

H.R.10

To authorize appropriations for Fiscal Year 2024 and Fiscal Year 2025 for the restoration of the Armed Forces and National Security Programs by the Department of Defense,

IN THE HOUSE OF REPRESENTATIVES

May 17, 2024

Mr. Mark of Pacifica (for himself), Mr. Pluribus of Lincoln, Mr. Wolf of Jackson, Ms Kallis of Pacifica, Mr. Morales of Frontier (for themselves) introduced the following bill on behalf of the Emperio administration

A BILL

To authorize appropriations for Fiscal Year 2024 and Fiscal Year 2025 for the restoration of the Armed Forces and National Security Programs by the Department of Defense,

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 “Jason Dunham National Defense Revitalization Authorization Act of May 2024”

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

- (a) DIVISIONS.—This Act is organized into three divisions as follows:
 - (i) Division A—Department of Defense Authorizations.
 - (ii) Division B—Military Construction Authorizations.
 - (iii) Division C—Funding Tables and Other Matters.
- (b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I — PROCUREMENT

Subtitle A- Naval Programs

- Sec. 101. Consolidated Procurement Authorities for Shipbuilding Programs
- Sec. 102. Full Ship Shock Trial For Shipbuilding Programs
- Sec. 103. Refueling and Complex Overhaul of the U.S.S. Carl Vinson
- Sec. 104. Establishment of the US Merchant Marine Reserve
- Sec. 105. Creation of a Naval Affairs Executive Council
- Sec. 106. Expansion of the Maritime Security Program
- Sec. 107. Extension of the Pacific Deterrence Initiative

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

- Sec. 108. Prioritizing Acquisition of Fuel From US Refineries

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS.

TITLE II—NAVAL MILITARY CONSTRUCTION

- Sec.109. Authorized Navy Construction and Land Acquisition Projects
- Sec.110. Encouraging the Use of Local Labor in Construction Projects

DIVISION C—FUNDING TABLES AND OTHER MATTERS.

TITLE III—GENERAL PROVISIONS AND FINANCIAL MATTERS

Subtitle A-General Provisions

- Sec. 111. General Transfer Authority

Subtitle B-Authorization of Acquisition

- Sec. 112. Appropriations for Military Revitalization
- Sec. 113. Authorization of Amounts in Funding Tables
- Sec. 114. Authorization of Utilization of Procurement Funds
- Sec. 115. Military Construction
- Sec. 116. Research, Development, Test, and Evaluation
- Sec. 117. Operations and Maintenance
- Sec. 118. Enactment

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE 1—PROCUREMENT

SUBTITLE A — NAVAL PROGRAMS

SEC. 101. CONSOLIDATED PROCUREMENT AUTHORITIES FOR SHIPBUILDING PROGRAMS.

(a) CONTRACT AUTHORITY.—

- (i) PROCUREMENT AUTHORIZED.**—In fiscal year 2024, the Secretary of the Navy may enter into one or more contracts for the procurement of twelve Arleigh Burke-class destroyers, two America-class amphibious ships, two San Antonio-Class amphibious transport docks, ten Constellation-Class frigates, and ten Virginia Class attack submarines.
- (ii) PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.**—The ships authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering such programs

- (b) SET OF INCREMENTAL FUNDING.**—With respect to a contract entered into under subsection (a), the Secretary of the Navy may use incremental funding to make payments under the contract. No such payments may be obligated after the date that is 11 months after the date on which the fitting out of the vessels associated with the contract is completed.
- (c) LIABILITY.**—A contract entered into under subsection (a) shall provide that the total liability to the Government for termination of the contract entered into shall be limited to the total amount of funding obligated at the time of termination.
- (d) AUTHORITY FOR ADVANCE PROCUREMENT.**—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with a vessel or vessels for which authorization to enter into a contract is

provided under subsection (a), and for systems and subsystems associated with such vessels in economic order quantities when cost savings are achievable.

- (e) **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 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 102. FULL SHIP SHOCK TRIAL FOR SHIPBUILDING PROGRAMS

- (a) The Secretary of the Navy shall ensure that full ship shock trials results are incorporated into the construction of all vessels in Section 101 of this bill.

SEC. 103. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. CARL VINSON

- (a) **REFUELING AND COMPLEX OVERHAUL.**—The Secretary of the Navy shall carry out the nuclear refueling and complex overhaul of the U.S.S. Carl Vinson (CVN —70)
- (b) **USE OF INCREMENTAL FUNDING.**—With respect to any contract entered into under subsection (a) for the nuclear refueling and complex overhauls of the U.S.S. Carl Vinson (CVN —70). The Secretary may use incremental funding for a period not to exceed six years after advance procurement funds for such nuclear refueling and complex overhaul effort are first obligated.
- (c) **CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.**—Any 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 for that purpose for that later fiscal year.

