political-military issues in the Indo-Pacific and Europe.

(d) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and not later than 90 days after a Senior Advisor assumes such position, the Secretary shall notify the appropriate congressional committees of the number of full-time equivalent positions, relevant expertise, and duties of any employees of the Department or detailees supporting the Senior Advisor.

(e) SUNSET.—

(1) IN GENERAL.—The position of the Senior Advisor for the AUKUS partnership shall terminate on the date that is 8 years after the date of the enactment of this Act.

(2) RENEWAL.—The Secretary may renew the position of the Senior Advisor for the AUKUS partnership for 1 additional period of 4 years, following notification to the appropriate congressional committees of the renewal.

Subtitle B—Authorization for AUKUS Submarine Training

SEC. 6823. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY TRAINING.

(a) IN GENERAL.—The President may transfer or export directly to private individuals in Australia defense services that may be transferred to the Government of Australia under the Arms Export Control Act (22 U.S.C. 2751 et seq.) to support the development of the submarine industrial base of Australia necessary for submarine security activities between Australia, the United Kingdom, and the United States, including if such individuals are not officers, employees, or agents of the Government of Australia.

(b) SECURITY CONTROLS.—

(1) IN GENERAL.—Any defense service transferred or exported under subsection (a) shall be subject to appropriate security controls to ensure that any sensitive information conveyed by such transfer or export is protected from disclosure to persons unauthorized by the United States to receive such information.

(2) CERTIFICATION.—Not later than 30 days before the first transfer or export of a defense service under subsection (a), and annually thereafter, the President shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the controls described in paragraph (1) will protect the information described in such paragraph for the defense services so transferred or exported.

(c) APPLICATION OF REQUIREMENTS FOR RETRANSFER AND REEXPORT.—Any person who receives any defense service transferred or exported under subsection (a) may retransfer or reexport such service to other persons only in accordance with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

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.

(a) IN GENERAL.—The President shall institute policies and procedures for letters of request from Australia and the United Kingdom to transfer defense articles and services under section 21 of the Arms Export Control Act (22 U.S.C. 2761) related to AUKUS to receive expedited consideration and processing relative to all other letters of request other than from Taiwan and Ukraine.

(b) TECHNOLOGY TRANSFER POLICY FOR AUSTRALIA, CANADA, AND THE UNITED KINGDOM.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, shall create an anticipatory release policy for the transfer of technologies described in paragraph (2) to Australia, the United Kingdom, and Canada through Foreign Military Sales and Direct Commercial Sales that are not covered by an exemption under the International Traffic in Arms Regulations.

(2) CAPABILITIES DESCRIBED.—The capabilities described in this paragraph are—

(A) Pillar One-related technologies associated with submarine and associated combat systems; and

(B) Pillar Two-related technologies, including hypersonic missiles, cyber capabilities, artificial intelligence, quantum technologies, undersea capabilities, and other advanced technologies.

(3) EXPEDITED DECISION-MAKING.—Review of a transfer under the policy established under paragraph (1) shall be subject to an expedited decision-making process.

(c) INTERAGENCY POLICY AND GUIDANCE.—The Secretary and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to requests for Foreign Military Sales and Direct Commercial Sales, including by incorporating the anticipatory release provisions of this section.

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.

Not later than 90 days after the date of the enactment of this Act, and on a biennial basis thereafter for 8 years, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes a list of advanced military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Australia, the United Kingdom and Canada through the Foreign Military Sales and Direct Commercial Sales programs without regard to whether a letter of request or license to purchase such platforms, technologies, or equipment has been received from any of such country. Each list may include items that are not related to the AUKUS partnership but may not include items that are not covered by an exemption under the International Traffic in Arms Regulations except unmanned aerial or hypersonic systems.

SEC. 6833. EXPORT CONTROL EXEMPTIONS AND STANDARDS.

(a) IN GENERAL.—Section 38 of the Arms Export Control Act of 1976 (22 U.S.C. 2778) is amended by adding at the end the following new subsection:

''(l) AUKUS DEFENSE TRADE COOPERATION.—

''(1) EXEMPTION FROM LICENSING AND APPROVAL REQUIREMENTS.—Subject to paragraph (2) and notwithstanding any other provision of this section, the Secretary of State may exempt from the licensing or other approval requirements of this section exports and transfers (including reexports, retransfers, temporary imports, and brokering activities) of defense articles and defense services between or among the United States, the United Kingdom, and Australia that—

''(A) are not excluded by those countries;

''(B) are not referred to in subsection(j)(1)(C)(ii); and

''(C) involve only persons or entities that are approved by—

''(i) the Secretary of State; and

''(ii) the Ministry of Defense, the Ministry of Foreign Affairs, or other similar authority within those countries.

''(2) LIMITATION.—The authority provided in subparagraph (1) shall not apply to any activity, including exports, transfers, reexports, retransfers, temporary imports, or brokering, of United States defense articles and defense services involving any country or a person or entity of any country other than the United States, the United Kingdom, and Australia.''.

(b) REQUIRED STANDARDS OF EXPORT CONTROLS.—The Secretary may only exercise the authority under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, with respect to the United Kingdom or Australia 30 days after the Secretary submits to the appropriate congressional committees an unclassified certification and detailed unclassified assessment (which may include a classified annex) that the country concerned has implemented standards for a system of export controls that satisfies the elements of section 38(j)(2) of the Arms Export Control Act (22 U.S.C. 2778(j)(2)) for United States-origin defense articles and defense services, and for controlling the provision of military training, that are comparable to those standards administered by the United States in effect on the date of the enactment of this Act.

(c) CERTAIN REQUIREMENTS NOT APPLICABLE.—

(1) IN GENERAL.—Paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) shall not apply to any export or transfer that is the subject of an exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section.

(2) QUARTERLY REPORTS.—The Secretary shall—

(A) require all exports and transfers that would be subject to the requirements of paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) but for the application of subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, to be reported to the Secretary; and

(B) submit such reports to the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives on a quarterly basis.

(d) SUNSET.—Any exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, shall terminate on the date that is 15 years after the date of the enactment of this Act. The Secretary of State may renew such exemption for 5 years upon a certification to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that such exemption is in the vital national interest of the United States with a detailed justification for such certification.

(e) REPORTS.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until no exemptions under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, remain in effect, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the operation of exemptions issued under such subsection (l)(1), including whether any changes to such exemptions are likely to be made in the coming year.

(B) INITIAL REPORT.—The first report submitted under subparagraph (A) shall also include an assessment of key recommendations the United States Government has provided to the Governments of Australia and the United Kingdom to revise laws, regulations, and policies of such countries that are required to implement the AUKUS partnership.

(2) REPORT ON EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall report on the practical application of a possible ''fast track'' decision-making process for applications, classified or unclassified, to export defense articles and defense services to Australia, the United Kingdom, and Canada.

SEC. 6834. EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES TO AUSTRALIA, THE UNITED KINGDOM, AND CANADA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall initiate a rulemaking to establish an expedited decision-making process, classified or unclassified, for applications to export to Australia, the United Kingdom, and Canada commercial, advanced-technology defense articles and defense services that are not covered by an exemption under the International Traffic in Arms Regulations.

(b) ELIGIBILITY.—To qualify for the expedited decision-making process described in subsection (a), an application shall be for an export of defense articles or defense services that will take place wholly within or between the physical territory of Australia, Canada, or the United Kingdom and the United States and with governments or corporate entities from such countries.

(c) AVAILABILITY OF EXPEDITED PROCESS.—The expedited decision-making process described in subsection (a) shall be available for both classified and unclassified items, and the process must satisfy the following criteria to the extent practicable:

(1) Any licensing application to export defense articles and services that is related to a government to government agreement must be approved, returned, or denied within 30 days of submission.

(2) For all other licensing requests, any review shall be completed not later than 45 calendar days after the date of application.

SEC. 6835. UNITED STATES MUNITIONS LIST.

(a) EXEMPTION FOR THE GOVERNMENTS OF THE UNITED KINGDOM AND AUSTRALIA FROM CERTIFICATION AND CONGRESSIONAL NOTIFICATION REQUIREMENTS APPLICABLE TO CERTAIN TRANSFERS.—Section 38(f)(3) of the Arms Export Control Act (22 U.S.C. 2778(f)(3)) is amended by inserting '', the United Kingdom, or Australia'' after ''Canada''.

(b) UNITED STATES MUNITIONS LIST PERIODIC REVIEWS.—

(1) IN GENERAL.—The Secretary, acting through authority delegated by the President to carry out periodic reviews of items on the United States Munitions List under section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) and in coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the Director of the Office of Management and Budget, shall carry out such reviews not less frequently than every 3 years.

(2) SCOPE.—The periodic reviews described in paragraph (1) shall focus on matters including—

(A) interagency resources to address current threats faced by the United States;

(B) the evolving technological and economic landscape;

(C) the widespread availability of certain technologies and items on the United States Munitions List; and

(D) risks of misuse of United States-origin defense articles.

(3) CONSULTATION.—The Department of State may consult with the Defense Trade Advisory Group (DTAG) and other interested parties in conducting the periodic review described in paragraph (1).

Subtitle D—Other AUKUS Matters

SEC. 6841. REPORTING RELATED TO THE AUKUS PARTNERSHIP.

(a) REPORT ON INSTRUMENTS.—

(1) IN GENERAL.—Not later than 30 days after the signature, conclusion, or other finalization of any non-binding instrument related to the AUKUS partnership, the President shall submit to the appropriate congressional committees the text of such instrument.

(2) NON-DUPLICATION OF EFFORTS; RULE OF CONSTRUCTION.—To the extent the text of a non-binding instrument is submitted to the appropriate congressional committees pursuant to subsection (a), such text does not need to be submitted to Congress pursuant to section 112b(a)(1)(A)(ii) of title 1, United States Code, as amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476). Paragraph (1) shall not be construed to relieve the executive branch of any other requirement of section 112b of title 1, United States Code, as amended so amended, or any other provision of law.

(3) DEFINITIONS.—In this section:

(A) IN GENERAL.—The term ''text'', with respect to a non-binding instrument, includes—

(i) any annex, appendix, codicil, side agreement, side letter, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument; and

(ii) any implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument.

(B) CONTEMPORANEOUSLY AND IN CONJUNCTION WITH.—As used in subparagraph (A), the term ''contemporaneously and in conjunction with''—

(i) shall be construed liberally; and

(ii) may not be interpreted to require any action to have occurred simultaneously or on the same day.

(b) REPORT ON AUKUS PARTNERSHIP.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and biennially thereafter, the Secretary, in coordination with the Secretary of Defense and other appropriate heads of agencies, shall submit to the appropriate congressional committees a report on the AUKUS partnership.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following elements:

(A) STRATEGY.—

(i) An identification of the defensive military capability gaps and capacity shortfalls that the AUKUS partnership seeks to offset.

(ii) An explanation of the total cost to the United States associated with Pillar One of the AUKUS partnership.

(iii) A detailed explanation of how enhanced access to the industrial base of Australia is contributing to strengthening the United States strategic position in Asia.

(iv) A detailed explanation of the military and strategic benefit provided by the improved access provided by naval bases of Australia.

(v) A detailed assessment of how Australia's sovereign conventionally armed nuclear attack submarines contribute to United States defense and deterrence objectives in the Indo-Pacific region.

(B) IMPLEMENT THE AUKUS PARTNERSHIP.—

(i) Progress made on achieving the Optimal Pathway established for Australia's development of conventionally armed, nuclear-powered submarines, including the following elements:

(I) A description of progress made by Australia, the United Kingdom, and the United States to conclude an Article 14 arrangement with the International Atomic Energy Agency.

(II) A description of the status of efforts of Australia, the United Kingdom, and the United States to build the supporting infrastructure to base conventionally armed, nuclear-powered attack submarines.

(III) Updates on the efforts by Australia, the United Kingdom, and the United States to train a workforce that can build, sustain, and operate conventionally armed, nuclear-powered attack submarines.

(IV) A description of progress in establishing submarine support facilities capable of hosting rotational forces in western Australia by 2027.

(V) A description of progress made in improving United States submarine production capabilities that will enable the United States to meet—

(aa) its objectives of providing up to five Virginia Class submarines to Australia by the early to mid-2030's; and

(bb) United States submarine production requirements.

(ii) Progress made on Pillar Two of the AUKUS partnership, including the following elements:

(I) An assessment of the efforts of Australia, the United Kingdom, and the United States to enhance collaboration across the following eight trilateral lines of effort:

(aa) Underseas capabilities.

(bb) Quantum technologies.

(cc) Artificial intelligence and autonomy.

(dd) Advanced cyber capabilities.

(ee) Hypersonic and counter-hypersonic capabilities.

(ff) Electronic warfare.

(gg) Innovation.

(hh) Information sharing.

(II) An assessment of any new lines of effort established.

DIVISION G—UNIDENTIFIED ANOMALOUS PHENOMENA DISCLOSURE

SEC. 9001. SHORT TITLE.

This division may be cited as the ''Unidentified Anomalous Phenomena Disclosure Act of 2023'' or the ''UAP Disclosure Act of 2023''.

SEC. 9002. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) All Federal Government records related to unidentified anomalous phenomena should be preserved and centralized for historical and Federal Government purposes.

(2) All Federal Government records concerning unidentified anomalous phenomena should carry a presumption of immediate disclosure and all records should be eventually disclosed to enable the public to become fully informed about the history of the Federal Government's knowledge and involvement surrounding unidentified anomalous phenomena.

(3) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of such records.

(4) Legislation is necessary because credible evidence and testimony indicates that Federal Government unidentified anomalous phenomena records exist that have not been declassified or subject to mandatory declassification review as set forth in Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) due in part to exemptions under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), as well as an over-broad interpretation of ''transclassified foreign nuclear information'', which is also exempt from mandatory declassification, thereby preventing public disclosure under existing provisions of law.

(5) Legislation is necessary because section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), as implemented by the Executive branch of the Federal Government, has proven inadequate in achieving the timely public disclosure of Government unidentified anomalous phenomena records that are subject to mandatory declassification review.

(6) Legislation is necessary to restore proper oversight over unidentified anomalous phenomena records by elected officials in both the executive and legislative branches of the Federal Government that has otherwise been lacking as of the enactment of this Act.

(7) Legislation is necessary to afford complete and timely access to all knowledge gained by the Federal Government concerning unidentified anomalous phenomena in furtherance of comprehensive open scientific and technological research and development essential to avoiding or mitigating potential technological surprise in furtherance of urgent national security concerns and the public interest.

(b) PURPOSES.—The purposes of this division are—

(1) to provide for the creation of the unidentified anomalous phenomena Records Collection at the National Archives and Records Administration; and

(2) to require the expeditious public transmission to the Archivist and public disclosure of such records.

SEC. 9003. DEFINITIONS.

In this division:

(1) ARCHIVIST.—The term ''Archivist'' means the Archivist of the United States.

(2) CLOSE OBSERVER.—The term ''close observer'' means anyone who has come into close proximity to unidentified anomalous phenomena or non-human intelligence.

(3) COLLECTION.—The term ''Collection'' means the Unidentified Anomalous Phenomena Records Collection established under section 9004.

(4) CONTROLLED DISCLOSURE CAMPAIGN PLAN.—The term ''Controlled Disclosure Campaign Plan'' means the Controlled Disclosure Campaign Plan required by section 9009(c)(3).

(5) CONTROLLING AUTHORITY.—The term ''controlling authority'' means any Federal, State, or local government department, office, agency, committee, commission, commercial company, academic institution, or private sector entity in physical possession of technologies of unknown origin or biological evidence of non-human intelligence.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Government Ethics.

(7) EXECUTIVE AGENCY.—The term ''Executive agency'' means an Executive agency, as defined in subsection 552(f) of title 5, United States Code.

(8) GOVERNMENT OFFICE.—The term ''Government office'' means any department, office, agency, committee, or commission of the Federal Government and any independent office or agency without exception that has possession or control, including via contract or other agreement, of unidentified anomalous phenomena records.

(9) IDENTIFICATION AID.—The term ''identification aid'' means the written description prepared for each record, as required in section 9004.

(10) LEADERSHIP OF CONGRESS.—The term ''leadership of Congress'' means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(11) LEGACY PROGRAM.—The term ''legacy program'' means all Federal, State, and local government, commercial industry, academic, and private sector endeavors to collect, exploit, or reverse engineer technologies of unknown origin or examine biological evidence of living or deceased non-human intelligence that pre-dates the date of the enactment of this Act.

(12) NATIONAL ARCHIVES.—The term ''National Archives'' means the National Archives and Records Administration and all components thereof, including presidential archival depositories established under section 2112 of title 44, United States Code.

(13) NON-HUMAN INTELLIGENCE.—The term ''non-human intelligence'' means any sentient intelligent non-human lifeform regardless of nature or ultimate origin that may be presumed responsible for unidentified anomalous phenomena or of which the Federal Government has become aware.

(14) ORIGINATING BODY.—The term ''originating body'' means the Executive agency, Federal Government commission, committee of Congress, or other Governmental entity that created a record or particular information within a record.

(15) PROSAIC ATTRIBUTION.—The term ''prosaic attribution'' means having a human (either foreign or domestic) origin and operating according to current, proven, and generally understood scientific and engineering principles and established laws-of-nature and not attributable to non-human intelligence.

(16) PUBLIC INTEREST.—The term ''public interest'' means the compelling interest in the prompt public disclosure of unidentified anomalous phenomena records for historical and Governmental purposes and for the purpose of fully informing the people of the United States about the history of the Federal Government's knowledge and involvement surrounding unidentified anomalous phenomena.

(17) RECORD.—The term ''record'' includes a book, paper, report, memorandum, directive, email, text, or other form of communication, or map, photograph, sound or video recording, machine-readable material, computerized, digitized, or electronic information, including intelligence, surveillance, reconnaissance, and target acquisition sensor data, regardless of the medium on which it is stored, or other documentary material, regardless of its physical form or characteristics.

(18) REVIEW BOARD.—The term ''Review Board'' means the Unidentified Anomalous Phenomena Records Review Board established by section 9007.

(19) TECHNOLOGIES OF UNKNOWN ORIGIN.—The term ''technologies of unknown origin'' means any materials or meta-materials, ejecta, crash debris, mechanisms, machinery, equipment, assemblies or sub-assemblies, engineering models or processes, damaged or intact aerospace vehicles, and damaged or intact ocean-surface and undersea craft associated with unidentified anomalous phenomena or incorporating science and technology that lacks prosaic attribution or known means of human manufacture.

(20) TEMPORARILY NON-ATTRIBUTED OBJECTS.—

(A) IN GENERAL.—The term ''temporarily non-attributed objects'' means the class of objects that temporarily resist prosaic attribution by the initial observer as a result of environmental or system limitations associated with the observation process that nevertheless ultimately have an accepted human origin or known physical cause. Although some unidentified anomalous phenomena may at first be interpreted as temporarily non-attributed objects, they are not temporarily non-attributed objects, and the two categories are mutually exclusive.

(B) INCLUSION.—The term ''temporarily non-attributed objects'' includes—

(i) natural celestial, meteorological, and undersea weather phenomena;

(ii) mundane human-made airborne objects, clutter, and marine debris;

(iii) Federal, State, and local government, commercial industry, academic, and private sector aerospace platforms;

(iv) Federal, State, and local government, commercial industry, academic, and private sector ocean-surface and undersea vehicles; and

(v) known foreign systems.

(21) THIRD AGENCY.—The term ''third agency'' means a Government agency that originated a unidentified anomalous phenomena record that is in the possession of another Government agency.

(22) UNIDENTIFIED ANOMALOUS PHENOMENA.—

(A) IN GENERAL.—The term ''unidentified anomalous phenomena'' means any object operating or judged capable of operating in outer-space, the atmosphere, ocean surfaces, or undersea lacking prosaic attribution due to performance characteristics and properties not previously known to be achievable based upon commonly accepted physical principles. Unidentified anomalous phenomena are differentiated from both attributed and temporarily non-attributed objects by one or more of the following observables:

(i) Instantaneous acceleration absent apparent inertia.

(ii) Hypersonic velocity absent a thermal signature and sonic shockwave.

(iii) Transmedium (such as space-to-ground and air-to-undersea) travel.

(iv) Positive lift contrary to known aerodynamic principles.

(v) Multispectral signature control.

(vi) Physical or invasive biological effects to close observers and the environment.

(B) INCLUSIONS.—The term ''unidentified anomalous phenomena'' includes what were previously described as—

(i) flying discs;

(ii) flying saucers;

(iii) unidentified aerial phenomena;

(iv) unidentified flying objects (UFOs); and

(v) unidentified submerged objects (USOs).

(23) UNIDENTIFIED ANOMALOUS PHENOMENA RECORD.—The term ''unidentified anomalous phenomena record'' means a record that is related to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence (and all equivalent subjects by any other name with the specific and sole exclusion of temporarily non-attributed objects) that was created or made available for use by, obtained by, or otherwise came into the possession of—

(A) the Executive Office of the President;

(B) the Department of Defense and its progenitors, the Department of War and the Department of the Navy;

(C) the Department of the Army;

(D) the Department of the Navy;

(E) the Department of the Air Force, specifically the Air Force Office of Special Investigations;

(F) the Department of Energy and its progenitors, the Manhattan Project, the Atomic Energy Commission, and the Energy Research and Development Administration;

(G) the Office of the Director of National Intelligence;

(H) the Central Intelligence Agency and its progenitor, the Office of Strategic Services;

(I) the National Reconnaissance Office;

(J) the Defense Intelligence Agency;

(K) the National Security Agency;

(L) the National Geospatial-Intelligence Agency;

(M) the National Aeronautics and Space Administration:

(N) the Federal Bureau of Investigation;

(O) the Federal Aviation Administration;

(P) the National Oceanic and Atmospheric Administration;

(Q) the Library of Congress;

(R) the National Archives and Records Administration;

(S) any Presidential library;

(T) any Executive agency;

(U) any independent office or agency;

(V) any other department, office, agency, committee, or commission of the Federal Government;

(W) any State or local government department, office, agency, committee, or commission that provided support or assistance or performed work, in connection with a Federal inquiry into unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence; and

(X) any private sector person or entity formerly or currently under contract or some other agreement with the Federal Government.

SEC. 9004. UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS COLLECTION AT THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—(A) Not later than 60 days after the date of the enactment of this Act, the Archivist shall commence establishment of a collection of records in the National Archives to be known as the ''Unidentified Anomalous Phenomena Records Collection''.

(B) In carrying out subparagraph (A), the Archivist shall ensure the physical integrity and original provenance (or if indeterminate, the earliest historical owner) of all records in the Collection.

(C) The Collection shall consist of record copies of all Government, Government-provided, or Government-funded records relating to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence (or equivalent subjects by any other name with the specific and sole exclusion of temporarily non-attributed objects), which shall be transmitted to the National Archives in accordance with section 2107 of title 44, United States Code.

(D) The Archivist shall prepare and publish a subject guidebook and index to the Collection.

(2) CONTENTS.—The Collection shall include the following:

(A) All unidentified anomalous phenomena records, regardless of age or date of creation—

(i) that have been transmitted to the National Archives or disclosed to the public in an unredacted form prior to the date of the enactment of this Act;

(ii) that are required to be transmitted to the National Archives; and

(iii) that the disclosure of which is postponed under this Act.

(B) A central directory comprised of identification aids created for each record transmitted to the Archivist under section 9005.

(C) All Review Board records as required by this Act.

(b) DISCLOSURE OF RECORDS.—All unidentified anomalous phenomena records transmitted to the National Archives for disclosure to the public shall—

(1) be included in the Collection; and

(2) be available to the public—

(A) for inspection and copying at the National Archives within 30 days after their transmission to the National Archives; and

(B) digitally via the National Archives online database within a reasonable amount of time not to exceed 180 days thereafter.

(c) FEES FOR COPYING.—

(1) IN GENERAL.—The Archivist shall—

(A) charge fees for copying unidentified anomalous phenomena records; and

(B) grant waivers of such fees pursuant to the standards established by section 552(a)(4) of title 5, United States Code.

(2) AMOUNT OF FEES.—The amount of a fee charged by the Archivist pursuant to paragraph (1)(A) for the copying of an unidentified anomalous phenomena record shall be such amount as the Archivist determines appropriate to cover the costs incurred by the National Archives in making and providing such copy, except that in no case may the amount of the fee charged exceed the actual expenses incurred by the National Archives in making and providing such copy.

(d) ADDITIONAL REQUIREMENTS.—

(1) USE OF FUNDS.—The Collection shall be preserved, protected, archived, digitized, and made available to the public at the National Archives and via the official National Archives online database using appropriations authorized, specified, and restricted for use under the terms of this Act.

(2) SECURITY OF RECORDS.—The National Security Program Office at the National Archives, in consultation with the National Archives Information Security Oversight Office, shall establish a program to ensure the security of the postponed unidentified anomalous phenomena records in the protected, and yet-to-be disclosed or classified portion of the Collection.

(e) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing legislative oversight jurisdiction in the Senate with respect to the Collection.

(2) HOUSE OF REPRESENTATIVES.—The Committee on Oversight and Accountability of the House of Representatives shall have continuing legislative oversight jurisdiction in the House of Representatives with respect to the Collection.

SEC. 9005. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES, AND PUBLIC DISCLOSURE OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS BY GOVERNMENT OFFICES.

(a) IDENTIFICATION, ORGANIZATION, AND PREPARATION FOR TRANSMISSION.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, each head of a Government office shall—

(A) identify and organize records in the possession of the Government office or under the control of the Government office relating to unidentified anomalous phenomena; and

(B) prepare such records for transmission to the Archivist for inclusion in the Collection.

(2) PROHIBITIONS.—(A) No unidentified anomalous phenomena record shall be destroyed, altered, or mutilated in any way.

(B) No unidentified anomalous phenomena record made available or disclosed to the public prior to the date of the enactment of this Act may be withheld, redacted, postponed for public disclosure, or reclassified.

(C) No unidentified anomalous phenomena record created by a person or entity outside the Federal Government (excluding names or identities consistent with the requirements

of section 9006) shall be withheld, redacted, postponed for public disclosure, or reclassified.

(b) CUSTODY OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS PENDING REVIEW.—During the review by the heads of Government offices under subsection (c) and pending review activity by the Review Board, each head of a Government office shall retain custody of the unidentified anomalous phenomena records of the office for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of the records for purposes of conducting an independent and impartial review;

(2) transfer is necessary for an administrative hearing or other Review Board function; or

(3) it is a third agency record described in subsection (c)(2)(C).

(c) REVIEW BY HEADS OF GOVERNMENT OFFICES.—

(1) IN GENERAL.—Not later than 300 days after the date of the enactment of this Act, each head of a Government office shall review, identify, and organize each unidentified anomalous phenomena record in the custody or possession of the office for—

(A) disclosure to the public;

(B) review by the Review Board; and

(C) transmission to the Archivist.

(2) REQUIREMENTS.—In carrying out paragraph (1), the head of a Government office shall—

(A) determine which of the records of the office are unidentified anomalous phenomena records;

(B) determine which of the unidentified anomalous phenomena records of the office have been officially disclosed or made publicly available in a complete and unredacted form;

(C)(i) determine which of the unidentified anomalous phenomena records of the office, or particular information contained in such a record, was created by a third agency or by another Government office; and

(ii) transmit to a third agency or other Government office those records, or particular information contained in those records, or complete and accurate copies thereof;

(D)(i) determine whether the unidentified anomalous phenomena records of the office or particular information in unidentified anomalous phenomena records of the office are covered by the standards for postponement of public disclosure under this division; and

(ii) specify on the identification aid required by subsection (d) the applicable postponement provision contained in section 9006;

(E) organize and make available to the Review Board all unidentified anomalous phenomena records identified under subparagraph (D) the public disclosure of, which in-whole or in-part, may be postponed under this division;

(F) organize and make available to the Review Board any record concerning which the office has any uncertainty as to whether the record is an unidentified anomalous phenomena record governed by this division;

(G) give precedence of work to—

(i) the identification, review, and transmission of unidentified anomalous phenomena records not already publicly available or disclosed as of the date of the enactment of this Act;

(ii) the identification, review, and transmission of all records that most unambiguously and definitively pertain to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence;

(iii) the identification, review, and transmission of unidentified anomalous phenomena records that on the date of the enactment of this Act are the subject of litigation under section 552 of title 5, United States Code; and

(iv) the identification, review, and transmission of unidentified anomalous phenomena records with earliest provenance when not inconsistent with clauses (i) through (iii) and otherwise feasible; and

(H) make available to the Review Board any additional information and records that the Review Board has reason to believe the Review Board requires for conducting a review under this division.

(3) PRIORITY OF EXPEDITED REVIEW FOR DIRECTORS OF CERTAIN ARCHIVAL DEPOSITORIES.—The Director of each archival depository established under section 2112 of title 44, United States Code, shall have as a priority the expedited review for public disclosure of unidentified anomalous phenomena records in the possession and custody of the depository, and shall make such records available to the Review Board as required by this division.

(d) IDENTIFICATION AIDS.—

(1) IN GENERAL.—(A) Not later than 45 days after the date of the enactment of this Act, the Archivist, in consultation with the heads of such Government offices as the Archivist considers appropriate, shall prepare and make available to all Government offices a standard form of identification, or finding aid, for use with each unidentified anomalous phenomena record subject to review under this division whether in hardcopy (physical), softcopy (electronic), or digitized data format as may be appropriate.

(B) The Archivist shall ensure that the identification aid program is established in such a manner as to result in the creation of a uniform system for cataloging and finding every unidentified anomalous phenomena record subject to review under this division where ever and how ever stored in hardcopy (physical), softcopy (electronic), or digitized data format.

(2) REQUIREMENTS FOR GOVERNMENT OFFICES.—Upon completion of an identification aid using the standard form of identification prepared and made available under subparagraph (A) of paragraph (1) for the program established pursuant to subparagraph (B) of such paragraph, the head of a Government office shall—

(A) attach a printed copy to each physical unidentified anomalous phenomena record, and an electronic copy to each softcopy or digitized data unidentified anomalous phenomena record, the identification aid describes;

(B) transmit to the Review Board a printed copy for each physical unidentified anomalous phenomena record and an electronic copy for each softcopy or digitized data unidentified anomalous phenomena record the identification aid describes; and

(C) attach a printed copy to each physical unidentified anomalous phenomena record, and an electronic copy to each softcopy or digitized data unidentified anomalous phenomena record the identification aid describes, when transmitted to the Archivist.

(3) RECORDS OF THE NATIONAL ARCHIVES THAT ARE PUBLICLY AVAILABLE.—Unidentified anomalous phenomena records which are in the possession of the National Archives on the date of the enactment of this Act, and which have been publicly available in their entirety without redaction, shall be made available in the Collection without any additional review by the Review Board or another authorized office under this division, and shall not be required to have such an identification aid unless required by the Archivist.

(e) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each head of a Government office shall—

(1) transmit to the Archivist, and make immediately available to the public, all unidentified anomalous phenomena records of the Government office that can be publicly disclosed, including those that are publicly available on the date of the enactment of this Act, without any redaction, adjustment, or withholding under the standards of this division; and

(2) transmit to the Archivist upon approval for postponement by the Review Board or upon completion of other action authorized by this division, all unidentified anomalous phenomena records of the Government office the public disclosure of which has been postponed, in whole or in part, under the standards of this division, to become part of the protected, yet-to-be disclosed, or classified portion of the Collection.

(f) CUSTODY OF POSTPONED UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.—An unidentified anomalous phenomena record the public disclosure of which has been postponed shall, pending transmission to the Archivist, be held for reasons of security and preservation by the originating body until such time as the information security program has been established at the National Archives as required in section 9004(d)(2).

(g) PERIODIC REVIEW OF POSTPONED UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.—

(1) IN GENERAL.—All postponed or redacted records shall be reviewed periodically by the originating agency and the Archivist consistent with the recommendations of the Review Board in the Controlled Disclosure Campaign Plan under section 9009(c)(3)(B).

(2) REQUIREMENTS.—(A) A periodic review under paragraph (1) shall address the public disclosure of additional unidentified anomalous phenomena records in the Collection under the standards of this division.

(B) All postponed unidentified anomalous phenomena records determined to require continued postponement shall require an unclassified written description of the reason for such continued postponement relevant to these specific records. Such description shall be provided to the Archivist and published in the Federal Register upon determination.

(C) The time and release requirements specified in the Controlled Disclosure Campaign Plan shall be revised or amended only if the Review Board is still in session and concurs with the rationale for postponement, subject to the limitations in section 9009(d)(1).

(D) The periodic review of postponed unidentified anomalous phenomena records shall serve to downgrade and declassify security classified information.

(E) Each unidentified anomalous phenomena record shall be publicly disclosed in full, and available in the Collection, not later than the date that is 25 years after the date of the first creation of the record by the originating body, unless the President certifies, as required by this division, that—

(i) continued postponement is made necessary by an identifiable harm to the military defense, intelligence operations, law enforcement, or conduct of foreign relations; and

(ii) the identifiable harm is of such gravity that it outweighs the public interest in disclosure.

(h) REQUIREMENTS FOR EXECUTIVE AGENCIES.—

(1) IN GENERAL.—Executive agencies shall—

(A) transmit digital records electronically in accordance with section 2107 of title 44, United States Code;

(B) charge fees for copying unidentified anomalous phenomena records; and

(C) grant waivers of such fees pursuant to the standards established by section 552(a)(4) of title 5, United States Code.

(2) AMOUNT OF FEES.—The amount of a fee charged by the head of an Executive agency pursuant to paragraph (1)(B) for the copying of an unidentified anomalous phenomena record shall be such amount as the head determines appropriate to cover the costs incurred by the Executive agency in making and providing such copy, except that in no case may the amount of the fee charged exceed the actual expenses incurred by the Executive agency in making and providing such copy.

SEC. 9006. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS.

Disclosure of unidentified anomalous phenomena records or particular information in unidentified anomalous phenomena records to the public may be postponed subject to the limitations of this division if there is clear and convincing evidence that—

(1) the threat to the military defense, intelligence operations, or conduct of foreign relations of the United States posed by the public disclosure of the unidentified anomalous phenomena record is of such gravity that it outweighs the public interest in disclosure, and such public disclosure would reveal—

(A) an intelligence agent whose identity currently requires protection;

(B) an intelligence source or method which is currently utilized, or reasonably expected to be utilized, by the Federal Government and which has not been officially disclosed, the disclosure of which would interfere with the conduct of intelligence activities; or

(C) any other matter currently relating to the military defense, intelligence operations, or conduct of foreign relations of the United States, the disclosure of which would demonstrably and substantially impair the national security of the United States;

(2) the public disclosure of the unidentified anomalous phenomena record would reveal the name or identity of a living person who provided confidential information to the Federal Government and would pose a substantial risk of harm to that person;

(3) the public disclosure of the unidentified anomalous phenomena record could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(4) the public disclosure of the unidentified anomalous phenomena record would compromise the existence of an understanding of confidentiality currently requiring protection between a Federal Government agent and a cooperating individual or a foreign government, and public disclosure would be so harmful that it outweighs the public interest.

SEC. 9007. ESTABLISHMENT AND POWERS OF THE UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established as an independent agency a board to be known as the ''Unidentified Anomalous Phenomena Records Review Board''.

(b) APPOINTMENT.—

(1) IN GENERAL.—The President, by and with the advice and consent of the Senate, shall appoint, without regard to political affiliation, 9 citizens of the United States to serve as members of the Review Board to ensure and facilitate the review, transmission to the Archivist, and public disclosure of government records relating to unidentified anomalous phenomena.

(2) PERIOD FOR NOMINATIONS.—(A) The President shall make nominations to the Review Board not later than 90 calendar days after the date of the enactment of this Act.

(B) If the Senate votes not to confirm a nomination to the Review Board, the President shall make an additional nomination not later than 30 days thereafter.

(3) CONSIDERATION OF RECOMMENDATIONS.—(A) The President shall make nominations to the Review Board after considering persons recommended by the following:

(i) The majority leader of the Senate.

(ii) The minority leader of the Senate.

(iii) The Speaker of the House of Representatives.

(iv) The minority leader of the House of Representatives.

(v) The Secretary of Defense.

(vi) The National Academy of Sciences.

(vii) Established nonprofit research organizations relating to unidentified anomalous phenomena.

(viii) The American Historical Association.

(ix) Such other persons and organizations as the President considers appropriate.

(B) If an individual or organization described in subparagraph (A) does not recommend at least 2 nominees meeting the qualifications stated in paragraph (5) by the date that is 45 days after the date of the enactment of this Act, the President shall consider for nomination the persons recommended by the other individuals and organizations described in such subparagraph.

(C) The President may request an individual or organization described in subparagraph (A) to submit additional nominations.

(4) QUALIFICATIONS.—Persons nominated to the Review Board—

(A) shall be impartial citizens, none of whom shall have had any previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence;

(B) shall be distinguished persons of high national professional reputation in their respective fields who are capable of exercising the independent and objective judgment necessary to the fulfillment of their role in ensuring and facilitating the review, transmission to the public, and public disclosure of records related to the government's understanding of, and activities associated with unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence and who possess an appreciation of the value of such material to the public, scholars, and government; and

(C) shall include at least—

(i) 1 current or former national security official;

(ii) 1 current or former foreign service official;

(iii) 1 scientist or engineer;

(iv) 1 economist;

(v) 1 professional historian; and

(vi) 1 sociologist.

(5) MANDATORY CONFLICTS OF INTEREST REVIEW.—

(A) IN GENERAL.—The Director shall conduct a review of each individual nominated and appointed to the position of member of the Review Board to ensure the member does not have any conflict of interest during the term of the service of the member.

(B) REPORTS.—During the course of the review under subparagraph (A), if the Director becomes aware that the member being reviewed possesses a conflict of interest to the mission of the Review Board, the Director shall, not later than 30 days after the date on which the Director became aware of the conflict of interest, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the conflict of interest.

(c) SECURITY CLEARANCES.—

(1) IN GENERAL.—All Review Board nominees shall be granted the necessary security clearances and accesses, including any and all relevant Presidential, departmental, and agency special access programs, in an accelerated manner subject to the standard procedures for granting such clearances.

(2) QUALIFICATION FOR NOMINEES.—All nominees for appointment to the Review Board under subsection (b) shall qualify for the necessary security clearances and accesses prior to being considered for confirmation by the Committee on Homeland Security and Governmental Affairs of the Senate.

(d) CONSIDERATION BY THE SENATE.—Nominations for appointment under subsection (b) shall be referred to the Committee on Homeland Security and Governmental Affairs of the Senate for consideration.

(e) VACANCY.—A vacancy on the Review Board shall be filled in the same manner as specified for original appointment within 30 days of the occurrence of the vacancy.

(f) REMOVAL OF REVIEW BOARD MEMBER.—

(1) IN GENERAL.—No member of the Review Board shall be removed from office, other than—

(A) by impeachment and conviction; or

(B) by the action of the President for inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the member's duties.

(2) NOTICE OF REMOVAL.—(A) If a member of the Review Board is removed from office, and that removal is by the President, not later than 10 days after the removal, the President shall submit to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report specifying the facts found and the grounds for the removal.

(B) The President shall publish in the Federal Register a report submitted under subparagraph (A), except that the President may, if necessary to protect the rights of a person named in the report or to prevent undue interference with any pending prosecution, postpone or refrain from publishing any or all of the report until the completion of such pending cases or pursuant to privacy protection requirements in law.

(3) JUDICIAL REVIEW.—(A) A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) The member may be reinstated or granted other appropriate relief by order of the court.

(g) COMPENSATION OF MEMBERS.—

(1) IN GENERAL.—A member of the Review Board, other than the Executive Director under section 9008(c)(1), shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Review Board.

(h) DUTIES OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall consider and render decisions on a determination by a Government office to seek to postpone the disclosure of unidentified anomalous phenomena records.

(2) CONSIDERATIONS AND RENDERING OF DECISIONS.—In carrying out paragraph (1), the Review Board shall consider and render decisions—

(A) whether a record constitutes a unidentified anomalous phenomena record; and

(B) whether a unidentified anomalous phenomena record or particular information in a record qualifies for postponement of disclosure under this division.

(i) POWERS.—

(1) IN GENERAL.—The Review Board shall have the authority to act in a manner prescribed under this division, including authority—

(A) to direct Government offices to complete identification aids and organize unidentified anomalous phenomena records;

(B) to direct Government offices to transmit to the Archivist unidentified anomalous phenomena records as required under this division, including segregable portions of unidentified anomalous phenomena records and substitutes and summaries of unidentified anomalous phenomena records that can be publicly disclosed to the fullest extent;

(C)(i) to obtain access to unidentified anomalous phenomena records that have been identified and organized by a Government office;

(ii) to direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records, or testimony from individuals which the Review Board has reason to believe are required to fulfill its functions and responsibilities under this division; and

(iii) request the Attorney General to subpoena private persons to compel testimony, records, and other information relevant to its responsibilities under this division;

(D) require any Government office to account in writing for the destruction of any records relating to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence;

(E) receive information from the public regarding the identification and public disclosure of unidentified anomalous phenomena records;

(F) hold hearings, administer oaths, and subpoena witnesses and documents;

(G) use the Federal Acquisition Service in the same manner and under the same conditions as other Executive agencies; and

(H) use the United States mails in the same manner and under the same conditions as other Executive agencies.

(2) ENFORCEMENT OF SUBPOENA.—A subpoena issued under paragraph (1)(C)(iii) may be enforced by any appropriate Federal court acting pursuant to a lawful request of the Review Board.

(j) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code. Witnesses, close observers, and whistleblowers providing information directly to the Review Board shall also be afforded the protections provided to such persons specified under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)).

(k) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing legislative oversight jurisdiction in the Senate with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board, and shall have access to any records held or created by the Review Board.

(2) HOUSE OF REPRESENTATIVES.—Unless otherwise determined appropriate by the House of Representatives, the Committee on Oversight and Accountability of the House of Representatives shall have continuing legislative oversight jurisdiction in the House of Representatives with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board, and shall have access to any records held or created by the Review Board.

(3) DUTY TO COOPERATE.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction described in this subsection.

(4) SECURITY CLEARANCES.—The Chairmen and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and staff of such committees designated by such Chairmen and Ranking Members, shall be granted all security clearances and accesses held by the Review Board, including to relevant Presidential and department or agency special access and compartmented access programs.

(l) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(m) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(n) TERMINATION AND WINDING DOWN.—

(1) IN GENERAL.—The Review Board and the terms of its members shall terminate not later than September 30, 2030, unless extended by Congress.

(2) REPORTS.—Upon its termination, the Review Board shall submit to the President and Congress reports, including a complete and accurate accounting of expenditures during its existence and shall complete all other reporting requirements under this division.

(3) TRANSFER OF RECORDS.—Upon termination and winding down, the Review Board shall transfer all of its records to the Archivist for inclusion in the Collection, and no record of the Review Board shall be destroyed.

SEC. 9008. UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) APPOINTMENT.—Not later than 45 days after the date of the enactment of this Act, the President shall appoint 1 citizen of the United States, without regard to political affiliation, to the position of Executive Director of the Review Board. This position counts as 1 of the 9 Review Board members under section 9007(b)(1).

(2) QUALIFICATIONS.—The person appointed as Executive Director shall be a private citizen of integrity and impartiality who—

(A) is a distinguished professional; and

(B) is not a present employee of the Federal Government; and

(C) has had no previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence.

(3) MANDATORY CONFLICTS OF INTEREST REVIEW.—

(A) IN GENERAL.—The Director shall conduct a review of each individual appointed to the position of Executive Director to ensure the Executive Director does not have any conflict of interest during the term of the service of the Executive Director.

(B) REPORTS.—During the course of the review under subparagraph (A), if the Director becomes aware that the Executive Director possesses a conflict of interest to the mission of the Review Board, the Director shall, not later than 30 days after the date on which the Director became aware of the conflict of interest, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report on the conflict of interest.

(4) SECURITY CLEARANCES.—(A) A candidate for Executive Director shall be granted all the necessary security clearances and accesses, including to relevant Presidential and department or agency special access and compartmented access programs in an accelerated manner subject to the standard procedures for granting such clearances.

(B) A candidate shall qualify for the necessary security clearances and accesses prior to being appointed by the President.

(5) FUNCTIONS.—The Executive Director shall—

(A) serve as principal liaison to the Executive Office of the President and Congress;

(B) serve as Chairperson of the Review Board;

(C) be responsible for the administration and coordination of the Review Board's review of records;

(D) be responsible for the administration of all official activities conducted by the Review Board;

(E) exercise tie-breaking Review Board authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure; and

(F) retain right-of-appeal directly to the President for decisions pertaining to executive branch unidentified anomalous phenomena records for which the Executive Director and Review Board members may disagree.

(6) REMOVAL.—The Executive Director shall not be removed for reasons other for cause on the grounds of inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the responsibilities of the Executive Director or the staff of the Review Board.

(b) STAFF.—

(1) IN GENERAL.—The Review Board, without regard to the civil service laws, may appoint and terminate additional personnel as are necessary to enable the Review Board and its Executive Director to perform the duties of the Review Board.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a person appointed to the staff of the Review Board shall be a citizen of integrity and impartiality who has had no previous or current involvement with any legacy program or controlling authority relating to the collection, exploitation, or reverse engineering of technologies of unknown origin or the examination of biological evidence of living or deceased non-human intelligence.

(B) CONSULTATION WITH DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS.—In their consideration of persons to be appointed as staff of the Review Board under paragraph (1), the Review Board shall consult with the Director—

(i) to determine criteria for possible conflicts of interest of staff of the Review Board, consistent with ethics laws, statutes, and regulations for employees of the executive branch of the Federal Government; and

(ii) ensure that no person selected for such position of staff of the Review Board possesses a conflict of interests in accordance

with the criteria determined pursuant to clause (i).

(3) SECURITY CLEARANCES.—(A) A candidate for staff shall be granted the necessary security clearances (including all necessary special access program clearances) in an accelerated manner subject to the standard procedures for granting such clearances.

(B)(i) The Review Board may offer conditional employment to a candidate for a staff position pending the completion of security clearance background investigations. During the pendency of such investigations, the Review Board shall ensure that any such employee does not have access to, or responsibility involving, classified or otherwise restricted unidentified anomalous phenomena record materials.

(ii) If a person hired on a conditional basis under clause (i) is denied or otherwise does not qualify for all security clearances necessary to carry out the responsibilities of the position for which conditional employment has been offered, the Review Board shall immediately terminate the person's employment.

