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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who harmonized the world with seasons and kindness, sowing and reaping, color and fragrance, we praise Your loving Name.

Lord, strengthen our Senators to do their part in fulfilling Your purposes for this land we love. Be for our lawmakers a refuge and a shelter from life's storms. Give them the wisdom to find in Your word a lamp for their feet and a light for their path. Provide them also with the resolve to walk in that light and follow Your guidance. In Your compassion, free them from the cares that deplete their trust in You.

We pray in Your merciful 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 (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 15, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JACKY ROSEN, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. ROSEN 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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Sarah A. L. Merriam, of Connecticut, to be United States Circuit Judge for the Second Circuit.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader.

RAILWAY LABOR MANAGEMENT AGREEMENT

Mr. SCHUMER. Madam President, last night, as most Americans were in bed asleep, freight rail companies and unions representing tens of thousands of workers secured a tentative agreement that will keep the trains running on time and keep our economy moving. And the best part is that union leadership representing tens of thousands of railway workers, who have worked themselves to the bone over the course of the pandemic, seem to have secured

the higher pay and better working conditions for their members. Railway workers have earned that pay and those benefits through blood, sweat, and tears, and I hope it will make it easier for other workers in future negotiations to secure stronger benefits.

This is exactly the sort of outcome that will keep our economy going, our supply chains running, and, most importantly, our workers well-taken care of. The episode is a reminder of an evergreen truth that people underappreciate even now: Workers are what make the wheels of our economy turn—in this case, literally.

I want to thank President Biden and Secretary Walsh, who was steadfast and dedicated, and in a word that we have used for our Senate caucus, he persisted and persisted and persisted. I want to thank every single union representative and railworker who negotiated in good faith to reach this outcome.

RESPECT FOR MARRIAGE ACT

Madam President, now I have a few short remarks to say on marriage equality.

Negotiators have been meeting practically every single day. Senate negotiators, Democrat and Republican, have been meeting practically every single day this week to find a path forward. There will be a meeting later today between both sides, and I look forward to seeing what progress Republicans make to reach the magic number of 10. The onus is right now on our Republican colleagues to demonstrate they are serious about passing marriage equality into law. Every single Democrat is for it, but, of course, we need 60 votes.

Let me be clear. My No. 1 priority is to pass legislation. It is an issue that will have profound consequences for millions of Americans in same-sex marriages and who identify as LGBTQ. To downplay this issue, to let it pass by or to act as if we can put it off for another time is not the right thing to

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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do. We should do it now. That is why we are so eager to get 10 Republicans to support the bill.

And across the street from here, we have all heard Justice Clarence Thomas and his fellow MAGA Republican Justices are surely waiting for the chance to one day follow through on his threat—Justice Thomas's threat to drag same-sex marriage rights back under the spotlight of the Supreme Court. That thought should send a shiver down all of our spines.

So I want to thank my colleagues, from Senators BALDWIN to SINEMA to COLLINS and others, for continuing their talks. I am glad to give them the space to lead these negotiations because this needs to be done and done right. But for the sake of tens of millions of Americans, we need to get this done, and I hope we have 10 Republicans who are willing to raise their hands and push this process forward.

JUDICIAL NOMINATIONS

Madam President, finally on judges, it was another productive week here on the Senate floor when it comes to confirming more judicial nominees. On Monday, we completed the confirmation process for Salvador Mendoza to sit on the Ninth Circuit. Then we confirmed Lara Montecalvo to sit on the First Circuit. And later this morning, we will vote to confirm Sarah Merriam to be on the Second Circuit.

We also will return to the nomination of Arianna Freeman to the Third Circuit as soon as possible.

That brings our total for the month of September to five circuit court judges, and we now have confirmed more than 80 judicial nominees to the Federal bench. On numerous occasions, it has been with bipartisan votes, and I want to thank my Republican colleague who joined us in voting for these fine nominees.

To the Committee on the Judiciary, Senator DURBIN, and all of my colleagues, I say great work. Let's keep going.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

INFLATION

Mr. MCCONNELL. This week's inflation report confirmed what working people across this country know all too well: The costs of feeding a family and keeping the lights on have skyrocketed more quickly this past year than at any time since the wake of the Carter administration.

A year and a half of crippling runaway inflation is the most important

story to the American people every single day. The media have grown somewhat numb to month after month of 8 and 9 percent inflation, but working Americans have not had the luxury of growing numb. The pain gets worse every single time they have to fill a shopping cart or pay their credit card bill.

One mother of young sons in my hometown of Louisville put it this way:

My grocery bill has [gone] up a lot. It's terrible right now. I have to be really strategic on how I plan out the whole month to make sure we have enough money.

Of course, Kentuckians aren't the only ones in this predicament. In Nevada, an office worker recently told reporters:

I've not been buying a lot of things because I can't afford it. I'm like, "The kids don't need juice for school anymore. We'll just do water."

In Arizona, so many families are having to make tough choices at the grocery store, many are accepting charity to keep food on the table.