SEC. 104. ESTABLISHMENT OF THE US MERCHANT MARINE RESERVE

- (a) **IN GENERAL** — 10 U.S. Code § 10101 is amended as follows
 - (i) Inserting “US Merchant Marine Reserve” following (7)The Coast Guard Reserve.
- (b) Notwithstanding any other provision of law, the service of any person as a member of the US Merchant Marine Reserve), or the service of any person in any other similarly situated group the members of which rendered service to the Armed Forces of the United States in a capacity considered civilian

employment or contractual service at the time such service was rendered, shall be considered active duty for the purposes of all laws administered by the Secretary of Veterans Affairs.

SEC. 105. CREATION OF A NAVAL AFFAIRS EXECUTIVE COUNCIL

- (a) A Naval Affairs Executive Council shall be created under the Office of the Secretary of Defense
 - (i) It shall be composed of a 6-member panel of shipbuilding and naval technical experts appointed by the Secretary of Defense for 6-year terms. This panel shall be tasked with:
 - (1) Conducting routine shipyard site inspections, formal confidential inquiries, contract reviews, assessing shipbuilding, and maintenance-capacity investments.

SEC. 106. EXPANSION OF THE MARITIME SECURITY PROGRAM

- (a) \$1,000,000 is hereby authorized for fiscal year 2024 for the Maritime Security Program and shall be subject to funds made available through the incremental funding of section 110.

SEC. 107. EXTENSION OF THE PACIFIC DETERRENCE INITIATIVE

- (b) \$1,500,000,000 is hereby authorized for fiscal year 2024 for the Pacific Deterrence Initiative and shall be subject to funds made available through the incremental funding of section 110.

SUBTITLE B — DEFENSE-WIDE, JOINT, AND MULTISERVICE MATTERS

SEC. 108. PRIORITIZING ACQUISITION OF FUEL FROM US REFINERIES

- (a) 60 days after the passage of this bill the Defense Logistics Agency shall over a period of 10 years transition to purchasing tanker-delivered and pipeline-delivered fuel from US refineries.
 - (ii) This requirement may be waived by the Secretary of Defense for individual combatant commands when deemed necessary in the interest of National Security.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

TITLE II—NAVAL MILITARY CONSTRUCTION

SEC. 109. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

- (a) **INSIDE THE UNITED STATES.**—Using amounts pursuant to the authorization of appropriations in section 112 and available for military construction projects inside the United States as specified in the funding table in section 115, 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/ Territory	Installation/ Project	Amount
Hawaii, Pacifica.....	Aegis Ashore	\$2,000,000,000

SEC. 110. ENCOURAGING THE USE OF LOCAL LABOR IN CONSTRUCTION PROJECTS

- (a) The project outlined in Section 109 of this bill shall have a mandatory hiring goal of at least 30 percent of Pacifica construction labor hours performed by Tier 1 Qualified Local Residents.
- (i) “Tier I Qualified Local Resident” is defined as a County resident whose primary residency is:(1) within five (5) miles of the proposed project site; and (2) is within a qualifying Zip Code. If a qualifying Zip Code is partially located within the 5-mile radius, then the entire Zip Code is considered as Tier I Zip Code, and workers living in that entire Zip Code area may qualify as Tier I hire.
- (1) A “qualifying Zip Code” is defined as a Zip Code within the Counties of Honolulu, Hawaii, Kalawao, Maui, and Kauai, where the average percentage of households living below 200 percent of the Federal Poverty Level (FPL) for that individual’s

primary residency's Zip Code is greater than the County average for such households.

DIVISION C—FUNDING TABLES AND OTHER MATTERS

TITLE III— GENERAL PROVISIONS AND FINANCIAL MATTERS

SUBTITLE A — GENERAL PROVISIONS

SEC. 111. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

- (i) 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 title for fiscal year 2024 and fiscal year 2025 between any such authorizations for those fiscal years (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.
- (ii) 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 \$40,000,000,000.

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

- (i)** (1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

- (ii) (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.

SUBTITLE B — AUTHORIZATION OF ACQUISITION

SEC. 112. APPROPRIATIONS FOR MILITARY REVITALIZATION.