(4) SUPPORT FROM NATIONAL DECLASSIFICATION CENTER.—The Archivist shall assign one representative in full-time equivalent status from the National Declassification Center to advise and support the Review Board disclosure postponement review process in a nonvoting staff capacity.

(c) COMPENSATION.—Subject to such rules as may be adopted by the Review Board, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates—

(1) the Executive Director shall be compensated at a rate not to exceed the rate of basic pay for level II of the Executive Schedule and shall serve the entire tenure as one full-time equivalent; and

(2) the Executive Director shall appoint and fix compensation of such other personnel as may be necessary to carry out this division.

(d) ADVISORY COMMITTEES.—

(1) AUTHORITY.—The Review Board may create advisory committees to assist in fulfilling the responsibilities of the Review Board under this division.

(2) FACA.—Any advisory committee created by the Review Board shall be subject to chapter 10 of title 5, United States Code.

(e) SECURITY CLEARANCE REQUIRED.—An individual employed in any position by the Review Board (including an individual appointed as Executive Director) shall be required to qualify for any necessary security clearance prior to taking office in that position, but may be employed conditionally in accordance with subsection (b)(3)(B) before qualifying for that clearance.

SEC. 9009. REVIEW OF RECORDS BY THE UNIDENTIFIED ANOMALOUS PHENOMENA RECORDS REVIEW BOARD.

(a) CUSTODY OF RECORDS REVIEWED BY REVIEW BOARD.—Pending the outcome of a review of activity by the Review Board, a Government office shall retain custody of its unidentified anomalous phenomena records for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of records for reasons of conducting an independent and impartial review; or

(2) such transfer is necessary for an administrative hearing or other official Review Board function.

(b) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date of its appointment, publish a schedule in the Federal Register for review of all unidentified anomalous phenomena records;

(2) not later than 180 days after the date of the enactment of this Act, begin its review of unidentified anomalous phenomena records under this division; and

(3) periodically thereafter as warranted, but not less frequently than semiannually, publish a revised schedule in the Federal Register addressing the review and inclusion of any unidentified anomalous phenomena records subsequently discovered.

(c) DETERMINATIONS OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all unidentified anomalous phenomena records be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that—

(A) a Government record is not an unidentified anomalous phenomena record; or

(B) a Government record, or particular information within an unidentified anomalous phenomena record, qualifies for postponement of public disclosure under this division.

(2) REQUIREMENTS.—In approving postponement of public disclosure of a unidentified anomalous phenomena record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of such a record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this division, which of the following alternative forms of disclosure shall be made by the originating body:

(i) Any reasonably segregable particular information in a unidentified anomalous phenomena record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a unidentified anomalous phenomena record.

(3) CONTROLLED DISCLOSURE CAMPAIGN PLAN.—With respect to unidentified anomalous phenomena records, particular information in unidentified anomalous phenomena records, recovered technologies of unknown origin, and biological evidence for nonhuman intelligence the public disclosure of which is postponed pursuant to section 9006, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall create and transmit to the President, the Archivist, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Accountability of the House of Representatives a Controlled Disclosure Campaign Plan, with classified appendix, containing—

(A) a description of actions by the Review Board, the originating body, the President, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board with regard to specific unidentified anomalous phenomena records; and

(B) a benchmark-driven plan, based upon a review of the proceedings and in conformity with the decisions reflected therein, recommending precise requirements for periodic review, downgrading, and declassification as well as the exact time or specified occurrence following which each postponed item may be appropriately disclosed to the public under this division.

(4) NOTICE FOLLOWING REVIEW AND DETERMINATION.—(A) Following its review and a determination that a unidentified anomalous phenomena record shall be publicly disclosed in the Collection or postponed for disclosure and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination of the Review Board and publish a copy of the determination in the Federal Register within 14 days after the determination is made.

(B) Contemporaneous notice shall be made to the President for Review Board determinations regarding unidentified anomalous phenomena records of the executive branch of the Federal Government, and to the oversight committees designated in this division in the case of records of the legislative branch of the Federal Government. Such notice shall contain a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards contained in section 9006.

(d) PRESIDENTIAL AUTHORITY OVER REVIEW BOARD DETERMINATION.—

(1) PUBLIC DISCLOSURE OR POSTPONEMENT OF DISCLOSURE.—After the Review Board has made a formal determination concerning the public disclosure or postponement of disclosure of an unidentified anomalous phenomena record of the executive branch of the Federal Government or information within such a record, or of any information contained in a unidentified anomalous phenomena record, obtained or developed solely within the executive branch of the Federal Government, the President shall—

(A) have the sole and nondelegable authority to require the disclosure or postponement of such record or information under the standards set forth in section 9006; and

(B) provide the Review Board with both an unclassified and classified written certification specifying the President's decision within 30 days after the Review Board's determination and notice to the executive branch agency as required under this division, stating the justification for the President's decision, including the applicable grounds for postponement under section 9006, accompanied by a copy of the identification aid required under section 9004.

(2) PERIODIC REVIEW.—(A) Any unidentified anomalous phenomena record postponed by the President shall henceforth be subject to the requirements of periodic review, downgrading, declassification, and public disclosure in accordance with the recommended timeline and associated requirements specified in the Controlled Disclosure Campaign Plan unless these conflict with the standards set forth in section 9006.

(B) This paragraph supersedes all prior declassification review standards that may previously have been deemed applicable to unidentified anomalous phenomena records.

(3) RECORD OF PRESIDENTIAL POSTPONEMENT.—The Review Board shall, upon its receipt—

(A) publish in the Federal Register a copy of any unclassified written certification, statement, and other materials transmitted by or on behalf of the President with regard to postponement of unidentified anomalous phenomena records; and

(B) revise or amend recommendations in the Controlled Disclosure Campaign Plan accordingly.

(e) NOTICE TO PUBLIC.—Every 30 calendar days, beginning on the date that is 60 calendar days after the date on which the Review Board first approves the postponement of disclosure of a unidentified anomalous phenomena record, the Review Board shall publish in the Federal Register a notice that summarizes the postponements approved by the Review Board or initiated by the President, the Senate, or the House of Representatives, including a description of the subject, originating agency, length or other physical description, and each ground for postponement that is relied upon to the maximum extent classification restrictions permitting.

(f) REPORTS BY THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall report its activities to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, the President, the Archivist, and the head of any Government office whose records have been the subject of Review Board activity.

(2) FIRST REPORT.—The first report shall be issued on the date that is 1 year after the date of enactment of this Act, and subsequent reports every 1 year thereafter until termination of the Review Board.

(3) CONTENTS.—A report under paragraph (1) shall include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its personnel.

(B) The progress made on review, transmission to the Archivist, and public disclosure of unidentified anomalous phenomena records.

(C) The estimated time and volume of unidentified anomalous phenomena records involved in the completion of the Review Board's performance under this division.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to operate as required by this division.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorized by this division, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional legislative authority needs.

(4) COPIES AND BRIEFS.—Coincident with the reporting requirements in paragraph (2), or more frequently as warranted by new information, the Review Board shall provide copies to, and fully brief, at a minimum the President, the Archivist, leadership of Congress, the Chairmen and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and the Chairs and Chairmen, as the case may be, and Ranking Members and Vice Chairmen, as the case may be, of such other committees as leadership of Congress determines appropriate on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures, specifically addressing—

(A) recommendations for periodic review, downgrading, and declassification as well as the exact time or specified occurrence following which specific unidentified anomalous phenomena records and material may be appropriately disclosed;

(B) the rationale behind each postponement determination and the recommended means to achieve disclosure of each postponed item;

(C) any other findings that the Review Board chooses to offer; and

(D) an addendum containing copies of reports of postponed records to the Archivist required under subsection (c)(3) made since the date of the preceding report under this subsection.

(5) NOTICE.—At least 90 calendar days before completing its work, the Review Board shall provide written notice to the President and Congress of its intention to terminate its operations at a specified date.

(6) BRIEFING THE ALL-DOMAIN ANOMALY RESOLUTION OFFICE.—Coincident with the provision in paragraph (5), if not accomplished earlier under paragraph (4), the Review Board shall brief the All-domain Anomaly Resolution Office established pursuant to section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor, as subsequently designated by Act of Congress, on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures.

SEC. 9010. DISCLOSURE OF RECOVERED TECHNOLOGIES OF UNKNOWN ORIGIN AND BIOLOGICAL EVIDENCE OF NON-HUMAN INTELLIGENCE.

(a) EXERCISE OF EMINENT DOMAIN.—The Federal Government shall exercise eminent domain over any and all recovered technologies of unknown origin and biological evidence of non-human intelligence that may be controlled by private persons or entities in the interests of the public good.

(b) AVAILABILITY TO REVIEW BOARD.—Any and all such material, should it exist, shall be made available to the Review Board for personal examination and subsequent disclosure determination at a location suitable to the controlling authority of said material and in a timely manner conducive to the objectives of the Review Board in accordance with the requirements of this division.

(c) ACTIONS OF REVIEW BOARD.—In carrying out subsection (b), the Review Board shall consider and render decisions—

(1) whether the material examined constitutes technologies of unknown origin or biological evidence of non-human intelligence beyond a reasonable doubt;

(2) whether recovered technologies of unknown origin, biological evidence of non-human intelligence, or a particular subset of material qualifies for postponement of disclosure under this division; and

(3) what changes, if any, to the current disposition of said material should the Federal Government make to facilitate full disclosure.

(d) REVIEW BOARD ACCESS TO TESTIMONY AND WITNESSES.—The Review Board shall have access to all testimony from unidentified anomalous phenomena witnesses, close observers and legacy program personnel and whistleblowers within the Federal Government's possession as of and after the date of the enactment of this Act in furtherance of Review Board disclosure determination responsibilities in section 9007(h) and subsection (c) of this section.

(e) SOLICITATION OF ADDITIONAL WITNESSES.—The Review Board shall solicit additional unidentified anomalous phenomena witness and whistleblower testimony and afford protections under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)) if deemed beneficial in fulfilling Review Board responsibilities under this division.

SEC. 9011. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) INFORMATION HELD UNDER SEAL OF A COURT.—The Review Board may request the Attorney General to petition any court in the United States or abroad to release any information relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence that is held under seal of the court.

(2) INFORMATION HELD UNDER INJUNCTION OF SECRETARY OF GRAND JURY.—(A) The Review Board may request the Attorney General to petition any court in the United States to release any information relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence that is held under the injunction of secrecy of a grand jury.

(B) A request for disclosure of unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence materials under this division shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

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

(1) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(2) the Secretary of State should contact any foreign government that may hold material relevant to unidentified anomalous phenomena, technologies of unknown origin, or non-human intelligence and seek disclosure of such material; and

(3) all heads of Executive agencies should cooperate in full with the Review Board to seek the disclosure of all material relevant to unidentified anomalous phenomena, technologies of unknown origin, and non-human intelligence consistent with the public interest.

SEC. 9012. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this division requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other provision of law (except section 6103 of the Internal Revenue Code of 1986 specifying confidentiality and disclosure of tax returns and tax return information), judicial decision construing such provision of law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this division shall be construed to eliminate or limit any right to file requests with any executive agency or seek judicial review of the decisions pursuant to section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this division shall be construed to preclude judicial review, under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this division.

(d) EXISTING AUTHORITY.—Nothing in this division revokes or limits the existing authority of the President, any executive agency, the Senate, or the House of Representatives, or any other entity of the Federal Government to publicly disclose records in its possession.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this division establishes a procedure to be followed in the Senate or the House of Representatives, such provision is adopted—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 9013. TERMINATION OF EFFECT OF DIVISION.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this division that pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated pursuant to section 9007(n).

(b) OTHER PROVISIONS.—(1) The remaining provisions of this division shall continue in effect until such time as the Archivist certifies to the President and Congress that all

unidentified anomalous phenomena records have been made available to the public in accordance with this division.

(2) In facilitation of the provision in paragraph (1), the All-domain Anomaly Resolution Office established pursuant to section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor as subsequently designated by Act of Congress, shall develop standardized unidentified anomalous phenomena declassification guidance applicable to any and all unidentified anomalous phenomena records generated by originating bodies subsequent to termination of the Review Board consistent with the requirements and intent of the Controlled Disclosure Campaign Plan with respect to unidentified anomalous phenomena records originated prior to Review Board termination.

SEC. 9014. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out the provisions of this division $20,000,000 for fiscal year 2024.

SEC. 9015. SEVERABILITY.

If any provision of this division or the application thereof to any person or circumstance is held invalid, the remainder of this division and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

DIVISION H—ARCHITECT OF THE CAPITOL APPOINTMENT ACT OF 2023

SEC. 10001. SHORT TITLE.

This division may be cited as the ''Architect of the Capitol Appointment Act of 2023''.

SEC. 10002. APPOINTMENT AND TERM OF SERVICE OF ARCHITECT OF THE CAPITOL.

(a) APPOINTMENT.—The Architect of the Capitol shall be appointed, without regard to political affiliation and solely on the basis of fitness to perform the duties of the office, upon a majority vote of a congressional commission (referred to in this section as the ''commission'') consisting of the Speaker of the House of Representatives, the majority leader of the Senate, the minority leaders of the House of Representatives and Senate, the chair and ranking minority member of the Committee on Appropriations of the House of Representatives, the chairman and ranking minority member of the Committee on Appropriations of the Senate, the chair and ranking minority member of the Committee on House Administration of the House of Representatives, and the chairman and ranking minority member of the Committee on Rules and Administration of the Senate.

(b) TERM OF SERVICE.—The Architect of the Capitol shall be appointed for a term of 10 years and, upon a majority vote of the members of the commission, may be reappointed for additional 10-year terms.

(c) REMOVAL.—The Architect of the Capitol may be removed from office at any time upon a majority vote of the members of the commission.

(d) CONFORMING AMENDMENTS.—

(1) Section 319 of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 1801) is repealed.

(2) The matter under the heading ''FOR THE CAPITOL:'' under the heading ''DEPARTMENT OF THE INTERIOR.'' of the Act of February 14, 1902 (32 Stat. 19, chapter 17; incorporated in 2 U.S.C. 1811) is amended by striking '', and he shall be appointed by the President''.

(e) EFFECTIVE DATE.—This section, and the amendments made by this section, shall apply with respect to appointments made on or after the date of enactment of this Act.

SEC. 10003. APPOINTMENT OF DEPUTY ARCHITECT OF THE CAPITOL; VACANCY IN ARCHITECT OR DEPUTY ARCHITECT.

Section 1203 of title I of division H of the Consolidated Appropriations Resolution, 2003 (2 U.S.C. 1805) is amended—

(1) in subsection (a)—

(A) by inserting ''(in this section referred to as the 'Architect')'' after ''The Architect of the Capitol''; and

(B) by inserting ''(in this section referred to as the 'Deputy Architect')'' after ''Deputy Architect of the Capitol'';

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

''(b) DEADLINE.—The Architect shall appoint a Deputy Architect under subsection (a) not later than 120 days after—

''(1) the date on which the Architect is appointed under section 10002 of the Architect of the Capitol Appointment Act of 2023, if there is no Deputy Architect on the date of the appointment; or

''(2) the date on which a vacancy arises in the office of the Deputy Architect.'';

(4) in subsection (c), as so redesignated, by striking ''of the Capitol'' each place it appears; and

(5) by adding at the end the following:

''(d) FAILURE TO APPOINT.—If the Architect does not appoint a Deputy Architect on or before the applicable date specified in subsection (b), the congressional commission described in section 10002(a) of the Architect of the Capitol Appointment Act of 2023 shall appoint the Deputy Architect by a majority vote of the members of the commission.

''(e) NOTIFICATION.—If the position of Deputy Architect becomes vacant, the Architect shall immediately notify the members of the congressional commission described in section 10002(a) of the Architect of the Capitol Appointment Act of 2023.''.

SEC. 10004. DEPUTY ARCHITECT OF THE CAPITOL TO SERVE AS ACTING IN CASE OF ABSENCE, DISABILITY, OR VACANCY.

(a) IN GENERAL.—The Deputy Architect of the Capitol (in this section referred to as the ''Deputy Architect'') shall act as Architect of the Capitol (in this section referred to as the ''Architect'') if the Architect is absent or disabled or there is no Architect.

(b) ABSENCE, DISABILITY, OR VACANCY IN OFFICE OF DEPUTY ARCHITECT.—For purposes of subsection (a), if the Deputy Architect is also absent or disabled or there is no Deputy Architect, the congressional commission described in section 10002(a) shall designate, by a majority vote of the members of the commission, an individual to serve as acting Architect until—

(1) the end of the absence or disability of the Architect or the Deputy Architect; or

(2) in the case of vacancies in both positions, an Architect has been appointed under section 10002(a).

(c) AUTHORITY.—An officer serving as acting Architect under subsection (a) or (b) shall perform all the duties and exercise all the authorities of the Architect, including the authority to delegate the duties and authorities of the Architect in accordance with the matter under the heading ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' under the heading ''ARCHITECT OF THE CAPITOL'' of the Legislative Appropriation Act, 1956 (2 U.S.C. 1803).

(d) CONFORMING AMENDMENT.—The matter under the heading ''SALARIES'' under the heading ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' under the heading ''ARCHITECT OF THE CAPITOL'' of the Legislative Branch Appropriation Act, 1971 (2 U.S.C. 1804) is amended by striking '': *Provided*,'' and all that follows through ''no Architect''.

SA 936. Mr. SCHUMER proposed an amendment to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, 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; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 937. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 849. COMPETITION OF SMALL BUSINESS CONCERNS FOR DEPARTMENT OF DEFENSE CONTRACTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance ensuring that covered small businesses are better able to compete for Department of Defense contracts.

(b) EXEMPTIONS FROM CAPABILITY REQUIREMENTS.—

(1) WAIVER AUTHORITY.—The guidance issued under subsection (a) shall provide that the Department of Defense may waive capability requirements, including those described in paragraph (2), to allow a covered small business that does not otherwise meet such requirements to bid on a contract, provided that it makes the certification described under paragraph (3).

(2) TYPES OF WAIVERS.—The waivers referred to in paragraph (1) are as follows:

(A) EVALUATION OF PAST PERFORMANCE.—A waiver to ensure that the lack of prior performance history of a covered small business does not adversely affect its opportunity to receive a contract award.

(B) TRAINING REQUIREMENTS.—A waiver allowing a covered small business to meet employee training requirements after the award of a Department of Defense contract.

(C) FACILITY SECURITY ASSESSMENTS.—A waiver allowing a covered small business to meet facility security requirements after the award of a Department of Defense contract.

(D) OTHER.—Any other waiver determined appropriate by the Secretary of Defense and provided for in the guidance issued under subsection (a).

(3) CERTIFICATION REQUIREMENT.—In order to qualify for a waiver under paragraph (1), a covered small business shall certify that it will be able to meet the exempted capability requirements within 180 days after the contract award date. The certification shall include a detailed project and financial plan outlining the tasks to be completed, milestones to be achieved, and resources required.

(4) MONITORING AND COMPLIANCE.—

(A) IN GENERAL.—The contracting officer for a contract awarded pursuant to a waiver under paragraph (1) shall closely monitor the

contract performance of the covered small business to ensure that sufficient progress is being made and that any issues that arise are promptly addressed.

(B) FAILURE TO MEET CAPABILITY REQUIREMENTS.—If a covered small business awarded a contract pursuant to a waiver under paragraph (1) fails to meet the requirements promised in the certification required under paragraph (3) within 180 days, the covered small business shall be subject to disqualification from consideration for future contracts of similar scope pursuant to ''Termination for Default'' provisions under subpart 49.4 of the Federal Acquisition Regulation.

(c) COVERED SMALL BUSINESS DEFINED.—In this section, the term ''covered small business'' means—

(1) a nontraditional defense contractor, as that term is defined in section 3014 of title 10, United States Code;

(2) a small business concern, as that term is defined in section 3(a) of the Small Business Act (15 U.S.C. 632(a)); and

(3) any other contractor that has not been awarded a Department of Defense contract in the five-year period preceding the solicitation of sources by the Department of Defense.

SA 938. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1083. SUSPENSION OF NORMAL TRADE RELATIONS WITH PEOPLE'S REPUBLIC OF CHINA.

(a) FINDINGS.—Congress makes the following findings:

(1) The People's Republic of China has enjoyed normal trade relations with the United States since its approval to join the World Trade Organization on November 10, 2001, and formal accession on December 10, 2001.

(2) The aggression of the People's Republic of China toward Taiwan has increased in recent years, as incursions into Taiwan's Air Defense Identification Zone by aircraft of the People's Liberation Army increased 178 percent from 2021 to 2022.

(3) The economic coercion of the People's Republic of China toward Taiwan has also increased in recent years, as the People's Republic of China has banned the import of more than 2,000 food products from Taiwan since August 2022.

(4) The United States has a long-standing commitment to the security of Taiwan and stability of cross-strait relations as outlined in the Six Assurances, the three United States-People's Republic of China Joint Communiques, and the Taiwan Relations Act (22 U.S.C. 3301 et seq.).

(5) In response to the unprovoked invasion of Ukraine by the Russian Federation, the United States revoked nondiscriminatory treatment for imports from the Russian Federation and Belarus on April 8, 2022.

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

(1) the United States has a strong interest in deterring the People's Republic of China from invading and seizing control of Taiwan and should employ economic levers of influence to promote and preserve a free and open Indo-Pacific, including prevention of aggression by the People's Republic of China toward Taiwan;

(2) aggression by the People's Republic of China toward Taiwan would be a violation of international norms and inconsistent with standards of conduct required for countries enjoying normal trade relations in the United States market; and

(3) the policies of the People's Republic of China violate its obligations under the Protocol on the Accession of the People's Republic of China, including nonmarket practices, intellectual property theft, use of forced labor, and civil-military fusion.

(c) SUSPENSION OF NORMAL TRADE RELATIONS.—If an entity of the People's Republic of China, including the People's Liberation Army, engages in an act of coercion or military aggression that violates the sovereignty or territorial integrity of Taiwan, as determined by the President—

(1) the rates of duty set forth in column 2 of the Harmonized Tariff Schedule of the United States shall apply to all products of the People's Republic of China; and

(2) the President shall proclaim increases in such rates of duty with respect to such products.

SA 939. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 849. COMPETITION OF SMALL BUSINESS CONCERNS FOR DEPARTMENT OF DEFENSE CONTRACTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance ensuring that covered small businesses are better able to compete for Department of Defense contracts.

(b) EXEMPTIONS FROM CAPABILITY REQUIREMENTS.—

(1) WAIVER AUTHORITY.—The guidance issued under subsection (a) shall provide that the Department of Defense may waive capability requirements, including the waiver described in paragraph (2), to allow a covered small business that does not otherwise meet such requirements to bid on a contract, provided that it makes the certification described under paragraph (3).

(2) SPECIAL CONSIDERATION TO PROVIDE INTERIM ACCESS TO CLASSIFIED INFORMATION FOR DEPARTMENT OF DEFENSE CONTRACTORS WITHOUT SECURITY CLEARANCES.—Notwithstanding section 801 of the National Security Act of 1947 (50 U.S.C. 3161) and the procedures established pursuant to such section, the Secretary of Defense may issue a waiver providing a covered small business that has not been determined eligible to access classified information pursuant to such procedures interim access to classified information under such terms and conditions as the Secretary considers appropriate.

(3) CERTIFICATION REQUIREMENT.—In order to qualify for a waiver under paragraph (1), a covered small business shall certify that it will be able to meet the exempted capability requirements within 180 days after the contract award date. The certification shall include a detailed project and financial plan outlining the tasks to be completed, milestones to be achieved, and resources required.

(4) MONITORING AND COMPLIANCE.—

(A) IN GENERAL.—The contracting officer for a contract awarded pursuant to a waiver under paragraph (1) shall closely monitor the contract performance of the covered small business to ensure that sufficient progress is being made and that any issues that arise are promptly addressed.

(B) FAILURE TO MEET CAPABILITY REQUIREMENTS.—If a covered small business awarded a contract pursuant to a waiver under paragraph (1) fails to meet the requirements promised in the certification required under paragraph (3) within 180 days, the covered small business shall be subject to disqualification from consideration for future contracts of similar scope pursuant to ''Termination for Default'' provisions under subpart 49.4 of the Federal Acquisition Regulation.

(c) COVERED SMALL BUSINESS DEFINED.—In this section, the term ''covered small business'' means—

(1) a nontraditional defense contractor, as that term is defined in section 3014 of title 10, United States Code;

(2) a small business concern, as that term is defined in section 3(a) of the Small Business Act (15 U.S.C. 632(a)); and

(3) any other contractor that has not been awarded a Department of Defense contract in the five-year period preceding the solicitation of sources by the Department of Defense.

SA 940. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 316. REQUIREMENTS RELATING TO MINERAL RIGHTS ON INSTALLATIONS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of the Interior shall jointly review the authorities of either Secretary to determine—

(1) whether either Secretary, acting alone or jointly, has the authority to extract or permit the extraction of oil and gas from an installation of the Department of Defense for the sole purpose of utilizing the extracted oil and gas for energy resilience on such installation; and

(2) any additional authorities necessary for the Secretary of Defense or the Secretary of the Interior to extract or allow the extraction of oil and gas from installations of the Department of Defense for such purpose.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of the Interior shall jointly submit to the appropriate committees of Congress a report on the implementation of this section.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

SA 941. Mr. DAINES submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1049. PROHIBITION ON USE OF FUNDS FOR ADULT CABARET PERFORMANCES.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available for the Department of Defense and no facilities owned or operated by Department of Defense may be used to host, advertise, or otherwise support an adult cabaret performance.

(b) DEFINITIONS.—In this section:

(1) ADULT CABARET PERFORMANCE.—The term ''adult cabaret performance'' means a performance that features topless dancers, go-go dancers, exotic dances, strippers, or male or female impersonators who provide entertainment that appeals to prurient interest.

(2) FACILITIES OWNED OR OPERATED BY THE DEPARTMENT OF DEFENSE.—The term ''facilities owned or operated by the Department of Defense'' means any facility owned, operated, or defended by members of the Armed Forces or civilian employees of the Department of Defense, including maritime vessels, OCONUS installations, Department of State facilities, intelligence community facilities, and cemeteries.

(3) HOST, ADVERTISE, OR OTHERWISE SUPPORT.—The term ''host, advertise, or otherwise support'' includes such activities as social media, background checks, transportation or escort, meal services, event venues, non-governmental or non-military related flags, banners, and fliers.

SA 942. Mr. WICKER (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1240A. LEAD INSPECTOR GENERAL FOR UKRAINE ASSISTANCE.

(a) OFFICE OF THE LEAD INSPECTOR GENERAL.—There is established the Office of the Lead Inspector General for Ukraine Assistance to provide for the oversight of independent and objective conduct and supervision of audits and investigations relating to the programs and operations funded with amounts appropriated or their use made available by the United States for Ukraine to defeat the Russian invasion.

(b) APPOINTMENT OF LEAD INSPECTOR GENERAL; REMOVAL.—

(1) APPOINTMENT.—The head of the Office of the Lead Inspector General for Ukraine Assistance shall be known as the Lead Inspector General for Ukraine Assistance (in this section referred to as the ''Lead Inspector General''), who shall be designated by the President.

(2) QUALIFICATIONS.—The appointment of the Lead Inspector General shall be made solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(3) SELECTION.—The Lead Inspector General may be a member of the civil service or Foreign Service and may be selected from among the offices of the Inspectors General.

(4) DEADLINE FOR APPOINTMENT.—The appointment of an individual as Lead Inspector General shall be made not later than 30 days after the date of the enactment of this Act.

(5) PROHIBITION ON POLITICAL ACTIVITIES.—For purposes of section 7324 of title 5, United States Code, the Lead Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(6) REMOVAL.—The Inspectors General shall be removable from office in accordance with the provisions of section 403(b) of title 5, United States Code.

(c) SUPERVISION.—

(1) IN GENERAL.—The Lead Inspector General shall report directly to, and be under the general supervision of, the Secretary of State and the Secretary of Defense.

(2) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the ability of the Inspectors General to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of their oversight responsibilities in accordance with this section with respect to Ukraine.

(d) DUTIES.—The duties of the Lead Inspector General are as follows:

(1) To appoint, from among the offices of the Inspectors General, an Assistant Inspector General, who shall supervise auditing and investigative activities and assist the Lead Inspector General in the discharge of responsibilities under this subsection.

(2) To develop and carry out, in coordination with the offices of the Inspectors General, a joint strategic plan to conduct comprehensive oversight of all military and nonmilitary United States support for Ukraine.

(3) To apply key lessons from prior oversight work, in coordination with the offices of the Inspectors General, to Ukraine response programs and operations to minimize waste, fraud, and abuse.

(4) With respect to military and nonmilitary United States support for Ukraine—

(A) to ensure, through joint or individual audits, inspections, and investigations, independent and effective oversight of—

(i) all funds appropriated or otherwise made available for such support; and

(ii) the programs, operations, and contracts carried out using such funds; and

(B) to review and ascertain the accuracy of information provided by Federal agencies relating to—

(i) obligations and expenditures;

(ii) costs of programs and projects;

(iii) accountability of funds;

(iv) the tracking and monitoring of all lethal and nonlethal security assistance and compliance with end-use certification requirements; and

(v) the award and execution of major contracts, grants, and agreements in support of Ukraine.

(5) To employ, or authorize the employment by the Inspectors General, on a temporary basis using the authorities in section 3161 of title 5, United States Code (without regard to subsection (b)(2) of such section), such auditors, investigators, and other personnel as the Lead Inspector General considers appropriate to carrying out the duties described in this subsection.

(6) To carry out such other responsibilities relating to the coordination and efficient and effective discharge by the Inspectors General of duties relating to United States military and nonmilitary support for Ukraine as the Lead Inspector General shall specify.

(7) To discharge the responsibilities under this subsection in a manner consistent with the authorities and requirements of this section and the authorities and requirements applicable to the Inspectors General under chapter 4 of title 5, United States Code.

(e) DEPLOYMENT OF LEAD INSPECTOR GENERAL STAFF.—

(1) IN GENERAL.—The Office of the Lead Inspector General for Ukraine shall maintain a presence of at least 1 individual in the country of Ukraine at all times.

(2) EVACUATION PLAN.—The Lead Inspector General shall coordinate with the appropriate chief of mission for this purpose and shall maintain a plan to evacuate personnel should it be required.

(3) NOTICE AND JUSTIFICATION.—To any extent that the Lead Inspector General determines that the Office of the Lead Inspector General cannot maintain such a presence in Ukraine, the Lead Inspector General shall notify the appropriate committees of Congress in writing within 7 days of such determination, along with a justification for why the presence could not be maintained.

(f) REPORTS.—

(1) QUARTERLY REPORTS.—

(A) IN GENERAL.—Not later than 30 days after the end of each fiscal-year quarter, the Lead Inspector General shall submit to the appropriate committees of Congress a report summarizing with respect to that quarter and, to the extent possible, the period from the end of such quarter to the date on which the report is submitted, the activities of the Lead Inspector General with respect to programs and operations funded with amounts appropriated or their use made available by the United States for Ukraine.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include, for the period covered by the report—

(i) a description of any identified waste, fraud, or abuse with respect to programs and operations funded with amounts appropriated or their use made available by the United States for Ukraine;

(ii) a description of the status and results of—

(I) investigations, inspections, and audits; and

(II) referrals to the Department of Justice;

(iii) a description of the overall plans for review by the Inspectors General of such support of Ukraine, including plans for investigations, inspections, and audits; and

(iv) an evaluation of the compliance of the Government of Ukraine with all requirements for receiving United States funds, including a description of any area of concern with respect to the ability of the Government of Ukraine to achieve such compliance.

(2) PUBLIC AVAILABILITY.—The Lead Inspector General shall publish on a publicly available internet website each report required by paragraph (1) in English and any other language the Lead Inspector General determines is widely used and understood in Ukraine.

(3) FORM.—Each report required by this subsection shall be submitted in unclassified form, but may include a classified annex if the Lead Inspector General considers it necessary.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to authorize the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

(g) PUBLICATION OF UNITED STATES ASSISTANCE TO UKRAINE.—Not later than 30 days after the date of the enactment of this Act, the President, acting through the Secretary of Defense and Secretary of State, shall publish a comprehensive accounting of amounts

appropriated or their use made available by the United States for Ukraine on a publicly available website of the United States Government.

(h) TERMINATION.—The Office of the Lead Inspector General for Ukraine Assistance shall terminate 180 days after the date on which amounts appropriated or their use made available by the United States for Ukraine are less than the amounts that were appropriated or otherwise available for the military and nonmilitary support of Ukraine on February 24, 2022.

(i) DEFINITIONS.—In this section:

(1) AMOUNTS APPROPRIATED OR THEIR USE MADE AVAILABLE BY THE UNITED STATES FOR UKRAINE.—The term ''amounts appropriated or their use made available by the United States for Ukraine'' means—

(A) amounts appropriated or otherwise made available on or after January 1, 2022, for—

(i) the Ukraine Security Assistance Initiative under section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1608);

(ii) any foreign military financing accessed by the Government of Ukraine;

(iii) the presidential drawdown authority under section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a));

(iv) the defense institution building program under section 332 of title 10, a United States Code;

(v) the building partner capacity program under section 333 of title 10, United States Code;

(vi) the international military education and training program of the Department of State; and

(vii) the United States European Command; and

(B) amounts appropriated or otherwise made available on or after January 1, 2022, for the military, economic, reconstruction, or humanitarian support of Ukraine under any account or for any purpose not described in sub-paragraph (A).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Oversight and Accountability of the House of Representatives.

(3) INSPECTORS GENERAL.—The term ''Inspector General'' means the following:

(A) The Inspector General of the Department of Defense.

(B) The Inspector General of the Department of State.

(C) The Inspector General of the United States Agency for International Development.

SA 943. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10____. SUBMISSION OF REQUESTS FOR ASSISTANCE ALONG THE SOUTHERN BORDER.

(a) IN GENERAL.—The Secretary of Homeland Security shall make every effort to submit a request for assistance for personnel or capabilities along the southern border of the United States not later than 180 days before the requested deployment of such personnel or capabilities.

(b) CONTENTS.— A request for assistance submitted in accordance with subsection (a) shall specify the capabilities necessary to assist the Secretary of Homeland Security and the Commissioner of U.S. Customs and Border Protection in fulfilling the relevant mission along the southern border.

(c) NOTIFICATION REQUIREMENTS.—

(1) ONGOING NOTIFICATIONS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate a notification describing—

(A) efforts by the Department of Homeland Security to develop and transmit to the Department of Defense requests for assistance along the southern border of the United States; and

(B) progress toward ensuring that such requests for assistance are submitted to the Department of Defense not later than 180 days before the requested deployment of such personnel or capabilities.

(2) NOTIFICATION OF TRANSMITTAL.— Upon transmitting a request for assistance to the Department of Defense, the Secretary of Homeland Security shall submit to the appropriate congressional committees a notification of the transmission, which shall include—

(A) a copy of the request for assistance; and

(B) a description of the number of days prior to the requested deployment of such personnel or capabilities the request for assistance was transmitted.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate; and

(2) the Committee on Homeland Security and the Committee on Armed Services of the House of Representatives.

SA 944. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1269. ASSESSMENT OF GIFTS AND GRANTS TO UNITED STATES INSTITUTIONS OF HIGHER EDUCATION FROM ENTITIES ON THE NON-SDN CHINESE MILITARY-INDUSTRIAL COMPLEX COMPANIES LIST.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the appropriate congressional committees an assessment of gifts and grants to United States institutions of higher education from entities on the Non-SDN Chinese Military-Industrial Complex Companies List maintained by the Office of Foreign Assets Control.

(b) ELEMENTS.—The Secretary, in consultation with the Secretary of Education, shall include in the assessment required by subsection (a) an estimate of—

(1) a list and description of each of the gifts and grants provided to United States institutions of higher education by entities described in subsection (a); and

(2) the monetary value of each of those gifts and grants.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(2) GIFTS AND GRANTS.—The term ''gifts and grants'' includes financial contributions, material donations, provision of services, scholarships, fellowships, research funding, infrastructure investment, contracts, or any other form of support that provides a benefit to the recipient institution.

SA 945. Mrs. SHAHEEN (for herself and Mr. ROMNEY) submitted an amendment intended to be proposed by her to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1213. BLACK SEA SECURITY AND DEVELOPMENT STRATEGY.

(a) SHORT TITLE.—This section may be cited as the ''Black Sea Security Act of 2023''.

(b) SENSE OF CONGRESS ON BLACK SEA SECURITY.—It is the sense of Congress that—

(1) it is in the interest of the United States to support efforts to prevent the spread of further armed conflict in Europe by recognizing the Black Sea region as an arena of Russian aggression;

(2) littoral states of the Black Sea are critical in countering aggression by the Government of the Russian Federation and contributing to the collective security of NATO;

(3) the repeated, illegal, unprovoked, and violent attempts of the Russian Federation to expand its territory and control access to the Mediterranean Sea through the Black Sea constitutes a threat to the national security of the United States and NATO;

(4) the United States condemns attempts by the Russian Federation to change or alter boundaries in the Black Sea region by force or any means contrary to international law and to impose a sphere of influence across the region;

(5) the United States condemns Russia's illegitimate territorial claims, including those on the Crimean Peninsula, along Ukraine's territorial waters in the Black Sea and the Sea of Azov, in the Black Sea's international waters, and in the territories it is illegally occupying in Ukraine;

(6) the United States should continue to work within NATO and with NATO allies to develop a long-term strategy to enhance security, establish a permanent, sustainable presence along NATO's eastern flank, and bolster the democratic resilience of its allies and partners in the region;

(7) the United States should consider whether it should work within NATO and with NATO allies to develop a regular, rotational maritime presence in the Black Sea;

(8) the United States should work with the European Union on coordinating a strategy

to support democratic initiatives and economic prosperity in the region, which includes 2 European Union members and 4 European Union aspirant nations;

(9) the United States should work to foster dialogue among countries within the Black Sea region to improve communication and intelligence sharing and increase cyber defense capabilities;

(10) countries with historic and economic ties to Russia are looking to the United States and Europe to provide a positive economic presence in the broader region as a counterbalance to the Russian Federation's malign influence in the region;

(11) it is in the interest of the United States to support and bolster the economic ties between the United States and Black Sea states;

(12) the United States should support the initiative undertaken by central and eastern European states to advance the Three Seas Initiative Fund to strengthen transport, energy, and digital infrastructure connectivity in the region between the Adriatic Sea, Baltic Sea, and Black Sea;

(13) there are mutually beneficial opportunities for increased investment and economic expansion, particularly on energy and transport infrastructure initiatives, between the United States and Black Sea states and the broader region;

(14) improved economic ties between the United States and the Black Sea states and the broader region can lead to a strengthened strategic partnership;

(15) the United States must seek to address the food security challenges arising from disruption of Ukraine's Black Sea and Azov Sea ports, as this global challenge will have critical national security implications for the United States, our partners, and allies;

(16) Turkey, in coordination with the United Nations, has played an important role in alleviating global food insecurity by negotiating two agreements to allow grain exports from Ukrainian ports through a safe corridor in the Black Sea;

(17) Russia has a brutal history of using hunger as a weapon and must be stopped; and

(18) countering the PRC's coercive economic pursuits remains an important policy imperative in order to further integrate the Black Sea states into western economies and improve regional stability.

(c) UNITED STATES POLICY.—It is the policy of the United States—

(1) to actively deter the threat of Russia's further escalation in the Black Sea region and defend freedom of navigation in the Black Sea to prevent the spread of further armed conflict in Europe;

(2) to advocate within NATO, among NATO allies, and within the European Union to develop a long-term coordinated strategy to enhance security, establish a sustainable presence in the eastern flank, and bolster the democratic resilience of United States allies and partners in the region;

(3) to consider whether to advocate within NATO and among NATO allies to develop a regular, rotational maritime presence in the Black Sea;

(4) to support and bolster the economic ties between the United States and Black Sea partners and mobilize the Department of State, the Department of Defense, and other relevant Federal departments and agencies by enhancing the United States presence and investment in Black Sea states;

(5) to provide economic alternatives to the PRC's coercive economic options that destabilize and further erode economic integration of the Black Sea states;

(6) to ensure that the United States continues to support Black Sea states' efforts to strengthen their democratic institutions to prevent corruption and accelerate their advancement into the Euroatlantic community; and

(7) to encourage the initiative undertaken by central and eastern European states to advance the Three Seas Initiative to strengthen transport, energy, and digital infrastructure connectivity in the region between the Adriatic Sea, Baltic Sea, and Black Sea.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Select Committee on Intelligence of the Senate;

(E) the Committee on Energy and Natural Resources of the Senate;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Committee on Appropriations of the House of Representatives;

(I) the Permanent Select Committee on Intelligence of the House of Representatives; and

(J) the Committee on Energy and Commerce of the House of Representatives.

(2) BLACK SEA STATES.—The term ''Black Sea states'' means Turkey, Romania, Bulgaria, Moldova, Ukraine, and Georgia.

(3) PRC.—The term ''PRC'' means the People's Republic of China.

(e) BLACK SEA SECURITY AND DEVELOPMENT STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the National Security Council, in coordination with the Department of State, the Department of Defense, and other relevant Federal departments and agencies, shall direct an interagency strategy with a classified annex—

(1) to increase coordination with NATO and the European Union;

(2) to deepen economic ties;

(3) to strengthen energy security;

(4) to support efforts to bolster their democratic resilience; and

(5) to enhance security assistance with our regional partners in accordance with the values and interests of the United States.

(f) PURPOSE AND OBJECTIVES.—The strategy authorized under subsection (e) shall have the following goals and objectives:

(1) Ensuring the efficient and effective delivery of security assistance to regional partners in accordance with the values and interests of the United States, prioritizing assistance that will bolster defenses and improve interoperability with NATO forces.

(2) Bolstering United States support for the region's energy security and integration with Europe and reducing their dependence on Russia while supporting energy diversification.

(3) Mitigating the impact of economic coercion by the Russian Federation and the PRC on Black Sea states and identifying new opportunities for foreign direct investment from the United States and cooperating countries and the enhancement of United States business ties with regional partners in accordance with the values and interests of the United States.

(4) Increasing high-level engagement between the United States and regional partners, and reinforcing economic growth, financing quality infrastructure, and reinforcing trade with a focus on improving high-level economic cooperation.

(5) Increasing United States coordination with the European Union and NATO to maximize effectiveness and minimize duplication.

(g) ACTIVITIES.—

(1) SECURITY.—The strategy authorized under subsection (e) should include the following elements related to security:

(A) A plan to increase interagency coordination on the Black Sea region.

(B) An assessment of whether a United States-led initiative with NATO allies to increase coordination, presence, and regional engagement among Black Sea states is advisable.

(C) An assessment of whether there is a need to increase security assistance or security cooperation with Black Sea states, focused on Ukraine, Romania, Bulgaria, Moldova, and Georgia.

(D) An assessment of the value of establishing a United States or multinational headquarters on the Black Sea, responsible for planning, readiness, exercises, and coordination of military activity in the greater Black Sea region.

(E) An assessment of the challenges and opportunities of establishing a regular, rotational NATO maritime presence in the Black Sea.

(F) An overview of Foreign Military Financing, International Military Education and Training, and other United States security assistance to the Black Sea region.

(G) A plan for combating Russian disinformation and propaganda in the Black Sea region that utilizes the resources of the United States Government.

(H) A plan to promote greater freedom of navigation to allow for greater security and economic Black Sea access.

(2) ECONOMIC PROSPERITY.—The strategy authorized under subsection (e) shall include the following elements related to economic prosperity:

(A) A strategy to foster dialogue between experts from the United States and from the Black Sea states on economic expansion, foreign direct investment, strengthening rule of law initiatives, and mitigating economic coercion by Russia and the PRC.

(B) A strategy for all the relevant Federal departments and agencies that contribute to United States economic statecraft to expand their presence and identify new opportunities for private investment with regional partners in accordance with the values and interests of the United States.

(C) Assessments on energy diversification, focusing on the immediate need to replace energy supplies from Russia, and recognizing the long-term importance of broader energy diversification.

(D) Assessments of potential food security solutions, including sustainable, long-term arrangements beyond the Black Sea Grain Initiative.

(3) DEMOCRATIC RESILIENCE.—The strategy authorized under subsection (e) shall include the following elements related to democratic resilience:

(A) A strategy to increase independent media and United States-supported media initiatives to combat foreign malign influence in the Black Sea region.

(B) Greater mobilization of initiatives spearheaded by the Department of State and the United States Agency for International Development to counter Russian propaganda and disinformation in the Black Sea region.

(4) REGIONAL CONNECTIVITY.—The strategy authorized under subsection (e) shall promote regional connectivity by sending high-level representatives of the Department of State or other agency partners to—

(A) the Black Sea region not less frequently than twice per year; and

(B) major regional fora on infrastructure and energy security, including the Three Seas Initiative Summit.

(h) IDENTIFICATION OF NECESSARY PROGRAMS AND RESOURCES.—Not later than 360

days after the date of the enactment of this Act, the interagency strategy shall identify any necessary program, policy, or budgetary resources required, by agency, to support the implementation of the Black Sea Security Strategy for fiscal years 2024, 2025, and 2026.

(i) RESPONSIBILITIES OF FEDERAL DEPARTMENTS AND AGENCIES.—Nothing under this section may be construed to authorize the National Security Council to assume any of the responsibilities or authorities of the head of any Federal department, agency, or office, including the foreign affairs responsibilities and authorities of the Secretary of State, to oversee the implementation of programs and policies under this section.

SA 946. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FACILITATION OF INCREASED EQUITY INVESTMENTS UNDER THE BUILD ACT OF 2018.

(a) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—Section 1412 of the BUILD Act of 2018 (22 U.S.C. 9612) is amended by adding at the end the following:

''(d) PRIORITIZATION OF NATIONAL SECURITY INTERESTS.—The Corporation shall prioritize the provision of support under title II in projects that advance core national security interests of the United States.''.

(b) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—Section 1421(c) of the BUILD Act of 2018 (22 U.S.C. 9621(c)) is amended by adding at the end the following:

''(7) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), support provided under paragraph (1) with respect to a project shall be considered to be a Federal credit program that is subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) for purposes of applying the requirements of such Act to such support.

''(B) DETERMINATION OF COST.—

''(i) IN GENERAL.—For purposes of section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5) et seq.) the cost of support provided under paragraph (1) with respect to a project shall be the net present value, at the time when funds are disbursed to provide the support, of the following estimated cash flows:

''(I) The purchase price of the support.