According to an employee of one food bank in Phoenix:

The impact we are seeing day in and day out continues to go up. The families are stressed.

And who can blame them? Food inflation in America is at more than a four-decade high. Bread is 16.2 percent more expensive than it was a year ago. Milk is up 17 percent. Flour is up 23.3 percent, and eggs are going for nearly 40 percent more.

Week after week, feeding a family has become a stressful proposition for millions of Americans, and every extra dollar spent on groceries is one fewer to spare for soaring electricity bills.

In the suburbs of Las Vegas, residents have commiserated over the astronomical cost of keeping their homes cool in the summer. One neighborhood message board reads like this:

My bill for this month will be \$574 . . . it's insane.

Yes, ours was \$800 for June.

In Arizona, a restaurant worker didn't mince words about scraping together enough to keep the lights and air-conditioning on:

If I didn't have roommates, I wouldn't be able to make it on the salary that I have.

Overall, inflation in Phoenix and Atlanta is way, way higher than even the sky-high national average. The country as a whole is still grappling with inflation over 8 percent, but Phoenix has seen a staggering 13 percent inflation in just the last year, and Atlanta has seen nearly 12 percent.

Of course, for working Americans in some other States, the most acute emergency is not the cost of summer cooling but, rather, the cost of winter heating.

In places like New Hampshire and Vermont where many homes burn heating oil, this important price is up more than 91 percent since President Biden took office.

And in every corner of the country, one of the biggest collective headaches

facing working families with young kids is the rising cost of back-to-school shopping lists.

According to one working mother in Pennsylvania, she had to take items like a backpack for her preschooler out of her shopping cart in the checkout line:

It's been at least 20 years since I have had to pull back to this extent. This is a new and humbling experience for me as an adult.

American families are facing math problems that just don't add up.

Meanwhile, the same Washington Democrats who got them into this mess spent Tuesday celebrating having rammed through, on a party-line vote, a bill that does nothing to help them solve it: hundreds of billions of dollars in new spending, just as working families are having the hardest time in decades making ends meet at home; hundreds of billions of taxpayer dollars that wouldn't even accomplish Democrats' own underlying radical climate goals, let alone the false claims of "inflation reduction" on the cover.

So our economy continues to hand working families a raw deal. But the same day this latest awful inflation report was published, Washington Democrats went to a concert at the White House and celebrated—celebrated—their economic policies.

How much more out of touch can you get?

The Democrats' giant inflationary spiral is costing the average American household 460 extra dollars every single month just to buy the same things they bought last year. President Biden and his government have imposed a silent Democratic inflation tax of \$460 every single month.

In Kentucky, the average household has to pay \$608 more a month—well over \$7,000 more a year—just to stay where they were when President Biden was sworn in.

Americans' real wages—their purchasing power—has plummeted since this all-Democratic government was sworn in.

And the Democrats response? Print and spend hundreds of billions more, make Americans without bachelor's degrees pay off the graduate school debt of doctors and lawyers, and throw themselves a party on the White House lawn.

Our colleagues across the aisle created this human catastrophe. This runaway inflation was a policy choice by Democrats, and they aren't even trying to stop it.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INFLATION REDUCTION ACT OF 2022

Mr. THUNE. Madam President, the August inflation numbers came out

this week, and they weren't good. Inflation was even higher than expected. It was very clear that soaring prices are likely to continue for quite a while, but as usual, it doesn't seem to concern the Democrats one bit.

The President was asked Tuesday if he was concerned about August's even-worse-than-expected inflation report.

His answer? "No, I'm not."

It was just one more tone-deaf moment for the President and the Democrats.

On Tuesday, the President and the Democrats gathered at the White House to congratulate themselves for having passed their so-called Inflation Reduction Act, a bill that will do nothing—nothing—to reduce inflation. That is not just my opinion. That was the conclusion of the nonpartisan Penn Wharton Budget Model and of the Democrat chairman of the Senate Budget Committee, who referred to the bill as the "so-called Inflation Reduction Act" on the Senate floor while admitting it would do nothing to solve our Nation's inflation crisis.

But that didn't stop the Democrats from celebrating yesterday. For most of us, of course, it is difficult to understand what there was to celebrate. Leaving aside the issue of the 40-year-high inflation, we already know that the bill will also fall short in another respect—on deficit reduction.

The Democrats' claims that the bill would provide meaningful deficit reduction were always somewhat dubious, but even granting the Democrats' rosier assumptions, President Biden wiped out any deficit reduction when he announced his massive student loan giveaway 8 days—8 days—after the Inflation Reduction Act was signed into law.

So no inflation reduction, no deficit reduction. Oh, one other thing: The Inflation Reduction Act will drive up energy bills for Americans.

So the question is: What was there to celebrate?

Well, for the Democrats, the Inflation Reduction Act marked a chance to finally push through some of their far-left, Green New Deal fantasies, things like electric vehicle tax credits to help wealthy Americans buy electric cars, more than \$60 billion—\$60 billion—for "environmental justice priorities," including \$1.9 billion for things like identifying gaps in tree canopy coverage, and the list goes on. So I think the Democrats are pretty satisfied with themselves over finally jamming through elements of their Green New Deal agenda.