- (a) The Department of Defense shall be appropriated \$164,142,119,000 for Fiscal Year 2024 and Fiscal Year 2025 which will be dispersed in the following Fiscal month increments.
 - (i) \$13,678,509,917 shall be appropriated for fiscal month of October 2024, beginning October 10, 2024, and ending November 10, 2024.
 - (ii) \$13,678,509,917 shall be appropriated for fiscal month November 2024, beginning November 10, 2024, and ending December 10, 2024.
 - (iii) \$13,678,509,917 shall be appropriated for fiscal month December 2024, beginning December 10, 2024, and ending January 10, 2025.
 - (iv) \$13,678,509,917 shall be appropriated for fiscal month January 2024, beginning January 10, 2025, and ending February 10, 2025.
 - (v) \$13,678,509,917 shall be appropriated for fiscal month February 2025, beginning February 10, 2025, and ending March 10, 2025.
 - (vi) \$13,678,509,917 shall be appropriated for fiscal month March 2025, beginning March 10, 2025, and ending April 10, 2025.
 - (vii) \$13,678,509,917 shall be appropriated for fiscal month April 10, 2025, beginning April 10, 2025, and ending May 10, 2025.

- (viii) \$13,678,509,917 shall be appropriated for fiscal month May 2025, beginning May 10, 2025, and ending June 10, 2025.
- (ix) \$13,678,509,917 shall be appropriated for fiscal month June 2025, beginning June 10, 2025, and ending July 10, 2025.
- (x) \$13,678,509,917 shall be appropriated for fiscal month July 2025, beginning July 10, 2025, and ending August 10, 2025.
- (xi) \$13,678,509,917 shall be appropriated for fiscal month August 2025, beginning August 10, 2025, and ending September 10, 2025.
- (xii) \$13,678,509,917 shall be appropriated for fiscal month October 2025, beginning September 10, 2025, and ending October 10, 2025.

SEC. 113. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

- (a) IN GENERAL.—Whenever a funding table in this subtitle 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 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and (2) comply with other applicable provisions of law. (c)
- (c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this subtitle 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 110 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts. (d)

**SEC. 114. AUTHORIZATION OF UTILIZATION OF PROCUREMENT
FUNDS (In Thousands of Dollars)**

Line	Item	Authorized
-------------	-------------	-------------------

SHIPBUILDING AND CONVERSION, NAVY

001	ARLEIGH BURKE CLASS	24,000,000
002	AMERICA CLASS	5,200,000
004	SAN ANTONIO CLASS	3,300,000
005	CONSTELLATION CLASS	10,000,000
006	VIRGINIA CLASS	34,500,000
007	CVN 70 COMPLEX OVERHAUL.....	2,510,379

TOTAL SHIPBUILDING AND CONVERSION, NAVY 79,510,379

AIRCRAFT PROCUREMENT, NAVY

COMBAT AIRCRAFT

001	F/A-18E/F (FIGHTER) HORNET	7,930,000
002	JOINT STRIKE FIGHTER CV	1,438,400

TOTAL AIRCRAFT PROCUREMENT, NAVY 9,368,400

AMMUNITION, NAVY

001	AMMO NAVY AND MC.....	988,018
002	WEAPON SYSTEMS.....	4,220,705

TOTAL AMMUNITION, NAVY.....5,208,723

AIRCRAFT PROCUREMENT, AIRFORCE

TACTICAL FORCES

001	E-7 WEDGETAIL	16,380,000
002	C-130H	600,000
003	C22B OSPREY	1,650,000

004 B-52H	768,000
005 F-35A.....	552,000
006 F-16 BLOCK 70/72	8,946,000
007 F-15 EX	8,000,000
008 MQ-9	420,000

TOTAL AIRCRAFT PROCUREMENT, AIRFORCE 37,316,000

AMMUNITION, AIRFORCE

001 MISSILES	3,464,979
--------------------	-----------

TOTAL AMMUNITION, AIRFORCE.....3,464,979

AIR DEFENSE PROCUREMENT, ARMY

001 PATRIOT.....	2,200,000
------------------	-----------

TOTAL AIR DEFENSE PROCUREMENT, ARMY.....2,200,000

AMMUNITION, ARMY

001 AMMUNITION	2,158,110
----------------------	-----------

TOTAL AMMUNITION, ARMY..... 2,158,110

SEC. 115. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Line	State/ Country and Installation	Project Title	Authorized
Navy	Naval Station Pearl Harbor	AEGIS ASHORE.....	2,000,000

SEC. 116. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Item	Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
001	STRATEGIC MID RANGE FIRES	169,519
002	LONG RANGE PRECISION	246,009
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		415,528

SEC. 117. OPERATIONS AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	Authorized
001	OPERATIONS AND MAINTENANCE, ARMY.....	4,669,725,815
002	OPERATIONS AND MAINTENANCE, NAVY.....	5,303,446,204
003	OPERATIONS AND MAINTENANCE, AIR FORCE.....	4,557,649,081
004	OPERATIONS AND MAINTENANCE, DEFENSE AGENCIES.....	5,469,178,898

SEC. 118. ENACTMENT.

EFFECTIVE DATE.— The provisions of this Act shall come into force immediately upon passage.

Drafted by Rep Mark (R-CA) for Congress' use.