''(II) Dividends, redemptions, and other shareholder distributions during the term of the support.

''(III) Proceeds received upon a sale, redemption, or other liquidation of the support.

''(IV) Adjustments for risk of estimated losses, if any.

''(ii) CHANGES IN TERMS INCLUDED.—The estimated cash flows described in subclauses (I) through (IV) of clause (i) shall include the effects of changes in terms resulting from the exercise of options included in the agreement to provide the support.

''(C) REESTIMATE OF COST.—When the estimated cost of support provided under paragraph (1) with respect to a project made in a single fiscal year is reestimated in a subsequent year, the difference between the reestimated cost and the previous cost estimate shall be paid from the balances available in the Corporate Capital Account established under section 1434.''.

(c) MAXIMUM CONTINGENT LIABILITY.—Section 1433 of the BUILD Act of 2018 (22 U.S.C. 9633) is amended by striking ''$60,000,000,000'' and inserting ''$100,000,000,000''.

(d) FUNDING FOR CORPORATE CAPITAL ACCOUNT.—Section 1434(b) of the BUILD Act of 2018 (22 U.S.C. 9634(b)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

''(6) receipts of reestimated costs received pursuant to section 1421(c).''.

SA 947. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. _____. FOOD INSECURITY AMONG MEMBERS OF THE ARMED FORCES TRANSITIONING OUT OF ACTIVE DUTY SERVICE.

(a) STUDY; EDUCATION AND OUTREACH EFFORTS.—

(1) STUDY.—The Secretary of Defense shall, in conjunction with the Secretary of Veterans Affairs and other Federal officials, as appropriate, conduct a study to identify the means by which members of the Armed Forces are provided information about the availability of Federal nutrition assistance programs as they transition out of active duty service.

(2) EDUCATION AND OUTREACH EFFORTS.—The Secretary of Defense, working with the Secretary of Veterans Affairs and other Federal officials, as appropriate, shall increase education and outreach efforts to members of the Armed Forces who are transitioning out of active duty service, particularly those members identified as being at-risk for food insecurity, to increase awareness of the availability of Federal nutrition assistance programs and eligibility for those programs.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(A) submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the study conducted under paragraph (1); and

(B) publish such report on the website of the Department of Defense.

(b) WORKING GROUP.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Agriculture, shall establish a working group to address, across the Department of Defense, the Department of Veterans Affairs, and the Department of Agriculture, coordination, data sharing, and evaluation efforts on underlying factors contributing to food insecurity among members of the Armed Forces transitioning out of active duty service (in this subsection referred to as the ''working group'').

(2) MEMBERSHIP.—The working group be composed of—

(A) representatives from the Department of Defense, the Department of Veterans Affairs, the Department of Agriculture;

(B) other relevant Federal officials, including those connected to veteran transition programs; and

(C) other relevant stakeholders as determined by the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Agriculture.

(3) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the working group shall submit to each congressional committee with jurisdiction over the Department of Defense, the Department of Veterans Affairs, and the Department of Agriculture a report on the coordination, data sharing, and evaluation efforts described in paragraph (1).

(B) ELEMENTS.—The report required by paragraph (1) shall include the following:

(i) An accounting of the funding each department referred to in subparagraph (A) has obligated toward research relating to food insecurity among members of the Armed Forces or veterans.

(ii) An outline of methods of comparing programs and sharing best practices for addressing food insecurity by each such department.

(iii) An outline of—

(I) the plan each such department has to achieve greater government efficiency and cross-agency coordination, data sharing, and evaluation in addressing food insecurity among members transitioning out of the Armed Forces; and

(II) efforts that the departments can undertake to improve coordination to better address food insecurity as it impacts members during and after their active duty service.

(iv) An identification of—

(I) any legal, technological, or administrative barriers to increased coordination and data sharing in addressing food insecurity among members transitioning out of the Armed Forces; and

(II) any additional authorities needed to increase such coordination and data sharing.

(v) Any other information the Secretary of Defense, the Secretary of Veterans Affairs, or the Secretary of Agriculture determines to be appropriate.

SA 948. Ms. ROSEN (for herself, Ms. ERNST, Ms. DUCKWORTH, and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10____. CREDIT FOR CERTAIN MEMBERS OF THE ARMED FORCES WHO SERVED IN FEMALE CULTURAL SUPPORT TEAMS.

(a) FINDINGS.—Congress finds the following:

(1) In 2010, the Commander of United States Special Operations Command established the Cultural Support Team Program to overcome significant intelligence gaps during the Global War on Terror.

(2) From 2010 through 2021, approximately 310 female members, from every Armed Force, passed and were selected as members of female cultural support teams, and deployed with special operations forces.

(3) Members of female cultural support teams served honorably, demonstrated commendable courage, overcame such intelligence gaps, engaged in direct action, and suffered casualties during the Global War on Terror.

(4) The Federal Government has a duty to recognize members and veterans of female cultural support teams who volunteered to join the Armed Forces, to undergo arduous training for covered service, and to execute dangerous and classified missions in the course of such covered service.

(5) Members who performed covered service have sought treatment from the Department of Veterans Affairs for traumatic brain injuries, post-traumatic stress, and disabling physical trauma incurred in the course of such covered service, but have been denied such care.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that individuals who performed covered service performed exceptional service to the United States.

(c) MILITARY SERVICE: RECORDS; CALCULATION OF RETIRED PAY.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall—

(1) ensure that the performance of covered service is included in—

(A) the military service record of each individual who performed covered service; and

(B) the computation of retired pay for each individual who performed covered service; and

(2) transmit to the Secretary of Veterans Affairs a list of each veteran who performed covered service whose military service record was modified pursuant to paragraph (1).

(d) CLAIMS FOR VETERANS BENEFITS ARISING FROM COVERED SERVICE.—

(1) DETERMINATION OF SERVICE CONNECTION.—Upon the filing of a claim by an individual described in paragraph (3)(C) for service-connected disability or death incurred or aggravated in the course of covered service, the Secretary of Veterans Affairs shall treat such claims as claims based on participation in special operations incidents (as defined in section A of chapter 9 of subpart IV of part VIII of the M21–1 Manual of the Department, or successor).

(2) TREATMENT OF COVERED SERVICE.—In the consideration of a claim under this subsection, the Secretary shall treat covered service as special operations (as defined in section A of chapter 9 of subpart IV of part VIII of the M21–1 Manual of the Department, or successor).

(3) EFFECTIVE DATE OF AWARD.—

(A) IN GENERAL.—Except as provided by subparagraph (B), the effective date of an award under this subsection shall be determined in accordance with section 5110 of title 38, United States Code.

(B) EXCEPTION.—Notwithstanding subsection (g) of such section, the Secretary shall determine the effective date of an award based on a claim under this subsection for an individual described in subparagraph (C) by treating the date on which the individual filed the initial claim specified in clause (i) of such subparagraph as the date on which the individual filed the claim so awarded under this section.

(C) ELIGIBLE INDIVIDUALS.—An individual described in this subparagraph is an individual who performed covered service, or a survivor of such an individual—

(i) who, before the date of the enactment of this Act, submitted a claim for service-connected disability or death of such individual;

(ii) whose such claim was denied by reason of the claim not establishing that the disability or death was service-connected;

(iii) who submits a claim during the period of three years beginning on the date of the enactment of this Act, for the same condition covered by the prior claim under clause; and

(iv) whose such claim is approved pursuant to this subsection.

(4) PROCESSING OF CLAIMS.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall improve training and guidance for employees who may process a claim under this subsection.

(5) OUTREACH.—

(A) IN GENERAL.—The Secretary shall conduct outreach to inform individuals who performed covered service (and survivors of such individuals) that they may submit supplemental claims for service-connected disability or death incurred or aggravated in the course of covered service.

(B) ELEMENTS.—Outreach conducted pursuant to subparagraph (A) shall include the following:

(i) Contact individuals described in subparagraph (A), especially individuals who are veterans included in the list transmitted pursuant to subsection (c)(2) and survivors of such veterans, directly to inform them of the treatment of covered service described in subsection (d)(2) and that they may submit supplemental claims as described in such subparagraph.

(ii) Publishing on the internet website of the Department a notice that such individuals may elect to file a supplemental claim.

(iii) Notifying, in writing or by electronic means, veterans service organizations of the ability of such individuals to file a supplemental claim.

(e) DEFINITIONS.—In this section:

(1) COVERED SERVICE.—The term ''covered service'' means service—

(A) as a member of the Armed Forces;

(B) in a female cultural support team;

(C) with the personnel development skill identifier of R2J or 5DK, or any other validation methods, such as valid sworn statements, officer and enlisted performance evaluations, training certificates, or records of an award from completion of tour with a cultural support team; and

(D) during the period beginning on January 1, 2010, and ending on August 31, 2021.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' has the meaning given such term in section 101 of title 10, United States Code.

(3) SERVICE-CONNECTED.—The term ''service-connected'' has the meaning given such term in section 101 of title 38, United States Code.

(4) VETERAN.—The term ''veteran'' has the meaning given such term in section 101 of title 38, United States Code.

SA 949. Mr. MORAN (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ACCESS TO COMMISSARY AND EXCHANGE PRIVILEGES FOR REMARRIED SPOUSES.

(a) BENEFITS.—Section 1062 of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(a) CERTAIN UNREMARRIED FORMER SPOUSES.—The Secretary of Defense'';

(2) by striking ''commissary and exchange privileges'' and inserting ''use commissary stores and MWR retail facilities'';

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

''(b) CERTAIN REMARRIED SURVIVING SPOUSES.—The Secretary of Defense shall prescribe such regulations as may be necessary to provide that a surviving spouse of a deceased member of the armed forces, regardless of the marital status of the surviving spouse, is entitled to use commissary stores and MWR retail facilities to the same extent and on the same basis as an unremarried surviving spouse of a member of the uniformed services.''; and

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

''(c) MWR RETAIL FACILITIES DEFINED.—In this section, the term 'MWR retail facilities' has the meaning given that term in section 1063(e) of this title.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1062 of title 10, United States Code, is amended to read as follows:

''§ 1062. Certain former spouses and surviving spouses''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 54 of title 10, United States Code, is amended by striking the item relating to section 1062 and inserting the following new item:

''1062. Certain former spouses and surviving spouses.''.

(c) REGULATIONS.—The Secretary of Defense shall publish the regulations required under section 1062(b) of title 10, United States Code, as added by subsection (a)(3), by not later than October 1, 2025.

SA 950. Ms. ERNST (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2___. DISCLOSURE REQUIREMENTS FOR PERSONS PERFORMING RESEARCH OR DEVELOPMENT PROJECTS FOR DEPARTMENT OF DEFENSE.

(a) RESEARCH AND DEVELOPMENT PROJECTS.—Section 4001 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) DISCLOSURE REQUIREMENTS.—Whenever issuing a statement, press release, request for proposals, bid solicitation, or other document describing a project or program that is funded in whole or in part with Federal funding, a person performing a research or development project under paragraph (1) or (5) of subsection (b) shall clearly state the following:

''(1) The percentage of the total costs of the program or project financed with Federal funding.

''(2) The dollar amount of Federal funds obligated for the project or program.

''(3) The percentage and dollar amount of the total costs of the project or program that will be financed from nongovernmental sources.''.

(b) COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS UNDER STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.—Section 4026 of such title is amended—

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(a) AUTHORITY.—The Secretary of Defense'';

(2) in subsection (a), as designated by paragraph (1), in the second sentence, by striking ''Technology may'' and inserting the following:

''(b) TECHNOLOGY TRANSFER.—Technology may''; and

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

''(c) DISCLOSURE REQUIREMENTS.—Whenever issuing a statement, press release, request for proposals, bid solicitation, or other document describing a project or program that is funded in whole or in part with Federal funding, a person performing a research or development project pursuant to a cooperative research and development agreement entered into under subsection (a) shall clearly state the following:

''(1) The percentage of the total costs of the program or project financed with Federal funding.

''(2) The dollar amount of Federal funds obligated for the project or program.

''(3) The percentage and dollar amount of the total costs of the project or program that will be financed from nongovernmental sources.''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should direct the operating divisions of the Department of Defense to design and implement processes to manage and administer grantees' compliance with the requirements added by this section, including determining to what extent to provide guidance to grantees on calculations.

SA 951. Mr. MANCHIN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXI, insert the following:

SEC. _____. CIVIL NUCLEAR EXPORT ACT OF 2023.

(a) SHORT TITLE.—This section may be cited as the ''Civil Nuclear Export Act of 2023''.

(b) MODIFICATION OF PROHIBITION ON FINANCING IN THE EXPORT-IMPORT BANK OF THE UNITED STATES.—Section 2(b)(5) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(5)) is amended, in the first sentence, by inserting '', except any purchase that is otherwise permitted under an agreement made in accordance with section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) or any other applicable law of the United States,'' after ''(C) the purchase''.

(c) EXPANSION OF PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.—Section 2(l)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(l)(1)(B)) is amended—

(1) by redesignating clause (xi) as clause (xii); and

(2) by inserting after clause (x) the following:

''(xi) Civil nuclear facilities, material, and technologies, and related goods and services that support the development of an effective nuclear energy sector.''.

(d) MODIFICATION OF LENDING CAP.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) in paragraph (1), by striking ''applicable amount.'' and inserting ''applicable amount, unless the aggregate amount that is in excess of the applicable amount—

''(A) is attributed by the Bank to loans, guarantees, and insurance under the Program on China and Transformational Exports pursuant to section 2(l); and

''(B) does not exceed $50,000,000,000.'';

(2) in paragraph (3)—

(A) in the header, by striking ''2'' and inserting ''4''; and

(B) by striking ''2 percent'' each place it appears and inserting ''4 percent''; and

(3) by adding at the end the following:

''(5) AUTHORITY TO ATTRIBUTE LOANS, GUARANTEES, AND INSURANCE.—The Bank may attribute any loan, guarantee, or insurance issued under the Program on China and Transformational Exports pursuant to section 2(l) toward the aggregate amount that is in excess of the applicable amount described in paragraph (1) without regard to the date on which the Bank issued such loan, guarantee, or insurance.''.

(e) MODIFICATION OF MONITORING OF DEFAULT RATES.—Section 8(g) of the Export-Import Bank Act of 1945 (12 U.S.C. 635g(g)) is amended—

(1) in paragraph (3), by striking ''2 percent'' each place it appears and inserting ''4 percent'';

(2) in paragraph (4)(B), by striking ''2 percent'' and inserting ''4 percent'';

(3) in paragraph (5)—

(A) in the header, by striking ''2'' and inserting ''4''; and

(B) by striking ''2 percent'' and inserting ''4 percent'';

(4) in paragraph (6), by striking ''2 percent'' and inserting ''4 percent''; and

(5) by adding at the end the following:

''(7) EXCLUSION OF TRANSACTIONS RELATING TO THE PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.—For the purposes of this subsection, if financing provided under the Program on China and Transformational Exports pursuant to section 2(l) results in the default rate calculated under paragraph (1) equaling or exceeding 4 percent, the Bank may exclude such financing, subject to the approval of the Board of Directors.''.

SA 952. Mr. MANCHIN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXI, insert the following:

SEC. 31_____. INTERNATIONAL NUCLEAR ENERGY ACT.

(a) SHORT TITLE.—This section may be cited as the ''International Nuclear Energy Act''.

(b) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) ALLY OR PARTNER NATION.—The term ''ally or partner nation'' means—

(A) the Government of any country that is a member of the Organisation for Economic Co-operation and Development;

(B) the Government of the Republic of India; and

(C) the Government of any country designated as an ally or partner nation by the Secretary of State for purposes of this section.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committees on Foreign Relations and Energy and Natural Resources of the Senate; and

(B) the Committees on Foreign Affairs and Energy and Commerce of the House of Representatives.

(4) ASSISTANT.—The term ''Assistant'' means the Assistant to the President and Director for International Nuclear Energy Policy described in subsection (c)(1)(D).

(5) ASSOCIATED ENTITY.—The term ''associated entity'' means an entity that—

(A) is owned, controlled, or operated by—

(i) an ally or partner nation; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country described in paragraph (2), including a corporation that is incorporated in a country described in that paragraph.

(6) ASSOCIATED INDIVIDUAL.—The term ''associated individual'' means a foreign national who is a national of a country described in paragraph (2).

(7) CIVIL NUCLEAR.—The term ''civil nuclear'' means activities relating to—

(A) nuclear plant construction;

(B) nuclear fuel services;

(C) nuclear energy financing;

(D) nuclear plant operations;

(E) nuclear plant regulation;

(F) nuclear medicine;

(G) nuclear safety;

(H) community engagement in areas in reasonable proximity to nuclear sites;

(I) infrastructure support for nuclear energy;

(J) nuclear plant decommissioning;

(K) nuclear liability;

(L) safe storage and safe disposal of spent nuclear fuel;

(M) environmental safeguards;

(N) nuclear nonproliferation and security; and

(O) technology related to the matters described in subparagraphs (A) through (N).

(8) EMBARKING CIVIL NUCLEAR ENERGY NATION.—

(A) IN GENERAL.—The term ''embarking civil nuclear energy nation'' means a country that—

(i) does not have a civil nuclear program;

(ii) is in the process of developing or expanding a civil nuclear program, including safeguards and a legal and regulatory framework, for—

(I) nuclear safety;

(II) nuclear security;

(III) radioactive waste management;

(IV) civil nuclear energy;

(V) environmental safeguards;

(VI) community engagement in areas in reasonable proximity to nuclear sites;

(VII) nuclear liability; or

(VIII) advanced nuclear reactor licensing;

(iii) is in the process of selecting, developing, constructing, or utilizing advanced light water reactors, advanced nuclear reactors, or advanced civil nuclear technologies; and

(iv) is eligible to receive development lending from the World Bank.

(B) EXCLUSIONS.—The term ''embarking civil nuclear energy nation'' does not include—

(i) the People's Republic of China;

(ii) the Russian Federation;

(iii) the Republic of Belarus;

(iv) the Islamic Republic of Iran;

(v) the Democratic People's Republic of Korea;

(vi) the Republic of Cuba;

(vii) the Bolivarian Republic of Venezuela;

(viii) the Syrian Arab Republic;

(ix) Burma; or

(x) any other country—

(I) the property or interests in property of the government of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(II) the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism for purposes of—

(aa) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(bb) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d));

(cc) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i)); or

(dd) any other relevant provision of law.

(9) NUCLEAR SAFETY.—The term ''nuclear safety'' means issues relating to the design, construction, operation, or decommissioning of nuclear facilities in a manner that provides reasonable assurance of adequate protection of workers, the public, and the environment, including—

(A) the safe operation of nuclear reactors and other nuclear facilities;

(B) radiological protection of—

(i) members of the public;

(ii) workers; and

(iii) the environment;

(C) nuclear waste management;

(D) emergency preparedness;

(E) nuclear liability; and

(F) the safe transportation of nuclear materials.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(11) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(12) U.S. NUCLEAR ENERGY COMPANY.—The term ''U.S. nuclear energy company'' means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(c) WHITE HOUSE FOCAL POINT ON CIVIL NUCLEAR COORDINATION.—

(1) SENSE OF CONGRESS.—Given the critical importance of developing and implementing, with input from various agencies throughout the executive branch, a cohesive policy with respect to international efforts related to civil nuclear energy, it is the sense of Congress that—

(A) there should be a focal point within the White House, which may, if determined to be appropriate, report to the National Security Council, for coordination on issues relating to those efforts;

(B) to provide that focal point, the President should establish, within the Executive Office of the President, an office, to be known as the ''Office of the Assistant to the President and Director for International Nuclear Energy Policy'' (referred to in this subsection as the ''Office'');

(C) the Office should act as a coordinating office for—

(i) international civil nuclear cooperation; and

(ii) civil nuclear export strategy;

(D) the Office should be headed by an individual appointed as an Assistant to the President with the title of ''Director for International Nuclear Energy Policy''; and

(E) the Office should—

(i) coordinate civil nuclear export policies for the United States;

(ii) develop, in coordination with the officials described in paragraph (2), a cohesive Federal strategy for engagement with foreign governments (including ally or partner nations and the governments of embarking civil nuclear energy nations), associated entities, and associated individuals with respect to civil nuclear exports;

(iii) coordinate with the officials described in paragraph (2) to ensure that necessary framework agreements and trade controls relating to civil nuclear materials and technologies are in place for key markets; and

(iv) develop—

(I) a whole-of-government coordinating strategy for civil nuclear cooperation;

(II) a whole-of-government strategy for civil nuclear exports; and

(III) a whole-of-government approach to support appropriate foreign investment in civil nuclear energy projects supported by the United States in embarking civil nuclear energy nations.

(2) OFFICIALS DESCRIBED.—The officials referred to in paragraph (1)(E) are—

(A) appropriate officials of any Federal agency that the President determines to be appropriate; and

(B) appropriate officials representing foreign countries and governments, including—

(i) ally or partner nations;

(ii) embarking civil nuclear energy nations; and

(iii) any other country or government that the Assistant (if appointed) and the officials described in subparagraph (A) jointly determine to be appropriate.

(d) NUCLEAR EXPORTS WORKING GROUP.—

(1) ESTABLISHMENT.—There is established a working group, to be known as the ''Nuclear Exports Working Group'' (referred to in this subsection as the ''working group'').

(2) COMPOSITION.—The working group shall be composed of—

(A) senior-level Federal officials, selected internally by the applicable Federal agency or organization, from any Federal agency or organization that the President determines to be appropriate; and

(B) other senior-level Federal officials, selected internally by the applicable Federal agency or organization, from any other Federal agency or organization that the Secretary determines to be appropriate.

(3) REPORTING.—The working group shall report to the appropriate White House official, which may be the Assistant (if appointed).

(4) DUTIES.—The working group shall coordinate, not less frequently than quarterly, with the Civil Nuclear Trade Advisory Committee of the Department of Commerce, the Nuclear Energy Advisory Committee of the Department of Energy, and other advisory or stakeholder groups, as necessary, to maintain an accurate and up-to-date knowledge of the standing of civil nuclear exports from the United States, including with respect to meeting the targets established as part of the 10-year civil nuclear trade strategy described in paragraph (5)(A).

(5) STRATEGY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the working group shall establish a 10-year civil nuclear trade strategy, including biennial targets for the export of civil nuclear technologies, including light water and non-light water reactors and associated equipment and technologies, civil nuclear materials, and nuclear fuel that align with meeting international energy demand while seeking to avoid or reduce emissions.

(B) COLLABORATION REQUIRED.—In establishing the strategy under subparagraph (A), the working group shall collaborate with—

(i) any Federal agency that the President determines to be appropriate; and

(ii) representatives of private industry.

(e) ENGAGEMENT WITH ALLY OR PARTNER NATIONS.—

(1) IN GENERAL.—The President shall launch, in accordance with applicable nuclear technology export laws (including regulations), an international initiative to modernize the civil nuclear outreach to embarking civil nuclear energy nations.

(2) FINANCING.—In carrying out the initiative described in paragraph (1), the President, acting through an appropriate Federal official, who may be the Assistant (if appointed) or the Chief Executive Officer of the United States International Development Finance Corporation, if determined to be appropriate, and in coordination with the officials described in subsection (c)(2), may, if the President determines to be appropriate, seek to establish cooperative financing relationships for the export of civil nuclear technology, components, materials, and infrastructure to embarking civil nuclear energy nations.

(3) ACTIVITIES.—In carrying out the initiative described in paragraph (1), the President shall—

(A) assist nongovernmental organizations and appropriate offices, administrations, agencies, laboratories, and programs of the Department of Energy and other relevant Federal agencies and offices in providing education and training to foreign governments in nuclear safety, security, and safeguards—

(i) through engagement with the International Atomic Energy Agency; or

(ii) independently, if the applicable entity determines that it would be more advantageous under the circumstances to provide the applicable education and training independently;

(B) assist the efforts of the International Atomic Energy Agency to expand the support provided by the International Atomic Energy Agency to embarking civil nuclear energy nations for nuclear safety, security, and safeguards;

(C) coordinate the work of the Chief Executive Officer of the United States International Development Finance Corporation and coordinate with the President of the Export-Import Bank of the United States to expand outreach to the private investment community to create public-private financing relationships to assist in the adoption of civil nuclear technologies by embarking civil nuclear energy nations, including through exports from the United States;

(D) seek to better coordinate, to the maximum extent practicable, the work carried out by any Federal agency that the President determines to be appropriate; and

(E) coordinate with the Export-Import Bank of the United States to improve the efficient and effective exporting of civil nuclear technologies and materials.

(f) COOPERATIVE FINANCING RELATIONSHIPS WITH ALLY OR PARTNER NATIONS AND EMBARKING CIVIL NUCLEAR ENERGY NATIONS.—

(1) IN GENERAL.—The President, acting through an appropriate Federal official, who may be the Assistant (if appointed) or the Chief Executive Officer of the United States International Development Finance Corporation, if determined to be appropriate, and in coordination with the officials described in subsection (c)(2), shall develop, as the President determines to be appropriate, financing relationships with ally or partner nations to assist in the adoption of civil nuclear technologies exported from the United States or ally or partner nations to embarking civil nuclear energy nations.

(2) UNITED STATES COMPETITIVENESS CLAUSES.—

(A) DEFINITION OF UNITED STATES COMPETITIVENESS CLAUSE.—In this paragraph, the term ''United States competitiveness clause'' means any United States competitiveness provision in any agreement entered into by the Department of Energy, including—

(i) a cooperative agreement;

(ii) a cooperative research and development agreement; and

(iii) a patent waiver.

(B) CONSIDERATION.—In carrying out paragraph (1), the relevant officials described in that paragraph shall consider the impact of United States competitiveness clauses on any financing relationships entered into or proposed to be entered into under that paragraph.

(C) WAIVER.—The Secretary shall facilitate waivers of United States competitiveness clauses as necessary to facilitate financing relationships with ally or partner nations under paragraph (1).

(g) COOPERATION WITH ALLY OR PARTNER NATIONS ON ADVANCED NUCLEAR REACTOR DEMONSTRATION AND COOPERATIVE RESEARCH FACILITIES FOR CIVIL NUCLEAR ENERGY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary and the Secretary of Commerce, shall conduct bilateral and multilateral meetings with not fewer than 5 ally or partner nations, with the aim of enhancing nuclear energy cooperation among those ally or partner nations and the United States, for the purpose of developing collaborative relationships with respect to research, development, licensing, and deployment of advanced nuclear reactor technologies for civil nuclear energy.

(2) REQUIREMENT.—The meetings described in paragraph (1) shall include—

(A) a focus on cooperation to demonstrate and deploy advanced nuclear reactors, with an emphasis on U.S. nuclear energy companies, during the 10-year period beginning on the date of enactment of this Act to provide options for addressing energy security and climate change; and

(B) a focus on developing a memorandum of understanding or any other appropriate agreement between the United States and ally or partner nations with respect to—

(i) the demonstration and deployment of advanced nuclear reactors; and

(ii) the development of cooperative research facilities.

(3) FINANCING ARRANGEMENTS.—In conducting the meetings described in paragraph (1), the Secretary of State, in coordination with the Secretary and the Secretary of Commerce, shall seek to develop financing arrangements to share the costs of the demonstration and deployment of advanced nuclear reactors and the development of cooperative research facilities with the ally or partner nations participating in those meetings.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary, the Secretary of State, and the Secretary of Commerce shall jointly submit to Congress a report highlighting potential partners—

(A) for the establishment of cost-share arrangements described in paragraph (3); or

(B) with which the United States may enter into agreements with respect to—

(i) the demonstration of advanced nuclear reactors; or

(ii) cooperative research facilities.

(h) INTERNATIONAL CIVIL NUCLEAR ENERGY COOPERATION.—Section 959B of the Energy Policy Act of 2005 (42 U.S.C. 16279b) is amended—

(1) in the matter preceding paragraph (1), by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary'';

(2) in subsection (a) (as so designated)—

(A) in paragraph (1)—

(i) by striking ''financing,''; and

(ii) by striking ''and'' after the semicolon at the end;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''preparations for''; and

(ii) in subparagraph (C)(v), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(3) to support, in coordination with the Secretary of State, the safe, secure, and peaceful use of civil nuclear technology in countries developing nuclear energy programs, with a focus on countries that have increased civil nuclear cooperation with the Russian Federation or the People's Republic of China; and

''(4) to promote the fullest utilization of the reactors, fuel, equipment, services, and technology of U.S. nuclear energy companies (as defined in subsection (b) of the International Nuclear Energy Act) in civil nuclear energy programs outside the United States through—

''(A) bilateral and multilateral arrangements developed and executed in coordination with the Secretary of State that contain commitments for the utilization of the reactors, fuel, equipment, services, and technology of U.S. nuclear energy companies (as defined in that subsection);

''(B) the designation of 1 or more U.S. nuclear energy companies (as defined in that subsection) to implement an arrangement under subparagraph (A) if the Secretary determines that the designation is necessary and appropriate to achieve the objectives of this section;

''(C) the waiver of any provision of law relating to competition with respect to any activity related to an arrangement under subparagraph (A) if the Secretary, in consultation with the Attorney General and the Secretary of Commerce, determines that a waiver is necessary and appropriate to achieve the objectives of this section; and

''(D) the issuance of loans, loan guarantees, other financial assistance, or assistance in the form of an equity interest to carry out activities related to an arrangement under subparagraph (A), to the extent appropriated funds are available.''; and

(3) by adding at the end the following:

''(b) REQUIREMENTS.—The program under subsection (a) shall be supported in consultation with the Secretary of State and implemented by the Secretary—

''(1) to facilitate, to the maximum extent practicable, workshops and expert-based exchanges to engage industry, stakeholders, and foreign governments with respect to international civil nuclear issues, such as—

''(A) training;

''(B) financing;

''(C) safety;

''(D) security;

''(E) safeguards;

''(F) liability;

''(G) advanced fuels;

''(H) operations; and

''(I) options for multinational cooperation with respect to the disposal of spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)); and

''(2) in coordination with any Federal agency that the President determines to be appropriate.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out subsection (a)(3) $15,500,000 for each of fiscal years 2023 through 2027.''.

(i) INTERNATIONAL CIVIL NUCLEAR PROGRAM SUPPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), shall launch an international initiative (referred to in this subsection as the ''initiative'') to provide financial assistance to, and facilitate the building of technical capacities by, in accordance with this subsection, embarking civil nuclear energy nations for activities relating to the development of civil nuclear energy programs.

(2) FINANCIAL ASSISTANCE.—

(A) IN GENERAL.—In carrying out the initiative, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may award grants of financial assistance to embarking civil nuclear energy nations in accordance with this paragraph—

(i) for activities relating to the development of civil nuclear energy programs; and

(ii) to facilitate the building of technical capacities for those activities.

(B) AMOUNT.—The amount of a grant of financial assistance under subparagraph (A) shall be not more than $5,500,000.

(C) LIMITATIONS.—The Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may award—

(i) not more than 1 grant of financial assistance under subparagraph (A) to any 1 embarking civil nuclear energy nation each fiscal year; and

(ii) not more than a total of 5 grants of financial assistance under subparagraph (A) to any 1 embarking civil nuclear energy nation.

(3) SENIOR ADVISORS.—

(A) IN GENERAL.—In carrying out the initiative, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may provide financial assistance to an embarking civil nuclear energy nation for the purpose of contracting with a U.S. nuclear energy company to hire 1 or more senior advisors to assist the embarking civil nuclear energy nation in establishing a civil nuclear program.

(B) REQUIREMENT.—A senior advisor described in subparagraph (A) shall have relevant experience and qualifications to advise the embarking civil nuclear energy nation on, and facilitate on behalf of the embarking civil nuclear energy nation, 1 or more of the following activities:

(i) The development of financing relationships.

(ii) The development of a standardized financing and project management framework for the construction of nuclear power plants.

(iii) The development of a standardized licensing framework for—

(I) light water civil nuclear technologies; and

(II) non-light water civil nuclear technologies and advanced nuclear reactors.

(iv) The identification of qualified organizations and service providers.

(v) The identification of funds to support payment for services required to develop a civil nuclear program.

(vi) Market analysis.

(vii) The identification of the safety, security, safeguards, and nuclear governance required for a civil nuclear program.

(viii) Risk allocation, risk management, and nuclear liability.

(ix) Technical assessments of nuclear reactors and technologies.

(x) The identification of actions necessary to participate in a global nuclear liability regime based on the Convention on Supplementary Compensation for Nuclear Damage, with Annex, done at Vienna September 12, 1997 (TIAS 15–415).

(xi) Stakeholder engagement.

(xii) Management of spent nuclear fuel and nuclear waste.

(xiii) Any other major activities to support the establishment of a civil nuclear program, such as the establishment of export, financing, construction, training, operations, and education requirements.

(C) CLARIFICATION.—Financial assistance under this paragraph may be provided to an

embarking civil nuclear energy nation in addition to any financial assistance provided to that embarking civil nuclear energy nation under paragraph (2).

(4) LIMITATION ON ASSISTANCE TO EMBARKING CIVIL NUCLEAR ENERGY NATIONS.—Not later than 1 year after the date of enactment of this Act, the Offices of the Inspectors General for the Department of State and the Department of Energy shall coordinate—

(A) to establish and submit to the appropriate committees of Congress a joint strategic plan to conduct comprehensive oversight of activities authorized under this subsection to prevent fraud, waste, and abuse; and

(B) to engage in independent and effective oversight of activities authorized under this subsection through joint or individual audits, inspections, investigations, or evaluations.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State to carry out the initiative $50,000,000 for each of fiscal years 2023 through 2027.

(j) BIENNIAL CABINET-LEVEL INTERNATIONAL CONFERENCE ON NUCLEAR SAFETY, SECURITY, SAFEGUARDS, AND SUSTAINABILITY.—

(1) IN GENERAL.—The President, in coordination with international partners, as determined by the President, and industry, shall hold a biennial conference on civil nuclear safety, security, safeguards, and sustainability (referred to in this subsection as a ''conference'').

(2) CONFERENCE FUNCTIONS.—It is the sense of Congress that each conference should—

(A) be a forum in which ally or partner nations may engage with each other for the purpose of reinforcing the commitment to—

(i) nuclear safety, security, safeguards, and sustainability;

(ii) environmental safeguards; and

(iii) local community engagement in areas in reasonable proximity to nuclear sites; and

(B) facilitate—

(i) the development of—

(I) joint commitments and goals to improve—

(aa) nuclear safety, security, safeguards, and sustainability;

(bb) environmental safeguards; and

(cc) local community engagement in areas in reasonable proximity to nuclear sites;

(II) stronger international institutions that support nuclear safety, security, safeguards, and sustainability;

(III) cooperative financing relationships to promote competitive alternatives to Chinese and Russian financing;

(IV) a standardized financing and project management framework for the construction of civil nuclear power plants;

(V) a standardized licensing framework for civil nuclear technologies;

(VI) a strategy to change internal policies of multinational development banks, such as the World Bank, to support the financing of civil nuclear projects;

(VII) a document containing any lessons learned from countries that have partnered with the Russian Federation or the People's Republic of China with respect to civil nuclear power, including any detrimental outcomes resulting from that partnership; and

(VIII) a global civil nuclear liability regime;

(ii) cooperation for enhancing the overall aspects of civil nuclear power, such as—

(I) nuclear safety, security, safeguards, and sustainability;

(II) nuclear laws (including regulations);

(III) waste management;

(IV) quality management systems;

(V) technology transfer;

(VI) human resources development;

(VII) localization;

(VIII) reactor operations;

(IX) nuclear liability; and

(X) decommissioning; and

(iii) the development and determination of the mechanisms described in subparagraphs (G) and (H) of subsection (k)(1), if the President intends to establish an Advanced Reactor Coordination and Resource Center as described in that subsection.

(3) INPUT FROM INDUSTRY AND GOVERNMENT.—It is the sense of Congress that each conference should include a meeting that convenes nuclear industry leaders and leaders of government agencies with expertise relating to nuclear safety, security, safeguards, or sustainability to discuss best practices relating to—

(A) the safe and secure use, storage, and transport of nuclear and radiological materials;

(B) managing the evolving cyber threat to nuclear and radiological security; and

(C) the role that the nuclear industry should play in nuclear and radiological safety, security, and safeguards, including with respect to the safe and secure use, storage, and transport of nuclear and radiological materials, including spent nuclear fuel and nuclear waste.

(k) ADVANCED REACTOR COORDINATION AND RESOURCE CENTER.—

(1) IN GENERAL.—The President shall consider the feasibility of leveraging existing activities or frameworks or, as necessary, establishing a center, to be known as the ''Advanced Reactor Coordination and Resource Center'' (referred to in this subsection as the ''Center''), for the purposes of—

(A) identifying qualified organizations and service providers—

(i) for embarking civil nuclear energy nations;

(ii) to develop and assemble documents, contracts, and related items required to establish a civil nuclear program; and

(iii) to develop a standardized model for the establishment of a civil nuclear program that can be used by the International Atomic Energy Agency;

(B) coordinating with countries participating in the Center and with the Nuclear Exports Working Group established under subsection (d)—

(i) to identify funds to support payment for services required to develop a civil nuclear program;

(ii) to provide market analysis; and

(iii) to create—

(I) project structure models;

(II) models for electricity market analysis;

(III) models for nonelectric applications market analysis; and

(IV) financial models;

(C) identifying and developing the safety, security, safeguards, and nuclear governance required for a civil nuclear program;

(D) supporting multinational regulatory standards to be developed by countries with civil nuclear programs and experience;

(E) developing and strengthening communications, engagement, and consensus-building;

(F) carrying out any other major activities to support export, financing, education, construction, training, and education requirements relating to the establishment of a civil nuclear program;

(G) developing mechanisms for how to fund and staff the Center; and

(H) determining mechanisms for the selection of the location or locations of the Center.

(2) OBJECTIVE.—The President shall carry out paragraph (1) with the objective of establishing the Center if the President determines that it is feasible to do so.

(l) INVESTMENT BY ALLIES AND PARTNERS OF THE UNITED STATES.—

(1) COMMERCIAL LICENSES.—Section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is amended, in the second sentence—

(A) by inserting ''for a production facility'' after ''No license''; and

(B) by striking ''any any'' and inserting ''any''.

(2) MEDICAL THERAPY AND RESEARCH DEVELOPMENT LICENSES.—Section 104 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(d)) is amended, in the second sentence, by inserting ''for a production facility'' after ''No license''.

(m) STRATEGIC INFRASTRUCTURE FUND WORKING GROUP.—

(1) ESTABLISHMENT.—There is established a working group, to be known as the ''Strategic Infrastructure Fund Working Group'' (referred to in this subsection as the ''working group'') to provide input on the feasibility of establishing a program to support strategically important capital-intensive infrastructure projects.

(2) COMPOSITION.—The working group shall be—

(A) led by a White House official, who may be the Assistant (if appointed), who shall serve as the White House focal point with respect to matters relating to the working group; and

(B) composed of—

(i) senior-level Federal officials, selected by the head of the applicable Federal agency or organization, from any Federal agency or organization that the President determines to be appropriate;

(ii) other senior-level Federal officials, selected by the head of the applicable Federal agency or organization, from any other Federal agency or organization that the Secretary determines to be appropriate; and

(iii) any senior-level Federal official selected by the White House official described in subparagraph (A) from any Federal agency or organization.

(3) REPORTING.—The working group shall report to the National Security Council.

(4) DUTIES.—The working group shall—

(A) provide direction and advice to the officials described in subsection (c)(2)(A) and appropriate Federal agencies, as determined by the working group, with respect to the establishment of a Strategic Infrastructure Fund (referred to in this paragraph as the ''Fund'') to be used—

(i) to support those aspects of projects relating to—

(I) civil nuclear technologies; and

(II) microprocessors; and

(ii) for strategic investments identified by the working group; and

(B) address critical areas in determining the appropriate design for the Fund, including—

(i) transfer of assets to the Fund;

(ii) transfer of assets from the Fund;

(iii) how assets in the Fund should be invested; and

(iv) governance and implementation of the Fund.

(5) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the working group shall submit to the committees described in subparagraph (B) a report on the findings of the working group that includes suggested legislative text for how to establish and structure a Strategic Infrastructure Fund.

(B) COMMITTEES DESCRIBED.—The committees referred to in subparagraph (A) are—

(i) the Committee on Foreign Relations, the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Finance of the Senate; and

(ii) the Committee on Foreign Affairs, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Ways and Means of the House of Representatives.

(C) ADMINISTRATION OF THE FUND.—The report submitted under subparagraph (A) shall include suggested legislative language requiring all expenditures from a Strategic Infrastructure Fund established in accordance with this subsection to be administered by the Secretary of State (or a designee of the Secretary of State).

(n) NOTIFICATION WITH RESPECT TO SAFETY AND SECURITY OF NEW EXPORTS OF ADVANCED NUCLEAR REACTORS.—Before the United States may export an advanced nuclear reactor to a country that has not previously received an advanced nuclear reactor from the United States, the Secretary, in coordination with the Secretary of State, shall provide a notification to the appropriate committees of Congress that addresses whether the country—

(1) is technically equipped to safely operate and maintain the advanced nuclear reactor; and

(2) has a transparency plan in place for oversight of any assistance received from the United States Government for the purpose of purchasing the advanced nuclear reactor.

(o) ENSURING CONTINUED SAFETY AND SECURITY OVERSIGHT OF ENHANCED ENERGY COOPERATION.—

(1) BRIEFING REQUIRED.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, the Secretary of Defense, and the Secretary (or their designees) shall jointly brief the committees of Congress described in subparagraph (B) on the procedures being used to mitigate any nuclear proliferation risks of—

(i) any recommendations for enhanced energy cooperation that may emerge from the meetings described in subsection (g)(1); or

(ii) any new exports of advanced nuclear reactors.

(B) COMMITTEES OF CONGRESS DESCRIBED.—The committees of Congress referred to in subparagraph (A) are—

(i) the Committees on Foreign Relations, Energy and Natural Resources, and Armed Services of the Senate; and

(ii) the Committees on Foreign Affairs, Energy and Commerce, and Armed Services of the House of Representatives.

(2) PROHIBITION ON EXPORTS OF NUCLEAR REACTORS TO CERTAIN COUNTRIES.—On and after the date of the enactment of this Act, an advanced nuclear reactor may not be exported from the United States to a country unless that country—

(A) has signed an additional protocol to its safeguards agreement with the International Atomic Energy Agency;

(B) has put in place a comprehensive safeguards agreement and is working toward signing an additional protocol with the International Atomic Energy Agency; or

(C) is party to a civilian nuclear cooperation agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) (commonly known as a ''123 Agreement'').

(p) JOINT ASSESSMENT BETWEEN THE UNITED STATES AND INDIA ON NUCLEAR LIABILITY RULES.—

(1) IN GENERAL.—The Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, shall establish and maintain within the U.S.-India Strategic Security Dialogue a joint consultative mechanism with the Government of the Republic of India that convenes on a recurring basis—

(A) to assess the implementation of the Agreement for Cooperation between the Government of the United States of America and the Government of India Concerning Peaceful Uses of Nuclear Energy, signed at Washington October 10, 2008 (TIAS 08–1206);

(B) to discuss opportunities for the Republic of India to align domestic nuclear liability rules with international norms; and

(C) to develop a strategy for the United States and the Republic of India to pursue bilateral and multilateral diplomatic engagements related to analyzing and implementing those opportunities.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, shall submit to the appropriate committees of Congress a report that describes the joint assessment developed pursuant to paragraph (1)(A).

(q) LESSONS LEARNED FROM THE ZAPORIZHZHYA NUCLEAR POWER PLANT.—

(1) BRIEFING.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of State (or a designee of the Secretary of State) shall provide a briefing to the appropriate committees of Congress regarding the capture of the Zaporizhzhya nuclear power plant by Russian armed forces.

(B) REQUIREMENTS.—The briefing required by subparagraph (A) shall focus on—

(i) events leading up to the capture of the Zaporizhzhya nuclear power plant by Russian armed forces;

(ii) ongoing efforts to ensure the continued operation of the reactor and the safety and security of the plant;

(iii) efforts to mitigate potential risks to the surrounding civilian population; and

(iv) any safety and security measures implemented since the capture.

(2) REPORT.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report outlining lessons learned from attacks on the Zaporizhzhya nuclear power plant, including—

(i) the efforts to ensure the safety and security of the Zaporizhzhya nuclear power plant;

(ii) how those lessons can be applied to other nuclear sites in Ukraine while there is an ongoing threat of armed conflict in Ukraine; and

(iii) how those lessons could apply to other nuclear power plants in the event of armed conflict.

(B) FORM OF REPORT.—The report required by subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

SA 953. Mr. OSSOFF (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 5____. PROVISION OF FOOD ASSISTANCE PROGRAM INFORMATION AS PART OF TRANSITION ASSISTANCE PROGRAM.

Section 1142(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(20) Information and counseling developed and provided in consultation with the Secretary of Agriculture, regarding Federal food and nutrition assistance programs, including the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) and the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).''.

SA 954. Mr. LANKFORD (for himself and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle A—Border Patrol Pay and Training Enhancements

SEC. _____1. SHORT TITLE.

This subtitle may be cited as the ''Border Patrol Enhancement Act''.

SEC. _____2. AUTHORIZED STAFFING LEVEL FOR THE UNITED STATES BORDER PATROL.

(a) DEFINITIONS.—In this subtitle:

(1) QUALIFIED RESEARCH ENTITY.—The term ''qualified research entity'' means an independent, not-for-profit, federally funded research entity with appropriate expertise and analytical capability to analyze and validate the personnel requirements determination model.

(2) VALIDATED PERSONNEL REQUIREMENTS DETERMINATION MODEL.—The term ''validated personnel requirements determination model'' means a determination of the number of United States Border Patrol agents needed to meet the critical mission requirements of the United States Border Patrol to maintain an orderly process for migrants entering the United States, that has been validated by a qualified research entity pursuant to subsection (c).

(b) UNITED STATES BORDER PATROL PERSONNEL REQUIREMENTS DETERMINATION MODEL.—

(1) COMPLETION; NOTICE.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall complete a personnel requirements determination model for United States Border Patrol that builds on the 5-year United States Border Patrol staffing and deployment plan referred to on page 33 of House of Representatives Report 112–91 (May 26, 2011) and submit a notice of completion to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Director of the Office of Personnel Management; and

(D) the Comptroller General of the United States.

(2) CERTIFICATION.—Not later than 30 days after the completion of the personnel requirements determination model described in paragraph (1), the Commissioner shall submit a copy of such model, an explanation of its development, and a strategy for obtaining independent verification of such model, to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Office of Personnel Management; and

(D) the Comptroller General of the United States.