Then, of course, they succeeded in extending increased ObamaCare subsidies that will push Americans off of private healthcare plans and into government-run care.

Then—then—there are the tax hikes. The current Democratic leader once said, "You don't want to take money out of the economy when the economy is shrinking," like it has in the previous two quarters. But those days are

gone. For the Democrats, raising taxes has become an article of faith.

And it goes far beyond raising money to help pay for their Big Government spending. The Democrats believe raising taxes on corporations and well-off Americans is good in and of itself, even if those tax hikes have a negative effect on less well-off Americans and the economy. The tax hikes that the Democrats have included in their so-called Inflation Reduction Act will, indeed, have a negative effect on our economy and on the hard-working Americans who help support it. The Democrats' tax hikes on businesses will result in slower growth, lower wages, and thousands of fewer jobs, and the Democrats' tax hikes on conventional energy will result in higher energy prices for working families.

In addition to raising taxes, the other main way the Inflation Reduction Act raises revenue is by increasing IRS audits and placing new burdens on taxpayers.

The Democrats' bill contains a whopping \$80 billion in increased funding for the IRS. That is an increase in funding which represents six times the annual budget of the IRS today. More than half of those funds, or \$46 billion, are earmarked for increased IRS enforcement. Just 4 percent is for improving customer service, which should tell you all you need to know about where the Democrats' real priorities lie.

The bill would provide for the hiring of as many as 87,000 new employees, which would more than double the current size of the Agency and make the IRS—make the IRS, if you can believe this—larger than Customs and Border Protection and the U.S. Coast Guard put together, combined.

In the lead-up to the passage of the Democrats' bill, the Biden administration put out a statement declaring that the money for IRS enforcement would not go to the increased audits of households making less than \$400,000. Because we had reason to doubt that that would be the case, the Republicans put forward an amendment to the bill to prevent the IRS from using its new money to audit those Americans. Every Democrat—every single Democrat—voted against the amendment. So, I guess, the Democrats are happy to oppose more IRS audits of middle-class Americans in theory, but they don't want to cut off the possibility of those audits in practice if they end up needing them to help fund their Green New Deal spending.

I don't need to tell anyone that the IRS is notorious for mishandling sensitive taxpayer data. As recently as this month, we learned that the IRS had inadvertently posted confidential taxpayer data of around 120,000 individuals on its website—private taxpayer information that was available to the general public.

Then, of course, there was last year's leak, or hack, of confidential taxpayer information that was shared with the left-leaning ProPublica and was used

to advance a partisan agenda for which, I might add, neither the IRS nor the Biden administration has provided any accountability.

Then there was the infamous targeting of conservative groups for extra scrutiny under the Obama IRS, and the list goes on.

I haven't even discussed the IRS's record of grossly underperforming—some would say nonexistent—customer service. During the 2022 tax season, just 10 percent of taxpayers' calls—10 percent of taxpayers' calls—to the IRS were answered by an IRS employee. What we need to be doing is holding the IRS accountable, not setting tens of thousands of new IRS agents loose on taxpayers' accounts.

Earlier this week, I joined my Republican colleagues on the Senate Finance Committee to introduce legislation to prevent the IRS from using its new funding to audit American workers or small business owners earning less than \$400,000 per year.

I also introduced a bill this week, along with Senator COLLINS, to improve taxpayer service at the IRS. Our legislation, called the Increase Reliable Services Now Act, would prevent the IRS from hiring new employees for enforcement until customer service at the IRS had reached a more acceptable level. It is unacceptable—unacceptable—that taxpayers have a 1 in 10 chance of receiving assistance when calling the IRS, and the Agency should not be allowed to increase enforcement hires until it has achieved at least a basic level of customer service.

So we have 87,000 new employees, which is double—double—the size of the current IRS workforce, and we have \$80 billion, which is six times the current annual budget of the IRS, with a specific focus: going after taxpayers in this country to try and get, raise—whatever—more revenue to fund the Democrats' Big Government fantasies. At the same time, 1 in 10 taxpayers is getting his calls returned at the IRS.

I will continue to work to increase IRS accountability and prevent hard-working Americans from being squeezed to fund Democrats' Green New Deal spending.

Like the \$1.9 trillion American Rescue Plan spending spree that came before it—which, I would add, helped plunge our country into our current inflation crisis—the Inflation Reduction Act is a bad deal for the American people, and all of the self-congratulatory White House parties in the world aren't going to change that basic fundamental fact.

Americans are experiencing serious economic hardship, and Democrats are doing nothing to help.

I yield the floor.

THE PRESIDING OFFICER (Mr. MARKEY). The Senator from Iowa.

RAILWAY LABOR MANAGEMENT DISPUTE

Mr. GRASSLEY. Mr. President, as of 12:01 tomorrow morning, our Nation's transportation system was set to come to a screeching halt. It now sounds like

we have a bit of a reprieve, but we still have a threat.