(c) INDEPENDENT STUDY OF PERSONNEL REQUIREMENTS DETERMINATION MODEL.—

(1) REQUIREMENT FOR STUDY.—Not later than 90 days after the completion of the personnel requirements determination model pursuant to subsection (b)(1), the Secretary of Homeland Security shall select a qualified research entity that is technically, managerially, and financially independent from the Department of Homeland Security to conduct an independent verification and validation of the model.

(2) REPORTS.—

(A) TO SECRETARY.—Not later than 1 year after the completion of the personnel requirements determination model under subsection (b)(1), the entity performing the independent verification and validation of the model shall submit a report to the Secretary of Homeland Security that includes—

(i) the results of the study conducted pursuant to paragraph (1); and

(ii) any recommendations regarding the model that such entity considers to be appropriate.

(B) TO CONGRESS.—Not later than 30 days after receiving the report described in subparagraph (A), the Secretary of Homeland Security shall submit such report, along with any additional views or recommendations regarding the personnel requirements determination model, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(d) AUTHORITY TO HIRE ADDITIONAL PERSONNEL.—Beginning on the date that is 180 days after receiving a report from a qualified research entity pursuant to subsection (c)(2) that validates the personnel requirements determination model and after implementing any recommendations to improve or update such model, the Secretary of Homeland Security may hire, train, and assign 600 or more United States Border Patrol agents above the attrition level during every fiscal year until the number of active agents meets the level recommended by the validated personnel requirements determination model, provided that such model has been validated by the qualified research entity.

SEC. _____3. ESTABLISHMENT OF HIGHER RATES OF REGULARLY SCHEDULED OVERTIME PAY FOR UNITED STATES BORDER PATROL AGENTS CLASSIFIED AT GS–12.

Section 5550 of title 5, United States Code, is amended by adding at the end the following:

''(h) SPECIAL OVERTIME PAY FOR GS–12 BORDER PATROL AGENTS.—

''(1) IN GENERAL.—Notwithstanding paragraphs (1)(F), (2)(C), and (3)(C) of subsection (b), a border patrol agent encumbering a position at grade GS–12 shall receive a special overtime payment under this subsection for hours of regularly scheduled work described in paragraph (2)(A)(ii) or (3)(A)(ii) of subsection (b), as applicable, that are credited to the agent through actual performance of work, crediting under rules for canine agents under subsection (b)(1)(F), or substitution of overtime hours in the same work period under subsection (f)(2)(A), except that no such payment may be made for periods of absence resulting in an hours obligation under paragraph (3) or (4) of subsection (f).

''(2) COMPUTATION.—The special overtime payment authorized under paragraph (1) shall be computed by multiplying the credited hours by 50 percent of the border patrol agent's hourly rate of basic pay, rounded to the nearest cent.

''(3) LIMITATIONS.—The special overtime payment authorized under paragraph (1)—

''(A) is not considered basic pay for retirement under section 8331(3) or 8401(4) or for any other purpose;

''(B) is not payable during periods of paid leave or other paid time off; and

''(C) is not considered in computing an agent's lump-sum annual leave payment under sections 5551 and 5552.''.

SEC. _____4. GAO ASSESSMENT OF RECRUITING EFFORTS, HIRING REQUIREMENTS, AND RETENTION OF LAW ENFORCEMENT PERSONNEL.

The Comptroller General of the United States shall—

(1) conduct an assessment of U.S. Customs and Border Protection's—

(A) efforts to recruit law enforcement personnel;

(B) hiring process and job requirements relating to such recruitment; and

(C) retention of law enforcement personnel, including the impact of employee compensation on such retention efforts; and

(2) not later than 2 years after the date of the enactment of this Act, submit a report containing the results of such assessment to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

SEC. _____5. CONTINUING TRAINING.

(a) IN GENERAL.—The Commissioner shall require all United States Border Patrol agents and other employees or contracted employees designated by the Commissioner, to participate in annual continuing training to maintain and update their understanding of—

(1) Department of Homeland Security policies, procedures, and guidelines;

(2) the fundamentals of law, ethics, and professional conduct;

(3) applicable Federal law and regulations;

(4) precedential legal rulings, including Federal Circuit Court and United States Supreme Court opinions relating to the duty of care and treatment of persons in the custody of the United States Border Patrol that the Commissioner determines are relevant to active duty agents;

(5) applicable migration trends that the Commissioner determines are relevant;

(6) best practices for coordinating with community stakeholders; and

(7) any other information that the Commissioner determines to be relevant to active duty agents.

(b) TRAINING SUBJECTS.—Continuing training under this subsection shall include training regarding—

(1) non-lethal use of force policies available to United States Border Patrol agents and de-escalation strategies and methods;

(2) identifying, screening, and responding to vulnerable populations, such as children, persons with diminished mental capacity, victims of human trafficking, pregnant mothers, victims of gender-based violence, victims of torture or abuse, and the acutely ill;

(3) trends in transnational criminal organization activities that impact border security and migration;

(4) policies, strategies, and programs—

(A) to protect due process, the civil, human, and privacy rights of individuals, and the private property rights of land owners;

(B) to reduce the number of migrant and agent deaths; and

(C) to improve the safety of agents on patrol;

(5) personal resilience;

(6) anti-corruption and officer ethics training;

(7) current migration trends, including updated cultural and societal issues of nations that are a significant source of migrants who are—

(A) arriving at a United States port of entry to seek humanitarian protection; or

(B) encountered at a United States international boundary while attempting to enter without inspection;

(8) the impact of border security operations on natural resources and the environment, including strategies to limit the impact of border security operations on natural resources and the environment;

(9) relevant cultural, societal, racial, and religious training, including cross-cultural communication skills;

(10) training authorized under the Prison Rape Elimination Act of 2003 (42 U.S.C. 15601 et seq.);

(11) risk management and safety training that includes agency protocols for ensuring public safety, personal safety, and the safety of persons in the custody of the Department of Homeland Security;

(12) non-lethal, self-defense training; and

(13) any other training that meets the requirements to maintain and update the subjects identified in subsection (a).

(c) COURSE REQUIREMENTS.—Courses offered under this section—

(1) shall be administered by the United States Border Patrol, in consultation with the Federal Law Enforcement Training Center; and

(2) shall be approved in advance by the Commissioner of U.S. Customs and Border Protection to ensure that such courses satisfy the requirements for training under this section.

(d) ASSESSMENT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that assesses the training and education provided pursuant to this section, including continuing education.

(e) FREQUENCY REQUIREMENTS.—Training offered as part of continuing education under this section shall include—

(1) annual courses focusing on the curriculum described in paragraphs (1) through (6) of subsection (b); and

(2) biannual courses focusing on curriculum described in paragraphs (7) through (12) of subsection (b).

SEC. _____6. REPORTING REQUIREMENTS.

(a) RECRUITMENT AND RETENTION REPORT.—The Comptroller General of the United States shall—

(1) conduct a study of the recruitment and retention of female agents in the United States Border Patrol that examines—

(A) the recruitment, application processes, training, promotion, and other aspects of employment for women in the United States Border Patrol;

(B) the training, complaints system, and redress for sexual harassment and assault; and

(C) additional issues related to recruitment and retention of female Border Patrol agents; and

(2) not later than 1 year after the date of the enactment of this Act, submit a report containing the results of such study and recommendations for addressing any identified deficiencies or opportunities for improvement to—

(A) the Commissioner of U.S. Customs and Border Protection;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(b) IMPLEMENTATION REPORT.—Not later than 90 days after receiving the recruitment and retention report required under subsection (a), the Commissioner shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that describes the status of the Commissioner's efforts to implement any recommendations included in recruitment and retention report.

SA 955. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Fighting Post-traumatic Stress Disorder; Controlled Substance Act Amendments

SEC. 1091. FIGHTING POST-TRAUMATIC STRESS DISORDER.

(a) FINDINGS.—Congress finds the following:

(1) Public safety officers serve their communities with bravery and distinction in order to keep their communities safe.

(2) Public safety officers, including police officers, firefighters, emergency medical technicians, and 911 dispatchers, are on the front lines of dealing with situations that are stressful, graphic, harrowing, and life-threatening.

(3) The work of public safety officers puts them at risk for developing post-traumatic stress disorder and acute stress disorder.

(4) It is estimated that 30 percent of public safety officers develop behavioral health conditions at some point in their lifetimes, including depression and post-traumatic stress disorder, in comparison to 20 percent of the general population that develops such conditions.

(5) Victims of post-traumatic stress disorder and acute stress disorder are at a higher risk of dying by suicide.

(6) Firefighters have been reported to have higher suicide attempt and ideation rates than the general population.

(7) It is estimated that between 125 and 300 police officers die by suicide every year.

(8) In 2019, pursuant to section 2(b) of the Law Enforcement Mental Health and Wellness Act of 2017 (Public Law 115–113; 131 Stat. 2276), the Director of the Office of Community Oriented Policing Services of the Department of Justice developed a report (referred to in this section as the ''LEMHWA report'') that expressed that many law enforcement agencies do not have the capacity or local access to the mental health professionals necessary for treating their law enforcement officers.

(9) The LEMHWA report recommended methods for establishing remote access or regional mental health check programs at the State or Federal level.

(10) Individual police and fire departments generally do not have the resources to employ full-time mental health experts who are able to treat public safety officers with state-of-the-art techniques for the purpose of treating job-related post-traumatic stress disorder and acute stress disorder.

(b) PROGRAMMING FOR POST-TRAUMATIC STRESS DISORDER.—

(1) DEFINITIONS.—In this subsection:

(A) PUBLIC SAFETY OFFICER.—The term ''public safety officer''—

(i) has the meaning given the term in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284); and

(ii) includes Tribal public safety officers.

(B) PUBLIC SAFETY TELECOMMUNICATOR.—The term ''public safety telecommunicator'' means an individual who—

(i) operates telephone, radio, or other communication systems to receive and communicate requests for emergency assistance at 911 public safety answering points and emergency operations centers;

(ii) takes information from the public and other sources relating to crimes, threats, disturbances, acts of terrorism, fires, medical emergencies, and other public safety matters; and

(iii) coordinates and provides information to law enforcement and emergency response personnel.

(2) REPORT.—Not later than 150 days after the date of enactment of this Act, the Attorney General, acting through the Director of the Office of Community Oriented Policing Services of the Department of Justice, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on—

(A) not fewer than 1 proposed program, if the Attorney General determines it appropriate and feasible to do so, to be administered by the Department of Justice for making state-of-the-art treatments or preventative care available to public safety officers and public safety telecommunicators with regard to job-related post-traumatic stress disorder or acute stress disorder by providing public safety officers and public safety telecommunicators access to evidence-based trauma-informed care, peer support, counselor services, and family supports for the purpose of treating or preventing post-traumatic stress disorder or acute stress disorder;

(B) a draft of any necessary grant conditions required to ensure that confidentiality is afforded to public safety officers on account of seeking the care or services described in subparagraph (A) under the proposed program;

(C) how each proposed program described in subparagraph (A) could be most efficiently administered throughout the United States at the State, Tribal, territorial, and local levels, taking into account in-person and telehealth capabilities;

(D) a draft of legislative language necessary to authorize each proposed program described in subparagraph (A); and

(E) an estimate of the amount of annual appropriations necessary for administering each proposed program described in subparagraph (A).

(3) DEVELOPMENT.—In developing the report required under paragraph (2), the Attorney General shall consult relevant stakeholders, including—

(A) Federal, State, Tribal, territorial, and local agencies employing public safety officers and public safety telecommunicators; and

(B) non-governmental organizations, international organizations, academies, or other entities, including organizations that support the interests of public safety officers and public safety telecommunicators and the interests of family members of public safety officers and public safety telecommunicators.

SEC. 1092. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT.

Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) by redesignating paragraph (58) as paragraph (59);

(2) by redesignating the second paragraph designated as paragraph (57) (relating to the definition of ''serious drug felony'') as paragraph (58); and

(3) by moving paragraphs (57), (58) (as so redesignated), and (59) (as so redesignated) 2 ems to the left.

SA 956. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 2882. MODIFICATION OF PILOT PROGRAM ON ESTABLISHMENT OF ACCOUNT FOR REIMBURSEMENT FOR USE OF TESTING FACILITIES AT INSTALLATIONS OF THE DEPARTMENT OF THE AIR FORCE.

(a) IN GENERAL.—Section 2862 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81; 10 U.S.C. 9771 note prec.) is amended—

(1) in subsection (a), by striking ''testing'' and inserting ''Major Range and Test Facility Base (MRTFB)'';

(2) in subsection (b), by inserting '', have Major Range and Test Facility Base facilities,'' after ''construct'';

(3) by amending subsection (c) to read as follows:

''(c) OVERSIGHT OF FUNDS.—

''(1) USE OF AMOUNTS.—The commander of an installation selected to participate in the pilot program may obligate or expend amounts reimbursed under the pilot program for projects at the installation.

''(2) DESIGNATION OF MAINTENANCE COSTS.—

''(A) IN GENERAL.—The commander of an installation selected to participate in the pilot program may designate the appropriate amount of maintenance costs to be charged to users of Major Range and Test Facility Base facilities under the pilot program.

''(B) USE OF MAINTENANCE COST REIMBURSEMENTS.—Maintenance cost reimbursements under subparagraph (A) for an installation may be used either singly or in combination with appropriated funds to satisfy the costs of maintenance projects at the installation.

''(3) OVERSIGHT.—The commander of an installation selected for the pilot program shall have direct oversight over amounts reimbursed to the installation under the pilot program for Facility, Sustainment, Restoration, and Modernization.'';

(4) by redesignating subsection (e) as subsection (f);

(5) by inserting after subsection (d) the following new subsection (e):

''(e) NO REDUCTION OF APPROPRIATION.—In order to allow full assessment of the viability of the pilot program, appropriations to installations selected to participate in the pilot program for Facility, Sustainment, Restoration, and Modernization shall not be reduced on the basis of participation in the pilot program or usage of the pilot program reimbursements and realized reimbursements from customers under the pilot program shall not be used as a basis for reduction of such appropriations.''; and

(6) in subsection (f) as redesignated by paragraph (2), by striking ''December 1, 2026'' and inserting ''December 1, 2027''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADER.—The header for such section is amended to read as follows:

''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.''.

(2) TABLE OF CONTENTS.—The table of contents for the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) and the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117–81) are each amended by striking the item relating to section 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.''.

SA 957. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

In subtitle D of title XXXI, add at the end the following:

SEC. 31___. RESEARCH SECURITY.

Section 10114(a)(3) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 18912(a)(3)) is amended—

(1) in subparagraph (D), by striking ''or'' at the end;

(2) by redesignating subparagraph (E) as subparagraph (F); and

(3) by inserting after subparagraph (D) the following:

''(E) a State-owned enterprise of a country of risk; or''.

SA 958. Mr. SULLIVAN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title IX, insert the following:

SEC. 9___. DEPARTMENT OF DEFENSE A JOINT PANEL TO REVIEW TECHNOLOGIES AND PROCESSES RELATED TO COMBINED JOINT ALL DOMAIN COMMAND AND CONTROL.

(a) ESTABLISHMENT.—The Secretary of Defense shall convene a joint panel consisting of senior representatives from the Department of Defense, private sector companies, and industry associations to identify, form, and promote technologies that will rapidly advance the interoperability of military platforms necessary for Combined Joint All Domain Command and Control (CJADC2).

(b) TECHNOLOGY AREAS TO REVIEW.—The joint panel convened pursuant to subsection (a) shall review technology areas applicable to Combined Joint All Domain Command and Control, including the following:

(1) Enterprise level technical standards and protocols.

(2) Artificial intelligence and machine learning technologies.

(3) Data requirements.

(4) Advanced communications technologies.

(5) Networking technologies.

(6) Enterprise and edge cloud technologies.

(7) Interoperability technologies.

(8) The Third Generation Partnership Program (3GPP) and the National Information Exchange Model (NIEM) of the mobile telecommunications industry.

(c) MEETINGS.—The joint panel convened pursuant to subsection (a) shall meet as determined by the Secretary but not less frequently than annually.

(d) PUBLICATION.—The Secretary may publish recommendations of the joint panel to promote interoperability of military platforms and the development and deployment of Combined Joint All Domain Command and Control enabling capabilities.

(e) INAPPLICABILITY OF FACA.—The meetings and discussion of the joint panel shall not be subject to the requirements of chapter 10 of title 5, United States Code.

SA 959. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10___. NATIONAL SECURITY AGENCY STRATEGY ON COLLABORATING WITH DEVELOPERS OF DUAL-USE ARTIFICIAL INTELLIGENCE PRODUCTS.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Security Agency shall develop and submit to the appropriate committees of Congress a strategy on collaborating with United States persons who are developing dual-use artificial intelligence products, including foundation models, in order to share cybersecurity and cyber threat information, provide network security and threat mitigation guidance, and provide cyber assistance to persons developing dual-use artificial intelligence products upon request.

(b) COLLABORATION WITH OTHER AGENCIES.—The Director may collaborate with such government agencies with expertise in cybersecurity and artificial intelligence as the Director considers appropriate for the development of the strategy required by subsection (a) and any future implementation of such strategy.

(c) FUNDING.—Funding used to carry out this section shall solely be derived from amounts appropriated or otherwise made available for the Information Security Systems Program.

(d) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 960. Mrs. FEINSTEIN (for herself, Mr. RUBIO, Mr. PADILLA, Mr. BRAUN, Mr. SCOTT of Florida, and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by her to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Space National Guard Establishment Act

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Space National Guard Establishment Act''.

SEC. 1092. ESTABLISHMENT OF SPACE NATIONAL GUARD.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a Space National Guard that is part of the organized militia of the several States and Territories, Puerto Rico, and the District of Columbia—

(A) in which the Space Force operates; and

(B) active and inactive.

(2) RESERVE COMPONENT.—There is established a Space National Guard of the United States that is the reserve component of the United States Space Force all of whose members are members of the Space National Guard.

(b) COMPOSITION.—The Space National Guard shall be composed of the Space National Guard forces of the several States and Territories, Puerto Rico, and the District of Columbia—

(1) in which the Space Force operates; and

(2) active and inactive.

SEC. 1093. NO EFFECT ON MILITARY INSTALLATIONS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to authorize or require the relocation of any facility, infrastructure, or military installation of the Space National Guard or Air National Guard.

SEC. 1094. IMPLEMENTATION OF SPACE NATIONAL GUARD.

(a) REQUIREMENT.—Except as specifically provided by this subtitle, the Secretary of the Air Force and the Chief of the National Guard Bureau shall implement this subtitle, and the amendments made by this subtitle, not later than 18 months after the date of the enactment of this Act.

(b) BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually for the five subsequent years, the Secretary of the Air Force, the Chief of the Space Force, and the Chief of the National Guard Bureau shall jointly provide to the congressional defense committees a briefing on the status of the implementation of the Space National Guard pursuant to this subtitle and the amendments made by this subtitle.

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

(A) the current missions, operations and activities, personnel requirements and status, and budget and funding requirements and status of the Space National Guard; and

(B) such other matters with respect to the implementation and operation of the Space National Guard as the Secretary and the Chiefs jointly determine appropriate to keep Congress fully and currently informed on the status of the implementation of the Space National Guard.

SEC. 1095. CONFORMING AMENDMENTS AND CLARIFICATION OF AUTHORITIES.

(a) DEFINITIONS.—

(1) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended—

(A) in section 101—

(i) in subsection (c)—

(I) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(II) by inserting after paragraph (5) the following new paragraphs:

''(6) The term 'Space National Guard' means that part of the organized militia of the several States and territories, Puerto Rico, and the District of Columbia, active and inactive, that—

''(A) is a space force;

''(B) is trained, and has its officers appointed under the sixteenth clause of section 8, article I of the Constitution;

''(C) is organized, armed, and equipped wholly or partly at Federal expense; and

''(D) is federally recognized.

''(7) The term 'Space National Guard of the United States' means the reserve component of the Space Force all of whose members are members of the Space National Guard.''; and

(B) in section 10101—

(i) in the matter preceding paragraph (1), by inserting ''the following'' before the colon; and

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

''(8) The Space National Guard of the United States.''.

(2) TITLE 32, UNITED STATES CODE.—Section 101 of title 32, United States Code is amended—

(A) by redesignating paragraphs (8) through (19) as paragraphs (10) through (21), respectively; and

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

''(8) The term 'Space National Guard' means that part of the organized militia of the several States and territories, Puerto Rico, and the District of Columbia, in which the Space Force operates, active and inactive, that—

''(A) is a space force;

''(B) is trained, and has its officers appointed under the sixteenth clause of section 8, article I of the Constitution;

''(C) is organized, armed, and equipped wholly or partly at Federal expense; and

''(D) is federally recognized.

''(9) The term 'Space National Guard of the United States' means the reserve component of the Space Force all of whose members are members of the Space National Guard.''.

(b) RESERVE COMPONENTS.—Chapter 1003 of title 10, United States Code, is amended—

(1) by adding at the end the following new sections:

''§ 10115. Space National Guard of the United States: composition

''The Space National Guard of the United States is the reserve component of the Space Force that consists of—

''(1) federally recognized units and organizations of the Space National Guard; and

''(2) members of the Space National Guard who are also Reserves of the Space Force.

''§ 10116. Space National Guard: when a component of the Space Force

''The Space National Guard while in the service of the United States is a component of the Space Force.

''§ 10117. Space National Guard of the United States: status when not in Federal service

''When not on active duty, members of the Space National Guard of the United States shall be administered, armed, equipped, and trained in their status as members of the Space National Guard.''; and

(2) in the table of sections at the beginning of such chapter, by adding at the end the following new items:

''10115. Space National Guard of the United States: composition.

''10116. Space National Guard: when a component of the Space Force.

''10117. Space National Guard of the United States: status when not in Federal service.''.

SA 961. Mr. ROUNDS (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. 16___. CONTROL AND MANAGEMENT OF DEPARTMENT OF DEFENSE DATA AND ESTABLISHMENT OF CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.

(a) CONTROL AND MANAGEMENT OF DEPARTMENT OF DEFENSE DATA.—The Chief Digital and Artificial Intelligence Officer of the Department of Defense shall maintain the authority, but not the requirement, to access and control, on behalf of the Secretary of Defense, of all data collected, acquired, accessed, or utilized by Department of Defense components consistent with section 1513 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 4001 note).

(b) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.—Paragraph (3) of section 238(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061) is amended to read as follows:

''(3) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER GOVERNING COUNCIL.—

''(A) ESTABLISHMENT.—(i) The Secretary shall establish a council to provide policy oversight to ensure the responsible, coordinated, and ethical employment of data and artificial intelligence capabilities across Department of Defense missions and operations.

''(ii) The council established pursuant to clause (i) shall be known as the 'Chief Digital and Artificial Intelligence Officer Governing Council' (in this paragraph the 'Council').

''(B) MEMBERSHIP.—The Council shall be composed of the following:

''(i) Joint Staff J–6.

''(ii) The Under Secretary of Defense for Acquisition and Sustainment.

''(iii) The Under Secretary of Defense for Research and Evaluation.

''(iv) The Under Secretary of Defense for Intelligence and Security.

''(v) The Under Secretary of Defense for Policy.

''(vi) The Director of Cost Analysis and Program Evaluation.

''(vii) The Chief Information Officer of the Department.

''(viii) The Director of Administration and Management.

''(ix) The service acquisition executives of each of the military departments.

''(C) HEAD OF COUNCIL.—The Council shall be headed by the Chief Digital and Artificial Intelligence Officer of the Department.

''(D) MEETINGS.—The Council shall meet not less frequently than twice each fiscal year.

''(E) DUTIES OF COUNCIL.—The duties of the Council are as follows:

''(i) To streamline the organizational structure of the Department as it relates to artificial intelligence development, implementation, and oversight.

''(ii) To improve coordination on artificial intelligence governance with the defense industry sector.

''(iii) To establish and oversee artificial intelligence guidance on ethical requirements and protections for usage of artificial intelligence supported by Department funding and reduces or mitigates instances of unintended bias in artificial intelligence algorithms.

''(iv) To identify, monitor, and periodically update appropriate recommendations for operational usage of artificial intelligence.

''(v) To review, as the head of the Council considers necessary, artificial intelligence program funding to ensure that any Department investment in an artificial intelligence tool, system, or algorithm adheres to all Department established policy related to artificial intelligence.

''(vi) To provide periodic status updates on the efforts of the Department to develop and implement artificial intelligence into existing Department programs and processes.

''(vii) To provide guidance on access and distribution restrictions relating to data, models, tool sets, or testing or validation infrastructure.

''(viii) to implement and oversee a data and artificial intelligence educational program for the purpose of familiarizing the Department at all levels on the applications of artificial intelligence in their operations.

''(ix) To implement and oversee a data decree scorecard.

''(x) Such other duties as the Council determines appropriate.

''(F) PERIODIC REPORTS.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024 and not less frequently than once every 18 months thereafter, the Council shall submit to the Secretary and the congressional defense committees a report on the activities of the Council during the period covered by the report.''.

SA 962. Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. KAINE, Mr. SCHATZ, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 935 proposed by Mr. SCHUMER (for Mr. REED (for himself and Mr. WICKER)) to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

Strike sections 6801 through 6841 of division F and insert the following:

SEC. 6801. DEFINITIONS.

In this title:

(1) ACTIVITIES NECESSARY FOR THE SAFE HOSTING AND OPERATION OF NUCLEAR-POWERED SUBMARINES.—The term ''activities necessary for the safe hosting and operation of nuclear-powered submarines'' means each of the following activities as it relates to Virginia class and Astute class submarines, as appropriate, and in accordance with applicable United States Navy or other Government agency instructions, regulations, and standards:

(A) Maintenance.

(B) Training.

(C) Technical oversight.

(D) Safety certifications.

(E) Physical, communications, operational, cyber, and other security measures.

(F) Port operations and infrastructure support.

(G) Storage, including spare parts, repair parts, and munitions.

(H) Hazardous material handling and storage.

(I) Information technology systems.

(J) Support functions, including those related to medical, quality-of-life, and family needs.

(K) Such other related tasks as may be specified by the Secretary of Defense.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(3) AUKUS PARTNERSHIP.—

(A) IN GENERAL.—The term ''AUKUS partnership'' means the enhanced trilateral security partnership between Australia, the United Kingdom, and the United States announced in September 2021.

(B) PILLARS.—The AUKUS partnership includes the following two pillars:

(i) Pillar One is focused on developing a pathway for Australia to acquire conventionally armed, nuclear-powered submarines.

(ii) Pillar Two is focused on enhancing trilateral collaboration on advanced defense capabilities, including hypersonic and counter hypersonic capabilities, quantum technologies, undersea technologies, and artificial intelligence.

(4) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means subchapter M of chapter I of title 22, Code of Federal Regulations (or successor regulations).

Subtitle A—Outlining the AUKUS Partnership

SEC. 6811. STATEMENT OF POLICY ON THE AUKUS PARTNERSHIP.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the AUKUS partnership is integral to United States national security, increasing United States and allied capability in the undersea domain of the Indo-Pacific, and developing cutting edge military capabilities;

(2) the transfer of conventionally armed, nuclear-powered submarines to Australia, if implemented appropriately, will position the United States and its allies to maintain peace and security in the Indo-Pacific;

(3) the transfer of conventionally armed, nuclear-powered submarines to Australia will be safely implemented with the highest nonproliferation standards in alignment with—

(A) safeguards established by the International Atomic Energy Agency; and

(B) the Additional Protocol to the Agreement between Australia and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Vienna September 23, 1997;

(4) the United States will enter into a mutual defense agreement with Australia, modeled on the 1958 bilateral mutual defense agreement with the United Kingdom, for the sole purpose of facilitating the transfer of naval nuclear propulsion technology to Australia;

(5) working with the United Kingdom and Australia to develop and provide joint advanced military capabilities to promote security and stability in the Indo-Pacific will have tangible impacts on United States military effectiveness across the world;

(6) in order to better facilitate cooperation under Pillar 2 of the AUKUS partnership, it is imperative that every effort be made to streamline United States export controls consistent with necessary and reciprocal security safeguards on United States technology at least comparable to those of the United States;

(7) the trade authorization mechanism for the AUKUS partnership administered by the Department is a critical first step in reimagining the United States export control system to carry out the AUKUS partnership and expedite technology sharing and defense trade among the United States, Australia, and the United Kingdom; and

(8) the vast majority of United States defense trade with Australia is conducted through the Foreign Military Sales (FMS) process, the preponderance of defense trade with the United Kingdom is conducted through Direct Commercial Sales (DCS), and efforts to streamline United States export controls should focus on both Foreign Military Sales and Direct Commercial Sales.

SEC. 6812. SENIOR ADVISOR FOR THE AUKUS PARTNERSHIP AT THE DEPARTMENT OF STATE.

(a) IN GENERAL.—There shall be a Senior Advisor for the AUKUS partnership at the Department, who—

(1) shall report directly to the Secretary; and

(2) may not hold another position in the Department concurrently while holding the position of Senior Advisor for the AUKUS partnership.

(b) DUTIES.—The Senior Advisor shall—

(1) be responsible for coordinating efforts related to the AUKUS partnership across the Department, including the bureaus engaged in nonproliferation, defense trade, security assistance, and diplomatic relations in the Indo-Pacific;

(2) serve as the lead within the Department for implementation of the AUKUS partnership in interagency processes, consulting with counterparts in the Department of Defense, the Department of Commerce, the Department of Energy, the Office of Naval Reactors, and any other relevant agencies;

(3) lead diplomatic efforts related to the AUKUS partnership with other governments to explain how the partnership will enhance security and stability in the Indo-Pacific; and

(4) consult regularly with the appropriate congressional committees, and keep such committees fully and currently informed, on issues related to the AUKUS partnership, including in relation to the AUKUS Pillar 1 objective of supporting Australia's acquisition of conventionally armed, nuclear-powered submarines and the Pillar 2 objective of jointly developing advanced military capabilities to support security and stability in the Indo-Pacific, as affirmed by the President of the United States, the Prime Minister of the United Kingdom, and the Prime Minister of Australia on April 5, 2022.

(c) PERSONNEL TO SUPPORT THE SENIOR ADVISOR.—The Secretary shall ensure that the Senior Advisor is adequately staffed, including through encouraging details, or assignment of employees of the Department, with expertise related to the implementation of the AUKUS partnership, including staff with expertise in—

(1) nuclear policy, including nonproliferation;

(2) defense trade and security cooperation, including security assistance; and

(3) relations with respect to political-military issues in the Indo-Pacific and Europe.

(d) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and not later than 90 days after a Senior Advisor assumes such position, the Secretary shall notify the appropriate congressional committees of the number of full-time equivalent positions, relevant expertise, and duties of any employees of the Department or detailees supporting the Senior Advisor.

(e) SUNSET.—

(1) IN GENERAL.—The position of the Senior Advisor for the AUKUS partnership shall terminate on the date that is 8 years after the date of the enactment of this Act.

(2) RENEWAL.—The Secretary may renew the position of the Senior Advisor for the AUKUS partnership for 1 additional period of 4 years, following notification to the appropriate congressional committees of the renewal.

Subtitle B—Authorization for Submarine Transfers, Support, and Infrastructure Improvement Activities

SEC. 6821. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY ACTIVITIES.

(a) AUTHORIZATION TO TRANSFER SUBMARINES.—

(1) IN GENERAL.—Subject to paragraphs (3), (4), and (11), the President may, under section 21 of the Arms Export Control Act (22 U.S.C. 2761)—

(A) transfer not more than two Virginia class submarines from the inventory of the United States Navy to the Government of Australia on a sale basis; and

(B) transfer not more than one additional Virginia class submarine to the Government of Australia on a sale basis.

(2) REQUIREMENTS NOT APPLICABLE.—A sale carried out under paragraph (1)(B) shall not be subject to the requirements of—

(A) section 36 of the Arms Export Control Act (22 U.S.C. 2776); or

(B) section 8677 of title 10, United States Code.

(3) CERTIFICATION; BRIEFING.—

(A) PRESIDENTIAL CERTIFICATION.—The President may exercise the authority provided by paragraph (1) not earlier than 60 days after the date on which the President certifies to the appropriate congressional committees that any submarine transferred under such authority shall be used to support the joint security interests and military operations of the United States and Australia.

(B) WAIVER OF CHIEF OF NAVAL OPERATIONS CERTIFICATION.—The requirement for the Chief of Naval Operations to make a certification under section 8678 of title 10, United States Code, shall not apply to a transfer under paragraph (1).

(C) BRIEFING.—Not later than 90 days before the sale of any submarine under paragraph (1), the Secretary of the Navy shall provide to the appropriate congressional committees a briefing on—

(i) the impacts of such sale to the readiness of the submarine fleet of the United States, including with respect to maintenance timelines, deployment-to-dwell ratios, training, exercise participation, and the ability to meet combatant commander requirements;

(ii) the impacts of such sale to the submarine industrial base of the United States, including with respect to projected maintenance requirements, acquisition timelines for spare and replacement parts, and future procurement of Virginia class submarines for the submarine fleet of the United States; and

(iii) other relevant topics as determined by the Secretary of the Navy.

(4) REQUIRED MUTUAL DEFENSE AGREEMENT.—Before any transfer occurs under subsection (a), the United States and Australia shall have a mutual defense agreement in place, which shall—

(A) provide a clear legal framework for the sole purpose of Australia's acquisition of conventionally armed, nuclear-powered submarines; and

(B) meet the highest nonproliferation standards for the exchange of nuclear materials, technology, equipment, and information between the United States and Australia.

(5) SUBSEQUENT SALES.—A sale of a Virginia class submarine that occurs after the sales described in paragraph (1) may occur only if such sale is explicitly authorized in legislation enacted after the date of the enactment of this Act.

(6) COSTS OF TRANSFER.—Any expense incurred by the United States in connection with a transfer under paragraph (1) shall be charged to the Government of Australia.

(7) CREDITING OF RECEIPTS.—Notwithstanding any provision of law pertaining to the crediting of amounts received from a sale under section 21 of the Arms Export Control Act (22 U.S.C. 2761), any funds received by the United States pursuant to a transfer under paragraph (1) shall—

(A) be credited, at the discretion of the President, to—

(i) the fund or account used in incurring the original obligation for the acquisition of submarines transferred under paragraph (1);

(ii) an appropriate fund or account available for the purposes for which the expenditures for the original acquisition of submarines transferred under paragraph (1) were made; or

(iii) any other fund or account available for the purpose specified in paragraph (8)(B); and

(B) remain available for obligation until expended.

(8) USE OF FUNDS.—Subject to paragraphs (9) and (10)(A), the President may use funds received pursuant to a transfer under paragraph (1)—

(A) for the acquisition of submarines to replace the submarines transferred to the Government of Australia; or

(B) for improvements to the submarine industrial base of the United States.

(9) PLAN FOR USE OF FUNDS.—Before any use of any funds received pursuant to a transfer under paragraph (1), the President shall submit to the appropriate congressional committees a plan detailing how such funds will be used, including specific amounts and purposes.

(10) NOTIFICATION AND REPORT.—

(A) ACHIEVEMENT.—Not later than 30 days before the date of the first delivery of a submarine under paragraph (1), the President shall notify the appropriate congressional committees that—

(i) Submarine Rotational Forces-West Full Operational Capability to support 4 rotationally deployed Virginia class submarines and one Astute class submarine has been achieved, including the Government of Australia having demonstrated the domestic capacity to fully perform all the associated activities necessary for the safe hosting and operation of nuclear-powered submarines; and

(ii) Australia Sovereign-Ready Initial Operational Capability to support a Royal Australian Navy Virginia class submarine has been achieved, including the Government of Australia having demonstrated the domestic capacity to fully perform all the associated—

(I) activities necessary for the safe hosting and operation of nuclear-powered submarines;

(II) crewing;

(III) operations;

(IV) regulatory and emergency procedures, including those specific to nuclear power plants; and

(V) detailed planning for enduring Virginia class submarine ownership, including each significant event leading up to and including nuclear defueling.

(B) AMOUNTS.—Not later than 30 days after the date of any transfer under paragraph (1), and upon any transfer or depositing of funds received pursuant to such a transfer, the President shall notify the appropriate congressional committees of—

(i) the amount of funds received pursuant to the transfer; and

(ii) the specific account or fund into which the funds described in clause (i) are deposited.

(C) ANNUAL REPORT.—Not later than November 30 of each year until 1 year after the date on which all funds received pursuant to transfers under paragraph (1) have been fully expended, the President shall submit to the committees described in subparagraph (A) a report that includes an accounting of how funds received pursuant to transfers under paragraph (1) were used in the fiscal year preceding the fiscal year in which the report is submitted.

(11) APPLICABILITY OF EXISTING LAW TO TRANSFER OF SPECIAL NUCLEAR MATERIAL AND UTILIZATION FACILITIES FOR MILITARY APPLICATIONS.—

(A) IN GENERAL.—With respect to any special nuclear material for use in utilization facilities or any portion of a submarine transferred under paragraph (1) constituting utilization facilities for military applications under section 91 of the Atomic Energy Act of 1954 (42 U.S.C. 2121), transfer of such material or such facilities shall occur only in accordance with such section 91.

(B) USE OF FUNDS.—The President may use proceeds from a transfer described in subparagraph (A) for the acquisition of submarine naval nuclear propulsion plants and nuclear fuel to replace propulsion plants and fuel transferred to the Government of Australia.

(b) REPAIR AND REFURBISHMENT OF AUKUS SUBMARINES.—Section 8680 of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) REPAIR AND REFURBISHMENT OF CERTAIN SUBMARINES.—

''(1) SHIPYARD.—Notwithstanding any other provision of this section, and subject to paragraph (2), the President shall determine the appropriate public or private shipyard in the United States, Australia, or the United Kingdom to perform any repair or refurbishment of a United States submarine involved in submarine security activities between the United States, Australia, and the United Kingdom.

''(2) CONDITIONS.—

''(A) IN GENERAL.—The President may determine under paragraph (1) that repair or refurbishment described in such paragraph may be performed in Australia or the United Kingdom only if—

''(i) such repair or refurbishment will facilitate the development of repair or refurbishment capabilities in the United Kingdom or Australia;

''(ii) such repair or refurbishment will be for a United States submarine that is assigned to a port outside of the United States; or

''(iii) the Secretary of Defense certifies to Congress that performing such repair or refurbishment at a shipyard in Australia or the United Kingdom is required due to an exigent threat to the national security interests of the United States.

''(B) CONSIDERATION.—In making a determination under subparagraph (A), the President shall consider any effects of such determination on the capacity and capability of shipyards in the United States.

''(C) BRIEFING REQUIRED.—Not later than 15 days after the date on which the Secretary of Defense makes a certification under subparagraph (A)(iii), the Secretary shall brief the congressional defense committees on—

''(i) the threat that requires the use of a shipyard in Australia or the United Kingdom; and

''(ii) opportunities to mitigate the future potential need to leverage foreign shipyards.

''(3) PERSONNEL.—Repair or refurbishment described in paragraph (1) may be carried out by personnel of the United States, the United Kingdom, or Australia in accordance with the international arrangements governing the submarine security activities described in such paragraph.''.

SEC. 6822. ACCEPTANCE OF CONTRIBUTIONS FOR AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY ACTIVITIES; AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.

(a) ACCEPTANCE AUTHORITY.—The President may accept from the Government of Australia contributions of money made by the Government of Australia for use by the Department of Defense in support of non-nuclear related aspects of submarine security activities between Australia, the United Kingdom, and the United States (AUKUS).

(b) ESTABLISHMENT OF AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.—

(1) IN GENERAL.—There is established in the Treasury of the United States a special account to be known as the ''AUKUS Submarine Security Activities Account''.

(2) CREDITING OF CONTRIBUTIONS OF MONEY.—Contributions of money accepted by the President under subsection (a) shall be credited to the AUKUS Submarine Security Activities Account.

(3) AVAILABILITY.—Amounts credited to the AUKUS Submarine Security Activities Account shall remain available until expended.

(c) USE OF AUKUS SUBMARINE SECURITY ACTIVITIES ACCOUNT.—

(1) IN GENERAL.—Subject to paragraph (2), and only after September 30, 2025, the President may use funds in the AUKUS Submarine Security Activities Account—

(A) for any purpose authorized by law that the President determines would support submarine security activities between Australia, the United Kingdom, and the United States;

(B) to carry out a military construction project related to the AUKUS partnership that is not otherwise authorized by law;

(C) to develop and increase the submarine industrial base workforce by investing in recruiting, training, and retaining key specialized labor at public and private shipyards; or

(D) to upgrade facilities, equipment, and infrastructure needed to repair and maintain submarines at public and private shipyards .

(2) PLAN FOR USE OF FUNDS.—Before any use of any funds in the AUKUS Submarine Security Activities Account, the President shall submit to the appropriate congressional committees a plan detailing—

(A) the amount of funds in the AUKUS Submarine Security Activities Account; and

(B) how such funds will be used, including specific amounts and purposes.

(d) TRANSFERS OF FUNDS.—

(1) IN GENERAL.—In carrying out subsection (c) and subject to paragraphs (2) and (5), the President may transfer funds available in the AUKUS Submarine Security Activities Account to an account or fund available to the Department of Defense or any other appropriate agency.

(2) DEPARTMENT OF ENERGY.—In carrying out subsection (c), and in accordance with the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), the President may transfer funds available in the AUKUS Submarine Security Activities Account to an account or fund available to the Department of Energy to

carry out activities related to submarine security activities between Australia, the United Kingdom, and the United States.

(3) AVAILABILITY FOR OBLIGATION.—Funds transferred under this subsection shall be available for obligation for the same time period and for the same purpose as the account or fund to which transferred.

(4) TRANSFER BACK TO ACCOUNT.—Upon a determination by the President that all or part of the funds transferred from the AUKUS Submarine Security Activities Account are not necessary for the purposes for which such funds were transferred, and subject to paragraph (5), all or such part of such funds shall be transferred back to the AUKUS Submarine Security Activities Account.

(5) NOTIFICATION AND REPORT.—

(A) NOTIFICATION.—The President shall notify the appropriate congressional committees of—

(i) before the transfer of any funds under this subsection—

(I) the amount of funds to be transferred; and

(II) the planned or anticipated purpose of such funds; and

(ii) before the obligation of any funds transferred under this subsection—

(I) the amount of funds to be obligated; and

(II) the purpose of the obligation.

(B) ANNUAL REPORT.—Not later than November 30 of each year until 1 year after the date on which all funds transferred under this subsection have been fully expended, the President shall submit to the committees described in subparagraph (A) a report that includes a detailed accounting of—

(i) the amount of funds transferred under this subsection during the fiscal year preceding the fiscal year in which the report is submitted; and

(ii) the purposes for which such funds were used.

(e) INVESTMENT OF MONEY.—

(1) AUTHORIZED INVESTMENTS.—The President may invest money in the AUKUS Submarine Security Activities Account in securities of the United States or in securities guaranteed as to principal and interest by the United States.

(2) INTEREST AND OTHER INCOME.—Any interest or other income that accrues from investment in securities referred to in paragraph (1) shall be deposited to the credit of the AUKUS Submarine Security Activities Account.

(f) RELATIONSHIP TO OTHER LAWS.—The authority to accept or transfer funds under this section is in addition to any other authority to accept or transfer funds.

SEC. 6823. AUSTRALIA, UNITED KINGDOM, AND UNITED STATES SUBMARINE SECURITY TRAINING.

(a) IN GENERAL.—The President may transfer or export directly to private individuals in Australia defense services that may be transferred to the Government of Australia under the Arms Export Control Act (22 U.S.C. 2751 et seq.) to support the development of the submarine industrial base of Australia necessary for submarine security activities between Australia, the United Kingdom, and the United States, including if such individuals are not officers, employees, or agents of the Government of Australia.

(b) SECURITY CONTROLS.—

(1) IN GENERAL.—Any defense service transferred or exported under subsection (a) shall be subject to appropriate security controls to ensure that any sensitive information conveyed by such transfer or export is protected from disclosure to persons unauthorized by the United States to receive such information.

(2) CERTIFICATION.—Not later than 30 days before the first transfer or export of a defense service under subsection (a), and annually thereafter, the President shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the controls described in paragraph (1) will protect the information described in such paragraph for the defense services so transferred or exported.

(c) APPLICATION OF REQUIREMENTS FOR RETRANSFER AND REEXPORT.—Any person who receives any defense service transferred or exported under subsection (a) may retransfer or reexport such service to other persons only in accordance with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

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.

(a) IN GENERAL.—The President shall institute policies and procedures for letters of request from Australia and the United Kingdom to transfer defense articles and services under section 21 of the Arms Export Control Act (22 U.S.C. 2761) related to AUKUS to receive expedited consideration and processing relative to all other letters of request other than from Taiwan and Ukraine.

(b) TECHNOLOGY TRANSFER POLICY FOR AUSTRALIA, CANADA, AND THE UNITED KINGDOM.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, shall create an anticipatory release policy for the transfer of technologies described in paragraph (2) to Australia, the United Kingdom, and Canada through Foreign Military Sales and Direct Commercial Sales that are not covered by an exemption under the International Traffic in Arms Regulations.

(2) CAPABILITIES DESCRIBED.—The capabilities described in this paragraph are—

(A) Pillar One-related technologies associated with submarine and associated combat systems; and

(B) Pillar Two-related technologies, including hypersonic missiles, cyber capabilities, artificial intelligence, quantum technologies, undersea capabilities, and other advanced technologies.

(3) EXPEDITED DECISION-MAKING.—Review of a transfer under the policy established under paragraph (1) shall be subject to an expedited decision-making process.

(c) INTERAGENCY POLICY AND GUIDANCE.—The Secretary and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to requests for Foreign Military Sales and Direct Commercial Sales, including by incorporating the anticipatory release provisions of this section.

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.

Not later than 90 days after the date of the enactment of this Act, and on a biennial basis thereafter for 8 years, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes a list of advanced military platforms, technologies, and equipment that are pre-cleared and prioritized for sale and release to Australia, the United Kingdom and Canada through the Foreign Military Sales and Direct Commercial Sales programs without regard to whether a letter of request or license to purchase such platforms, technologies, or equipment has been received from any of such country. Each list may include items that are not related to the AUKUS partnership but may not include items that are not covered by an exemption under the International Traffic in Arms Regulations except unmanned aerial or hypersonic systems.

SEC. 6833. EXPORT CONTROL EXEMPTIONS AND STANDARDS.