Since 2019, railroads and unions have been negotiating a new contract. Two months ago, President Biden appropriately appointed members of what is called the Presidential Emergency Board. This Board recommended the largest pay increase in industry history at 24 percent, in addition to an annual bonus and healthcare changes.

President Biden promised to be the “most pro-union president” in history, but even President Biden’s recommendations weren’t enough for these unions. A few unions continued to hold out and, in fact, took us to the verge of a nationwide strike.

A railroad strike would really plunge us back into the supply chain issues that have just now started to somewhat improve. These trains that would be stopped actually carry the food we eat, the gas for our tanks, and the energy that heats our homes.

Already, I am hearing from grain elevator operators in my State that they are having trouble transporting their grain. Hazardous cargo, like the chlorine cities need to purify drinking water, stopped moving earlier this week. Amtrak has canceled long-distance routes. Maybe they are going to be up and running now, but at least they were getting ready to stop.

But what I just described is the tip of the iceberg unless these unions agree to a long-term deal. The last thing we need is for grain shipments to grind to a halt right as farmers are going to the fields to harvest their grain. Iowa corn and soybeans can’t feed the world if they are stuck on the farm or in the local elevator.

That is why I cosponsored Senator BURR’s joint resolution to prevent all of this. The resolution would mandate that both sides adopt the recommendations of President Biden’s emergency Board. Then, of course, if we pass that, the trains would keep running.

We are just learning about a tentative deal that would let unions back away from the cliff. If they don’t, then Congress must step in and pass the joint resolution to keep our economy going. The alternative is unacceptable. 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be permitted to complete my remarks before the rollcall.

The PRESIDING OFFICER. Without objection, it is so ordered.

E-CIGARETTES

Mr. DURBIN. Mr. President, September 9, 2021, over a year ago, was supposed to be a historic day in Amer-

ica’s efforts to stop the purveyors of candy- and fruit-flavored e-cigarettes from preying on America’s kids. September 9, 2021, was the deadline, and it was set by a Federal judge for the U.S. Food and Drug Administration to finally—finally—clear its enormous backlog of applications from e-cigarette companies seeking to sell their products in America.

Companies that can prove that their vaping products are, in fact, “appropriate for the protection of public health,” they can go ahead and sell their products legally, but e-cigarette products can’t meet that standard. They can’t demonstrate a benefit to public health. Vaping, as we know, is dangerous and addictive, and these companies, like the tobacco companies of years gone by, are preying on our children.

FDA had a legal mandate to ban these products from U.S. markets on September 9, 2021, but the Food and Drug Administration failed to meet the deadline—not by 1 day, not by 1 week, not even by 1 month. Last Friday marked the 1-year anniversary of the FDA’s failure to meet this Federal court order.

As of today, the FDA has completed reviews of about half of these e-cigarette products that represent a large share of the market. As a result of FDA’s inaction, dangerous, kid-friendly e-cigarettes remain available on store shelves without FDA review or authorization. The cops are not on the beat.

There are consequences to this action. The Truth Initiative is a non-profit consortium of health groups that aims to protect young people from using tobacco. It estimates that, in the year since the FDA missed the court-ordered deadline to approve or reject e-cigarette applications, nearly 2½ million kids in America started using vaping products. Many of these young people will go on to develop nicotine addictions, with serious harm to their health. That is the human cost of this FDA failure.

Now the FDA says: Well, we might be able to finish this by 2023, 2 years after the Federal court-ordered date. And that is not the only deadline the FDA has blown when it comes to protecting kids from nicotine. After parents and public health groups demanded the FDA take action against candy-flavored, nicotine-spiked e-cigarettes, the vaping industry came out with a brandnew miracle product designed to evade FDA jurisdiction: synthetic nicotine. Products like Puff Bar are incredibly popular with middle and high school students. These new synthetic nicotine products include all the health dangers of traditional e-cigarettes, none of the regulation. When Congress learned about this loophole, we changed the law to say that the FDA had jurisdiction over synthetic nicotine products.

To make matters worse, even when the FDA does review a product and

issues a denial, many e-cigarette companies just ignore them. It has reached a point that they are not viewed seriously. The No. 1 regulator of food and drugs in America, when it comes to protecting our kids from these deadly, addictive products, isn’t viewed seriously.

The FDA has the legal right and the legal authority to do so. They can pull these products off the shelves tomorrow. Yet, with respect to illegal e-cigarettes, they do nothing—nothing.

Look, I understand they are understaffed. I understand they are underresourced. FDA is not currently authorized to collect user fees for e-cigarettes, as it does for so many other products. And Congress fails to appropriate the funds many times that they need.

These are real problems, but they do not absolve the FDA of its repeated failure to effectively regulate e-cigarettes. I am at my wits’ end when FDA continues to miss these court-ordered deadlines, fails to enforce orders, and shows a lack of urgency when it comes to vaping products.

Last week, I asked Health and Human Services Secretary Becerra to step in. If FDA cannot or will not do its job, then it is time for the lead Agency, Health and Human Services, to take a more active role. The FDA cannot continue to let unscrupulous e-cigarette companies flout the law and put their own profits ahead of the health of our kids. This has to stop.