(a) IN GENERAL.—Section 38 of the Arms Export Control Act of 1976 (22 U.S.C. 2778) is amended by adding at the end the following new subsection:

''(l) AUKUS DEFENSE TRADE COOPERATION.—

''(1) EXEMPTION FROM LICENSING AND APPROVAL REQUIREMENTS.—Subject to paragraph (2) and notwithstanding any other provision of this section, the Secretary of State may exempt from the licensing or other approval requirements of this section exports and transfers (including reexports, retransfers, temporary imports, and brokering activities) of defense articles and defense services between or among the United States, the United Kingdom, and Australia that—

''(A) are not excluded by those countries;

''(B) are not referred to in subsection(j)(1)(C)(ii); and

''(C) involve only persons or entities that are approved by—

''(i) the Secretary of State; and

''(ii) the Ministry of Defense, the Ministry of Foreign Affairs, or other similar authority within those countries.

''(2) LIMITATION.—The authority provided in subparagraph (1) shall not apply to any activity, including exports, transfers, reexports, retransfers, temporary imports, or brokering, of United States defense articles and defense services involving any country or a person or entity of any country other than the United States, the United Kingdom, and Australia.''.

(b) REQUIRED STANDARDS OF EXPORT CONTROLS.—The Secretary may only exercise the authority under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, with respect to the United Kingdom or Australia 30 days after the Secretary submits to the appropriate congressional committees an unclassified certification and detailed unclassified assessment (which may include a classified annex) that the country concerned has implemented standards for a system of export controls that satisfies the elements of section 38(j)(2) of the Arms Export Control Act (22 U.S.C. 2778(j)(2)) for United States-origin defense articles and defense services, and for controlling the provision of military training, that are comparable to those standards administered by the United States in effect on the date of the enactment of this Act.

(c) CERTAIN REQUIREMENTS NOT APPLICABLE.—

(1) IN GENERAL.—Paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) shall not apply to any export or transfer that is the subject of an exemption under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section.

(2) QUARTERLY REPORTS.—The Secretary shall—

(A) require all exports and transfers that would be subject to the requirements of paragraphs (1), (2), and (3) of section 3(d) of the Arms Export Control Act (22 U.S.C. 2753(d)) but for the application of subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, to be reported to the Secretary; and

(B) submit such reports to the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives on a quarterly basis.

(d) SUNSET.—Any exemption under subsection (l)(1) of section 38 of the Arms Export

Control Act of 1976, as added by subsection (a) of this section, shall terminate on the date that is 15 years after the date of the enactment of this Act. The Secretary of State may renew such exemption for 5 years upon a certification to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that such exemption is in the vital national interest of the United States with a detailed justification for such certification.

(e) REPORTS.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until no exemptions under subsection (l)(1) of section 38 of the Arms Export Control Act of 1976, as added by subsection (a) of this section, remain in effect, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the operation of exemptions issued under such subsection (l)(1), including whether any changes to such exemptions are likely to be made in the coming year.

(B) INITIAL REPORT.—The first report submitted under subparagraph (A) shall also include an assessment of key recommendations the United States Government has provided to the Governments of Australia and the United Kingdom to revise laws, regulations, and policies of such countries that are required to implement the AUKUS partnership.

(2) REPORT ON EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall report on the practical application of a possible ''fast track'' decision-making process for applications, classified or unclassified, to export defense articles and defense services to Australia, the United Kingdom, and Canada.

SEC. 6834. EXPEDITED REVIEW OF EXPORT LICENSES FOR EXPORTS OF ADVANCED TECHNOLOGIES TO AUSTRALIA, THE UNITED KINGDOM, AND CANADA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall initiate a rulemaking to establish an expedited decision-making process, classified or unclassified, for applications to export to Australia, the United Kingdom, and Canada commercial, advanced-technology defense articles and defense services that are not covered by an exemption under the International Traffic in Arms Regulations.

(b) ELIGIBILITY.—To qualify for the expedited decision-making process described in subsection (a), an application shall be for an export of defense articles or defense services that will take place wholly within or between the physical territory of Australia, Canada, or the United Kingdom and the United States and with governments or corporate entities from such countries.

(c) AVAILABILITY OF EXPEDITED PROCESS.—The expedited decision-making process described in subsection (a) shall be available for both classified and unclassified items, and the process must satisfy the following criteria to the extent practicable:

(1) Any licensing application to export defense articles and services that is related to a government to government agreement must be approved, returned, or denied within 30 days of submission.

(2) For all other licensing requests, any review shall be completed not later than 45 calendar days after the date of application.

SEC. 6835. UNITED STATES MUNITIONS LIST.

(a) EXEMPTION FOR THE GOVERNMENTS OF THE UNITED KINGDOM AND AUSTRALIA FROM CERTIFICATION AND CONGRESSIONAL NOTIFICATION REQUIREMENTS APPLICABLE TO CERTAIN TRANSFERS.—Section 38(f)(3) of the Arms Export Control Act (22 U.S.C. 2778(f)(3)) is amended by inserting '', the United Kingdom, or Australia'' after ''Canada''.

(b) UNITED STATES MUNITIONS LIST PERIODIC REVIEWS.—

(1) IN GENERAL.—The Secretary, acting through authority delegated by the President to carry out periodic reviews of items on the United States Munitions List under section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) and in coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the Director of the Office of Management and Budget, shall carry out such reviews not less frequently than every 3 years.

(2) SCOPE.—The periodic reviews described in paragraph (1) shall focus on matters including—

(A) interagency resources to address current threats faced by the United States;

(B) the evolving technological and economic landscape;

(C) the widespread availability of certain technologies and items on the United States Munitions List; and

(D) risks of misuse of United States-origin defense articles.

(3) CONSULTATION.—The Department of State may consult with the Defense Trade Advisory Group (DTAG) and other interested parties in conducting the periodic review described in paragraph (1).

Subtitle D—Other AUKUS Matters

SEC. 6841. REPORTING RELATED TO THE AUKUS PARTNERSHIP.

(a) REPORT ON INSTRUMENTS.—

(1) IN GENERAL.—Not later than 30 days after the signature, conclusion, or other finalization of any non-binding instrument related to the AUKUS partnership, the President shall submit to the appropriate congressional committees the text of such instrument.

(2) NON-DUPLICATION OF EFFORTS; RULE OF CONSTRUCTION.—To the extent the text of a non-binding instrument is submitted to the appropriate congressional committees pursuant to subsection (a), such text does not need to be submitted to Congress pursuant to section 112b(a)(1)(A)(ii) of title 1, United States Code, as amended by section 5947 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3476). Paragraph (1) shall not be construed to relieve the executive branch of any other requirement of section 112b of title 1, United States Code, as amended so amended, or any other provision of law.

(3) DEFINITIONS.—In this section:

(A) IN GENERAL.—The term ''text'', with respect to a non-binding instrument, includes—

(i) any annex, appendix, codicil, side agreement, side letter, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument; and

(ii) any implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the non-binding instrument.

(B) CONTEMPORANEOUSLY AND IN CONJUNCTION WITH.—As used in subparagraph (A), the term ''contemporaneously and in conjunction with''—

(i) shall be construed liberally; and

(ii) may not be interpreted to require any action to have occurred simultaneously or on the same day.

(b) REPORT ON AUKUS PARTNERSHIP.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and biennially thereafter, the Secretary, in coordination with the Secretary of Defense and other appropriate heads of agencies, shall submit to the appropriate congressional committees a report on the AUKUS partnership.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following elements:

(A) STRATEGY.—

(i) An identification of the defensive military capability gaps and capacity shortfalls that the AUKUS partnership seeks to offset.

(ii) An explanation of the total cost to the United States associated with Pillar One of the AUKUS partnership.

(iii) A detailed explanation of how enhanced access to the industrial base of Australia is contributing to strengthening the United States strategic position in Asia.

(iv) A detailed explanation of the military and strategic benefit provided by the improved access provided by naval bases of Australia.

(v) A detailed assessment of how Australia's sovereign conventionally armed nuclear attack submarines contribute to United States defense and deterrence objectives in the Indo-Pacific region.

(B) IMPLEMENT THE AUKUS PARTNERSHIP.—

(i) Progress made on achieving the Optimal Pathway established for Australia's development of conventionally armed, nuclear-powered submarines, including the following elements:

(I) A description of progress made by Australia, the United Kingdom, and the United States to conclude an Article 14 arrangement with the International Atomic Energy Agency.

(II) A description of the status of efforts of Australia, the United Kingdom, and the United States to build the supporting infrastructure to base conventionally armed, nuclear-powered attack submarines.

(III) Updates on the efforts by Australia, the United Kingdom, and the United States to train a workforce that can build, sustain, and operate conventionally armed, nuclear-powered attack submarines.

(IV) A description of progress in establishing submarine support facilities capable of hosting rotational forces in western Australia by 2027.

(V) A description of progress made in improving United States submarine production capabilities that will enable the United States to meet—

(aa) its objectives of providing up to five Virginia Class submarines to Australia by the early to mid-2030's; and

(bb) United States submarine production requirements.

(ii) Progress made on Pillar Two of the AUKUS partnership, including the following elements:

(I) An assessment of the efforts of Australia, the United Kingdom, and the United States to enhance collaboration across the following eight trilateral lines of effort:

(aa) Underseas capabilities.

(bb) Quantum technologies.

(cc) Artificial intelligence and autonomy.

(dd) Advanced cyber capabilities.

(ee) Hypersonic and counter-hypersonic capabilities.

(ff) Electronic warfare.

(gg) Innovation.

(hh) Information sharing.

(II) An assessment of any new lines of effort established.

SA 963. Mr. SCHMITT submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1049. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO CENSORSHIP OR BLACKLISTING OF NEWS SOURCES BASED ON SUBJECTIVE CRITERIA OR POLITICAL BIASES.

(a) PROHIBITION ON AVAILABILITY OF FUNDS.—None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year for the Department of Defense or the Department of State may be obligated or expended to—

(1) enter into any contract or other agreement with any entity described in subsection (b) or with any advertising or marketing agency that uses the functions described in subsection (b)(4) of such an entity; or

(2) provide any form of support to an entity described in subsection (b).

(b) ENTITIES DESCRIBED.—The entities described in this subsection are the following:

(1) NewsGuard Technologies Inc., or any company owned or controlled by such entity.

(2) The Global Disinformation Index, incorporated in the United Kingdom as ''Disinformation Index LTD''.

(3) Graphika Technologies Inc. or any company owned or controlled by such entity.

(4) Any other entity the function of which is to advise the censorship or blacklisting of news sources based on subjective criteria or political biases, under the stated function of ''fact checking'' or otherwise removing ''misinformation''.

(c) CERTIFICATION REQUIREMENT.—Prior to the Secretary of Defense or the Secretary of State entering into any contract or other agreement (or extending, renewing, or otherwise modifying an existing contract or other agreement) with an entity for the purpose of that entity implementing advertisements on behalf of the Department of Defense or the Department of State, respectively, the Secretary shall require, as a condition of such contract or agreement, that the entity certify to the Secretary that the entity is in compliance with subsection (a).

SA 964. Ms. LUMMIS submitted an amendment intended to be proposed by her to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10___. EXEMPTION FROM LIABILITY FOR PASSIVE RECEIVERS OF PFAS CONTAMINATION.

(a) DEFINITIONS.—Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601) is amended by adding at the end the following:

''(42) PASSIVE RECEIVER.—The term 'passive receiver' means—

''(A) any person that—

''(i) has received or receives material containing a perfluoroalkyl or polyfluoroalkyl substance in the normal course of operations of the person; and

''(ii) did not and does not—

''(I) manufacture a perfluoroalkyl or polyfluoroalkyl substance; or

''(II) receive a commercial benefit from the presence of a perfluoroalkyl or polyfluoroalkyl substance in the products or operations of the person;

''(B) any person using material containing a perfluoroalkyl or polyfluoroalkyl substance as necessitated by Federal or State law;

''(C) any person engaged in the production or harvesting of agricultural products; and

''(D) any property owner, if—

''(i) a perfluoroalkyl or polyfluoroalkyl substance is not and has not been manufactured at the property; and

''(ii) the property owner does not and has not received a commercial benefit with respect to the property from the presence of a perfluoroalkyl or polyfluoroalkyl substance in the products or operations of the property owner.

''(43) PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCE.—

''(A) IN GENERAL.—The term 'perfluoroalkyl or polyfluoroalkyl substance' means—

''(i) a non-polymeric perfluoroalkyl or polyfluoroalkyl substance; and

''(ii) a side chain fluorinated polymer that is a member of a group of human-made chemicals that contain at least 2 fully fluorinated carbon atoms.

''(B) INCLUSION.—The term 'perfluoroalkyl or polyfluoroalkyl substance' includes the degradants of a substance described in clause (i) or (ii) of subparagraph (A).''.

(b) PASSIVE RECEIVER EXEMPTION.—Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) is amended by adding at the end the following:

''(s) PASSIVE RECEIVER EXEMPTION.—

''(1) EXEMPTION.—

''(A) IN GENERAL.—A passive receiver shall not be liable under any provision of this Act for a release or threatened release of a perfluoroalkyl or polyfluoroalkyl substance.

''(B) RECOVERY; RESPONSE.—No person may—

''(i) recover costs or damages from a passive receiver under this Act arising from a release of a perfluoroalkyl or polyfluoroalkyl substance; or

''(ii) order a passive receiver to conduct or participate in a response to such a release.

''(C) EXCEPTIONS.—Subparagraphs (A) and (B) shall not apply if—

''(i) the passive receiver acted with gross negligence or willful misconduct; and

''(ii) the release is not a federally permitted release.

''(2) COSTS.—Any person who commences an action for contribution under this Act against a passive receiver who is not liable by operation of paragraph (1) shall be liable to the passive receiver for all reasonable costs of defending that action, including all reasonable attorney's and expert witness fees.''.

SA 965. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1240A. PROHIBITION ON NEW EXPORT LICENSES FOR OFFENSIVE SECURITY OR MILITARY EQUIPMENT FOR AZERBAIJAN.

The President may not authorize any new export license for firearms or other offensive security or military equipment for the Government of Azerbaijan until the date on which the President determines that Azerbaijan has ceased offensive use of force against Armenia and Armenians in Nagorno-Karabakh.

SA 966. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1240A. SENSE OF CONGRESS ON POTENTIAL HUMAN RIGHTS VIOLATIONS IN NAGORNO-KARABAKH.

It is the sense of Congress that Congress—

(1) calls on officials of the Government of Azerbaijan to allow for the unimpeded movement of essential humanitarian assistance and commercial activities through the Lachin Corridor for Armenians living in Nagorno-Karabakh;

(2) calls on the United States Government to work swiftly with international partners to explore opportunities for more effective and sustainable guarantees of security and peaceful development in Nagorno-Karabakh, including the reopening of the Lachin Corridor;

(3) encourages the Secretary of State—

(A) to work closely with the Secretary of Defense, the Secretary of the Treasury, and international partners to investigate allegations of war crimes and human rights abuses committed by Azerbaijani forces; and

(B) to use all diplomatic tools available to prevent future violations; and

(4) reiterates support for sanctions, under existing statutory authorities, against any official responsible for human rights violations committed against Armenians in Nagorno-Karabakh.

SA 967. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION _____—VIEQUES RECOVERY AND REDEVELOPMENT

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Vieques Recovery and Redevelopment Act''.

SEC. _____02. FINDINGS.

The Congress finds the following:

(1) Vieques is an island municipality of Puerto Rico, measuring approximately 21 miles long by 4 miles wide, and located approximately 8 miles east of the main island of Puerto Rico.

(2) Prior to Hurricane Maria, residents of Vieques were served by an urgent medical

care facility, the Susana Centeno Family Health Center, and residents had to travel off-island to obtain medical services, including most types of emergency care because the facility did not have the basic use of x-ray machines, CT machines, EKG machines, ultrasounds, or PET scans.

(3) The predominant means of transporting passengers and goods between Vieques and the main island of Puerto Rico is by ferry boat service, and over the years, the efficiency of this service has frequently been disrupted, unreliable, and difficult for cancer patients to endure to receive treatment. Each trip to Ceiba, Puerto Rico, for the cancer patient is an additional out-of-pocket expense ranging from $120 to $200.

(4) The United States Military maintained a presence on the eastern and western portions of Vieques for close to 60 years, and used parts of the island as a training range during those years, dropping over 80 million tons of ordnance and other weaponry available to the United States military since World War II.

(5) The unintended, unknown, and unavoidable consequences of these exercises were to expose Americans living on the islands to the residue of that weaponry which includes heavy metals and many other chemicals now known to harm human health.

(6) According to Government and independent documentation, the island of Vieques has high levels of heavy metals and has been exposed to chemical weapons and toxic chemicals. Since the military activity in Vieques, island residents have suffered from the health impacts from long-term exposure to environmental contamination as a result of 62 years of military operations, and have experienced higher rates of certain diseases among residents, including cancer, cirrhosis, hypertension, diabetes, heavy metal diseases, along with many unnamed and uncategorized illnesses. These toxic residues have caused the American residents of Vieques to develop illnesses due to ongoing exposure.

(7) In 2017, Vieques was hit by Hurricane Maria, an unusually destructive storm that devastated Puerto Rico and intensified the existing humanitarian crisis on the island by destroying existing medical facilities.

(8) The medical systems in place prior to Hurricane Maria were unable to properly handle the health crisis that existed due to the toxic residue left on the island by the military's activities.

(9) After Maria, the medical facility was closed due to damage and continues to be unable to perform even the few basic services that it did provide. Vieques needs a medical facility that can treat and address the critical and urgent need to get life-saving medical services to its residents. Due to legal restrictions, the Federal Emergency Management Agency (in this division referred to as ''FEMA'') is unable to provide a hospital where its capabilities exceed the abilities of the facility that existed prior to Maria; therefore Vieques needs assistance to build a facility to manage the vast health needs of its residents.

(10) Every American has benefitted from the sacrifices of those Americans who have lived and are living on Vieques and it is our intent to acknowledge that sacrifice and to treat those Americans with the same respect and appreciation that other Americans enjoy.

(11) In 2012, the residents of Vieques were denied the ability to address their needs in Court due to sovereign immunity, Sanchez v. United States, No. 3:09–cv–01260–DRD (D.P.R.). However, the United States Court of Appeals for the First Circuit referred the issue to Congress and urged it to address the humanitarian crisis. This bill attempts to satisfy that request such that Americans living on Vieques have a remedy for the suffering they have endured.

SEC. _____03. SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES FOR CERTAIN RESIDENTS OF THE ISLAND OF VIEQUES, PUERTO RICO.

(a) IN GENERAL.—An individual claimant who has resided on the island of Vieques, Puerto Rico, for not less than 5 years before the date of enactment of this Act and files a claim for compensation under this section with the Special Master, appointed pursuant to subsection (c), shall be awarded monetary compensation as described in subsection (b) if—

(1) the Special Master determines that the claimant is or was a resident or an immediate heir (as determined by the laws of Puerto Rico) of a deceased claimant on the island of Vieques, Puerto Rico, during or after the United States Government used the island of Vieques, Puerto Rico, for military readiness;

(2) the claimant previously filed a lawsuit or an administrative claim, or files a claim not later than 180 days after the date of the enactment of this Act against the United States Government for personal injury, including illness or death arising from use by the United States Government of the island of Vieques for military readiness; and

(3) the claimant produces evidence to the Special Master sufficient to show that a causal relationship exists between the claimant's chronic, life-threatening, or physical disease or illness limited to cancer, hypertension, cirrhosis, kidney disease, diabetes, or a heavy metal poisoning and the United States Government's use of the island of Vieques, Puerto Rico, for military readiness, or that a causal relationship is at least as likely as not, which may be in the form of a sworn claimant affidavit stating the years the claimant lived on Vieques and the disease or illness with which the claimant has been diagnosed and which may be supplemented with additional information, including a medical professional certification, at the request of the Special Master.

(b) AMOUNTS OF AWARD.—

(1) IN GENERAL.—A claimant who meets the requirements of subsection (a) shall be awarded compensation as follows:

(A) $50,000 for 1 disease described in subsection (a)(3).

(B) $80,000 for 2 diseases described in subsection (a)(3).

(C) $110,000 for 3 or more diseases described in subsection (a)(3).

(2) INCREASE IN AWARD.—In the case that an individual receiving an award under paragraph (1) of this subsection contracts another disease under subsection (a)(3) and files a new claim with the Special Master for an additional award not later than 10 years after the date of the enactment of this Act, the Special Master may award the individual an amount that is equal to the difference between—

(A) the amount that the individual would have been eligible to receive had the disease been contracted before the individual filed an initial claim under subsection (a); and

(B) the amount received by the individual pursuant to paragraph (1).

(3) DECEASED CLAIMANTS.—In the case of an individual who dies before making a claim under this section or a claimant who dies before receiving an award under this section, any immediate heir to the individual or claimant, as determined by the laws of Puerto Rico, shall be eligible for one of the following awards:

(A) Compensation in accordance with paragraph (1), divided among any such heir.

(B) Compensation based on the age of the deceased if the claimant produces evidence sufficient to conclude that a causal relationship exists between the United States Military activity and the death of the individual or that a causal relationship is as likely as not as follows:

(i) In the case of an individual or claimant who dies before attaining 20 years of age, $110,000, divided among any such heir.

(ii) In the case of an individual or claimant who dies before attaining 40 years of age, $80,000, divided among any such heir.

(iii) In the case of an individual or claimant who dies before attaining 60 years of age, $50,000, divided among any such heir.

(c) APPOINTMENT OF SPECIAL MASTER.—

(1) IN GENERAL.—The Attorney General shall appoint a Special Master not later than 90 days after the date of the enactment of this Act to consider claims by individuals and the municipality.

(2) QUALIFICATIONS.—The Attorney General shall consider the following in choosing the Special Master:

(A) The individual's experience in the processing of victims' claims in relation to foreign or domestic governments.

(B) The individual's balance of experience in representing the interests of the United States and individual claimants.

(C) The individual's experience in matters of national security.

(D) The individual's demonstrated abilities in investigation and fact findings in complex factual matters.

(E) Any experience the individual has had advising the United States Government.

(d) AWARD AMOUNTS RELATED TO CLAIMS BY THE MUNICIPALITY OF VIEQUES.—

(1) AWARD.—The Special Master, in exchange for its administrative claims, shall provide the following as compensation to the Municipality of Vieques:

(A) STAFF.—The Special Master shall provide medical staff, and other resources necessary to build and operate a level three trauma center (in this section, referred to as ''medical facility'') with a cancer center and renal dialysis unit and its equipment. The medical facility shall be able to treat life-threatening, chronic, heavy metal, and physical and mental diseases. The medical facility shall be able to provide basic x-ray, EKG, internal medicine expertise, medical coordination personnel and case managers, ultrasound, and resources necessary to screen claimants described in subsection (a) who are receiving treatment for the diseases or illnesses described in paragraph (3) of that subsection for cancer and the other prevailing health problems.

(B) OPERATIONS.—The Special Master shall fund the operations of the medical facility to provide medical care for pediatric and adult patients who reside on the island of Vieques, allowing the patients to be referred for tertiary and quaternary health care facilities when necessary, and providing the transportation and medical costs when traveling off the island of Vieques.

(C) INTERIM SERVICES.—Before the medical facility on the island of Vieques is operational, the Special Master shall provide to claimants described in subsection (a) who are receiving treatment for the diseases or illnesses described in paragraph (3) of that subsection—

(i) urgent health care air transport to hospitals on the mainland of Puerto Rico from the island of Vieques;

(ii) medical coordination personnel and case managers;

(iii) telemedicine communication abilities; and

(iv) any other services that are necessary to alleviate the health crisis on the island of Vieques.

(D) SCREENING.—The Special Master shall make available, at no cost to the patient,

medical screening for cancer, cirrhosis, diabetes, and heavy metal contamination on the island of Vieques.

(E) ACADEMIC PARTNER.—The Special Master shall appoint an academic partner, with appropriate experience and an established relationship with the Municipality of Vieques, that shall—

(i) lead a research and outreach endeavor on behalf of the Municipality of Vieques;

(ii) select the appropriate scientific expertise and administer defined studies, conducting testing and evaluation of the soils, seas, plant and animal food sources, and the health of residents; and

(iii) determine and implement the most efficient and effective way to reduce the environmental toxins to a level sufficient to return the soils, seas, food sources, and health circumstances to a level that reduces the diseases on the island of Vieques to the average in the United States.

(F) DUTIES.—The Special Master shall provide amounts necessary for the academic partner and medical coordinator to carry out the duties described in subparagraphs (A) through (D).

(G) PROCUREMENT.—The Special Master shall provide amounts necessary to compensate the Municipality of Vieques for—

(i) contractual procurement obligations and additional expenses incurred by the municipality as a result of the enactment of this section and settlement of its claim; and

(ii) any other damages and costs to be incurred by the municipality, if the Special Master determines that it is necessary to carry out the purpose of this section.

(H) POWER SOURCE.—The Special Master shall determine the best source of producing independent power on the island of Vieques that is hurricane resilient and can effectively sustain the needs of the island and shall authorize such construction as an award to the Municipality of Vieques.

(2) SOURCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), amounts awarded under this division shall be made from amounts appropriated under section 1304 of title 31, United States Code, commonly known as the ''Judgment Fund'', as if claims were adjudicated by a United States District Court under section 1346(b) of title 28, United States Code.

(B) LIMITATION.—Total amounts awarded under this division shall not exceed $1,000,000,000.

(3) DETERMINATION AND PAYMENT OF CLAIMS.—

(A) ESTABLISHMENT OF FILING PROCEDURES.—The Attorney General shall establish procedures whereby individuals and the municipality may submit claims for payments under this section to the Special Master.

(B) DETERMINATION OF CLAIMS.—The Special Master shall, in accordance with this subsection, determine whether each claim meets the requirements of this section. Claims filed by residents of the island of Vieques that have been disposed of by a court under chapter 171 of title 28, United States Code, shall be treated as if such claims are currently filed.

(e) ACTION ON CLAIMS.—The Special Master shall make a determination on any claim filed under the procedures established under this section not later than 150 days after the date on which the claim is filed.

(f) PAYMENT IN FULL SETTLEMENT OF CLAIMS BY INDIVIDUALS AND THE MUNICIPALITY OF VIEQUES AGAINST THE UNITED STATES.—The acceptance by an individual or the Municipality of Vieques of a payment of an award under this section shall—

(1) be final and conclusive;

(2) be deemed to be in full satisfaction of all claims under chapter 171 of title 28, United States Code; and

(3) constitute a complete release by the individual or municipality of such claim against the United States and against any employee of the United States acting in the scope of employment who is involved in the matter giving rise to the claim.

(g) CERTIFICATION OF TREATMENT OF PAYMENTS UNDER OTHER LAWS.—Amounts paid to an individual under this section—

(1) shall be treated for purposes of the laws of the United States as damages for human suffering; and

(2) may not be included as income or resources for purposes of determining eligibility to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits.

(h) LIMITATION ON CLAIMS.—A claim to which this section applies shall be barred unless the claim is filed within 15 years after the date of the enactment of this Act.

(i) ATTORNEY'S FEES.—Notwithstanding any contract, a representative of an individual may not receive, for services rendered in connection with a claim of the individual under this division, more than 20 percent of a payment made under this division.

SA 968. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 612. LODGING EXPENSES FOR DEPENDENTS OF MEMBERS SEPARATED FOR DEPENDENT ABUSE.

Section 1059 of title 10, United States Code, is amended—

(1) in the heading, by inserting ''**; lodging expenses**'' at the end;

(2) by redesignating subsections (k), (l), and (m) as subsections (m), (n), and (l), respectively;

(3) by striking ''subsection (k)'' each place it appears and inserting ''subsection (m)''; and

(4) by inserting after subsection (j) the following new subsection:

''(k) LODGING EXPENSES.—A dependent or former dependent entitled to payment of monthly transitional compensation under this section shall, while receiving payments in accordance with this section, be entitled to lodging expenses for a period not longer than 30 days.''.

SA 969. Mr. FETTERMAN submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1083. REPORT ON CERTAIN FEDERAL EMPLOYEES AND CONTRACTORS POTENTIALLY EXPOSED TO TOXIC SUBSTANCES AT LOCATIONS WHERE MEMBERS OF THE ARMED FORCES WERE EXPOSED OR PRESUMED TO BE EXPOSED TO SUCH SUBSTANCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in conjunction with the Secretary of Labor and other relevant Federal agencies, shall submit to Congress a report that contains the following:

(1) The number of covered individuals or covered contractors who completed any period of covered service.

(2) The number of covered individuals or covered contractors who submitted claims for compensation under subchapter I of chapter 81 of title 5, United States Code, or the Defense Base Act (42 U.S.C. 1651 et seq.) in connection with exposure to toxic substances resulting from covered service, without regard to whether compensation was awarded under any such claim.

(3) The number of claims under paragraph (2) that were submitted, without regard to whether the claim was accepted.

(4) With respect to claims under paragraph (2), a list of locations of potential exposure to toxic substances, including a list of any illnesses reported under such claims.

(5) An analysis of work conditions for covered individuals or covered contractors who completed any period of covered service at or near an installation of the Department of Defense, with a particular focus on potential exposure to toxic substances.

(6) The number of waivers granted by the Secretary of Labor at the request of a Federal agency under the Defense Base Act (42 U.S.C. 1651 et seq.), including an identification of—

(A) the basis by which each such waiver was approved; and

(B) the locations and periods with respect to which each such waiver applies.

(b) COMPTROLLER GENERAL ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report containing an assessment of work conditions analyzed under subsection (a)(5) in accordance with Federal labor standards, including an assessment of whether employees subject to such work conditions were informed of the negative health impacts of burn pits and toxins to which those employees were exposed or potentially exposed.

(c) DEFINITIONS.—In this section:

(1) COVERED CONTRACTOR.—The term ''covered contractor'' means an individual who performed covered service at an installation of the Department of Defense under a contract or subcontract with the Department.

(2) COVERED INDIVIDUAL.—The term ''covered individual'' means—

(A) an employee, as defined in section 8101 of title 5, United States Code; or

(B) an individual covered under the Defense Base Act (42 U.S.C. 1651 et seq.).

(3) COVERED SERVICE.—The term ''covered service'' means service or employment as a covered individual or a covered contractor in a location and during a period determined by the Secretary of Veterans Affairs to be a location and period for which a veteran would be entitled to health care under section 1710(a)(2)(F) of title 38, United States Code, in connection with service in the Armed Forces in such location and during such period.

SEC. 1084. REQUIREMENTS TO MAINTAIN CERTAIN INFORMATION UNDER DEFENSE BASE ACT.

(a) IN GENERAL.—Section 1 of the Defense Base Act (42 U.S.C. 1651) is amended by adding at the end the following:

''(g) MAINTENANCE OF INFORMATION.—The Secretary of Labor shall maintain the following information regarding any individual with respect to whom compensation is sought under this Act:

''(1) The exact location, which shall include at a minimum the name of the facility of the Department of Defense or associated worksite, at which the individual was located where the injury or death occurred, including, with respect to an injury or death resulting from exposure to a substance, the location where the exposure or perceived exposure occurred.

''(2) The specific type of illness, disease, or injury suffered by the individual.''.

(b) PROVISION OF CERTAIN HISTORICAL INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress a report summarizing information regarding and cataloguing the specific types of illnesses, diseases, or injuries suffered by individuals with respect to whom compensation is sought under the Defense Base Act (42 U.S.C. 1651 et seq.) for the period beginning on January 1, 2016, and ending on December 31, 2021.

(2) OUTREACH.—If existing information or evidence for an individual maintained by the Office of Workers' Compensation Programs of the Department of Labor is insufficient to provide the information required under paragraph (1), the Secretary of Labor shall conduct outreach to locate that information.

SA 970. Mr. RISCH (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1299L. MODIFICATION OF PRESIDENTIAL DRAWDOWN AUTHORITY WITH RESPECT TO TAIWAN.

Section 506(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(3)) is amended by striking ''$1,000,000,000'' and inserting ''$3,000,000,000''.

SA 971. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

In subtitle D of title XXXI, add at the end the following:

SEC. 31___. ADMINISTRATIVE EXPENSES FOR ALASKA NATURAL GAS PIPELINE ACT.

From previously appropriated amounts available for administrative expenses to make loan guarantees, the Secretary of Energy may use any available unobligated funds, regardless of the fiscal year for which such amounts are made available, for the purpose of necessary administrative expenses associated with carrying out the loan guarantee program established in section 116 of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720n).

SA 972. Mr. WHITEHOUSE (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10___. COORDINATOR FOR COMBATING FOREIGN KLEPTOCRACY AND CORRUPTION.

(a) IN GENERAL.—Section 101 of the National Security Act of 1947 (50 U.S.C. 3021) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) coordinate, without assuming operational authority, the United States Government efforts to identify and seize assets that are the proceeds of corruption pertaining to China, Iran, North Korea, Russia, Cuba, Venezuela, or any other country of concern and identifying the national security implications of strategic corruption in such countries.''.

(2) by redesignating subsection (h) as subsection (i); and

(3) by inserting after subsection (g) the following:

''(h) COORDINATOR FOR COMBATING FOREIGN KLEPTOCRACY AND CORRUPTION.—

''(1) IN GENERAL.—The President may designate an employee of the National Security Council to be responsible for—

''(A) the coordination of the interagency process for identifying and seizing assets that are the proceeds of corruption pertaining to China, Iran, North Korea, Russia, Cuba, Venezuela, or any other country of concern; and

''(B) identifying the national security implications of strategic corruption in such countries.

''(2) RESPONSIBILITIES.—In addition to coordination and identification described in paragraph (1), an employee designated pursuant to paragraph (1) shall be responsible for the following:

''(A) Coordinating and deconflicting anti-corruption and counter-kleptocracy initiatives across the Federal Government, including those at the Department of State, the Department of Justice, and the United States Agency for International Development.

''(B) Informing deliberations of the Council by highlighting the wide-ranging and destabilizing effects of corruption on a variety of issues, including drug trafficking, arms trafficking, sanctions evasion, cybercrime, voting rights and global democracy initiatives, and other matters of concern to the Council.

''(3) COORDINATION WITH COORDINATOR FOR COMBATING MALIGN FOREIGN INFLUENCE OPERATIONS AND CAMPAIGNS.—An employee designated under paragraph (1) of this subsection shall coordinate with the employee designated under subsection (g)(1).

''(4) LIAISON.—An employee designated under paragraph (1) shall serve as a liaison, for purposes of coordination described in such paragraph and paragraph (2)(A), with the following:

''(A) The Department of State.

''(B) The Department of the Treasury.

''(C) The Department of Justice.

''(D) The intelligence community.

''(E) The United States Agency for International Development.

''(F) Any other Federal agency that the President considers appropriate.

''(G) Good government transparency groups in civil society.

''(5) CONGRESSIONAL BRIEFING.—

''(A) IN GENERAL.—Not less frequently than twice each year, an employee designated under paragraph (1), or the employee's designee, shall provide to the congressional committees specified in subparagraph (B) a briefing on the responsibilities and activities of the employee designated under such paragraph.

''(B) COMMITTEES SPECIFIED.—The congressional committees specified in this subparagraph are the following:

''(i) The Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Caucus on International Narcotics Control of the Senate.

''(ii) The Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should designate an employee of the National Security Council in accordance with subsection (h) of section 101 of the National Security Act of 1947 (50 U.S.C. 3021), as added by subsection (a) of this section.

SA 973. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

In section 1238, strike paragraph (7) and redesignate paragraphs (8) through (14) as paragraphs (7) through (13), respectively.

SA 974. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

Strike section 1004.

SA 975. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

Strike section 1240.

SA 976. Mr. VANCE submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

Strike section 1231.

SA 977. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. 16___. REQUIREMENT TO SUPPORT FOR CYBER EDUCATION AND WORKFORCE DEVELOPMENT AT INSTITUTIONS OF HIGHER LEARNING.

(a) AUTHORITY.—The Secretary of Defense shall support the development of foundational expertise in critical cyber operational skills at institutions of higher learning, selected by the Secretary under subsection (b), for current and future members of the Armed Forces and civilian employees of the Department of Defense.

(b) SELECTION.—The Secretary shall select institutions of higher learning to receive support under subsection (a) from among institutions of higher learning that meet the following eligibility criteria:

(1) The institution offers a program from beginning through advanced skill levels to provide future military and civilian leaders of the Armed Forces with operational cyber expertise.

(2) The institution includes instruction and practical experiences that lead to recognized certifications and degrees in the cyber field.

(3) The institution has and maintains an educational partnership with an active component of the Armed Forces or a Department component designed to facilitate the development of critical cyber skills for students who may pursue a military career.

(4) The institution is located in close proximity to a military installation with a cyber mission defined by the Department or the Armed Forces.

(c) SUPPORT.—Under subsection (a), the Secretary shall provide, at a minimum, to each institution of higher learning selected by the Secretary under subsection (b) the following support for civilian and military leaders of the Department transitioning into cyber fields at the Department:

(1) Expansion of cyber educational programs focused on enhancing such transition.

(2) Hands-on cyber opportunities, including laboratories and security operations centers.

(3) Direct financial assistance to civilian and military students at the Department to increase access to courses and hands-on opportunities under paragraphs (1) and (2).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2024.

SA 978. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1083. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

(a) IN GENERAL.—Chapter 313 of title 51, United States Code, is amended by adding at the end the following:

"SEC. 31303. CONFIDENTIALITY OF MEDICAL QUALITY ASSURANCE RECORDS.

''(a) IN GENERAL.—Except as provided in subsection (b)(1)—

''(1) a medical quality assurance record, or any part of a medical quality assurance record, may not be subject to discovery or admitted into evidence in a judicial or administrative proceeding; and

''(2) an individual who reviews or creates a medical quality assurance record for the Administration, or participates in any proceeding that reviews or creates a medical quality assurance record, may not testify in a judicial or administrative proceeding with respect to—

''(A) the medical quality assurance record; or

''(B) any finding, recommendation, evaluation, opinion, or action taken by such individual or in accordance with such proceeding with respect to the medical quality assurance record.

''(b) DISCLOSURE OF RECORDS.—

''(1) IN GENERAL.—Notwithstanding subsection (a), a medical quality assurance record may be disclosed to—

''(A) a Federal agency or private entity, if the medical quality assurance record is necessary for the Federal agency or private entity to carry out—

''(i) licensing or accreditation functions relating to Administration healthcare facilities; or

''(ii) monitoring of Administration healthcare facilities required by law;

''(B) a Federal agency or healthcare provider, if the medical quality assurance record is required by the Federal agency or healthcare provider to enable Administration participation in a healthcare program of the Federal agency or healthcare provider;

''(C) a criminal or civil law enforcement agency, or an instrumentality authorized by law to protect the public health or safety, on written request by a qualified representative of such agency or instrumentality submitted to the Administrator that includes a description of the lawful purpose for which the medical quality assurance record is requested;

''(D) to an official of the Department of Justice who is investigating a claim or potential claim against the Administration or in response to litigation or potential litigation involving the Administration when the records are deemed relevant and necessary;

''(E) an officer, an employee, or a contractor of the Administration who requires the medical quality assurance record to carry out an official duty associated with healthcare;

''(F) healthcare personnel, to the extent necessary to address a medical emergency affecting the health or safety of an individual;

''(G) any committee, panel, or board convened by the Administration to review the healthcare-related policies and practices of the Administration; and

''(H) pursuant to the order of a court of competent jurisdiction.

''(2) SUBSEQUENT DISCLOSURE PROHIBITED.—An individual or entity to whom a medical quality assurance record has been disclosed under paragraph (1) may not make a subsequent disclosure of the medical quality assurance record.

''(c) PERSONALLY IDENTIFIABLE INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the personally identifiable information contained in a medical quality assurance record of a patient or an employee of the Administration, or any other individual associated with the Administration for purposes of a medical quality assurance program, shall be removed before the disclosure of the medical quality assurance record to an entity other than the Administration.

''(2) EXCEPTION.—Personally identifiable information described in paragraph (1) may be released to an entity other than the Administration if the Administrator makes a determination that the release of such personally identifiable information—

''(A) is in the best interests of the Administration; and

''(B) does not constitute an unwarranted invasion of personal privacy.

''(d) EXCLUSION FROM FOIA.—A medical quality assurance record may not be made available to any person under section 552 of title 5, United States Code (commonly referred to as the 'Freedom of Information Act'), and this section shall be considered a statute described in subsection (b)(3)(B) of such section 522.

''(e) REGULATIONS.—Not later than one year after the date of the enactment of this section, the Administrator shall promulgate regulations to implement this section.

''(f) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to withhold a medical quality assurance record from a committee of the Senate or House of Representatives or a joint committee of Congress if the medical quality assurance record relates to a matter within the jurisdiction of such committee or joint committee; or

''(2) to limit the use of a medical quality assurance record within the Administration, including the use by a contractor or consultant of the Administration.

''(g) DEFINITIONS.—In this section:

''(1) MEDICAL QUALITY ASSURANCE RECORD.—The term 'medical quality assurance record' means any proceeding, discussion, record, finding, recommendation, evaluation, opinion, minutes, report, or other document or action that results from a quality assurance committee, quality assurance program, or quality assurance program activity.

''(2) QUALITY ASSURANCE PROGRAM.—

''(A) IN GENERAL.—The term 'quality assurance program' means a comprehensive program of the Administration—

''(i) to systematically review and improve the quality of medical and behavioral health services provided by the Administration to ensure the safety and security of individuals receiving such health services; and

''(ii) to evaluate and improve the efficiency, effectiveness, and use of staff and resources in the delivery of such health services.

''(B) INCLUSION.—The term 'quality assurance program' includes any activity carried out by or for the Administration to assess the quality of medical care provided by the Administration.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 313 of title 51, United States Code, is amended by adding at the end the following:

''31303. Confidentiality of medical quality assurance records.''.

SA 979. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REVIEW BY DIRECTOR OF NATIONAL INTELLIGENCE REGARDING INFORMATION COLLECTION AND ANALYSIS WITH RESPECT TO ECONOMIC COMPETITION.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a review of the requirements and access to commercial information used by elements of the intelligence community for analysis of capital flows, investment security, beneficial ownership of entities, and other transactions and functions related to identifying threats, gaps, and opportunities with respect to economic competition with foreign countries, including the People's Republic of China.

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

(A) The length and expiration of licenses for access to commercial information.

(B) The number of such licenses permitted for each element of the intelligence community.

(C) The number of such licenses permitted for Federal departments and agencies that are not elements of the intelligence community, including the Department of Commerce.

(b) REPORT; BRIEFING.—

(1) IN GENERAL.—Not later than 60 days after the date on which the review required by subsection (a)(1) is completed, the Director of National Intelligence shall submit a report and provide a briefing to Congress on the findings of the review.

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

(A) The findings of the review required by subsection (a)(1).

(B) Recommendations of the Director on whether and how the standardization of access to commercial information, the expansion of licenses for such access, the lengthening of license terms beyond 1 year, and the issuance of Government-wide (as opposed to agency-by-agency) licenses would advance the open-source collection and analytical requirements of the intelligence community with respect to economic competition with foreign countries, including the People's Republic of China.

(C) An assessment of cost savings or increases that may result from the standardization described in subparagraph (B).

(3) FORM.—The report and briefing required by paragraph (1) may be classified.

(c) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 980. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REVIEW BY DIRECTOR OF NATIONAL INTELLIGENCE REGARDING INFORMATION COLLECTION AND ANALYSIS WITH RESPECT TO ECONOMIC COMPETITION.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a review of the requirements and access to commercial information used by elements of the intelligence community for analysis of capital flows, investment security, beneficial ownership of entities, and other transactions and functions related to identifying threats, gaps, and opportunities with respect to economic competition with foreign countries, including the People's Republic of China.

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

(A) The length and expiration of licenses for access to commercial information.

(B) The number of such licenses permitted for each element of the intelligence community.

(C) The number of such licenses permitted for Federal departments and agencies that are not elements of the intelligence community, including the Department of Commerce.

(b) REPORT; BRIEFING.—

(1) IN GENERAL.—Not later than 60 days after the date on which the review required by subsection (a)(1) is completed, the Director of National Intelligence shall submit a report and provide a briefing to Congress on the findings of the review.

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

(A) The findings of the review required by subsection (a)(1).

(B) Recommendations of the Director on whether and how the standardization of access to commercial information, the expansion of licenses for such access, the lengthening of license terms beyond 1 year, and the issuance of Government-wide (as opposed to agency-by-agency) licenses would advance the open-source collection and analytical requirements of the intelligence community with respect to economic competition with foreign countries, including the People's Republic of China.

(C) An assessment of cost savings or increases that may result from the standardization described in subparagraph (B).

(3) FORM.—The report and briefing required by paragraph (1) may be classified.

(c) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 981. Mr. DURBIN (for himself, Mrs. SHAHEEN, Mr. BOOZMAN, Mr. COONS, and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1299L. INVESTMENT, TRADE, AND DEVELOPMENT IN AFRICA AND LATIN AMERICA AND THE CARIBBEAN.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa and Latin America and the Caribbean.

(2) FOCUS OF STRATEGY.—The strategy required by paragraph (1) shall focus on increasing exports of United States goods and services to Africa and Latin America and the Caribbean by 200 percent in real dollar value by the date that is 10 years after the date of the enactment of this Act.

(3) CONSULTATIONS.—In developing the strategy required by paragraph (1), the President shall consult with—

(A) Congress;

(B) each agency that is a member of the Trade Promotion Coordinating Committee;

(C) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(D) each agency that participates in the Trade Policy Staff Committee established;

(E) the President's Export Council;

(F) each of the development agencies;

(G) any other Federal agencies with responsibility for export promotion or financing and development; and

(H) the private sector, including businesses, nongovernmental organizations, and African and Latin American and Caribbean diaspora groups.

(4) SUBMISSION TO APPROPRIATE CONGRESSIONAL COMMITTEES.—

(A) STRATEGY.—Not later than 200 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(B) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by paragraph (1).

(b) SPECIAL AFRICA AND LATIN AMERICA AND THE CARIBBEAN EXPORT STRATEGY COORDINATORS.—The Secretary of Commerce shall designate an individual within the Department of Commerce to serve as Special Africa Export Strategy Coordinator and an individual within the Department of Commerce to serve as Special Latin America and the Caribbean Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by subsection (a);

(2) to coordinate developing and implementing the strategy with—

(A) the Trade Promotion Coordinating Committee;

(B) the Director General for the U.S. and Foreign Commercial Service and the Assistant Secretary for Global Markets;

(C) the Assistant United States Trade Representative for African Affairs or the Assistant United States Trade Representative for the Western Hemisphere, as appropriate;

(D) the Assistant Secretary of State for African Affairs or the Assistant Secretary of State for Western Hemisphere Affairs, as appropriate;

(E) the Foreign Agricultural Service of the Department of Agriculture;

(F) the Export-Import Bank of the United States;

(G) the United States International Development Finance Corporation; and

(H) the development agencies; and

(3) considering and reflecting the impact of promotion of United States exports on the economy and employment opportunities of importing country, with a view to improving secure supply chains, avoiding economic disruptions, and stabilizing economic growth in a trade and export strategy.