DIETARY SUPPLEMENTS

Mr. President, on a related matter, Congress has a big decision to make in the next few weeks. Every 5 years, Congress must reauthorize FDA user fee programs. These programs authorize FDA to collect user fees from companies they oversee: prescription drug companies, medical device companies. These fees help provide the funding that FDA needs for staff.

In fact, almost half of their funding comes from user fees. But we shouldn’t settle for a clean authorization of FDA user fees. We should give FDA the authority to collect user fees from e-cigarette companies, and we should provide FDA with new authority to protect America’s health by better regulating the dietary supplement industry.

I want to thank the members of the Senate HELP Committee, especially its chairman, Senator PATTY MURRAY, for including my proposal for better regulation of dietary supplements in the committee-passed bill.

But I fear this commonsense proposal may be lost in the sauce in the closing days of this fiscal year.

Many people are surprised to learn that today dietary supplement companies are not even required to register their products with the FDA. They aren’t required to tell the FDA even the ingredients of their products.

If you are going to put a product on the shelf in America, most Americans walking into that drugstore or that vitamin shop believe that there has been

some government review of the product, some inspection, some standards. Not the case. When it comes to prescription drugs, they have to be proven to be safe and effective. Not so for dietary supplements. These products can hit the shelves and make outrageous claims and not be regulated in any way, like prescription drugs.

What our bill says is that each of the companies selling these products has to register with the FDA the name of the product and the ingredients in the product. So if something goes wrong and people start getting sick, we at least have the most basic information to protect Americans.

The FDA is one of the most important Agencies in the Federal Government. It has fallen on hard times. It is there to protect the health of families across the country, especially our children. Whether it is dietary supplements or tobacco or e-cigarettes, we need to make sure the FDA not only has the tools for the job but uses them.

CONFIRMATION OF SARAH A.L. MERRIAM

Mr. President, today, the Senate will vote to confirm Judge Sarah Merriam to serve on the Second Circuit Court of Appeals.

Judge Merriam was confirmed last year as a U.S. District Court Judge for the District of Connecticut. She received a bipartisan vote on the Senate floor, which reflects not only her qualifications, but her impartiality as well.

Prior to her appointment to the district court, Judge Merriam served as a U.S. magistrate judge for the District of Connecticut from 2015 to 2021.

Throughout her time on the Federal bench, Judge Merriam has presided over hundreds of matters, including five trials that proceeded to final judgment.

This significant judicial experience has undoubtedly prepared Judge Merriam to serve on the Second Circuit.

Judge Merriam also has extensive experience in Federal court as an advocate. For the bulk of her career as a practicing attorney, she served as an assistant Federal defender, representing clients who could not otherwise afford adequate legal representation.

Notably, 24 former Federal prosecutors in Connecticut—including three former U.S. attorneys appointed by Presidents of both political parties—support Judge Merriam's nomination to the Second Circuit.

This broad, bipartisan support is a testament to her fairness and evenhandedness, both as a jurist and as an advocate.

The American Bar Association unanimously rated Judge Merriam "well qualified" to serve on the Second Circuit, and she has the strong support of Senators BLUMENTHAL and MURPHY.

Judge Merriam has shown that she has the qualifications, experience, and fidelity to the rule of law needed to administer justice on the Second Circuit. I will be supporting her confirmation and urge my colleagues to do the same.

I yield the floor.

VOTE ON MERRIAM NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Merriam nomination?

Mr. DURBIN. 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 executive clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), and the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 337 Ex.]

YEAS—53

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markley	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warrick
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Hassan	Padilla	

NAYS—44

Barrasso	Hagerty	Romney
Blackburn	Hawley	Rounds
Blunt	Hoeven	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Capito	Kennedy	Shelby
Cassidy	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Crapo	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young
Grassley	Risch	

NOT VOTING—3

Cramer	Cruz	Moran
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of David P. Pekoske, of Maryland, to be Administrator of the Transportation Security Administration for a term of five years. (New Position)

The PRESIDING OFFICER. The Senator from California.

TRIBUTE TO VANESSA VALDIVIA

Mr. PADILLA. Mr. President, I rise today because today is a bittersweet day for me. I rise to recognize and express my gratitude for the outstanding work of Vanessa Valdivia, who has served as my communications director since my first day here in the Senate. I speak for everybody in my office when I say we are going to miss her.

But I am also proud. Next week, she will begin work at the White House as Special Assistant to the President and as Press Secretary to the First Lady. I have no doubt that she will do great things in her new role.

Since our first days in the Russell basement, in an office I had when I was transitioning, Vanessa has brought her incredible experience, her unique personality, and her tremendous passion to the job in helping me communicate our work to the people of California. From my maiden speech here on the Senate floor, during the depths of the COVID-19 pandemic, to crisscrossing the State on an infrastructure listening tour as we were negotiating the Infrastructure Investment and Jobs Act here in Washington, to ensuring that Californians were consistently informed of the historic progress that we have made in this Congress, Vanessa has been a key leader in my office and an adviser to me.

She is a California native and is the proud daughter of Mexican-Nicaraguan immigrants. Now, some of you may remember some of my remarks during the confirmation hearings of now-Justice Ketanji Brown Jackson when I said that, often, Americans of color needed to work twice as hard to garner half the respect. Well, it comes as no surprise that Vanessa has gained the utmost respect from her former bosses and colleagues on the various Presidential and Senate campaigns that she has been a part of and from the Senate offices that she has worked in, including those of Senators BOOKER, HEINRICH, and PETERS in addition to mine, and I have no doubt that she will bring the same work ethic and savvy to serving the First Lady and the Biden administration.

Mr. President, I ask unanimous consent to deliver the next part of my remarks in Spanish.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PADILLA. (English translation of statement made in Spanish is as follows:)

Vanessa, I wish you all the luck in your next chapter. Don't forget your friends here in the Senate. I have no doubt that you will continue to do great things working for the First Lady and the Biden administration. Thank you for your work for all of California.

Mr. President, let the record reflect that Vanessa Valdivia will be deeply missed and that the State of California and the U.S. Senate thank her for her service.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Texas.

BUSINESS BEFORE THE SENATE

Mr. CORNYN. Mr. President, the 117th Congress is drawing to a close, and there is a lot we need to do before the end of the year when the 117th Congress is no more.

At the top of that list, of course, are must-pass bills. In the next couple of weeks, the Senate is expected to pass a short-term funding bill to avert a government shutdown. Later this year, we will either have to pass another short-term extension or a full government funding package, otherwise known around here as an omnibus.

On top of that, Congress needs to pass the National Defense Authorization Act, which it has done 61 years in a row. The majority leader has, so far, declined to put that bill on the floor. This is a piece of legislation that provides our men and women in uniform the training they need and the equipment they need to fight and win America's wars and, hopefully, to prevent a war. It also supports our military families, and with an all-volunteer military like we have, it is critical that Congress step up and not only provide for those who wear the uniform but for those who also serve as members of that military member's family.

Even though these major pieces of legislation garner most of the attention, there are countless other bills that need to reach the President's desk before the end of this Congress. As the Presiding Officer knows, if a bill passes one Chamber but doesn't pass both and isn't signed into law, it literally expires. Many of these bills pass the Senate with overwhelming bipartisan support but continue to collect dust on the House calendar.

One of those bills is the Jenna Quinn Law, which I have spoken about many times here on the Senate floor.

This legislation carries the name of a brave young woman from Texas who was a survivor of child sexual assault. Jenna, as a result of her own terrible experience, has made it her mission to end the cycle of abuse that harms children and communities across the country. Her work is having a big impact. She was the inspiration behind the 2009 Texas law that requires training for teachers, caregivers, and other adults who work with children on how to prevent, recognize, and report child sexual abuse. Since then, a number of other States have passed similar laws, but this training lacks a source of funding in many instances, and that is where the Jenna Quinn Law comes into play.

I introduced this bill with Senator HASSAN of New Hampshire to finally back those training sessions with Federal funding through grants from the Department of Health and Human Services. We initially introduced the bill last Congress, and it passed the Senate unanimously. Unfortunately, it became a political hostage and was used to try to exert leverage to advance a partisan bill that stood no chance of passage. So here we are, 2 years later, and the bill is, once again,

stuck in House purgatory. It has now passed the Senate twice—both times with unanimous support—but for some inexplicable reason, the House refuses to even hold a vote.

This is an issue that is way too important for politics. The children who suffer as a result of child abuse and neglect continue to suffer. As for the caregivers who might be able, as a result of the training they receive, to identify a child who is suffering from the abuse, that training is not occurring as a result of the intransigence of the House of Representatives.

So I would implore of Speaker PELOSI, Leader HOYER, and other Democratic leaders in the House who control the majority to please pass this critical legislation.

Here is another great example of a bill that passed the Senate but which is stuck in the House.

Last year, the Senate passed a bipartisan bill I introduced with Senator WHITEHOUSE of Rhode Island, called the Residential Substance Use Disorder Treatment Act, to help incarcerated individuals who are struggling with drug abuse.

There is a well-established link between drug abuse and crime. In order for these individuals who have the requisite desire to try to turn their lives around to have the best shot at living healthy and productive lives, they need to break the cycle of addiction. The Residential Substance Use Disorder Treatment Act provides incarcerated individuals with access to treatment for their substance use disorders. This treatment is coupled with programs to prepare these men and women to reenter society, and it provides them with community-based treatment once they are released.

We learned, from experience in Texas, that it is not enough just to give people who commit nonviolent crimes an opportunity to improve themselves while they are in prison. There also needs to be follow-on services to support them, particularly if they are trying to recover from their addictions.

Our bill updates the program and expands access to treatment in jails and prisons around the country so we can reduce recidivism and build safer and healthier communities. More than two dozen organizations have endorsed this bill, including law enforcement, criminal justice, and behavioral health groups. It passed the Senate with unanimous support last year, but for some unknown reason, it still is lingering on the House calendar.