(c) TRADE MISSIONS TO AFRICA AND LATIN AMERICA AND THE CARIBBEAN.—It is the sense of Congress that, not later than one year after the date of the enactment of this Act, the Secretary of Commerce and other high-

level officials of the United States Government with responsibility for export promotion, financing, and development should conduct joint trade missions to Africa and to Latin America and the Caribbean.

(d) TRAINING.—The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the United States International Development Finance Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than one year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country receives that training.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Energy and Commerce of the House of Representatives.

(2) DEVELOPMENT AGENCIES.—The term ''development agencies'' means the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and relevant multilateral development banks.

(3) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(4) TRADE POLICY STAFF COMMITTEE.—The term ''Trade Policy Staff Committee'' means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations.

(5) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established under section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727).

(6) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SA 982. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION I—FORT BELKNAP INDIAN COMMUNITY WATER RIGHTS SETTLEMENT ACT OF 2023

SEC. 11001. SHORT TITLE.

This division may be cited as the ''Fort Belknap Indian Community Water Rights Settlement Act of 2023''.

SEC. 11002. PURPOSES.

The purposes of this division are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; and

(B) the United States, acting as trustee for the Fort Belknap Indian Community and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Fort Belknap Indian Community and the State, to the extent that the Compact is consistent with this division;

(3) to authorize and direct the Secretary—

(A) to execute the Compact; and

(B) to take any other actions necessary to carry out the Compact in accordance with this division;

(4) to authorize funds necessary for the implementation of the Compact and this division; and

(5) to authorize the exchange and transfer of certain Federal and State land.

SEC. 11003. DEFINITIONS.

In this division:

(1) ALLOTTEE.—The term ''allottee'' means an individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BLACKFEET TRIBE.—The term ''Blackfeet Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

(3) CERCLA.—The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of Reclamation.

(5) COMPACT.—The term ''Compact'' means—

(A) the Fort Belknap-Montana water rights compact dated April 16, 2001, as contained in section 85–20–1001 of the Montana Code Annotated (2021); and

(B) any appendix (including appendix amendments), part, or amendment to the Compact that is executed to make the Compact consistent with this division.

(6) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 11011(f).

(7) FORT BELKNAP INDIAN COMMUNITY.—The term ''Fort Belknap Indian Community'' means the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation of Montana, a federally recognized Indian Tribal entity included on the list published by the Secretary pursuant to section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

(8) FORT BELKNAP INDIAN COMMUNITY COUNCIL.—The term ''Fort Belknap Indian Community Council'' means the governing body of the Fort Belknap Indian Community.

(9) FORT BELKNAP INDIAN IRRIGATION PROJECT.—

(A) IN GENERAL.—The term ''Fort Belknap Indian Irrigation Project'' means the Federal Indian irrigation project constructed and operated by the Bureau of Indian Affairs, consisting of the Milk River unit, including—

(i) the Three Mile unit; and

(ii) the White Bear unit.

(B) INCLUSIONS.—The term ''Fort Belknap Indian Irrigation Project'' includes any addition to the Fort Belknap Indian Irrigation Project constructed pursuant to this division, including expansion of the Fort Belknap Indian Irrigation Project, the Pumping Plant, delivery Pipe and Canal, the Fort Belknap Reservoir and Dam, and the Peoples Creek Flood Protection Project.

(10) IMPLEMENTATION FUND.—The term ''Implementation Fund'' means the Fort Belknap Indian Community Water Settlement Implementation Fund established by section 11013(a).

(11) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(12) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(13) MALTA IRRIGATION DISTRICT.—The term ''Malta Irrigation District'' means the public corporation—

(A) created on December 28, 1923, pursuant to the laws of the State relating to irrigation districts; and

(B) headquartered in Malta, Montana.

(14) MILK RIVER.—The term ''Milk River'' means the mainstem of the Milk River and each tributary of the Milk River between the headwaters of the Milk River and the confluence of the Milk River with the Missouri River, consisting of—

(A) Montana Water Court Basins 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and 40O; and

(B) the portion of the Milk River and each tributary of the Milk River that flows through the Canadian Provinces of Alberta and Saskatchewan.

(15) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(16) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River, including tributaries.

(17) OPERATIONS AND MAINTENANCE.—The term ''operations and maintenance'' means the Bureau of Indian Affairs operations and maintenance activities related to costs described in section 171.500 of title 25, Code of Federal Regulations (or a successor regulation).

(18) OPERATIONS, MAINTENANCE, AND REPLACEMENT.—The term ''operations, maintenance, and replacement'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to repairing, replacing, or rehabilitating a feature of a project.

(19) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM.—The term ''Pick-Sloan Missouri River Basin Program'' means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665)).

(20) PMM.—The term ''PMM'' means the Principal Meridian, Montana.

(21) RESERVATION.—

(A) IN GENERAL.—The term ''Reservation'' means the area of the Fort Belknap Reservation in the State, as modified by this division.

(B) INCLUSIONS.—The term ''Reservation'' includes—

(i) all land and interests in land established by—

(I) the Agreement with the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 212), as modified by the Agreement with the Indians of the Fort Belknap Reservation of October 9, 1895 (ratified by the Act of June 10, 1896) (29 Stat. 350, chapter 398);

(II) the Act of March 3, 1921 (41 Stat. 1355, chapter 135); and

(III) Public Law 94–114 (25 U.S.C. 5501 et seq.);

(ii) the land known as the ''Hancock lands'' purchased by the Fort Belknap Indian Community pursuant to the Fort Belknap Indian Community Council Resolution No. 234–89 (October 2, 1989); and

(iii) all land transferred to the United States to be held in trust for the benefit of the Fort Belknap Indian Community under section 11006.

(22) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(23) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(24) STATE.—The term ''State'' means the State of Montana.

(25) TRIBAL WATER CODE.—The term ''Tribal water code'' means the Tribal water code enacted by the Fort Belknap Indian Community pursuant to section 11005(g).

(26) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Fort Belknap Indian Community, as described in Article III of the Compact and this division, including the allocation of water to the Fort Belknap Indian Community from Lake Elwell under section 11007.

(27) TRUST FUND.—The term ''Trust Fund'' means the Aaniiih Nakoda Settlement Trust Fund established for the Fort Belknap Indian Community under section 11012(a).

SEC. 11004. RATIFICATION OF COMPACT.

(a) RATIFICATION OF COMPACT.—

(1) IN GENERAL.—As modified by this division, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed to the extent that the amendment is executed to make the Compact consistent with this division.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this division, the Secretary shall execute the Compact, including all appendices to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this division precludes the Secretary from approving any modification to an appendix to the Compact that is consistent with this division, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this division, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Compact and this division, the Fort Belknap Indian Community shall prepare any necessary environmental documents, except for any environmental documents required under section 11008, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities described in paragraph (2) shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 11005. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this division.

(3) CONFLICT.—In the event of a conflict between the Compact and this division, this division shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this division, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this division;

(2) the availability of funding under this division and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), and this division to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Fort Belknap Indian Community and allottees in accordance with this division; and

(2) shall not be subject to loss through nonuse, forfeiture, or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF THE ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), relating to the use of water for irrigation purposes, shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the Tribal water code or other applicable Tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the Tribal water code or other applicable Tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF THE SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF THE FORT BELKNAP INDIAN COMMUNITY.—

(1) IN GENERAL.—The Fort Belknap Indian Community shall have the authority to allocate, distribute, and lease the Tribal water rights for use on the Reservation in accordance with the Compact, this division, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Fort Belknap Indian Community may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, this division, and applicable Federal law—

(A) subject to the approval of the Secretary; or

(B) pursuant to Tribal water leasing regulations consistent with the requirements of subsection (f).

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the Tribal water code.

(f) TRIBAL WATER LEASING REGULATIONS.—

(1) IN GENERAL.—At the discretion of the Fort Belknap Indian Community, any water lease of the Fort Belknap Indian Community of the Tribal water rights for use on or off the Reservation shall not require the approval of the Secretary if the lease—

(A) is executed under tribal regulations, approved by the Secretary under this subsection;

(B) is in accordance with the Compact; and

(C) does not exceed a term of 100 years, except that a lease may include an option to renew for 1 additional term of not to exceed 100 years.

(2) AUTHORITY OF THE SECRETARY OVER TRIBAL WATER LEASING REGULATIONS.—

(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any Tribal water leasing regulations issued in accordance with paragraph (1).

(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any Tribal water leasing regulations issued in accordance with

paragraph (1) if the Tribal water leasing regulations—

(i) provide for an environmental review process that includes—

(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

(II) a process for ensuring that—

(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Fort Belknap Indian Community; and

(bb) the Fort Belknap Indian Community provides responses to relevant and substantive public comments on those impacts prior to its approval of a water lease; and

(ii) are consistent with this division and the Compact.

(3) REVIEW PROCESS.—

(A) IN GENERAL.—Not later than 120 days after the date on which Tribal water leasing regulations under paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the Tribal water leasing regulations described in subparagraph (A), the Secretary shall include written documentation with the disapproval notification that describes the basis for this disapproval.

(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(4) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (2) and (3), if the Fort Belknap Indian Community carries out a project or activity funded by a Federal agency, the Fort Belknap Indian Community—

(A) shall have the authority to rely on the environmental review process of the applicable Federal agency; and

(B) shall not be required to carry out a tribal environmental review process under this subsection.

(5) DOCUMENTATION.—If the Fort Belknap Indian Community issues a lease pursuant to Tribal water leasing regulations under paragraph (1), the Fort Belknap Indian Community shall provide the Secretary and the State a copy of the lease, including any amendments or renewals to the lease.

(6) LIMITATION OF LIABILITY.—

(A) IN GENERAL.—The United States shall not be liable in any claim relating to the negotiation, execution, or approval of any lease or exchange agreement or storage agreement, including any claims relating to the terms included in such an agreement, made pursuant to Tribal water leasing regulations under paragraph (1).

(B) OBLIGATIONS.—The United States shall have no trust obligation or other obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease or exchange agreement or storage agreement; or

(ii) the expenditure of those funds.

(g) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding Article IV.A.2. of the Compact, not later than 4 years after the date on which the Fort Belknap Indian Community approves the Compact in accordance with section 11011(f)(1), the Fort Belknap Indian Community shall enact a Tribal water code that provides for—

(A) the administration, management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this division; and

(B) the establishment by the Fort Belknap Indian Community of the conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this division.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the Tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Fort Belknap Indian Community provide water for irrigation use in accordance with this division, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (36 Stat. 856, chapter 431; 25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Fort Belknap Indian Community of any request of an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision;

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the Tribal water code, including to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under Tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B);

(E) a process by which an owner of fee land within the boundaries of the Reservation may apply for use of a portion of the Tribal water rights; and

(F) a process for the establishment of a controlled Groundwater area and for the management of that area in cooperation with establishment of a contiguous controlled Groundwater area off the Reservation established pursuant to Section B.2. of Article IV of the Compact and State law.

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this Act and ending on the date on which a Tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with the Compact and this division.

(B) APPROVAL.—The Tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the Tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the Tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the Tribal water code or an amendment to the Tribal water code by not later than 180 days after the date on which the Tribal water code or amendment to the Tribal water code is submitted to the Secretary.

(ii) EXTENSIONS.—The deadline described in clause (i) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(h) ADMINISTRATION.—

(1) NO ALIENATION.—The Fort Belknap Indian Community shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this division for the allocation, distribution, leasing, or other arrangement entered into pursuant to this division shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(i) EFFECT.—Except as otherwise expressly provided in this section, nothing in this division—

(1) authorizes any action by an allottee against any individual or entity, or against the Fort Belknap Indian Community, under Federal, State, Tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

(j) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM POWER RATES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary, in cooperation with the Secretary of Energy, shall make available the Pick-Sloan Missouri River Basin Program irrigation project pumping power rates to the Fort Belknap Indian Community, the Fort Belknap Indian Irrigation Project, and any projects funded under this division.

(2) AUTHORIZED PURPOSES.—The power rates made available under paragraph (1) shall be authorized for the purposes of wheeling, administration, and payment of irrigation project pumping power rates, including project use power for gravity power.

SEC. 11006. EXCHANGE AND TRANSFER OF LAND.

(a) EXCHANGE OF ELIGIBLE LAND AND STATE LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE LAND.—The term ''eligible land'' means—

(i) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) that are administered by the Secretary, acting through the Director of the Bureau of Land Management; and

(ii) land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a)) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(B) SECRETARY CONCERNED.—The term ''Secretary concerned'' means, as applicable—

(i) the Secretary, with respect to the eligible land administered by the Bureau of Land Management; and

(ii) the Secretary of Agriculture, with respect to eligible land managed by the Forest Service.

(2) NEGOTIATIONS AUTHORIZED.—

(A) IN GENERAL.—The Secretary concerned shall offer to enter into negotiations with the State for the purpose of exchanging eligible land described in paragraph (4) for the State land described in paragraph (3).

(B) REQUIREMENTS.—Any exchange of land made pursuant to this subsection shall be subject to the terms and conditions of this subsection.

(C) PRIORITY.—

(i) IN GENERAL.—In carrying out this paragraph, the Secretary and the Secretary of Agriculture shall, during the 5-year period beginning on the date of enactment of this Act, give priority to an exchange of eligible land located within the State for State land.

(ii) SECRETARY OF AGRICULTURE.—The responsibility of the Secretary of Agriculture under clause (i), during the 5-year period described in that clause, shall be limited to negotiating with the State an acceptable package of land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a))).

(3) STATE LAND.—The Secretary is authorized to accept the following parcels of State land located on and off the Reservation:

(A) 717.56 acres in T. 26 N., R. 22 E., sec. 16.
(B) 707.04 acres in T. 27 N., R. 22 E., sec. 16.
(C) 640 acres in T. 27 N., R. 21 E., sec. 36.
(D) 640 acres in T. 26 N., R. 23 E., sec. 16.
(E) 640 acres in T. 26 N., R. 23 E., sec. 36.
(F) 640 acres in T. 26 N., R. 26 E., sec. 16.
(G) 640 acres in T. 26 N., R. 22 E., sec. 36.
(H) 640 acres in T. 27 N., R. 23 E., sec. 16.
(I) 640 acres in T. 27 N., R. 25 E., sec. 36.
(J) 640 acres in T. 28 N., R. 22 E., sec. 36.
(K) 640 acres in T. 28 N., R. 23 E., sec. 16.
(L) 640 acres in T. 28 N., R. 24 E., sec. 36.
(M) 640 acres in T. 28 N., R. 25 E., sec. 16.
(N) 640 acres in T. 28 N., R. 25 E., sec. 36.
(O) 640 acres in T. 28 N., R. 26 E., sec. 16.
(P) 94.96 acres in T. 28 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act, comprised of—
(i) 30.68 acres in lot 5;
(ii) 26.06 acres in lot 6;
(iii) 21.42 acres in lot 7; and
(iv) 16.8 acres in lot 8.
(Q) 652.32 acres in T. 29 N., R. 22 E., sec. 16, excluding the 73.36 acres under lease by individuals who are not members of the Fort Belknap Indian Community, on the date of enactment of this Act.
(R) 640 acres in T. 29 N., R. 22 E., sec. 36.
(S) 640 acres in T. 29 N., R. 23 E., sec. 16.
(T) 640 acres in T. 29 N., R. 24 E., sec. 16.
(U) 640 acres in T. 29 N., R. 24 E., sec. 36.
(V) 640 acres in T. 29 N., R. 25 E., sec. 16.
(W) 640 acres in T. 29 N., R. 25 E., sec. 36.
(X) 640 acres in T. 29 N., R. 26 E., sec. 16.
(Y) 663.22 acres in T. 30 N., R. 22 E., sec. 16, excluding the 58.72 acres under lease by individuals who are not members of the Fort Belknap Indian Community on the date of enactment of this Act.
(Z) 640 acres in T. 30 N., R. 22 E., sec. 36.
(AA) 640 acres in T. 30 N., R. 23 E., sec. 16.
(BB) 640 acres in T. 30 N., R. 23 E., sec. 36.
(CC) 640 acres in T. 30 N., R. 24 E., sec. 16.
(DD) 640 acres in T. 30 N., R. 24 E., sec. 36.
(EE) 640 acres in T. 30 N., R. 25 E., sec. 16.
(FF) 275.88 acres in T. 30 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act.
(GG) 640 acres in T. 31 N., R. 22 E., sec. 36.
(HH) 640 acres in T. 31 N., R. 23 E., sec. 16.
(II) 640 acres in T. 31 N., R. 23 E., sec. 36.
(JJ) 34.04 acres in T. 31 N., R. 26 E., sec. 16, lot 4.
(KK) 640 aces in T. 25 N., R 22 E., sec 16.

(4) ELIGIBLE LAND.—
(A) IN GENERAL.—Subject to valid existing rights, the reservation of easements or rights-of-way deemed necessary to be retained by the Secretary concerned, and the requirements of this subsection, the Secretary is authorized and directed to convey to the State any eligible land within the State identified in the negotiations authorized by paragraph (2) and agreed to by the Secretary concerned.
(B) EXCEPTIONS.—The Secretary concerned shall exclude from any conveyance any parcel of eligible land that is—
(i) included within the National Landscape Conservation System established by section 2002(a) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(a)), without regard to whether that land has been identified as available for disposal in a land use plan;
(ii) designated as wilderness by Congress;
(iii) within a component of the National Wild and Scenic Rivers System; or
(iv) designated in the Forest Land and Resource Management Plan as a Research Natural Area.
(C) ADMINISTRATIVE RESPONSIBILITY.—The Secretary shall be responsible for meeting all substantive and any procedural requirements necessary to complete the exchange and the conveyance of the eligible land.

(5) LAND INTO TRUST.—On completion of the land exchange authorized by this subsection, the Secretary shall, as soon as practicable after the enforceability date, take the land received by the United States pursuant to this subsection into trust for the benefit of the Fort Belknap Indian Community.

(6) TERMS AND CONDITIONS.—
(A) EQUAL VALUE.—The values of the eligible land and State land exchanged under this subsection shall be equal, except that the Secretary concerned may—
(i) exchange land that is of approximately equal value if such an exchange complies with the requirements of section 206(h) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(h)) (and any regulations implementing that section) without regard to the monetary limitation described in paragraph (1)(A) of that section; and
(ii) make or accept an equalization payment, or waive an equalization payment, if such a payment or waiver of a payment complies with the requirements of section 206(b) of that Act (43 U.S.C. 1716(b)) (and any regulations implementing that section).
(B) IMPACTS ON LOCAL GOVERNMENTS.—In identifying eligible land to be exchanged with the State, the Secretary concerned and the State may—
(i) consider the financial impacts of exchanging specific eligible land on local governments; and
(ii) attempt to minimize the financial impact of the exchange on local governments.
(C) EXISTING AUTHORIZATIONS.—
(i) ELIGIBLE LAND CONVEYED TO THE STATE.—
(I) IN GENERAL.—Any eligible land conveyed to the State under this subsection shall be subject to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.
(II) ASSUMPTION BY STATE.—The State shall assume all benefits and obligations of the Forest Service or the Bureau of Land Management, as applicable, under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I).
(ii) STATE LAND CONVEYED TO THE UNITED STATES.—
(I) IN GENERAL.—Any State land conveyed to the United States under this subsection and taken into trust for the benefit of the Fort Belknap Indian Community subject shall be to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.
(II) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—
(aa) assume all benefits and obligations of the State under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I); and
(bb) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-way, after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the benefit of the Fort Belknap Indian Community.
(D) PERSONAL PROPERTY.—
(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred to the United States under this subsection shall—
(I) remain the property of the holder; and
(II) be removed not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.
(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—
(I) become the property of the Fort Belknap Indian Community; and
(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.
(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable for costs incurred by the Fort Belknap Indian Community in removing and disposing of the personal property under clause (ii)(II).

(7) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of land owned by the State under paragraph (3), the State may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the State parcels to be exchanged.

(8) ASSISTANCE.—The Secretary shall provide $10,000,000 of financial or other assistance to the State and the Fort Belknap Indian Community as may be necessary to obtain the appraisals, and to satisfy administrative requirements, necessary to accomplish the exchanges under paragraph (2).

(b) FEDERAL LAND TRANSFERS.—
(1) IN GENERAL.—Subject to valid existing rights and the requirements of this subsection, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be held by the United States in trust for the benefit of the Fort Belknap Indian Community as part of the Reservation on the enforceability date.
(2) FEDERAL LAND.—
(A) BUREAU OF LAND MANAGEMENT PARCELS.—
(i) 59.46 acres in T. 25 N., R. 22 E., sec. 4, comprised of—
(I) 19.55 acres in lot 10;
(II) 19.82 acres in lot 11; and
(III) 20.09 acres in lot 16.
(ii) 324.24 acres in the N½ of T. 25 N., R. 22 E., sec. 5.
(iii) 403.56 acres in T. 25 N., R. 22 E., sec. 9, comprised of—
(I) 20.39 acres in lot 2;
(II) 20.72 acres in lot 7;
(III) 21.06 acres in lot 8;
(IV) 40.00 acres in lot 9;
(V) 40.00 acres in lot 10;
(VI) 40.00 acres in lot 11;
(VII) 40.00 acres in lot 12;
(VIII) 21.39 acres in lot 13; and
(IX) 160 acres in SW¼.
(iv) 70.63 acres in T. 25 N., R. 22 E., sec. 13, comprised of—
(I) 18.06 acres in lot 5;
(II) 18.25 acres in lot 6;
(III) 18.44 acres in lot 7; and
(IV) 15.88 acres in lot 8.
(v) 71.12 acres in T. 25 N., R. 22 E., sec. 14, comprised of—
(I) 17.65 acres in lot 5;
(II) 17.73 acres in lot 6;
(III) 17.83 acres in lot 7; and
(IV) 17.91 acres in lot 8.
(vi) 103.29 acres in T. 25 N., R. 22 E., sec. 15, comprised of—
(I) 21.56 acres in lot 6;
(II) 29.50 acres in lot 7;
(III) 17.28 acres in lot 8;
(IV) 17.41 acres in lot 9; and
(V) 17.54 acres in lot 10.

(vii) 160 acres in T. 26 N., R. 21 E., sec. 1, comprised of—
(I) 80 acres in the S½ of the NW¼ ; and
(II) 80 acres in the W½ of the SW¼.
(viii) 567.50 acres in T. 26 N., R. 21 E., sec. 2, comprised of—
(I) 82.54 acres in the E½ of the NW¼;
(II) 164.96 acres in the NE¼; and
(III) 320 acres in the S½.
(ix) 240 acres in T. 26 N., R. 21 E., sec. 3, comprised of—
(I) 40 acres in the SE¼ of the NW¼;
(II) 160 acres in the SW¼; and
(III) 40 acres in the SW¼ of the SE¼.
(x) 120 acres in T. 26 N., R. 21 E., sec. 4, comprised of—
(I) 80 acres in the E½ of the SE¼; and
(II) 40 acres in the NW¼ of the SE¼.
(xi) 200 acres in T. 26 N., R. 21 E., sec. 5, comprised of—
(I) 160 acres in the SW¼; and
(II) 40 acres in the SW¼ of the NW¼.
(xii) 40 acres in the SE¼ of the SE¼ of T. 26 N., R. 21 E., sec. 6.
(xiii) 240 acres in T. 26 N., R. 21 E., sec. 8, comprised of—
(I) 40 acres in the NE¼ of the SW¼;
(II) 160 acres in the NW¼; and
(III) 40 acres in the NW¼ of the SE¼.
(xiv) 320 acres in the E½ of T. 26 N., R. 21 E., sec. 9.
(xv) 640 acres in T. 26 N., R. 21 E., sec. 10.
(xvi) 600 acres in T. 26 N., R. 21 E., sec. 11, comprised of—
(I) 320 acres in the N½;
(II) 80 acres in the N½ of the SE¼;
(III) 160 acres in the SW¼; and
(IV) 40 acres in the SW¼ of the SE¼.
(xvii) 525.81 acres in T. 26 N., R. 22 E., sec. 21, comprised of—
(I) 6.62 acres in lot 1;
(II) 5.70 acres in lot 2;
(III) 56.61 acres in lot 5;
(IV) 56.88 acres in lot 6;
(V) 320 acres in the W½; and
(VI) 80 acres in the W½ of the SE¼.
(xviii) 719.58 acres in T. 26 N., R. 22 E., sec. 28.
(xix) 560 acres in T. 26 N., R. 22 E., sec. 29, comprised of—
(I) 320 acres in the N½;
(II) 160 acres in the N½ of the S½; and
(III) 80 acres in the S½ of the SE¼.
(xx) 400 acres in T. 26 N., R. 22 E., sec. 32, comprised of—
(I) 320 acres in the S½; and
(II) 80 acres in the S½ of the NW¼.
(xxi) 455.51 acres in T. 26 N., R. 22 E., sec. 33, comprised of—
(I) 58.25 acres in lot 3;
(II) 58.5 acres in lot 4;
(III) 58.76 acres in lot 5;
(IV) 40 acres in the NW¼ of the NE¼;
(V) 160 acres in the SW¼; and
(VI) 80 acres in the W½ of the SE¼.
(xxii) 88.71 acres in T. 27 N., R. 21 E., sec. 1, comprised of—
(I) 24.36 acres in lot 1;
(II) 24.35 acres in lot 2; and
(III) 40 acres in the SW¼ of the SW¼.
(xxiii) 80 acres in T. 27 N., R. 21 E., sec. 3, comprised of—
(I) 40 acres in lot 11; and
(II) 40 acres in lot 12.
(xxiv) 80 acres in T. 27 N., R. 21 E., sec. 11, comprised of—
(I) 40 acres in the NW¼ of the SW¼; and
(II) 40 acres in the SW¼ of the NW¼.
(xxv) 200 acres in T. 27 N., R. 21 E., sec. 12, comprised of—
(I) 80 acres in the E½ of the SW¼;
(II) 40 acres in the NW¼ of the NW¼; and
(III) 80 acres in the S½ of the NW¼.
(xxvi) 40 acres in the SE¼ of the NE¼ of T. 27 N., R. 21 E., sec. 23.
(xxvii) 320 acres in T. 27 N., R. 21 E., sec. 24, comprised of—
(I) 80 acres in the E½ of the NW¼;
(II) 160 acres in the NE¼;
(III) 40 acres in the NE¼ of the SE¼; and
(IV) 40 acres in the SW¼ of the SW¼.
(xxviii) 120 acres in T. 27 N., R. 21 E., sec. 25, comprised of—
(I) 80 acres in the S½ of the NE¼; and
(II) 40 acres in the SE¼ of the NW¼.
(xxix) 40 acres in the NE¼ of the SE¼ of T. 27 N., R. 21 E., sec. 26.
(xxx) 160 acres in the NW¼ of T. 27 N., R. 21 E., sec. 27.
(xxxi) 40 acres in the SW¼ of the SW¼ of T. 27 N., R. 21 E., sec. 29.
(xxxii) 40 acres in the SW¼ of the NE¼ of T. 27 N., R. 21 E., sec 30.
(xxxiii) 120 acres in T. 27 N., R. 21 E., sec. 33, comprised of—
(I) 40 acres in the SE¼ of the NE¼; and
(II) 80 acres in the N½ of the SE¼.
(xxxiv) 440 acres in T. 27 N., R. 21 E., sec. 34, comprised of—
(I) 160 acres in the N½ of the S½;
(II) 160 acres in the NE¼;
(III) 80 acres in the S½ of the NW¼; and
(IV) 40 acres in the SE¼ of the SE¼.
(xxxv) 133.44 acres in T. 27 N., R. 22 E., sec. 4, comprised of—
(I) 28.09 acres in lot 5;
(II) 25.35 acres in lot 6;
(III) 40 acres in lot 10; and
(IV) 40 acres in lot 15.
(xxxvi) 160 acres in T. 27 N., R. 22 E., sec. 7, comprised of—
(I) 40 acres in the NE¼ of the NE¼;
(II) 40 acres in the NW¼ of the SW¼; and
(III) 80 acres in the W½ of the NW¼.
(xxxvii) 120 acres in T. 27 N., R. 22 E., sec. 8, comprised of—
(I) 80 acres in the E½ of the NW¼; and
(II) 40 acres in the NE¼ of the SW¼.
(xxxviii) 40 acres in the SW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 9.
(xxxix) 40 acres in the NE¼ of the SW¼ of T. 27 N., R. 22 E., sec. 17.
(xl) 40 acres in the NW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 19.
(xli) 40 acres in the SE¼ of the NW¼ of T. 27 N., R22 E., sec. 20.
(xlii) 80 acres in the W½ of the SE¼ of T. 27 N., R. 22 E., sec. 31.
(xliii) 52.36 acres in the SE¼ of the SE¼ of T. 27 N., R. 22 E., sec. 33.
(xliv) 40 acres in the NE¼ of the SW¼ of T. 28 N., R. 22 E., sec. 29.
(xlv) 40 acres in the NE¼ of the NE¼ of T. 26 N., R. 21 E., sec. 7.
(xlvi) 40 acres in the SW¼ of the NW¼ of T. 26 N., R. 21 E., sec. 12.
(xlvii) 42.38 acres in the NW¼ of the NE¼ of T. 26 N., R. 22 E., sec. 6.
(xlviii) 320 acres in the E½ of T. 26 N., R. 22 E., sec. 17.
(xlix) 80 acres in the E½ of the NE¼ of T. 26 N., R. 22 E., sec. 20.
(l) 240 acres in T. 26 N., R. 22 E., sec. 30, comprised of—
(I) 80 acres in the E½ of the NE¼;
(II) 80 acres in the N½ of the SE¼;
(III) 40 acres in the SE¼ of the NW¼; and
(IV) 40 acres in the SW¼ of the NE¼.

(B) BUREAU OF INDIAN AFFAIRS.—The parcels of approximately 3,519.3 acres of trust land that have been converted to fee land, judicially foreclosed on, acquired by the Department of Agriculture, and transferred to the Bureau of Indian Affairs, described in clauses (i) through (iii).

(i) PARCEL 1.—The land described in this clause is 640 acres in T. 29 N., R. 26 E., comprised of—
(I) 160 acres in the SW¼ of sec. 27;
(II) 160 acres in the NE¼ of sec. 33; and
(III) 320 acres in the W½ of sec. 34.

(ii) PARCEL 2.—The land described in this clause is 320 acres in the N½ of T. 30 N., R. 23 E., sec. 28.

(iii) PARCEL 3.—The land described in this clause is 2,559.3 acres, comprised of—
(I) T. 28 N., R. 24 E., including—
(aa) of sec. 16—
(AA) 5 acres in the E½, W½, E½, W½, W½, NE¼;
(BB) 10 acres in the E½ , E½, W½, W½, NE¼;
(CC) 40 acres in the E½, W½, NE¼;
(DD) 40 acres in the W½, E½, NE¼;
(EE) 20 acres in the W½, E½, E½, NE¼;
(FF) 5 acres in the W½, W½, E½, E½, E½, NE¼; and
(GG) 160 acres in the SE¼;
(bb) 640 acres in sec. 21;
(cc) 320 acres in the S½ of sec. 22; and
(dd) 320 acres in the W½ of sec. 27;
(II) T. 29 N., R. 25 E., PMM, including—
(aa) 320 acres in the S½ of sec. 1; and
(bb) 320 acres in the N½ of sec. 12;
(III) 39.9 acres in T. 29 N., R. 26 E., PMM, sec. 6, lot 2;
(IV) T. 30 N., R. 26 E., PMM, including—
(aa) 39.4 acres in sec. 3, lot 2;
(bb) 40 acres in the SW¼ of the SW¼ of sec. 4;
(cc) 80 acres in the E½ of the SE¼ of sec. 5;
(dd) 80 acres in the S½ of the SE¼ of sec. 7; and
(ee) 40 acres in the N½, N½, NE¼ of sec. 18; and
(V) 40 acres in T. 31 N., R. 26 E., PMM, the NW¼ of the SE¼ of sec. 31.

(3) TERMS AND CONDITIONS.—

(A) EXISTING AUTHORIZATIONS.—

(i) IN GENERAL.—Federal land transferred under this subsection shall be conveyed and taken into trust subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, and rights-of-way requests an earlier termination in accordance with existing law.

(ii) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—
(I) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, and rights-of-way described in clause (i); and
(II) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-ways after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the Fort Belknap Indian Community.

(B) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred under this subsection shall—
(I) remain the property of the holder; and
(II) be removed from the land not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—
(I) become the property of the Fort Belknap Indian Community; and
(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable to the Fort Belknap Indian Community for costs incurred by the Fort Belknap Indian Community in removing and disposing of the property under clause (ii)(II).

(C) EXISTING ROADS.—If any road within the Federal land transferred under this subsection is necessary for customary access to private land, the Bureau of Indian Affairs shall offer the owner of the private land to apply for a right-of-way along the existing road, at the expense of the landowner.

(D) LIMITATION ON THE TRANSFER OF WATER RIGHTS.—Water rights that transfer with the land described in paragraph (2) shall not become part of the Tribal water rights, unless those rights are recognized and ratified in the Compact.

(4) WITHDRAWAL OF FEDERAL LAND.—

(A) IN GENERAL.—Subject to valid existing rights, effective on the date of enactment of this Act, all Federal land within the parcels described in paragraph (2) is withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(B) EXPIRATION.—The withdrawals pursuant to subparagraph (A) shall terminate on the date that the Secretary takes the land into trust for the benefit of the Fort Belknap Indian Community pursuant to paragraph (1).

(C) NO NEW RESERVATION OF FEDERAL WATER RIGHTS.—Nothing in this paragraph establishes a new reservation in favor of the United States or the Fort Belknap Indian Community with respect to any water or water right on the land withdrawn by this paragraph.

(5) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in paragraph (2), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels.

(6) SURVEY.—

(A) IN GENERAL.—Unless the United States or the Fort Belknap Indian Community request an additional survey for the transferred land or a technical correction is made under paragraph (5), the description of land under this subsection shall be controlling.

(B) ADDITIONAL SURVEY.—If the United States or the Fort Belknap Indian Community requests an additional survey, that survey shall control the total acreage to be transferred into trust under this subsection.

(C) ASSISTANCE.—The Secretary shall provide such financial or other assistance as may be necessary—

(i) to conduct additional surveys under this subsection; and

(ii) to satisfy administrative requirements necessary to accomplish the land transfers under this subsection.

(7) DATE OF TRANSFER.—The Secretary shall complete all land transfers under this subsection and shall take the land into trust for the benefit of the Fort Belknap Indian Community as expeditiously as practicable after the enforceability date, but not later than 10 years after the enforceability date.

(c) TRIBALLY OWNED FEE LAND.—Not later than 10 years after the enforceability date, the Secretary shall take into trust for the benefit of the Fort Belknap Indian Community all fee land owned by the Fort Belknap Indian Community on or adjacent to the Reservation to become part of the Reservation, provided that—

(1) the land is free from any liens, encumbrances, or other infirmities; and

(2) no evidence exists of any hazardous substances on, or other environmental liability with respect to, the land.

(d) DODSON LAND.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the enforceability date, but not later than 10 years after the enforceability date, the Dodson Land described in paragraph (3) shall be taken into trust by the United States for the benefit of the Fort Belknap Indian Community as part of the Reservation.

(2) RESTRICTIONS.—The land taken into trust under paragraph (1) shall be subject to a perpetual easement, reserved by the United States for use by the Bureau of Reclamation, its contractors, and its assigns for—

(A) the right of ingress and egress for Milk River Project purposes;

(B) the right to—

(i) seep, flood, and overflow the transferred land for Milk River Project purposes;

(ii) conduct routine and non-routine operation, maintenance, and replacement activities on the Milk River Project facilities, including modification to the headworks at the upstream end of the Dodson South Canal in support of Dodson South Canal enlargement, to include all associated access, construction, and material storage necessary to complete those activities; and

(iii) prohibit the construction of permanent structures on the transferred land, except—

(I) as provided in the cooperative agreement under paragraph (4); and

(II) to meet the requirements of the Milk River Project.

(3) DESCRIPTION OF DODSON LAND.—

(A) IN GENERAL.—The Dodson Land referred to in paragraphs (1) and (2) is the approximately 2,500 acres of land owned by the United States that is, as of the date of enactment of this Act, under the jurisdiction of the Bureau of Reclamation and located at the northeastern corner of the Reservation (which extends to the point in the middle of the main channel of the Milk River), where the Milk River Project facilities, including the Dodson Diversion Dam, headworks to the Dodson South Canal, and Dodson South Canal, are located, and more particularly described as follows:

(i) Supplemental Plat of T. 30 N., R. 26 E., PMM, secs. 1 and 2.

(ii) Supplemental Plat of T. 31 N., R. 25 E., PMM, sec. 13.

(iii) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 18, 19, 20, and 29.

(iv) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 26, 27, 35, and 36.

(B) CLARIFICATION.—The supplemental plats described in clauses (i) through (iv) of subparagraph (A) are official plats, as documented by retracement boundary surveys of the General Land Office, approved on March 11, 1938, and on record at the Bureau of Land Management.

(C) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in subparagraph (A), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels to be transferred.

(4) COOPERATIVE AGREEMENT.—Not later than 3 years after the enforceability date, the Bureau of Reclamation, the Malta Irrigation District, the Bureau of Indian Affairs, and the Fort Belknap Indian Community shall negotiate and enter into a cooperative agreement that identifies the uses to which the Fort Belknap Indian Community may put the land described in paragraph (3), provided that the cooperative agreement may be amended by mutual agreement of the Fort Belknap Indian Community, Bureau of Reclamation, the Malta Irrigation District, and the Bureau of Indian Affairs, including to modify the perpetual easement to narrow the boundaries of the easement or to terminate the perpetual easement and cooperative agreement.

(e) LAND STATUS.—All land held in trust by the United States for the benefit of the Fort Belknap Indian Community under this section shall be—

(1) beneficially owned by the Fort Belknap Indian Community; and

(2) part of the Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for the benefit of an Indian Tribe.

SEC. 11007. STORAGE ALLOCATION FROM LAKE ELWELL.

(a) STORAGE ALLOCATION OF WATER TO FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall allocate to the Fort Belknap Indian Community 20,000 acre-feet per year of water stored in Lake Elwell for use by the Fort Belknap Indian Community for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation for the benefit of the Fort Belknap Indian Community, as measured and diverted at the outlet works of the Tiber Dam or through direct pumping from Lake Elwell.

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Fort Belknap Indian Community under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Fort Belknap Indian Community under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Fort Belknap Indian Community shall administer the water allocated under subsection (a) in accordance with the Compact and this division.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving the allocation under this section, the Fort Belknap Indian Community shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this division.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Fort Belknap Indian Community, and not the United States, shall be entitled to all consideration due to the Fort Belknap Indian Community under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Fort Belknap Indian Community shall have the same storage rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Fort Belknap Indian Community shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, regardless of whether that water is delivered for use by the Fort Belknap Indian Community

or under a lease, contract, exchange, or by agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(G) the Fort Belknap Indian Community shall not be required to make payments to the United States for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H); and

(H) for each acre-foot of stored water leased or transferred by the Fort Belknap Indian Community for industrial purposes—

(i) the Fort Belknap Indian Community shall pay annually to the United States an amount necessary to cover the proportional share of the annual operations, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Fort Belknap Indian Community for industrial purposes; and

(ii) the annual payments of the Fort Belknap Indian Community shall be reviewed and adjusted, as appropriate, to reflect the actual operations, maintenance, and replacement costs for Tiber Dam.

(d) AGREEMENT BY FORT BELKNAP INDIAN COMMUNITY.—The Fort Belknap Indian Community may use, lease, contract, exchange, or enter into other agreements for the use of the water allocated to the Fort Belknap Indian Community under subsection (a) if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any water allocated to the Fort Belknap Indian Community under that subsection.

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 11008. MILK RIVER PROJECT MITIGATION.

(a) IN GENERAL.—In complete satisfaction of the Milk River Project mitigation requirements provided for in Article VI.B. of the Compact, the Secretary, acting through the Commissioner—

(1) in cooperation with the State and the Blackfeet Tribe, shall carry out appropriate activities concerning the restoration of the St. Mary Canal and associated facilities, including activities relating to the—

(A) planning and design to restore the St. Mary Canal and appurtenances to convey 850 cubic-feet per second; and

(B) rehabilitating, constructing, and repairing of the St. Mary Canal and appurtenances; and

(2) in cooperation with the State and the Fort Belknap Indian Community, shall carry out appropriate activities concerning the enlargement of Dodson South Canal and associated facilities, including activities relating to the—

(A) planning and design to enlarge Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; and

(B) rehabilitating, constructing, and enlarging the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second.

(b) FUNDING.—The total amount of obligations incurred by the Secretary, prior to any adjustments provided for in section 11014(b), shall not exceed $300,000,000 to carry out activities described in subsection (c)(1).

(c) SATISFACTION OF MITIGATION REQUIREMENT.—Notwithstanding any provision of the Compact, the mitigation required by Article VI.B. of the Compact shall be deemed satisfied if—

(1) the Secretary has—

(A) restored the St. Mary Canal and associated facilities to convey 850 cubic-feet per second; and

(B) enlarged the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; or

(2) the Secretary—

(A) has expended all of the available funding provided pursuant to section 11014(a)(1)(D) to rehabilitate the St. Mary Canal and enlarge the Dodson South Canal; and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

(d) NONREIMBURSABILITY OF COSTS.—The costs to the Secretary of carrying out this section shall be nonreimbursable.

SEC. 11009. FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall rehabilitate, modernize, and expand the Fort Belknap Indian Irrigation Project, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, which shall include—

(1) planning, studies, and designing of the existing and expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project;

(2) the rehabilitation, modernization, and construction of the existing Milk River unit; and

(3) construction of the expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project.

(b) LEAD AGENCY.—The Bureau of Indian Affairs, in coordination with the Bureau of Reclamation, shall serve as the lead agency with respect to any activities carried out under this section.

(c) CONSULTATION WITH THE FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall consult with the Fort Belknap Indian Community on appropriate changes to the final design and costs of any activity under this section.

(d) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section, prior to any adjustment provided for in section 11014(b), shall not exceed $415,832,153.

(e) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary and the Commissioner of Reclamation in carrying out this section shall be nonreimbursable.

(f) ADMINISTRATION.—The Secretary and the Fort Belknap Indian Community shall negotiate the cost of any oversight activity carried out by the Bureau of Indian Affairs or the Bureau of Reclamation under any agreement entered into under subsection (j), subject to the condition that the total cost for the oversight shall not exceed 3 percent of the total project costs for each project.

(g) PROJECT MANAGEMENT COMMITTEE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall facilitate the formation of a project management committee composed of representatives of the Bureau of Indian Affairs, the Bureau of Reclamation, and the Fort Belknap Indian Community—

(1) to review and make recommendations relating to cost factors, budgets, and implementing the activities for rehabilitating, modernizing, and expanding the Fort Belknap Indian Irrigation Project; and

(2) to improve management of inherently governmental activities through enhanced communication.

(h) PROJECT EFFICIENCIES.—If the total cost of planning, studies, design, rehabilitation, modernization, and construction activities relating to the projects described in subsection (a) results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under section 11012(b)(2).

(i) TREATMENT.—Any activities carried out pursuant to this section that result in improvements, additions, or modifications to the Fort Belknap Indian Irrigation Project shall—

(1) become a part of the Fort Belknap Indian Irrigation Project; and

(2) be recorded in the inventory of the Secretary relating to the Fort Belknap Indian Irrigation Project.

(j) APPLICABILITY OF ISDEAA.—At the request of the Fort Belknap Indian Community, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into agreements with the Fort Belknap Indian Community to carry out all or a portion of this section.

(k) EFFECT.—Nothing in this section—

(1) alters any applicable law under which the Bureau of Indian Affairs collects assessments or carries out the operations and maintenance of the Fort Belknap Indian Irrigation Project; or

(2) impacts the availability of amounts under section 11014.

(l) SATISFACTION OF FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM REQUIREMENT.—The obligations of the Secretary under subsection (a) shall be deemed satisfied if the Secretary, in coordination with the Commissioner of Reclamation—

(1) has rehabilitated, modernized, and expanded the Fort Belknap Indian Irrigation Project in accordance with subsection (a); or

(2)(A) has expended all of the available funding provided pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 11014(a); and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

SEC. 11010. SATISFACTION OF CLAIMS.

(a) IN GENERAL.—The benefits provided under this division shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Fort Belknap Indian Community against the United States that is waived and released by the Fort Belknap Indian Community under section 11011(a).

(b) ALLOTTEES.—The benefits realized by the allottees under this division shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released by the United States (acting as trustee for the allottees) under section 11011(a)(2); and

(2) any claims of the allottees against the United States similar to the claims described in section 11011(a)(2) that the allottee asserted or could have asserted.

SEC. 11011. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AND UNITED STATES AS TRUSTEE FOR THE FORT BELKNAP INDIAN COMMUNITY.—Subject to the reservation

of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), and the United States, acting as trustee for the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Fort Belknap Indian Community, or the United States acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(2) WAIVER AND RELEASE OF CLAIMS BY THE UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the United States, acting as trustee for the allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(3) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) first arising before the enforceability date relating to—

(i) water rights within the State that the United States, acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a general stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this division;

(ii) foregone benefits from nontribal use of water, on and off the Reservation (including water from all sources and for all uses);

(iii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State;

(iv) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(v) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of the Fort Belknap Indian Irrigation Project and other Federal land and facilities (including damages, losses, or injuries to Tribal fisheries, fish habitat, wildlife, and wildlife habitat);

(vi) a failure to provide for operation and maintenance, or deferred maintenance, for the Fort Belknap Indian Irrigation Project or any other irrigation system or irrigation project;

(vii) the litigation of claims relating to any water rights of the Fort Belknap Indian Community in the State;

(viii) the negotiation, execution, or adoption of the Compact (including appendices) and this division;

(ix) the taking or acquisition of land or resources of the Fort Belknap Indian Community for the construction or operation of the Fort Belknap Indian Irrigation Project or the Milk River Project; and

(x) the allocation of water of the Milk River and the St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448); and

(B) relating to damage, loss, or injury to water, water rights, land, or natural resources due to mining activities in the Little Rockies Mountains prior to the date of trust acquisition, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights.