This is a commonsense, nonpolitical bill that will help get folks the critical assistance they need in order to break the cycle of addiction and to live healthier, productive lives. So why won't the House pass a bill that will help fund law enforcement and bolster our fight against drug abuse? Well, we are not receiving any sort of answers.

The third bill I would like to mention is one I introduced with Senator

PADILLA, the Senator from California, to support infrastructure projects and disaster relief across the country.

Last year, State and local governments received huge sums of money for COVID-19 relief, but as more people have gotten vaccinated and we have learned, somehow, to live with this virus, many of these governments at the State and local levels have found themselves with huge amounts of cash that they can't use for the agreed-upon purpose and that they don't need any more for that purpose.

So the idea behind the bill is pretty simple: Give the State and local leaders the flexibility they need to invest in the most critical projects in their communities. In some places, that may mean pandemic relief-related expenses still, eliminating hospital staffing shortages, and supporting more vaccinations. But in places where the need is simply not there, our bill gives these leaders the option to invest in things that are actually needed and that will have a lasting impact. That includes infrastructure projects like constructing bridges, extending railways, modernizing ports, and expanding access to broadband. It also includes disaster relief, which is a major need in many States across the country.

Both Texas and Kentucky, for example, have experienced devastating flooding in the last couple of months. Jackson, MS, is in the midst of a water crisis that has dragged on for weeks, with no end in sight. The Speaker's home State of California continues to battle destructive wildfires.

If this bill becomes law—again, it passed the Senate 100 to 0—State and local leaders will be able to put a portion of the COVID-19 relief dollars toward disaster relief. This is voluntary on their part. There is no requirement that they do so, but if they need it and they don't need it for COVID-19 purposes, then, we ought to give them the authority to use it. Again, these funds are already appropriated. So there is no worry about an inflationary appropriation of additional funds. Local leaders know their communities best, and they should be able to use this funding in a way that makes the most sense for them.

Senator PADILLA and I worked with our Senate colleagues and the White House to craft language that everyone could live with. We built broad bipartisan support for the bill, and it passed the Senate, as I said, 100 to 0. Once again, 8 months later, the House has done nothing. Speaker PELOSI, so far, has declined to let this bill pass even though it would support disaster relief in her own State and even though it passed by huge bipartisan majorities.

Those are just three of the bills that are stuck in the House that have passed the Senate.

The Senate has unanimously advanced legislation to support programs for those experiencing mental health crises, to provide tax relief to survivors of human trafficking, to equip law enforcement officials with the tools they

need to help people in mental health crises, to increase cross-border trade with Canada and Mexico, and to beef up security for cargo at ports of entry. There are bills to cut redtape, to increase payments to the child support program, and to ensure noncustodial parents have the opportunity to spend more time with their children.

Our colleagues have even refused to pass a bill naming the post office in Arlington, TX, after their late colleague and my friend Congressman Ron Wright. There is no particular reason for it. They just haven't done it, with no explanation.

All of these bills I have named are just a handful of the ones I have introduced that are waiting in House purgatory. Add in the long list of bills led by our colleagues on both sides of the aisle, and you have got a major legislative pileup in the House.

Unlike the Senate, the House has not been in continuous session, and the House is only scheduled to be in for 6 more weeks this year. Unless Speaker PELOSI allows movement on these commonsense bipartisan bills, we are going to have to start all over again come January. It is time to get these bills moving.

I know our colleagues in the House don't necessarily embrace all the legislation that is passed by the Senate, but when commonsense legislation passes with unanimity or broad bipartisan support, there just doesn't seem to be any excuse for not acting.

These aren't controversial bills. We are talking about preventing child sexual abuse, breaking the cycle of drug abuse, strengthening disaster relief, supporting people in crisis, and so much more.

As I said, these bills are just one step away from heading to the President's desk for his signature. So I implore Speaker PELOSI to please take up these Senate-passed bills and allow the House to vote on them, pass them, and send them to the President for his signature.

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.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

NOMINATION OF DAVID P. PEKOSKE

Ms. CANTWELL. Mr. President, I come to the floor today to ask my colleagues to vote on the nomination of Admiral David Pekoske to serve a second term as Administrator of the Transportation Security Administration.

We recently commemorated the anniversary of the 9/11 attacks and the 3,000 lives lost here in the United States when tragically the Pentagon was struck, downtown Manhattan, and

Shanksville, PA. In response to that, Congress created the TSA—Transportation Security Administration—to strengthen the Nation's security and our transportation system.

And every day that TSA works the frontlines to protect the traveling public, it is working to also prevent future attacks. It is safeguarding our Nation's infrastructure and certainly working every day to make sure that the flying public continues to move through a successful process.

TSA's mission lies in the commitment of professionals and highly skilled individuals. Admiral Pekoske's confirmation and continued leadership of this team will enable the TSA to further its ongoing and important mission.