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) OBJECTIONS IN MONTANA WATER COURT.—Nothing in this division or the Compact prohibits the Fort Belknap Indian Community, a member of the Fort Belknap Indian Community, an allottee, or the United States in any capacity from objecting to any claim to a water right filed in any general stream adjudication in the Montana Water Court.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community, and the United States, acting as trustee for the Fort Belknap Indian Community and the allottees shall retain—

(1) all claims relating to—

(A) the enforcement of water rights recognized under the Compact, any final court decree relating to those water rights, or this division or to water rights accruing on or after the enforceability date;

(B) the quality of water under—

(i) CERCLA, including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(C) damage, loss, or injury to land or natural resources that are—

(i) not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights); and

(ii) not described in subsection (a)(3); and

(D) an action to prevent any person or party (as defined in sections 29 and 30 of Article II of the Compact) from interfering with the enjoyment of the Tribal water rights;

(2) all claims relating to off-Reservation hunting rights, fishing rights, gathering rights, or other rights;

(3) all claims relating to the right to use and protect water rights acquired after the date of enactment of this Act;

(4) all claims relating to the allocation of waters of the Milk River and the Milk River Project between the Fort Belknap Indian Community and the Blackfeet Tribe, pursuant to section 3705(e)(3) of the Blackfeet Water Rights Settlement Act (Public Law 114–322; 130 Stat. 1818);

(5) all claims relating to the enforcement of this division, including the required transfer of land under section 11006; and

(6) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this division or the Compact.

(e) EFFECT OF COMPACT AND DIVISION.—Nothing in the Compact or this division—

(1) affects the authority of the Fort Belknap Indian Community to enforce the laws of the Fort Belknap Indian Community, including with respect to environmental protections;

(2) affects the ability of the United States, acting as sovereign, to carry out any activity authorized by law, including—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) CERCLA; and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) affects the ability of the United States to act as trustee for any other Indian Tribe or an allottee of any other Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law relating to health, safety, or the environment; or

(C) to conduct judicial review of any Federal agency action;

(5) waives any claim of a member of the Fort Belknap Indian Community in an individual capacity that does not derive from a right of the Fort Belknap Indian Community;

(6) revives any claim adjudicated in the decision in Gros Ventre Tribe v. United States, 469 F.3d 801 (9th Cir. 2006); or

(7) revives any claim released by an allottee or member of the Fort Belknap Indian Community in the settlement in Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) the eligible members of the Fort Belknap Indian Community have voted to approve this division and the Compact by a majority of votes cast on the day of the vote;

(2)(A) the Montana Water Court has approved the Compact in a manner from which no further appeal may be taken; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate district court of the United States has approved the Compact as a consent decree from which no further appeal may be taken;

(3) all of the amounts authorized to be appropriated under section 11014 have been appropriated and deposited in the designated accounts;

(4) the Secretary and the Fort Belknap Indian Community have executed the allocation agreement described in section 11007(c)(1);

(5) the State has provided the required funding into the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund pursuant to section 11014(a)(3); and

(6) the waivers and releases under subsection (a) have been executed by the Fort Belknap Indian Community and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section

shall be tolled for the period beginning on the date of enactment of this Act and ending on the enforceability date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitations or time-based equitable defense that expired before the date of enactment of this Act.

(h) EXPIRATION.—

(1) IN GENERAL.—This division shall expire in any case in which—

(A) the amounts authorized to be appropriated by this division have not been made available to the Secretary by not later than—

(i) January 21, 2034; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary; or

(B) the Secretary fails to publish a statement of findings under subsection (f) by not later than—

(i) January 21, 2035; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this division expires under paragraph (1)—

(A) the waivers and releases under subsection (a) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Compact under section 11004 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this division shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this division, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this division shall be returned to the Federal Government, unless otherwise agreed to by the Fort Belknap Indian Community and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this division that were expended or withdrawn, or any funds made available to carry out this division from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Fort Belknap Indian Community; or

(bb) any user of the Tribal water rights; or

(II) any other matter described in subsection (a)(3); or

(ii) in any future settlement of water rights of the Fort Belknap Indian Community or an allottee.

SEC. 11012. AANIIIH NAKODA SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund for the Fort Belknap Indian Community, to be known as the ''Aaniiih Nakoda Settlement Trust Fund'', to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account.

(2) The Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account.

(3) The Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1), the amounts made available pursuant to paragraphs (1)(A) and (2)(A)(i) of section 11014(a);

(2) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the amounts made available pursuant to section 11014(a)(2)(A)(ii); and

(3) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the amounts made available pursuant to paragraphs (1)(B) and (2)(A)(iii) of section 11014(a).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of the funds into the accounts in the Trust Fund pursuant to subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in accordance with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the amounts deposited under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund shall be available for use in accordance with subsections (e) and (g).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, earned on those amounts shall be made available—

(A) to the Fort Belknap Indian Community by the Secretary beginning on the enforceability date; and

(B) subject to the uses and restrictions in this section.

(2) EXCEPTIONS.—Notwithstanding paragraph (1)—

(A) amounts deposited in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for uses described in subparagraph (A) and (B) of subsection (g)(1);

(B) amounts deposited in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2) shall be made available to the Fort Belknap Indian Community on the date on which the amounts are deposited and the Fort Belknap Indian Community has satisfied the requirements of section 11011(f)(1), for the uses described in subsection (g)(2)(A); and

(C) amounts deposited in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for the uses described in subsection (g)(3)(A).

(f) WITHDRAWALS.—

(1) AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Fort Belknap Indian Community may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Fort Belknap Indian Community in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Fort Belknap Indian Community spend all amounts withdrawn from the Trust Fund, and any investment earnings accrued through the investments under the Tribal management plan, in accordance with this division.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary—

(i) to enforce the Tribal management plan; and

(ii) to ensure that amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community under this paragraph are used in accordance with this division.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Fort Belknap Indian Community may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under this paragraph, the Fort Belknap Indian Community shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Fort Belknap Indian Community elects to withdraw pursuant to this paragraph, subject to the condition that the funds shall be used for the purposes described in this division.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Fort Belknap Indian Community in accordance with subsections (e) and (g).

(D) APPROVAL.—On receipt of an expenditure plan under this paragraph, the Secretary shall approve the expenditure plan if the Secretary determines that the expenditure plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this division.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan under this paragraph to ensure that amounts disbursed under this paragraph are used in accordance with this division.

(g) USES.—Amounts from the Trust Fund shall be used by the Fort Belknap Indian Community for the following purposes:

(1) FORT BELKNAP INDIAN COMMUNITY TRIBAL IRRIGATION AND OTHER WATER RESOURCES DEVELOPMENT ACCOUNT.—Amounts in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1)

shall be used to pay the cost of activities relating to—

(A) planning, studies, and design of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019;

(B) environmental compliance;

(C) construction of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir;

(D) wetlands restoration and development;

(E) stock watering infrastructure; and

(F) on farm development support and reacquisition of fee lands within the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(2) FORT BELKNAP INDIAN COMMUNITY WATER RESOURCES AND WATER RIGHTS ADMINISTRATION, OPERATION, AND MAINTENANCE ACCOUNT.—Amounts in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities described in subparagraphs (A) through (C) as follows:

(A) $9,000,000 shall be used for the establishment, operation, and capital expenditures in connection with the administration of the Tribal water resources and water rights development, including the development or enactment of a Tribal water code.

(B) Only investment earnings, including interest, on $29,299,059 shall be used and be available to pay the costs of activities for administration, operations, and regulation of the Tribal water resources and water rights department, in accordance with the Compact and this division.

(C) Only investment earnings, including interest, on $28,331,693 shall be used and be available to pay the costs of activities relating to a portion of the annual assessment costs for the Fort Belknap Indian Community and Tribal members, including allottees, under the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(3) FORT BELKNAP INDIAN COMMUNITY CLEAN AND SAFE DOMESTIC WATER AND SEWER SYSTEMS, AND LAKE ELWELL PROJECT ACCOUNT.—Amounts in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities relating to—

(A) planning, studies, design, and environmental compliance of domestic water supply, sewer collection and treatment systems, and Lake Elwell Project, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, including water delivery to the southern part of the Reservation;

(B) construction of domestic water supply, sewer collection, and treatment systems;

(C) construction, in accordance with applicable law, of infrastructure for delivery of Lake Elwell water diverted from the Missouri River to the southern part of the Reservation; and

(D) planning, studies, design, environmental compliance, and construction of a Tribal wellness center for a work force health and wellbeing project.

(h) LIABILITY.—The Secretary shall not be liable for any expenditure or investment of amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community pursuant to subsection (f).

(i) PROJECT EFFICIENCIES.—If the total cost of the activities described in subsection (g) results in cost savings and is less than the amounts authorized to be obligated under any of paragraphs (1) through (3) of that subsection required to carry out those activities, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Trust Fund to be used in accordance with that subsection.

(j) ANNUAL REPORT.—The Fort Belknap Indian Community shall submit to the Secretary an annual expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan described in this section.

(k) NO PER CAPITA PAYMENTS.—No principal or interest amount in any account established by this section shall be distributed to any member of the Fort Belknap Indian Community on a per capita basis.

(l) EFFECT.—Nothing in this division entitles the Fort Belknap Indian Community to judicial review of a determination of the Secretary regarding whether to approve a Tribal management plan under subsection (f)(1) or an expenditure plan under subsection (f)(2), except as provided under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(m) COMMUNITY FACILITIES DIRECT LOANS AND GRANTS FOR HEALTH CARE SERVICES.—Section 306(a) of the Consolidated Farm and Rural Development (7 U.S.C. 1926(a)) is amended by adding at the end the following:

''(27) HEALTH CARE SERVICES.—Notwithstanding section 343(a)(13)(C) and regardless of whether the facility is in a rural area, the Secretary may make a community facility direct loan or grant under paragraph (1), (19), (20), or (21) for a project to provide health care services if a majority of individuals provided the health care services live in a community with a population of less than 8,000 inhabitants.''.

SEC. 11013. FORT BELKNAP INDIAN COMMUNITY WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account to be known as the ''Fort Belknap Indian Community Water Settlement Implementation Fund'', to be managed and distributed by the Secretary, for use by the Secretary for carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The Fort Belknap Indian Irrigation Project System Account.

(2) The Milk River Project Mitigation Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1), the amount made available pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 11014(a); and

(2) in the Milk River Project Mitigation Account established under subsection (b)(2), the amount made available pursuant to section 11014(a)(1)(D).

(d) USES.—

(1) FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM ACCOUNT.—The Fort Belknap Indian Irrigation Project Rehabilitation Account established under subsection (b)(1) shall be used to carry out section 11009, except as provided in subsection (h) of that section.

(2) MILK RIVER PROJECT MITIGATION ACCOUNT.—The Milk River Project Mitigation Account established under subsection (b)(2) may only be used to carry out section 11008.

(e) MANAGEMENT.—

(1) IN GENERAL.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

(2) EXCEPTION.—Notwithstanding paragraph (1), amounts deposited in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1) shall be available to the Secretary on the date on which the amounts are deposited for uses described in paragraphs (1) and (2) of section 11009(a).

(f) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (d).

SEC. 11014. FUNDING.

(a) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(A) for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1), $89,643,100, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(B) for deposit in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 11012(b)(3), $331,885,220, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(C) for deposit in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 11013(b)(1), such sums as are necessary, but not more than $187,124,469, for the Secretary to carry out section 11009, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury; and

(D) for deposit in the Milk River Project Mitigation Account of the Implementation Fund established under section 11013(b)(2), such sums as are necessary, but not more than $300,000,000, for the Secretary to carry out obligations of the Secretary under section 11008, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) MANDATORY APPROPRIATIONS.—

(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall deposit—

(i) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1), $29,881,034, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(ii) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account of the Trust Fund established under section 11012(b)(2), $66,630,752;

(iii) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 11012(b)(3), $110,628,407; and

(iv) in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 11013(b)(1), $228,707,684.

(B) AVAILABILITY.—Amounts deposited in the applicable accounts under subparagraph (A) shall be available without further appropriation.

(3) STATE COST SHARE.—The State shall contribute $5,000,000, plus any earned interest, payable to the Secretary for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 11012(b)(1) on approval of a final decree by the Montana Water Court for the purpose of activities relating to the Upper Peoples Creek Dam and Reservoir under subparagraphs (A) through (C) of section 11012(g)(1).

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amounts authorized to be appropriated under paragraphs (1) and (2) of subsection (a) and this subsection shall be—

(A) increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after the date of enactment of this Act as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend; and

(B) adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(2) REPETITION.—The adjustment process under paragraph (1) shall be repeated for each subsequent amount appropriated until the amount authorized to be appropriated under subsection (a), as adjusted, has been appropriated.

(3) PERIOD OF INDEXING.—

(A) TRUST FUND.—With respect to the Trust Fund, the period of indexing adjustment under paragraph (1) for any increment of funding shall end on the date on which the funds are deposited into the Trust Fund.

(B) IMPLEMENTATION FUND.—With respect to the Implementation Fund, the period of adjustment under paragraph (1) for any increment of funding shall be annually.

SEC. 11015. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this division waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Fort Belknap Indian Community.

(c) ELIMINATION OF DEBTS OR LIENS AGAINST ALLOTMENTS OF THE FORT BELKNAP INDIAN COMMUNITY MEMBERS WITHIN THE FORT BELKNAP INDIAN IRRIGATION PROJECT.—On the date of enactment of this Act, the Secretary shall cancel and eliminate all debts or liens against the allotments of land held by the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community due to construction assessments and annual operation and maintenance charges relating to the Fort Belknap Indian Irrigation Project.

(d) EFFECT ON CURRENT LAW.—Nothing in this division affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner under this division shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(f) ADDITIONAL FUNDING.—Nothing in this division prohibits the Fort Belknap Indian Community from seeking—

(1) additional funds for Tribal programs or purposes; or

(2) funding from the United States or the State based on the status of the Fort Belknap Indian Community as an Indian Tribe.

(g) RIGHTS UNDER STATE LAW.—Except as provided in section 1 of Article III of the Compact (relating to the closing of certain water basins in the State to new appropriations in accordance with the laws of the State), nothing in this division or the Compact precludes the acquisition or exercise of a right arising under State law (as defined in section 6 of Article II of the Compact) to the use of water by the Fort Belknap Indian Community, or a member or allottee of the Fort Belknap Indian Community, outside the Reservation by—

(1) purchase of the right; or

(2) submitting to the State an application in accordance with State law.

(h) WATER STORAGE AND IMPORTATION.—Nothing in this division or the Compact prevents the Fort Belknap Indian Community from participating in any project to import water to, or to add storage in, the Milk River Basin.

SEC. 11016. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this division, including any obligation or activity under the Compact, if—

(1) adequate appropriations are not provided by Congress expressly to carry out the purposes of this division; or

(2) there are not enough funds available in the Reclamation Water Settlements Fund established by section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)) to carry out the purposes of this division.

SA 983. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FACILITATION OF INCREASED EQUITY INVESTMENTS UNDER THE BUILD ACT OF 2018.

(a) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—Section 1421(c) of the BUILD Act of 2018 (22 U.S.C. 9621(c)) is amended by adding at the end the following:

''(7) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), support provided under paragraph (1) with respect to a project shall be considered to be a Federal credit program that is subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) for purposes of applying the requirements of such Act to such support.

''(B) DETERMINATION OF COST.—

''(i) IN GENERAL.—For purposes of section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5) et seq.) the cost of support provided under paragraph (1) with respect to a project shall be the net present value, at the time when funds are disbursed to provide the support, of the following estimated cash flows:

''(I) The purchase price of the support.

''(II) Dividends, redemptions, and other shareholder distributions during the term of the support.

''(III) Proceeds received upon a sale, redemption, or other liquidation of the support.

''(IV) Adjustments for risk of estimated losses, if any.

''(ii) CHANGES IN TERMS INCLUDED.—The estimated cash flows described in subclauses (I) through (IV) of clause (i) shall include the effects of changes in terms resulting from the exercise of options included in the agreement to provide the support.

''(C) REESTIMATE OF COST.—When the estimated cost of support provided under paragraph (1) with respect to a project made in a single fiscal year is reestimated in a subsequent year, the difference between the reestimated cost and the previous cost estimate shall be paid from the balances available in the Corporate Capital Account established under section 1434.''.

(b) MAXIMUM CONTINGENT LIABILITY.—Section 1433 of such Act (22 U.S.C. 9633) is amended by striking ''$60,000,000,000'' and inserting ''$100,000,000,000''.

(c) FUNDING FOR CORPORATE CAPITAL ACCOUNT.—Section 1434(b) of such Act (22 U.S.C. 9634(b)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

''(6) receipts of reestimated costs received pursuant to section 1421(c).''.

SA 984. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FACILITATION OF INCREASED EQUITY INVESTMENTS UNDER THE BUILD ACT OF 2018.

(a) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—Section 1412 of the BUILD Act of 2018 (22 U.S.C. 9612) is amended by adding at the end the following:

''(d) VITAL NATIONAL SECURITY INTERESTS WAIVER.—The Chief Executive Officer of the Corporation may waive the requirement under subsection (c)(1) that a project supported by the Corporation occur in a less developed country and the requirements under subsection (c) with respect to a particular project if the President determines that such a waiver is in the vital national security interests of the United States.''.

(b) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—Section 1421(c) of such Act (22 U.S.C. 9621(c)) is amended by adding at the end the following:

''(7) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), support provided under paragraph (1) with respect to a project shall be considered to be a Federal credit program

that is subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) for purposes of applying the requirements of such Act to such support.

''(B) DETERMINATION OF COST.—

''(i) IN GENERAL.—For purposes of section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5) et seq.) the cost of support provided under paragraph (1) with respect to a project shall be the net present value, at the time when funds are disbursed to provide the support, of the following estimated cash flows:

''(I) The purchase price of the support.

''(II) Dividends, redemptions, and other shareholder distributions during the term of the support.

''(III) Proceeds received upon a sale, redemption, or other liquidation of the support.

''(IV) Adjustments for risk of estimated losses, if any.

''(ii) CHANGES IN TERMS INCLUDED.—The estimated cash flows described in subclauses (I) through (IV) of clause (i) shall include the effects of changes in terms resulting from the exercise of options included in the agreement to provide the support.

''(C) REESTIMATE OF COST.—When the estimated cost of support provided under paragraph (1) with respect to a project made in a single fiscal year is reestimated in a subsequent year, the difference between the reestimated cost and the previous cost estimate shall be paid from the balances available in the Corporate Capital Account established under section 1434.''.

(c) MAXIMUM CONTINGENT LIABILITY.—Section 1433 of such Act (22 U.S.C. 9633) is amended by striking ''$60,000,000,000'' and inserting ''$100,000,000,000''.

(d) FUNDING FOR CORPORATE CAPITAL ACCOUNT.—Section 1434(b) of such Act (22 U.S.C. 9634(b)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

''(6) receipts of reestimated costs received pursuant to section 1421(c).''.

SA 985. Mr. KELLY (for himself, Mr. CRUZ, Mr. YOUNG, Mr. HAGERTY, Mr. BROWN, Mr. BUDD, Ms. SINEMA, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SEMICONDUCTOR PROGRAM.

Title XCIX of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended—

(1) in section 9902 (15 U.S.C. 4652)—

(A) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(B) by inserting after subsection (g) the following:

''(h) AUTHORITY RELATING TO ENVIRONMENTAL REVIEW.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the provision by the Secretary of Federal financial assistance for a project described in this section that satisfies the requirements under subsection (a)(2)(C)(i) of this section shall not be considered to be a major Federal action under NEPA or an undertaking for the purposes of division A of subtitle III of title 54, United States Code, if—

''(A) the activity described in the application for that project has commenced not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2024;

''(B) the Federal financial assistance provided is in the form of a loan or loan guarantee; or

''(C) the Federal financial assistance provided, excluding any loan or loan guarantee, comprises not more than 10 percent of the total estimated cost of the project.

''(2) SAVINGS CLAUSE.—Nothing in this subsection may be construed as altering whether an activity described in subparagraph (A), (B), or (C) of paragraph (1) is considered to be a major Federal action under NEPA, or an undertaking under division A of subtitle III of title 54, United States Code, for a reason other than that the activity is eligible for Federal financial assistance provided under this section.''; and

(2) in section 9909 (15 U.S.C. 4659), by adding at the end the following:

''(c) LEAD FEDERAL AGENCY AND COOPERATING AGENCIES.—

''(1) DEFINITION.—In this subsection, the term 'lead agency' has the meaning given the term in section 111 of NEPA.

''(2) OPTION TO SERVE AS LEAD AGENCY.—With respect to a covered activity that is a major Federal action under NEPA, and with respect to which the Department of Commerce is authorized or required by law to issue an authorization or take action for or relating to that covered activity, the Department of Commerce shall have the first right to serve as the lead agency with respect to that covered activity under NEPA.

''(d) CATEGORICAL EXCLUSIONS.—

''(1) ESTABLISHMENT OF CATEGORICAL EXCLUSIONS.—Each of the following categorical exclusions is established for the National Institute of Standards and Technology with respect to a covered activity and, beginning on the date of enactment of this subsection, is available for use by the Secretary with respect to a covered activity:

''(A) Categorical exclusion 17.04.d (relating to the acquisition of machinery and equipment) in the document entitled 'EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates As Required' (Directive No. 17.02-2; effective date October 14, 1992).

''(B) Categorical exclusion A9 in Appendix A to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

''(C) Categorical exclusions B1.24, B1.31, B2.5, and B5.1 in Appendix B to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

''(D) The categorical exclusions described in paragraphs (4) and (13) of section 50.19(b) of title 24, Code of Federal Regulations, or any successor regulation.

''(E) Categorical exclusion (c)(1) in Appendix B to part 651 of title 32, Code of Federal Regulations, or any successor regulation.

''(F) Categorical exclusions A2.3.8 and A2.3.14 in Appendix B to part 989 of title 32, Code of Federal Regulations, or any successor regulation.

''(2) ADDITIONAL CATEGORICAL EXCLUSIONS.—Notwithstanding any other provision of law, each of the following shall be treated as a category of action categorically excluded from the requirements relating to environmental assessments and environmental impact statements under section 1501.4 of title 40, Code of Federal Regulations, or any successor regulation:

''(A) The provision by the Secretary of any Federal financial assistance for a project described in section 9902, if the facility that is the subject of the project is on or adjacent to a site—

''(i) that is owned or leased by the covered entity to which Federal financial assistance is provided for that project; and

''(ii) on which, as of the date on which the Secretary provides that Federal financial assistance, substantially similar construction, expansion, or modernization is being or has been carried out, such that the facility would not more than double existing developed acreage or on-site supporting infrastructure.

''(B) The provision by the Secretary of Defense of any Federal financial assistance relating to—

''(i) the creation, expansion, or modernization of one or more facilities described in the second sentence of section 9903(a)(1); or

''(ii) carrying out section 9903(b), as in effect on the date of enactment of this subsection.

''(C) Any activity undertaken by the Secretary relating to carrying out section 9906, as in effect on the date of enactment of this subsection.

''(e) INCORPORATION OF PRIOR PLANNING DECISIONS.—

''(1) DEFINITION.—In this subsection, the term 'prior studies and decisions' means baseline data, planning documents, studies, analyses, decisions, and documentation that a Federal agency has completed for a project (or that have been completed under the laws and procedures of a State or Indian Tribe), including for determining the reasonable range of alternatives for that project.

''(2) RELIANCE ON PRIOR STUDIES AND DECISIONS.—In completing an environmental review under NEPA for a covered activity, the Secretary may consider and, as appropriate, rely on or adopt prior studies and decisions, if the Secretary determines that—

''(A) those prior studies and decisions meet the standards for an adequate statement, assessment, or determination under applicable procedures of the Department of Commerce implementing the requirements of NEPA;

''(B) in the case of prior studies and decisions completed under the laws and procedures of a State or Indian Tribe, those laws and procedures are of equal or greater rigor than those of each applicable Federal law, including NEPA, implementing procedures of the Department of Commerce; or

''(C) if applicable, the prior studies and decisions are informed by other analysis or documentation that would have been prepared if the prior studies and decisions were prepared by the Secretary under NEPA.

''(f) DEFINITIONS.—In this section:

''(1) COVERED ACTIVITY.—The term 'covered activity' means any activity relating to the construction, expansion, or modernization of a facility, the investment in which is eligible for Federal financial assistance under section 9902 or 9906.

''(2) NEPA.—The term 'NEPA' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''.

SA 986. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title I, insert the following:

SEC. 1___. REPORT ON USE OF GOVERNMENT DOCKS FOR SHIP REPAIR AND MAINTENANCE.

On an annual basis, the Secretary of the Navy shall submit to the congressional defense committees a report that—

(1) identifies each instance in the year preceding the date of the report in which the Navy used a Government dock for a ship repair and maintenance availability when sufficient capacity was available in private docks during the period in which such repairs and maintenance were expected to be performed; and

(2) for each such instance, provides an explanation of the reasons the Navy used a Government dock rather than a private dock.

SEC. 1___. REPORT ON NAVY POLICY FOR SOLICITING COASTWIDE BIDS FOR CERTAIN REPAIR AVAILABILITIES.

(a) IN GENERAL.—Not later than March 30, 2024, the Secretary of the Navy shall submit to the congressional defense committees a report on the policy of the Navy for soliciting coastwide bids for repair availabilities longer than 10 months.

(b) ELEMENTS.—The report under subsection (a) shall explain and assess each of the following:

(1) The intent of the policy described in subsection (a).

(2) The data the Navy uses to assess the efficacy of such policy.

(3) How the Navy estimates the cost of moving vessels out of their home port to complete the availability and the actual cost of moving vessels out of their home port to complete the availability.

(4) How the Navy estimates the financial, labor force, servicemember and family wellbeing, berthing, and related costs associated with moving a vessel out of its home port to complete a repair availability longer than 10 months.

SEC. 1___. STUDY ON PRICE DIFFERENTIALS USED IN NAVY SHIP REPAIR SOLICITATIONS.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of the Navy shall seek to enter into an agreement with a federally funded research and development center to conduct a study to assess whether relevant price differentials used by the Navy in ship repair solicitations accurately reflect the true market value of the activity undertaken to complete the repair work involved in the absence of any such differential.

(b) ELEMENTS.—The study under subsection (a) shall address all relevant price differentials used by the Navy in ship repair solicitations, including—

(1) the use of Government-owned and -operated dry docks;

(2) the use of inter-port differentials; and

(3) the use of pier differentials.

(c) REPORTS.—

(1) FFRDC REPORT.—The federally funded research and development center that conducts the study under subsection (a) shall submit to the Secretary of the Navy a report on the results of the study.

(2) SUBMITTAL TO CONGRESS.—Not later than September 30, 2024, the Secretary of the Navy shall submit to the congressional defense committees an unaltered copy of the report received by the Secretary under paragraph (1) together with a separate statement of the views of the Secretary on the results of the study conducted under subsection (a).

SA 987. Mr. PADILLA submitted an amendment intended to be proposed by him to the bill S. 2226, 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; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle C of title I, insert the following:

SEC. 1___. LIMITATION ON USE OF GOVERNMENT-OPERATED DRYDOCKS.

The Secretary of the Navy shall ensure that no Government-operated drydock is eligible to compete for the award of a contract for private sector non-nuclear surface ship maintenance unless the Secretary determines, in accordance with section 2466 of title 10, United States Code, that there is not sufficient private sector dock competition.

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Madam President, I have nine requests for committees to meet during today's session of the Senate. They have the approval of the majority and minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, July 19, 2023, at 3 p.m., to conduct a subcommittee hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet in closed session during the session of the Senate on Wednesday, July 19, 2023, at 9 a.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, July 19, 2023, at 9:30 a.m., to conduct a business meeting.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, July 19, 2023, at 2:30 p.m., to conduct a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, July 19, 2023, at 2:45 p.m., to conduct a hearing.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, July 19, 2023, at 3 p.m., to conduct a business meeting.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, July 19, 2023, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet in closed session during the session of the Senate on Wednesday, July'19, 2023, at 4:30 p.m.

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, July 19, 2023, at 2:30 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. WICKER. Madam President, I ask unanimous consent that the following interns from my office be granted floor privileges until July 28, 2023: Shields Armstrong, Dia Chawla, Sykes Connell, Bobby Current, Don Fruge, Christian Fulcher, and Barron Liston.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Madam President, I would ask unanimous consent that floor passes be granted to the following staff members for the duration of the consideration of Calendar No. 119—that is, S. 2226: Liz King and Jon Clark with the majority Armed Services Committee and John Keast and Brendan Gavin with the minority Armed Services Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Madam President, I ask unanimous consent that Julia Coulter and Jessica Lewis, Government Accountability Office detailees to the Senate Committee on Armed Services, have floor privileges during consideration of the fiscal year 2024 National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2023 second quarter Mass Mailing report is Tuesday, July 25, 2023. An electronic option is available on Webster that will allow forms to be submitted via a fillable PDF document. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations or negative reports can be submitted electronically at http://webster.senate.gov/secretary/mass_mailing_form.htm or e-mailed to OPR_MassMailings@sec.senate.gov.

For further information, please contact the Senate Office of Public Records at (202) 224–0322.

RESOLUTIONS SUBMITTED TODAY

Mr. HICKENLOOPER. Madam President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions introduced earlier today: S. Res. 303 and S. Res. 304.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. HICKENLOOPER. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JULY 20, 2023

Mr. HICKENLOOPER. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Thursday, July 20; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Uhlmann nomination; further, that at 12 noon the Senate vote on confirmation of the Uhlmann nomination; further, that upon disposition of the nomination, the Senate resume legislative session for the consideration of Calendar No. 119, S. 2226, and vote on the Cruz amendment, No. 926, with the previous provisions remaining in effect; finally, that if any nominations are confirmed during Thursday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. HICKENLOOPER. Madam President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:57 p.m., adjourned until Thursday, July 20, 2023, at 10 a.m.

EXTENSIONS OF REMARKS

RECOGNIZING THE SERVICE AND BRAVERY OF THE DEPEW FIRE DEPARTMENT

HON. NICHOLAS A. LANGWORTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. LANGWORTHY. Mr. Speaker, I rise today to join in the celebration of Depew Founders' Day by recognizing the Depew Fire Department and the many volunteer firefighters who keep this community safe. It takes bravery, courage, and skill to run toward a fire while others are moving to safety. It is because of these brave men and women that Depew families can sleep at night assured that a strong, capable, and well-trained force is at the ready to help in their time of need.

Since 1894, the volunteer corps of the Depew Fire Department has grown to become the largest volunteer fire department in Erie County and 1 of the largest in New York State, with over 115 active members serving 5 Hose Companies and 1 Hook and Ladder Company spread across the village:

Hose Company No. 1

Aetna Hose Company

Cayuga Hose Company No. 3

Central Hose Company No. 4

West End Hose Company No. 6

Hook and Ladder Company No. 1

This is a close-knit community with deep ties to Depew, and with generations of firefighters stretching back over a century of service. I thank Chief John Gauthier, for his leadership, and to the many generations of Depew Fire Department volunteers present and represented at the 2023 Depew Founders Day Celebration. Their service and sacrifice are greatly appreciated, and I wish them all safety and success as they continue to serve this great community.

I am honored to join in the celebration of Depew Founders' Day, and to recognize the dedication and courage of the Depew Fire Department here from the Halls of Congress.

PERSONAL EXPLANATION

HON. CHRISTOPHER R. DELUZIO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. DELUZIO. Mr. Speaker, had I been present, I would have voted NAY on Roll Call No. 333, NAY on Roll Call No. 334, NAY on Roll Call No. 335, NAY on Roll Call No. 336, and NAY on Roll Call No. 337.

RECOGNIZING THE 250TH ANNIVERSARY OF HEMPFIELD TOWNSHIP

HON. GUY RESCHENTHALER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. RESCHENTHALER. Mr. Speaker, I rise to congratulate Hempfield Township of Westmoreland County, Pennsylvania on the 250th anniversary of its founding.

Since 1773, Hempfield Township has grown into 1 of the largest municipalities in Pennsylvania. Currently, it is home to over 40,000 people and is the largest municipality in Westmoreland County.

While Hempfield Township is an important hub for business and industry, the township never forgot its rich agricultural heritage. Hailing from southeastern Pennsylvania, its early settlers were largely of German descent and worked to refine grain. As people moved to the area, Hempfield grew and is now home to several manufacturing facilities, institutes of higher education, and recreational businesses that are important to southwestern Pennsylvania's economy. Above all, the township's people exemplify the values of good citizenship and devotion to their community.

Mr. Speaker, on behalf of the people of Pennsylvania's 14th Congressional District, I congratulate Hempfield Township on their 250th anniversary and look forward to building on this storied history over the next 250 years.

HONORING MATTHEW LIPTRAP ON WINNING THE EVELYNE VILLINES NATIONAL AWARD

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. LAMBORN. Mr. Speaker, I rise today to commend an exceptional individual who exemplifies unwavering dedication to supporting our servicemen and servicewomen: Matthew Liptrap. Recently bestowed with the prestigious 2023 Evelyne Villines Award, Matthew's achievements are truly deserving of recognition.

Evelyne Villines, a champion for meaningful employment opportunities for individuals with disabilities, left an indelible mark through her influential work. From advising politicians to advocating both nationally and globally, she played a crucial role in shaping initiatives like the Americans with Disabilities Act, and her legacy lives on through this award. It honors individuals who have not only attained employment despite significant disabilities but have also excelled in management roles within AbilityOne contracts. Considering Matthew's accomplishments, I firmly believe he is a perfect recipient of this esteemed award.

Matthew's journey began with over 10 years of dedicated service in the U.S. Army as an infantryman. Unfortunately, combat injuries cut short his military career. Nevertheless, he found a new purpose at Professional Contract Services Incorporated (PCSI), an organization committed to supporting both individuals with disabilities as well as veterans. At Schriever Space Force Base, working on an AbilityOne Contract, Matthew dedicated himself to serving his brothers and sisters in arms once again. Starting as a ground's maintenance worker and general clerk, Matthew's determination, willingness to learn, and leadership qualities caught the attention of PCSI, propelling him to the role of Quality Control Manager. In this capacity, he successfully revamped the Quality and Training programs, resulting in decreased injuries, enhanced safety measures, and flawless internal audit reports. Matthew's exceptional achievements have set him apart from his peers, serving as an inspiration to both employees and colleagues.

I take great pride in acknowledging Matthew's unwavering commitment to service, both within and beyond his military career. It brings me great satisfaction to witness his national recognition from SourceAmerica for his outstanding contributions at Schriever through the AbilityOne Program. His story is a testament to the transformative power of dedication and perseverance, and I am confident that his accomplishments will continue to inspire others to follow in his footsteps. Matthew Liptrap embodies the caliber of hardworking and talented individuals that make our great nation, and my home state of Colorado, a better place.

HONORING THE LIFE OF CHRISTOPHER RAKER

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. HUFFMAN. Mr. Speaker, I rise today to honor Christopher Raker who passed away at the age of 78 on July 5, 2023. Christopher was a longtime resident of Mill Valley and beloved member of the community.

Born in San Francisco to John and Elda Jane Raker, Christopher, nicknamed Chris, lived in the Palace Hotel where his grandfather was a general manager. The family later moved to Concord, Massachusetts and Chris enrolled at Columbia University before joining the Navy and serving as a lieutenant during the Vietnam War. After his military service Chris earned a master's degrees in English Literature from the University of Virginia, and a master's degree in architecture from Harvard University. He settled in Mill Valley, California in 1975.

In 1989, Chris opened Raker Architects in Mill Valley. The firm contributed to key modernizations in Southern Marin, including the Corinthian Yacht Club, Mill Valley Lumber Yard, and most notably, Mill Valley Miller Avenue Precise Plan, which resulted in the development of a pedestrian-friendly reconfiguration

of the prominent and highly trafficked Miller Avenue. Beyond his architectural profession, Chris made notable contributions to the town as a Planning Commissioner. After 2 years, he served on the Mill Valley City Council from 1996 to 2007, including as its mayor.

Chris also served as president of the American Institute of Architects San Francisco chapter and board president of the Corinthian Yacht Club. In his free time, he was active in the performing arts and enjoyed skiing, swimming, and time spent as a soccer coach.

Chris was known by his colleagues on the Planning Commission and City Council for his direct and open-minded approach to difficult issues and great sense of humor. He was a respected mentor to many. He is survived by his daughter Bianca Raker, wife Donna Raker, brother Edmond Raker, and 3 nephews.

Mr. Speaker, Christopher Raker was a dedicated public servant and active community member who was committed to improving the quality of life for Mill Valley residents. I respectfully ask that my colleagues join me in extending condolences to Chris's family and friends and in expressing my appreciation for his decades of good work.

HONORING CARLOS GRAUPERA

HON. LLOYD SMUCKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. SMUCKER. Mr. Speaker, I rise today to congratulate and offer my thanks to Carlos Graupera, of Lancaster, for his 50 years of service and leadership. Mr. Graupera retired this year as the Chief Executive Officer of the Spanish American Civic Association (SACA), an organization he founded in 1973 to serve Lancaster's growing Latino community.

In 1961, Mr. Graupera emigrated to the United States with his family from Cuba. He would attend Saint Joseph's College and work in community development, before founding SACA and beginning his tenure as the organization's first CEO.

In 50 years, SACA has grown substantially to support and improve the lives of Lancaster County residents. SACA operates a senior center, behavior and health services, a community radio station called Radio Centro, supports economic development through SACA Development, and operates a network of workforce development training programs called Tec Centro. I've been fortunate to see the good work that they do first-hand.

Mr. Graupera is now assuming the role of Chief Executive Officer of the Tec Centro Workforce Network, which operates workforce development programs in Lancaster, York, Lebanon, and Reading.

Mr. Speaker, Mr. Graupera's 50 years of service as CEO of SACA have made a deep and lasting impact on the community and in countless lives of those who have benefited from good works of SACA.

As he steps into a new role, we wish him continued success and thank him for his life of leadership and service to our community.

SALUTING MS. EDNA PEMBERTON, A TRUE LIVING LEGEND

HON. JASMINE CROCKETT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Ms. CROCKETT. Mr. Speaker, I rise today to recognize a very special constituent, Ms. Edna Pemberton. Ms. Pemberton is a well-respected community leader whose tireless efforts have led to creating a better and safer way of life for those around her. As a servant leader, Ms. Pemberton has been at the forefront of several initiatives such as, the City of Dallas' Teen Curfew Ordinance and the Cielo Ranch Apartment Crime Prevention Outreach program.

These programs are just a small part of the expansive work that Ms. Pemberton has produced in the Dallas community. Ms. Pemberton's faith in the power of community service has led her to work relentlessly across the city of Dallas to reach communities in need and to never back down from doing what's right. She's won numerous awards from various organizations recognizing her community service—all of which is a testament to her commitment to improving the lives of our neighbors across Dallas and abroad. In addition to her efforts around community service, Ms. Pemberton has another special gift which includes seeking out the issues that are most pressing our communities and putting action behind them. From organizing food drives to moderating conversations between members of the community and local police, she always puts herself at the heart of several impactful issues. In an environment where social justice is needed now more than ever, acknowledging the impact that relationships between local community members and law enforcement have, Ms. Pemberton eased tensions by creating a foundation of communication between the groups. Equipped with the knowledge, patience and compassion of her community, Ms. Edna Pemberton has continued to enrich the lives of others.

She is an outstanding example of the underappreciated heroes that we have all across our City, State, and Country. I am confident that because of her impact and service that our communities are a better place.

HONORING MARCUS MASON

HON. STEVEN HORSFORD

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. HORSFORD. Mr. Speaker, I include in the RECORD the following proclamation recognizing Marcus Mason.

Whereas, Marcus Mason, at the age of 21, worked on a winning Congressional campaign, before beginning his tenure as the youngest Chief of Staff on Capitol Hill. He served the people of California's 37th Congressional District, fighting to save the Long Beach Naval Shipyard and secured federal funding to repair Compton Creek, saving nearby communities from damaging floods.

Whereas, Marcus Mason served as Legislative Director for the late Congresswoman Juanita Millender-McDonald and to this day continues to serve as a trusted advisor and confidant to elected officials from California, from Sacramento to Los Angeles, and all the way to Washington, D.C.

Whereas, Marcus Mason led the government affairs office for Amtrak and helped shepherd the company through the aftermath of the terrorist attacks on September 11, 2001.

Whereas, Marcus Mason became a senior equity partner at the Madison Group in 2007, where he dedicated his free time to mentoring and growing Black talent in the areas of government policy.

Whereas, as immediate past president of WGRG, he founded the Tin Cup Awards, which recognize the contributions of Black public policy and government affairs professionals.

Whereas, he has mentored countless colleagues over the years and provided advice and guidance to new and seasoned professionals alike.

Whereas, in addition to his mentorship work, he has fundraised and secured millions of dollars in support of Black non-profit organizations, including the Congressional Black Caucus Foundation and the Congressional Black Caucus Institute.

Whereas, Marcus Mason served as an advisor to the campaigns of President Barack Obama and the Obama-Biden White House.

Whereas, Marcus Mason served as Chairman of President Biden's African American Leadership Finance Council and serves as a Senior Advisor to the campaign's Co-Chairman and senior leadership team.

And whereas, President Biden appointed Marcus Mason to serve as a member of the Democratic National Committee, where he continues to advocate for Black staff.

Now, therefore, I, STEVEN HORSFORD, Chairman of the Congressional Black Caucus and Representative of the 4th District of Nevada, do hereby proclaim this official recognition of Marcus Mason for his tremendous work and contributions to government affairs, policy and public service.

CONGRATULATING THE AMERICAN LEGION POST 1288 ON THEIR 50TH ANNIVERSARY CELEBRATION

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. FOSTER. Mr. Speaker, I rise today to congratulate the American Legion Post 1288 on their 50th Anniversary.

The American Legion Post 1288 is part of the National American Legion—the world's largest veteran's organization. Chartered in Bolingbrook on January 17, 1972. The Post 1288 has been serving area veterans and the Bolingbrook community for over 50 years. Post 1288 is active and participates in numerous activities and events such as: local parades and ceremonies; fundraisers to support area veterans; visits to area veterans in hospitals or long-term care facilities; support for youth activities such as Scouting, Boys State, and Baseball; and providing the Honor Guard detail at veterans' funerals or memorials.

Members include veterans from all branches of service who have proudly served their country and continue to serve through participation in the American Legion.

The American Legion proudly recognizes the contributions veterans have made to our country and shares their stories about their time in service. Post 1288 is an active participant in various activities including ''Gifts to the Yanks Who Gave'', Poppy Days, Veterans in The Classroom, Blue Star Service Banners, among many others. These services provide invaluable support to veterans and the local youth while unifying the community behind the cause of public service.

Mr. Speaker, I am honored to commemorate the American Legion Post 1288 and proud to represent the communities it serves. I ask my colleagues to join me in recognizing this milestone with best wishes for many more to come.

HONORING MR. MICHAEL ROBBINS

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. PANETTA. Mr. Speaker, I rise today to recognize Mr. Michael Robbins for his bravery and service as a U.S. merchant mariner during World War II. Serving from July of 1943 to May of 1946, Mr. Robbins sailed with the U.S. Merchant Marine aboard the SS *Olney*, the SS *Pendleton*, the SS *O. Henry*, and the SS *Hoke Smith*.

During World War II, nearly 250,000 civilian merchant mariners were activated to serve as part of the U.S. military and to delivered troops and supplies by ship to foreign countries engulfed in the war. They faced treacherous conditions along their routes. Between 1939 and 1945, 9,521 U.S. merchant mariners gave their lives—a higher proportion than those killed than in any military branch—in defense of our nation. President Franklin D. Roosevelt called their mission the most difficult and dangerous transportation job ever undertaken.

Hailing from Atlantic City, New Jersey, Mr. Robbins enlisted in the U.S. Merchant Marine at only 15 years old. He began his wartime efforts as an ordinary seaman, chipping away rust and old paint from the ship.

While aboard SS *O. Henry* and transporting supplies in the Mediterranean Sea, his convoy was attacked by air. Mr. Robbins, still a teenager, acted to defend his ship by delivering 20mm ammunition to the ship's crew. Mr. Robbins would go on to serve in the Atlantic, Mediterranean, and Pacific theaters.

Mr. Robbins received several decorations during his service, including 3 War Zone medals awarded to Merchant Marines for their service in the Pacific, the Atlantic, and the Mediterranean and Middle East. He also received the World War II Victory Medal for honorable service while on active duty, the Philippine Liberation Ribbon, the Combat Bar, the Honorable Service Button, a Presidential Testimonial Letter, and the Battlin' Pete Patch.

Mr. Robbins and the U.S. merchant mariners of World War II who played crucial roles in the country's war effort were awarded the Congressional Gold Medal in 2020, the highest honor Congress can bestow on civilians. It was an honor to present the medal to Mr, Robbins then, and it is an honor to recognize him here again today.

Mr. Speaker, I invite my colleagues in the U.S. House of Representatives to join me in honoring and celebrating the dedicated service of Mr. Michael Robbins for his valor and service in defending our country. May his legacy continue to inspire us for generations to come.

HONORING THE LIFE AND LEGACY OF MR. ARMAND M. MARTINELLI

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. CARTWRIGHT. Mr. Speaker, today I pay tribute to the late Armand M. Martinelli, a beloved teacher, veteran, husband, father, grandfather, great-grandfather and community leader from Northeastern Pennsylvania who has left an indelible mark on our community through his profound dedication to education and service.

Armand Martinelli, a devout Roman Catholic born in Olyphant, PA, embodied the values of faith, integrity, and selflessness throughout his 92 years of life. From his humble beginnings at Lafayette School in Scranton and Mother Cabrini School to becoming a member of the first 4-year graduating class at Scranton Preparatory School, Armand's early education laid the foundation for a lifetime of intellectual pursuit and service to others.

Armand Martinelli served his country valiantly during the Korean War. His military journey took him from the 101st Airborne in Breckinridge, Kentucky, to the U.S. Counter Intelligence School at Fort Holabird in Baltimore, Maryland. He displayed unwavering commitment and courage as a special agent with the 704th CIC in Teague and the 308th CIC in Pusan, earning the respect and gratitude of his fellow soldiers.

Upon returning to civilian life, Armand embraced a diverse array of occupations before discovering his true calling as an educator. For over 5 decades, he worked as a self-employed painter, an insurance agent, and a teacher at West Scranton High School. It was within the walls of West Scranton High School that Armand would leave an enduring legacy as an influential and dedicated educator.

For 30 years, Armand taught social studies, Latin, and journalism, molding the minds of countless students who passed through his classrooms. His commitment extended beyond the subject matter; he served as an athletic director for 24 years and provided guidance to numerous clubs and organizations, including the yearbook, school newspaper, and Latin club, among others. His passion for education and genuine care for his students earned him the love and admiration of those he taught, and many kept in touch with him long after graduation.

Outside the classroom, Armand's dedication to public service was equally commendable. He actively sought to improve our community, serving as a member of the Scranton School Board where be championed education initiatives. He also played an integral role in the formation of the Scranton Federation of Teachers.

Devoted to serving his West Scranton community and proud of his Italian heritage, Armand enjoyed spending time at the Victor Alfieri Club where he was an original member of the Cetaiolos bocce team as well as attending weekly get together with friends at the Villa Maria Restaurant.

Above all else, Armand loved his family. He took great pride in his roles as a husband, father, grandfather and great-grandfather. He always looked forward to weekly Sunday dinners, where he treated his family to his homemade sauce and meatballs, which he faithfully made right up to the last 2 weeks of his life.

After retiring from his distinguished teaching career, Armand continued to serve our community, working as a Tipstaff for Judge James J. Walsh, and serving on numerous local executive boards, including the Scranton Redevelopment Authority, the Scranton Housing Authority, and the Lackawanna Drug and Alcohol Treatment Service. Armand's commitment to making a positive impact on the lives of others knew no bounds.

As we mourn the loss of a true pillar of our community, let us also celebrate the profound impact Armand Martinelli had on the lives of countless individuals. Through his selfless dedication to education, service, and family, he leaves behind a legacy that will continue to inspire future generations. May the memory of Armand M. Martinelli serve as a beacon of hope and goodness in our community, and may we be reminded of the power of a single individual to positively influence the lives of others.

PERSONAL EXPLANATION

HON. GREG LANDSMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. LANDSMAN. Mr. Speaker, during Roll Call Vote Number 315, I mistakenly recorded my vote as Aye when I should have voted No.

PERSONAL EXPLANATION

HON. SCOTT H. PETERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2023

Mr. PETERS. Mr. Speaker, on Roll Call No. 338 on the Motion to Suspend the Rules and Agree to H. Con. Res. 57, I would have voted AYE. I thought I had voted but my vote did not register. I could not get back in time to fix this error before the vote closed.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks

section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 20, 2023 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 25

3 p.m.
Committee on the Judiciary
Subcommittee on Privacy, Technology, and the Law
To hold an oversight hearing to examine artificial intelligence, focusing on principles for regulation.
SD–226

JULY 26

9 a.m.
Committee on Homeland Security and Governmental Affairs
Business meeting to continue consideration of S. 2251, to improve the cybersecurity of the Federal Government, S. 2291, to establish the Northern Border Coordination Center, S. 2289, to direct the Director of the Information Security Oversight Office to assess foreign influence in the National Industrial Security Program and to develop a single, integrated strategy to better identify and mitigate such foreign influence, S. 2278, to establish Image Adjudicator and Supervisory Image Adjudicator positions in the U.S. Customs and Border Protection Office of Field Operations, S. 2248, to require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the availability in the United States of emerging and foundational technologies subject to export controls, S. 1332, to require the Office of Management and Budget to revise the Standard Occupational Classification system to establish a separate code for direct support professionals, S. 2219, to amend the Congressional Accountability Act of 1995 to expand access to breastfeeding accommodations in the workplace, S. 2292, to improve the transparency of purchases by the Federal Government of data or information that can be used to identify an individual, S. 2286, to improve the effectiveness and performance of certain Federal financial assistance programs, S. 1524, to ensure that whistleblowers, including contractors, are protected from retaliation when a Federal employee orders a reprisal, S. 2283, to prohibit the procurement of certain items containing perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA) and prioritize the procurement of products not containing PFAS, S. 2270, to establish and maintain a database within each agency for executive branch ethics records of noncareer appointees, S. 2293, to establish the Chief Artificial Intelligence Officers Council, Chief Artificial Intelligence Officers, and Artificial Intelligence Governance Boards, S. 2073, to amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, S. 2032, to require the reduction of the reliance and expenditures of the Federal Government on legacy information technology systems, S. 1973, to require the purchase of domestically made flags of the United States of America for use by the Federal Government, S. 2256, to authorize the Director of the Cybersecurity and Infrastructure Security Agency to establish an apprenticeship program and to establish a pilot program on cybersecurity training for veterans and members of the Armed Forces transitioning to civilian life, and S. 2260, to require transparency in notices of funding opportunity.
SD–562

9:30 a.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on Financial Institutions and Consumer Protection
To hold hearings to examine taking account of fees and tactics impacting Americans' wallets.
SD–538

Committee on the Budget
To hold hearings to examine the fiscal consequences of climate change on infrastructure.
SD–608

Committee on Energy and Natural Resources
To hold hearings to examine opportunities for Congress to reform the process for permitting electric transmission lines, pipelines, and energy production on Federal lands.
SD–366

10 a.m.
Committee on Environment and Public Works
To hold hearings to examine improving capacity for critical mineral recovery through electronic waste recycling and reuse.
SD–406

Committee on the Judiciary
To hold hearings to examine pending nominations.
SD–226

Committee on Small Business and Entrepreneurship
To hold hearings to examine pathways to women's entrepreneurship, focusing on understanding opportunities and barriers.
SD–106

10:30 a.m.
Committee on Health, Education, Labor, and Pensions
Business meeting to consider an original bill entitled, ''Primary Care and Health Workforce Expansion Act'', and other pending calendar business.
SD–430

11 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine governing AI through acquisition and procurement.
SD–562

2 p.m.
Select Committee on Intelligence
Closed business meeting to consider pending intelligence matters; to be immediately followed by a closed briefing on certain intelligence matters.
SH–219

2:30 p.m.
Committee on Environment and Public Works
Subcommittee on Clean Air, Climate, and Nuclear Safety
To hold hearings to examine cleaner trains, focusing on opportunities for reducing emissions from America's rail network.
SD–406

Committee on Indian Affairs
To hold hearings to examine Native priorities for the 2023 Farm Bill reauthorization.
SD–628

Committee on the Judiciary
Subcommittee on Intellectual Property
To hold an oversight hearing to examine the United States Patent and Trademark Office.
SD–226

3 p.m.
Committee on Veterans' Affairs
To hold hearings to examine implementing the PACT Act.
SR–418

3:30 p.m.
Committee on Rules and Administration
To hold a joint oversight hearing with the Committee on House Administration to examine the Capitol Police Board.
SD–G50

JULY 27

9:45 a.m.
Committee on Environment and Public Works
Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight
To hold hearings to examine solutions for single-use waste, focusing on expanding refill and reuse infrastructure.
SD–406

10 a.m.
Joint Economic Committee
To hold hearings to examine the economic impact of diabetes.
TBA

Daily Digest

HIGHLIGHTS

House and Senate met in a Joint Meeting to receive His Excellency Isaac Herzog, President of the State of Israel.

Senate

Chamber Action

Routine Proceedings, pages S3129–S3435

Measures Introduced: Thirty-seven bills and three resolutions were introduced, as follows: S. 2366–2402, and S. Res. 302–304. **Pages S3147–48**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2024". (S. Rept. No. 118–69)

S. 534, to withdraw certain Bureau of Land Management land from mineral development. (S. Rept. No. 118–63)

S. 683, to modify the boundary of the Berryessa Snow Mountain National Monument to include certain Federal land in Lake County, California. (S. Rept. No. 118–64)

S. 706, to withdraw the National Forest System land in the Ruby Mountains subdistrict of the Humboldt-Toiyabe National Forest and the National Wildlife Refuge System land in Ruby Lake National Wildlife Refuge, Elko and White Pine Counties, Nevada, from operation under the mineral leasing laws. (S. Rept. No. 118–65)

S. 736, to establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System. (S. Rept. No. 118–66)

S. 776, to amend the Wild and Scenic Rivers Act to designate certain segments of the Gila River system in the State of New Mexico as components of the National Wild and Scenic Rivers System, to provide for the transfer of administrative jurisdiction over certain Federal land in the State of New Mexico. (S. Rept. No. 118–67)

S. 843, to amend the Infrastructure Investment and Jobs Act to authorize the use of funds for certain additional Carey Act projects. (S. Rept. No. 118–68) **Page S3147**

Measures Passed:

University of Alaska Fairbanks Rifle Team: Senate agreed to S. Res. 303, congratulating the University of Alaska Fairbanks rifle team for winning the 2023 National Collegiate Athletic Association championship, the program's 11th title overall. **Page S3435**

University of Oklahoma Softball Team: Senate agreed to S. Res. 304, congratulating the University of Oklahoma softball team for winning the 2023 Women's College World Series, the seventh national title in program history. **Page S3435**

Measures Considered:

National Defense Authorization Act—Agreement: Senate began consideration of S. 2226, 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, after agreeing to the motion to proceed, and taking action on the following amendments proposed thereto: **Pages S3129–44**

Adopted:

By 96 yeas to 2 nays (Vote No. 189), Murray Amendment No. 300 (to Amendment No. 935), to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to expand the ways beryllium sensitivity can be established for purposes of compensation under that Act and to extend the authorization of the Advisory Board on Toxic Substances and Worker Health of the Department of Labor. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Pages S3135–36**

By 65 yeas to 28 nays (Vote No. 190), Kaine Amendment No. 429 (to Amendment No. 935), to require the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty

and authorizing related litigation. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Pages S3136–37**

Rejected:

By 16 yeas to 83 nays (Vote No. 191), Paul Amendment No. 222 (to Amendment No. 935), to express the sense of Congress that Article 5 of the North Atlantic Treaty does not supersede the constitutional requirement that Congress declare war before the United States engages in war. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S3137–38**

By 39 yeas to 60 nays (Vote No. 192), Vance (for Hawley) Amendment No. 838 (to Amendment No. 935), to amend the Foreign Assistance Act of 1961 to clarify the meaning of the term ''aggregate value'' for purposes of the Presidential drawdown authority. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S3138–39**

Pending:

Schumer (for Reed/Wicker) Amendment No. 935, in the nature of a substitute. **Page S3129**

Schumer Amendment No. 936 (to Amendment No. 935), to add an effective date. **Page S3129**

A unanimous-consent-time agreement was reached providing that it be in order to call up Cruz/Manchin Amendment No. 926; and with 60-affirmative votes required for adoption, and that there be two minutes equally divided prior to the vote. **Page S3130**

A unanimous-consent agreement was reached providing that the vote on Cruz/Manchin Amendment No. 926, be at a time to be determined by the Majority Leader following consultation with the Republican Leader, on Thursday, July 20, 2023, with all provisions of the previous order remaining in effect. **Page S3139**

A unanimous-consent agreement was reached providing that at approximately 10 a.m., on Thursday, July 20, 2023, Senate resume consideration of the nomination of David M. Uhlmann, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency; that at 12 noon, Senate vote on confirmation of the nomination of David M. Uhlmann; and that upon disposition of the nomination of David M. Uhlmann, Senate resume consideration of S. 2226, and vote on or in relation to Cruz/Manchin Amendment No. 926, with the previous provisions remaining in effect. **Page S3435**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency that was originally declared in Executive Order 13581 of July 24, 2011, with respect to significant transnational criminal organizations; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–21) **Page S3146**

Messages from the House: **Pages S3146–47**

Measures Referred: **Page S3147**

Executive Reports of Committees: **Page S3147**

Additional Cosponsors: **Pages S3148–52**

Statements on Introduced Bills/Resolutions: **Pages S3152–54**

Additional Statements: **Pages S3144–46**

Amendments Submitted: **Pages S3154–S3434**

Authorities for Committees to Meet: **Page S3434**

Privileges of the Floor: **Page S3434**

Record Votes: Four record votes were taken today. (Total—192) **Pages S3135–39**

Adjournment: Senate convened at 9:45 a.m. and adjourned at 7:57 p.m., until 10 a.m. on Thursday, July 20, 2023. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3435.)

Committee Meetings

(Committees not listed did not meet)

RURAL WATER

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Rural Development and Energy concluded a hearing to examine rural water, focusing on modernizing our community water systems, after receiving testimony from Jennifer Day, RCAP Solutions, Inc., Worcester, Massachusetts; Joseph Duncan, Champlain Water District, South Burlington, Vermont, on behalf of the Green Mountain Water Environment Association; Catherine Coleman Flowers, Center for Rural Enterprise and Environmental Justice, Huntsville, Alabama; Pauli Undesser, Water Quality Association and Water Quality Research Foundation, Lisle, Illinois; and Robert White, IV, Alabama Rural Water Association, Montgomery, on behalf of the National Rural Water Association.

APPROPRIATIONS: SEC

Committee on Appropriations: Subcommittee on Financial Services and General Government concluded a hearing to examine proposed budget estimates and justification for fiscal year 2024 for the Securities and Exchange Commission, after receiving testimony

from Gary Gensler, Chair, Securities and Exchange Commission.

BUREAU OF RECLAMATION

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded an oversight hearing to examine of the Bureau of Reclamation, including S. 461, to make certain irrigation districts eligible for Pick-Sloan Missouri Basin Program pumping power, S. 482, to amend the Klamath Basin Water Supply Enhancement Act of 2000 to provide the Secretary of the Interior with certain authorities with respect to projects affecting the Klamath Basin watershed, S. 739, to clarify jurisdiction with respect to certain Bureau of Reclamation pumped storage development, S. 1118, to establish the Open Access Evapotranspiration (OpenET) Data Program, S. 1215, to require assessments of opportunities to install and maintain floating photovoltaic solar panels at Bureau of Reclamation and Corps of Engineers projects, S. 1521, to amend the Federal Power Act to modernize and improve the licensing of non-Federal hydropower projects, S. 1662, to direct the Secretary of the Interior to convey to the Midvale Irrigation District the Pilot Butte Power Plant in the State of Wyoming, S. 1955, to amend the Central Utah Project Completion Act to authorize expenditures for the conduct of certain water conservation measures in the Great Salt Lake basin, S. 2102, to provide for drought preparedness and improved water supply reliability, S. 2160, to amend the Omnibus Public Land Management Act of 2009 to authorize certain extraordinary operation and maintenance work for urban canals of concern, S. 2161, to provide financial assistance for projects to address certain subsidence impacts in the State of California, S. 2162, to support water infrastructure in Reclamation States, S. 2166, to amend the Reclamation States Emergency Drought Relief Act of 1991 and the Omnibus Public Land Management Act of 2009 to provide grants to States and Indian Tribes for programs to voluntarily repurpose agricultural land to reduce consumptive water use, S. 2169, to authorize the Secretary of the Interior to carry out watershed pilots, S. 2202, to amend the Omnibus Public Land Management Act of 2009 to authorize the modification of transferred works to increase public benefits and other project benefits as part of extraordinary operation and maintenance work, and S. 2247, to reauthorize the Bureau of Reclamation to provide cost-shared funding to implement the endangered and threatened fish recovery programs for the Upper Colorado and San Juan River Basins, after receiving testimony from Senator Padilla; and Camille Calimlim Touton, Commissioner, Bureau of Reclamation, Department of the Interior.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 1253, to increase the number of U.S. Customs and Border Protection Customs and Border Protection officers and support staff and to require reports that identify staffing, infrastructure, and equipment needed to enhance security at ports of entry, with an amendment in the nature of a substitute;

S. 1444, to increase the pay and enhance the training of United States Border Patrol agents, with an amendment in the nature of a substitute;

S. 2272, to amend title 5, United States Code, to provide for special base rates of pay for wildland firefighters, with an amendment in the nature of a substitute; and

The nomination of Fara Damelin, of Virginia, to be Inspector General, Federal Communications Commission.

Committee recessed subject to the call.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 195, to provide compensation to the Keweenaw Bay Indian Community for the taking without just compensation of land by the United States inside the exterior boundaries of the L'Anse Indian Reservation that were guaranteed to the Community under a treaty signed in 1854;

S. 382, to take certain land in the State of Washington into trust for the benefit of the Puyallup Tribe of the Puyallup Reservation;

S. 910, to amend the Grand Ronde Reservation Act;

S. 1286, to amend the Siletz Reservation Act to address the hunting, fishing, trapping, and animal gathering activities of the Confederated Tribes of Siletz Indians;

S. 1322, to amend the Act of August 9, 1955, to modify the authorized purposes and term period of tribal leases, with an amendment in the nature of a substitute;

S. 1987, to provide for the settlement of the water rights claims of the Fort Belknap Indian Community, with an amendment in the nature of a substitute;

S. 2273, to amend the Indian Child Protection and Family Violence Prevention Act; and

S. 2285, to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, with an amendment.

LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2088, to direct the Secretary of the Interior to complete all actions necessary for certain land to be held in restricted fee status by the Oglala Sioux Tribe and Cheyenne River Sioux Tribe, after receiving testimony from Wizipan Garriott, Principal Deputy Assistant Secretary of the Interior for Indian Affairs; Ryman LeBeau, Cheyenne River Sioux Tribe, Eagle Butte, South Dakota; and Frank Star Comes Out, Oglala Sioux Tribe, Pine Ridge, South Dakota.

VERTICAL MERGER ENFORCEMENT

Committee on the Judiciary: Subcommittee on Competition Policy, Antitrust, and Consumer Rights concluded a hearing to examine trends in vertical merger enforcement, after receiving testimony from Makan Delrahim, former Assistant Attorney General, Antitrust Division, Department of Justice, and Charlotte Slaiman, Public Knowledge, both of Washington, D.C.; and Nancy L. Rose, Massachusetts Institute of Technology, Cambridge.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably the following business items:

S. 38, to amend the Small Business Act to codify the Boots to Business Program, with an amendment in the nature of a substitute;

S. 673, to allow nonprofit child care providers to participate in certain loan programs of the Small Business Administration;

S. 936, to amend the Small Business Act to include requirements relating to graduates of career and technical education programs or programs of study for small business development centers and women's business centers;

S. 943, to increase the minimum disaster loan amount for which the Small Business Administration may require collateral, with an amendment in the nature of a substitute;

S. 1156, to establish an Office of Native American Affairs within the Small Business Administration, with an amendment in the nature of a substitute;

S. 1345, to amend the Small Business Act to enhance the Office of Credit Risk Management, to require the Administrator of the Small Business Administration to issue rules relating to environmental obligations of certified development companies, with an amendment in the nature of a substitute;

S. 1352, to amend the Small Business Investment Act of 1958 to improve the loan guaranty program, enhance the ability of small manufacturers to access affordable capital, with an amendment in the nature of a substitute;

S. 1396, to improve commercialization activities in the SBIR and STTR programs, with an amendment in the nature of a substitute;

S. 2099, to establish an Office of Community Financial Institutions within the Small Business Administration that will strengthen the ability of Community Financial Institutions to support the development of small business concerns in underserved communities, with an amendment in the nature of a substitute;

S. 2212, to require the Administrator of the Small Business Administration to establish an SBIC Advisory Committee; and

An original bill entitled, "Community Advantage Loan Program Act".

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 37 public bills, H.R. 4725–4761; and 3 resolutions, H. Res. 601–603 were introduced. **Pages H3856–58**

Additional Cosponsors: **Pages H3859–60**

Reports Filed: Reports were filed today as follows:

H.R. 1501, to prohibit the Secretary of Homeland Security from operating or procuring certain foreign-made unmanned aircraft systems, and for other purposes, with an amendment (H. Rept. 118–151);

H.R. 3254, to amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes (H. Rept. 118–152); and

H.R. 4470, to extend the authorization of the Chemical Facility Anti-Terrorism Standards Program

of the Department of Homeland Security, with an amendment (H. Rept. 118–153, Part 1). **Page H3856**

Recess: The House recessed at 9:03 a.m. for the purpose of receiving His Excellency Narendra Modi, Prime Minister of the Republic of India. The House reconvened at 12:37 p.m., and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Pages H3703–07**

Recess: The House recessed at 5:23 p.m. and reconvened at 9 p.m. **Page H3839**

Schools Not Shelters Act: The House passed H.R. to prohibit the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education to provide shelter for aliens who have not been admitted into the United States, by a yea-and-nay vote of 222 yeas to 201 nays, Roll No. 340. Consideration began yesterday, July 18th. **Pages H3839–40**

Rejected the Vasquez motion to recommit the bill to the Committee on Education and the Workforce, by a yea-and-nay vote of 200 yeas to 212 nays, Roll No. 339. **Pages H3839–40**

H. Res. 597, the rule providing for consideration of the bills (H.R. 3935) and (H.R. 3941) was agreed to yesterday, July 18th.

Securing Growth and Robust Leadership in American Aviation Act: The House considered H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs. Consideration is expected to resume tomorrow, July 20th. **Pages H3707–H3839, H3840–54**

Agreed to:

Graves (MO) amendment (No. 1 printed in part A of H. Rept. 118–147) that makes technical, conforming, and clarifying changes throughout the bill; **Page H3805**

Graves (MO) en bloc amendment No. 1 consisting of the following amendments printed in part A of H. Rept. 118–147: Bean (FL) (No. 2) that would expand eligibility to include connecting taxiways under Sec. 685. AIP Eligibility For Certain Spaceport Infrastructure; Brown (No. 5) that requires air carriers and foreign air carriers to provide complementary drinking water to all passengers on all domestic and international flights over 1 hour; Cammack (No. 8) that makes catchment area analyses eligible for Airport Improvement Program (AIP) funds; Carbajal (No. 9) that directs the FAA to start a pilot program for mobile clearance for general aviation and Part 135 air carriers; Case (No. 11) that directs the Federal Aviation Administration, in consultation with the Department of State, to submit a report to Congress on airports of strategic importance in the Indo-Pacific region; Case (No. 12) that directs GAO to conduct a study on grant implementation at airports in the Freely Associated States; Castro (TX) (No. 13) that requires the Department of Transportation to make publicly available the Uniform report of DBE awards commitments and payment for each airport sponsor beginning with fiscal year 2024; Ciscomani (No. 14) that directs the FAA to prioritize funding for certain projects and details how they should go about dispensing funds; Ciscomani (No. 15) that creates new priority criteria for the secretary to consider regarding air traffic controllers; Cloud (No. 16) that requires energy project applicants submitted to the FAA to submit a foreign agent and principal disclosure; Davids (KS) (No. 17) that revises language in Section 507 to change the deadline in Section 507(2)(b) from 30 days to 60 days; DelBene (No. 18) that expands the Center of Excellence for Alternative Jet Fuels and Environment (ASCENT) to conduct research on hydrogen to increase aviation decarbonization, in addition to other research authorized to be carried out by ASCENT; Deluzio (No. 19) that directs GAO to conduct a report on the effect of airline mergers for consumers; DeSaulnier (No. 20) that creates a Task Force on Human Factors in Aviation Safety to analyze current risks related to human factors and identify recommendations to decrease the risks; Donalds (No. 21) that expresses the Sense of Congress that Congress encourages the FAA to welcome the use of drones to bolster and augment traditional manual inspection, survey, and maintenance operations (e.g. operations relating to electric transmission infrastructure, water quality and detecting harmful algal blooms, transportation infrastructure, telecommunications infrastructure, etc.); Donalds (No. 22) that directs the Comptroller General to consult with FAA-certified airports and industry stakeholders to evaluate the airports' emergency response plans and determine whether such plans appropriately assess electricity-related considerations relating to primary power source disruption events stemming from natural disasters; Eshoo (No. 24) that requires the FAA to solicit feedback from communities impacted by aircraft noise as part of the Community Collaboration Program; and Espaillat (No. 25) that requires the FAA to consider vulnerabilities of in-flight wifi that may lead to the exposure of passenger data; **Pages H3806–08**

Graves (MO) en bloc amendment No. 2 consisting of the following amendments printed in part A of H. Rept. 118–147: Feenstra (No. 26) that directs the Secretary of Transportation to take such actions as are necessary to respond with an approval or denial of any application for the provision of essential air service to the greatest extent practicable no later than 6 months after receiving such application;

Fitzpatrick (No. 28) that makes alterations to the structure and timeframe of the aviation rulemaking committee established by Sec. 522; Robert Garcia (CA) (No. 30) that modifies cockpit voice recording preservation requirements to include real-world nearly catastrophic closecall incidents (for example, almost landing on another plane when lined up on a taxiway rather than a runway at SFO in 2017; González-Colón (No. 31) that authorizes a GAO study on air cargo operations in Puerto Rico; Gooden (TX) (No. 32) that applies equal NOTAM prohibitions to air carriers and foreign air carriers landing in or taking off from a U.S. airport from overflying Russian airspace; Gottheimer (No. 34) that requires a GAO study on flight delays at airports in New York, New Jersey, and Connecticut and possible causes; Hageman (No. 37) that includes language that requires the Administrator, when implementing and updating the acquisition management system, to take into account the life cycle, reliability, performance, service support, and costs to guarantee the acquisition of equipment that is of high quality and reliability resulting in greater performance and cost-related benefits for airports; Hageman (No. 38) that requires the FAA to take necessary actions to provide easily accessible and streamlined non-federal weather observer training to airport personnel in that such personnel can manually provide weather observations when automated surface observing systems and automated weather observing systems experience outages and errors; Hageman (No. 39) that requires the Comptroller General of the United States to conduct a study on methods related to the recruitment, retention, employment, education, training, and well-being of the aviation workforce specifically within rural communities, and report the findings to Congress; Higgins (LA) (No. 40) that directs the Inspector General of the Department of Transportation to conduct and submit an assessment on the mitigation of unmanned aircraft systems at the border; Hill (No. 41) that requires the FAA to brief the Senate and House Committees of jurisdiction on the status of the Little Rock VORTAC relocation project; Houlahan (No. 42) that requires FAA to provide notification and financial reimbursement to specified aviation entities for financial losses incurred because of closures due to Presidential Temporary Flight Restrictions (TFRs) related to any residence of the President which is secured by the U.S. Secret Service, subject to an audit of the financial losses incurred; Hoyle (No. 43) that requires the FAA to develop and publish safety training materials for airport ground crew workers (including supervisory employees) to help prevent accidents involving aircraft engine ingestion and jet blast hazards; Huizenga (No. 45) that prevents Secretary of Transportation from requiring that an airport shorten or narrow their runway, apron, or taxiway as a condition for funding if the airport supports an Air Force or Air National Guard base at the airport, regardless of stationing of military aircraft; Johnson (SD) (No. 49) that encourages the FAA to utilize cloud-based, interactive digital platforms to meet community engagement and agency coordination requirements in the environmental review process; Kean (NJ) (No. 51) that directs the FAA to consult the DOD regarding powered-lift aircraft operating regulations; Kilmer (No. 52) that revises the expansion of AIP for resiliency improvements to include Incident Support Bases, defines natural disasters, and clarifies the full scope of AIP improvement projects for eligible airports; Lee (No. 55) (NV) that adds research to sections on use of UAS in wildfire prevention, response and mitigation, as well as agricultural uses, to make clear that processes to allow for research into wildfires and agriculture must be considered in any federal rulemaking process related to UAS; Lynch (No. 57) that revises the representative in the task force on Aviation and Airport Community Engagement to ensure that multiple airport communities and communities around airports are included; and Lynch (No. 58) that ensures deliberate engagement with local community groups for the Community Collaboration Program; **Pages H3808–10**

Graves (MO) en bloc amendment No. 3 consisting of the following amendments printed in part A of H. Rept. 118–147: Lawler (No. 54) that directs the GAO to conduct a study on the shortage of pilots faced by air carriers; Lucas (No. 56) that ensures FAA's future plans to expand air traffic controller training facilities focuses on improving staff training without duplicating existing federal investments; Magaziner (No. 59) that allows Airport Improvement Program funds to be used for projects to comply with cybersecurity standards and recommendations from the Civil Aviation Cybersecurity Rulemaking Committee; Meng (No. 63) that clarifies that as part of the Part 150 Noise Standard Update, feedback should be solicited from individuals living in overflight communities; Neguse (No. 66) that requires the Community Collaboration Program to directly interview impacted residents; Peltola (No. 72) that adds extensions needed for fuel/firefighting operations/etc. that are often pushed out as ineligible, yet very much needed to allow Alaska's aviation system to function more smoothly and allow for heavier payloads to remote locations; Pettersen (No. 78) that strikes ''in decision-making processes'' in Sec. 135 to allow more avenues for the public to have their concerns relayed to the Aviation Noise Officer to provide to the Administrator; Pettersen (No. 79) that

requires the FAA, within 1 year of enactment, to develop guidance on what medications should be readily available without additional approval on the in-flight medical kits; Pettersen (No. 80) that requires the Pilot Mental Health Task Group to review protocols of allowable antidepressants for a pilot's medical certification; Pettersen (No. 81) that directs the Pilot Mental Health Task Force to consider implementing the recommendations from the Department of Transportation Inspector General's report on Comprehensive Evaluations of Pilots with Mental Health Challenges; Pfluger (No. 82) that provides a sense of Congress that route structures to rural airports serve a critical function to our Nation by connecting many of our military installations to major regional airline hubs; Porter (No. 83) that requires the Comptroller General of the United States to conduct a study on the response time of the FAA Administrator in regard to congressional inquiries and requests, in addition to requiring the FAA Administrator to annually testify before Congress on the agency's efforts, activities, objectives, plans, and efforts to engage with Congress and the public; Pressley (No. 84) that requires GAO study on transit access to airports; Rose (No. 86) that requires a GAO to issue a report to Congress on the recent mass flight cancellations that occurred over the Fourth of July holiday; Van Drew (No. 95) that adds large UAS operators as a member of the Unmanned and Autonomous Flight Advisory Committee; Westerman (No. 96) that makes technical corrections to Section 204 to ensure data privacy and enhance the safety of general aviation aircraft personnel and passengers; Westerman (No. 97) that clarifies that BVLOS rulemaking should ensure the safety of manned aircraft in the national airspace; **Pages H3810–14**

Donalds amendment (No. 23 printed in part A of H. Rept. 118–147) that directs the FAA Secretary to consult with Part 141 flight schools and industry stakeholders to establish an apprenticeship program to bolster the qualified pilot pipeline; **Pages H3816–17**

LaMalfa amendment (No. 53 printed in part A of H. Rept. 118–147) that requires the FAA to promulgate a rule which will allow for restricted category aircraft performing a wildfire suppression operation to transport firefighters to and from the site of a wildfire if those firefighters are performing ground wildfire suppression; **Pages H3825–26**

Obernolte amendment (No. 67 printed in part A of H. Rept. 118–147) that requires the FAA to implement an accountability system that ensures students can schedule an airman practical test in no more than fourteen (14) calendar days after the test is requested; **Pages H3829–30**

Langworthy amendment (No. 10 printed in part A of H. Rept. 118–147) that strikes Sec. 546 to maintain current training requirements for a person who is applying for an airline transport certificate with an airplane category and class rating (by a recorded vote of 243 ayes to 139 noes, Roll No. 341); **Pages H3814–16, H3841**

Fitzpatrick amendment (No. 29 printed in part A of H. Rept. 118–147) that requires the FAA to implement as a rule the recommendations issued by the aviation rulemaking committee for commercial passenger aircraft established by Sec. 522 (by a recorded vote of 392 ayes to 41 noes, Roll No. 343); **Pages H3817–18, H3842–43**

Huizenga amendment (No. 44 printed in part A of H. Rept. 118–147) that requires the Secretary of Transportation—in the process for prioritizing awarding grants under the Advanced Air Mobility Infrastructure Pilot Program established and described in P.L. 119–328—to also prioritize eligible entities that collaborate with the DOD or National Guard (by a recorded vote of 220 ayes to 215 noes, Roll No. 347); **Pages H3820–22, H3845**

Kean (NJ) amendment (No. 50 printed in part A of H. Rept. 118–147) that requires the Secretary of Transportation to refine the reporting directives to provide more detailed information about the cause of a commercial passenger flight cancellation or delay, allowing greater transparency to the traveling public regarding the cause of a canceled or delayed flight (by a recorded vote of ayes to noes, Roll No. 350); and **Page H3824–25, H3847**

Obernolte amendment (No. 68 printed in part A of H. Rept. 118–147) that allows FAA approved high-octane unleaded aviation gasoline to be sold at airports in lieu of 100 octane low-lead aviation gasoline (by a recorded vote of 229 ayes to 205 noes, Roll No. 354). **Page H3830–31, H3849–50**

Rejected:

Feenstra amendment (No. 27 printed in part A of H. Rept. 118–147) that sought to exempt nonhub airports from the requirement to have at least one individual who maintains certification as an emergency medical technician during air carrier operations (by a recorded vote of 203 ayes to 231 noes, Roll No. 342); **Pages H3817, H3841–42**

Gosar amendment (No. 33 printed in part A of H. Rept. 118–147) that sought to prohibit changes to existing National Park air tour management plans (by a recorded vote of 193 ayes to 236 noes, Roll No. 344); **Pages H3818–19, H3843**

Miller (IL) amendment (No. 35 printed in part A of H. Rept. 118–147) that sought to require the Inspector General to investigate the FAA's decision to broaden the acceptable EKG range for pilots to fly (by a recorded vote of 177 ayes to 258 noes, Roll No. 345); **Pages H3819–20, H3843–44**

Miller (IL) amendment (No. 36 printed in part A of H. Rept. 118–147) that sought to require airlines to reinstate pilots who were fired or forced to resign because of vaccine mandates (by a recorded vote of 141 ayes to 294 noes, Roll No. 346); **Pages H3820, H3844–45**

Issa amendment (No. 47 printed in part A of H. Rept. 118–147) that sought to require the FAA Administrator to make an objective, independent assessment of a NOTAM request when the request comes from outside the FAA (by a recorded vote of ayes to noes, Roll No. 348); **Pages H3822–23, H3845–46**

Jackson (TX) amendment (No. 48 printed in part A of H. Rept. 118–147) that sought to revise Section 608 to add concentrated animal feeding operations and eligible meat and food processing facilities to the list of Applications for Designation (by a recorded vote of 211 ayes to 224 noes, Roll No. 349); **Pages H3823–24, H3846–47**

McClintock amendment (No. 62 printed in part A of H. Rept. 118–147) that sought to strike authorization for the Essential Air Service (by a recorded vote of 49 ayes to 386 noes, Roll No. 351); **Pages H3826–28, H3847–48**

Miller (IL) amendment (No. 64 printed in part A of H. Rept. 118–147) that sought to require a report on the Secretary of Transportation flight records (by a recorded vote of 216 ayes to 219 noes, Roll No. 352); **Pages H3828, H3848–49**

Miller (IL) amendment (No. 65 printed in part A of H. Rept. 118–147) that sought to restrict funding for diversity, equity, and inclusion officials or training (by a recorded vote 181 ayes to 254 noes, Roll No. 353); **Pages H3828–29, H3849**

Ogles amendment (No. 69 printed in part A of H. Rept. 118–147) that sought to strike ''social'' from the scope of factors examined under the FAA Beyond Program (by a recorded vote of 191 ayes to 244 noes, Roll No. 355); **Pages H3831–32, H3850–51**

Ogles amendment (No. 70 printed in part A of H. Rept. 118–147) that sought to clarify that a study of turbulence should include a focus on weather conditions rather than climate change since weather is the proximate cause (by a recorded vote of 206 ayes to 227 noes, Roll No. 356); **Pages H3832–33, H3851**

Owens amendment (No. 71 printed in part A of H. Rept. 118–147) that sought to protect all existing flights at Ronald Reagan National Airport (DCA) (by a recorded vote of 205 ayes to 229 noes, Roll No. 357); **Pages H3833–35, H3851–52**

Perry amendment (No. 73 printed in part A of H. Rept. 118–147) that sought to strike sec. 1132 (CLEEN) (by a recorded vote of 127 ayes to 308 noes, Roll No. 358); **Pages H3835–36, H3852–53**

Perry amendment (No. 74 printed in part A of H. Rept. 118–147) that sought to reduce the authorization levels in sections 101, 103, and 1111 (by a recorded vote of 52 ayes to 381 noes, Roll No. 359); and **Pages H3836–37, H3853**

Perry amendment (No. 75 printed in part A of H. Rept. 118–147) that sought to strike vertiport from the AIP definitions section (by a recorded vote of 45 ayes to 387 noes, Roll No. 360). **Pages H3837–38, H3853–54**

H. Res. 597, the rule providing for consideration of the bills (H.R. 3935) and (H.R. 3941) was agreed to yesterday, July 18th.

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, July 20th. **Page H3854**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13581 with respect to significant transnational criminal organizations is to continue in effect beyond July 24, 2023—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 118–56). **Page H3839**

Quorum Calls—Votes: Two yea-and-nay votes and twenty recorded votes developed during the proceedings of today and appear on pages H3839–40, H3840, H3841, H3841–42, H3842–43, H3843, H3843–44,H3844–45, H3845, H3845–46, H3846–47, H3847, H3847–48, H3848–49, H3849, H3849–50, H3850–51, H3851, H3851–52, H3852–53, H3853, and H3853–54.

Adjournment: The House met at 9 a.m. and adjourned at 11 p.m.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Appropriations: Full Committee held a markup on the Interior, Environment, and Related Agencies FY 2024 Appropriations Bill. The Interior, Environment, and Related Agencies FY 2024 Appropriations Bill was ordered reported, as amended.

ADMISSIONS, CURRICULUM, AND DIVERSITY OF THOUGHT AT THE MILITARY SERVICE ACADEMIES

Committee on Armed Services: Subcommittee on Military Personnel held a hearing entitled ''Admissions, Curriculum, and Diversity of Thought at the Military Service Academies''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee held a markup on H.R. 824, the ''Telehealth Benefit Expansion for Workers Act of 2023''; H.R. 3226, the ''PREEMIE Reauthorization Act of 2023''; H.R. 3838, the ''Preventing Maternal Deaths Reauthorization Act of 2023''; H.R. 3843, the ''Action for Dental Health Act of 2023''; H.R. 3884, the ''Sickle Cell Disease and Other Heritable Blood Disorders Research, Registry Reauthorization Act of 2023''; H.R. 3391, the ''Gabriella Miller Kids First Research Act 2.0''; H.R. 3836, the ''Medicaid Primary Care Improvement Act''; H.R. 4531, the ''Support for Patients and Communities Reauthorization Act''; H.R. 4529, the ''Public Health Guidance Transparency and Accountability Act of 2023''; H.R. 4381, the ''Public Health Emergency Congressional Review Act''; H.R. 3813, the ''CDC Leadership Accountability Act of 2023''; H.R. 4421, the ''Preparing for All Hazards and Pathogens Reauthorization Act''; H.R. 4420, the ''Preparedness and Response Reauthorization Act''; and H.R. 3887, the ''Children's Hospital GME Support Reauthorization Act of 2023''. H.R. 824, H.R. 4531, H.R. 4529, H.R. 4421, and H.R. 4420 were ordered reported, as amended. H.R. 3226, H.R. 3838, H.R. 3843, H.R. 3884, H.R. 3821, H.R. 3391, H.R. 3836, H.R. 4381, H.R. 3813, and H.R. 3887 were ordered reported, without amendment.

BIDEN AND MAYORKAS' OPEN BORDER: ADVANCING CARTEL CRIME IN AMERICA

Committee on Homeland Security: Full Committee held a hearing entitled ''Biden and Mayorkas' Open Border: Advancing Cartel Crime in America''. Testimony was heard from public witnesses.

OVERSIGHT OF THE U.S. CAPITOL POLICE OFFICE OF INSPECTOR GENERAL

Committee on House Administration: Subcommittee on Oversight held a hearing entitled ''Oversight of the U.S. Capitol Police Office of Inspector General''. Testimony was heard from Ron Russo, Inspector General, U.S. Capitol Police.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 4250, the ''PRESS Act''; and H.R 4639, the ''Fourth Amendment Is Not For Sale Act''. H.R. 4250 and H.R. 4639 were ordered reported, without amendment.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on H.R. 1607, to clarify jurisdiction with respect to certain Bureau of Reclamation pumped storage development, and for other purposes; H.R. 2839, to amend the Siletz Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of Siletz Indians, and for other purposes; and H.R. 4374, the ''Energy Opportunities for All Act''. H.R. 1607 was ordered reported, as amended. H.R. 2839 and H.R. 4374 were ordered reported, without amendment.

HEARING WITH IRS WHISTLEBLOWERS ABOUT THE BIDEN CRIMINAL INVESTIGATION

Committee on Oversight and Accountability: Full Committee held a hearing entitled ''Hearing with IRS Whistleblowers About the Biden Criminal Investigation''. Testimony was heard from Gary Shapley, Supervisory Special Agent, Internal Revenue Service, Department of the Treasury; and Joseph Ziegler, Criminal Investigator, Internal Revenue Service, Department of the Treasury.

MEMBERS' DAY HEARING: HOUSE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

Committee on Science, Space, and Technology: Full Committee held a hearing entitled ''Members' Day Hearing: House Committee on Science, Space, and Technology''. Testimony was heard from Representative Lee of Pennsylvania.

BURDENSOME RED TAPE: OVERREGULATION IN HEALTH CARE AND THE IMPACT ON SMALL BUSINESSES

Committee on Small Business: Subcommittee on Oversight, Investigations, and Regulations held a hearing entitled ''Burdensome Red Tape: Overregulation in Health Care and the Impact on Small Businesses''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a markup on H.R. 3848, the ''HOME Act of 2023''; H.R. 3874, the ''Veterans Education Assistance Improvement Act''; H.R. 3898, the ''Transcript Assurance for Heroes Act''; H.R. 3900, to amend title 38, United States Code, to establish certain rights for spouses of members of the uniformed services; H.R. 3933, the ''TAP Promotion Act''; H.R. 3943, the ''Servicemember Employment Protection Act of 2023''; and H.R. 3981, the ''Veterans Education Oversight Expansion Act''. H.R. 3933 and H.R. 3874 were forwarded to the full Committee, without amendment. H.R. 3943, H.R. 3848, H.R. 3900, H.R. 3898, and H.R. 3981 were forwarded to the full Committee, as amended.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a markup on H.R. 592, the "Department of Veterans Affairs Electronic Health Record Modernization Improvement Act"; H.R. 608, to terminate the Electronic Health Record Modernization Program of the Department of Veterans Affairs; H.R. 1659, the "Department of Veterans Affairs IT Modernization Improvement Act"; H.R. 2499, the "VA Supply Chain Management System Authorization Act"; H.R. 4278, the "Restore Department of Veterans Affairs Accountability Act"; H.R. 196, the "Expediting Temporary Ratings for Veterans Act"; H.R. 4461, the "Modernizing Department of Veteran Affairs Disability Benefit Questionnaires Act"; H.R. 3504, the "VA Medical Center Security Report Act"; H.R. 2733, the "Department of Veterans Affairs Office of Inspector General Training Act"; and H.R. 4225, the "VA Acquisition Review Board Act". H.R. 196, H.R. 4461, H.R. 1659, H.R. 608, H.R. 592, H.R. 4225, H.R. 4278, and H.R. 2733 were forwarded to the full Committee, without amendment. H.R. 3504 and H.R. 2499 were forwarded to the full Committee, as amended.

BIDEN'S GLOBAL TAX SURRENDER HARMS AMERICAN WORKERS AND OUR ECONOMY

Committee on Ways and Means: Subcommittee on Tax held a hearing entitled "Biden's Global Tax Surrender Harms American Workers and Our Economy". Testimony was heard from Michael Plowgian, Deputy Assistant Secretary for International Tax Affairs, Department of the Treasury; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JULY 20, 2023

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to markup an original bill entitled, "Energy and Water Development Appropriations Act", an original bill entitled, "State, Foreign Operations, and Related Programs Appropriations Act", and an original bill entitled, "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act", 10:30 a.m., SD–106.

Committee on Armed Services: to hold hearings to examine the nomination of Lieutenant General Timothy D. Haugh, USAF, to be general and Director, National Security Agency/Chief, Central Security Service Commander, United States Cyber Command, 9 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine perspectives on deposit insurance reform after recent bank failures, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Fisheries, Climate Change, and Manufacturing, to hold an oversight hearing to examine the National Oceanic and Atmospheric Administration budget, 9:30 a.m., SR–253.

Committee on Environment and Public Works: to hold hearings to examine the Water Resources Development Act, focusing on non-Federal stakeholder views, 9:30 a.m., SD–406.

Committee on Finance: Subcommittee on Health Care, to hold hearings to examine the urgent need to reform the U.S. transplant system, focusing on the cost of inaction, 10 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 2333, to reauthorize certain programs under the Public Health Service Act with respect to public health security and all-hazards preparedness and response, and other pending calendar business, 10:30 a.m., SD–430.

Committee on the Judiciary: business meeting to consider S. 359, to amend title 28, United States Code, to provide for a code of conduct for justices of the Supreme Court of the United States, and the nomination of Julia Kathleen Munley, to be United States District Judge for the Middle District of Pennsylvania, 9:30 a.m., SH–216.

Special Committee on Aging: to hold hearings to examine housing accessibility and affordability for older adults and people with disabilities, 9:30 a.m., SD–366.

House

Committee on the Judiciary, Select Subcommittee on the Weaponization of the Federal Government, hearing entitled "Hearing on the Weaponization of the Federal Government", 9 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Federal Lands, hearing on legislation on Military and Veterans in Parks (MVP) Act; H.R. 1786, the "GROW Act"; H.R. 1829, to require the Secretary of Agriculture to convey the Pleasant Valley Ranger District Administrative Site to Gila County, Arizona; and H.R. 2468, the "Mountain View Corridor Completion Act", 9 a.m., 1324 Longworth.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations; and Subcommittee on Technology Modernization, joint hearing entitled "VA Contracting: Challenges in Competition and Conflicts of Interest", 9:30 a.m., 360 Cannon.

Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party, Full Committee, hearing entitled "The Biden Administration's PRC Strategy", 8 a.m., 390 Cannon.

Next Meeting of the **SENATE**

10 a.m., Thursday, July 20

Senate Chamber

Program for Thursday: Senate will resume consideration of the nomination of David M. Uhlmann, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency, and vote on confirmation thereon at 12 noon.

Following disposition of the nomination of David M. Uhlmann, Senate will continue consideration of S. 2226, National Defense Authorization Act, and vote on or in relation to Cruz/Manchin Amendment No. 926, with 60-affirmative votes required for adoption.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Thursday, July 20

House Chamber

Program for Thursday: Complete consideration of H.R. 3935—Securing Growth and Robust Leadership in American Aviation Act.

Extensions of Remarks, as inserted in this issue

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