Over the past two decades, the TSA has had to deal with many challenges: facing the continued threats of concealing weapons in shoes and underwear and even in soft drinks. And in 2010, the TSA began detecting explosives in electronics and countering attacks on the public side of airports.

Today, the landscape is even more sophisticated with state and nonstate actors and cyber attacks. Unique challenges posed to us during the COVID pandemic have made these challenges to the aviation security landscape even greater.

We know that we need to have continued experienced leadership. And Admirable Pekoske is well qualified for this position. He will continue to make transportation security and its modernization the Nation's No. 1 priority as it relates to the sector.

Each day, at over 430 airports across the country, TSA screens over 2 million passengers and 1.4 million checked bags for explosives and other dangerous items. This helps ensure the security for over 24,000 domestic flights and nearly 3,300 outbound international flights per day.

Security demands for the Agency are returning and every day are continuing to grow. Over the Labor Day weekend, TSA screened nearly 11 million people, or 3 percent more, over the corresponding period in 2019. In fact, TSA screened more people on 4 of the 5 days, from September 1 to 5, marking the first sustained period of checkpoint throughput during a holiday weekend above prepandemic levels.

So the traveling public is back, and, obviously, we need dedicated TSA officers and individuals to continue to work. We are not saying that there aren't improvements to that process—there certainly are—but TSA has been charged with a critical, obviously, responsibility to make sure that we continue to work to ensure the safety of our air transportation system.

Last year's ransomware attack on Colonial Pipeline threatened nearly 50 percent of the east coast's fuel supply. So we must harden all of our targets and make sure the TSA has leadership to make sure that they, too, are helping us address these emerging threats.

Admiral Pekoske's experience in leading TSA in these critical missions deserves support for renomination to this position again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INFLATION

Mr. HOEVEN. Mr. President, I rise today to discuss the harmful economic consequences Americans are seeing from President Biden's reckless tax-and-spend agenda. Earlier this week, the Bureau of Labor Statistics released the latest Consumer Price Index figures for the month of August, showing that inflation increased 8.3 percent compared to August 2021. Inflation has now exceeded 8 percent for 6 straight months. This persistent high inflation is causing price increases for American families at the grocery store, the gas pump, and for basic housing needs, leaving many Americans struggling to make ends meet.

Rather than getting government out of the way, increasing domestic energy production, securing our border, and taking meaningful action to reduce inflation, the Biden administration is instead doubling down on its failed economic policies. Gas prices are \$1.34 per gallon higher than when President Biden took office, and diesel fuel prices are even higher, at nearly \$2.40 per gallon more than January 2021. A gallon of diesel now costs more than \$5 a gallon.

Yet, last month, as followup to the massive \$2 trillion spending package from March 2021 that fueled the inflationary fire we are now dealing with, Democrats jammed through another package on a party-line vote, a tax-and-spend bill that imposes new energy taxes and Green New Deal-style subsidies that will only worsen our energy crisis and weaken our Nation's economic and national security.

Ironically, the so-called Inflation Reduction Act does nothing to reduce inflation. Analysis by economists at Penn Wharton School at the University of Pennsylvania, the Federal Reserve, Moody's Analytics, the Congressional Budget Office, and others, all agree that this bill will do nothing to help reduce inflation.

Meanwhile, the cost of food at the grocery store has increased 13.5 percent over the last 12 months—the largest 12-month increase since March 1979. Yet the Biden administration has done nothing to help alleviate these inflationary price increases on Americans.

This week, we neared the brink of another inflationary supply chain disaster as railroad unions threatened to go on strike. Obviously, shutting down freight rail movement throughout the country would be a huge disruption to

our economy. It cannot be overstated how significant a rail strike would be to our national supply chain. With fall harvest, particularly for my State, that is a huge concern, and it is vitally important that we avoid a rail strike.

On the energy front, North Dakota is a huge provider of energy for this Nation. So it is very important. Whether it is our energy producers or energy producers across this country, we need to empower our domestic energy production. We also need to get our debt and deficit under control. We need to help our farmers and ranchers produce the highest quality, lowest cost food supply in the world. We need to address the supply chain issues that continue to be disruptive to our economy and create more inflation.

The Biden administration needs to stop with the tax-and-spend agenda if we are to get this inflation under control.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON PEKOSKE NOMINATION

Mr. HOEVEN. Mr. President, I ask unanimous consent that the vote scheduled for 1:45 p.m. commence.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Pekoske nomination?

Mr. HOEVEN. 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 Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), the Senator from Iowa (Ms. ERNST), the Senator from Kansas (Mr. MORAN), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 77, nays 18, as follows:

[Rollcall Vote No. 338 Ex.]

YEAS—77

Baldwin	Coons	Kaine
Barrasso	Cornyn	Kelly
Bennet	Cortez Masto	Kennedy
Blumenthal	Crapo	King
Blunt	Duckworth	Klobuchar
Booker	Durbin	Leahy
Brown	Feinstein	Lujan
Burr	Fischer	Lummis
Cantwell	Gillibrand	Manchin
Capito	Graham	Markey
Cardin	Grassley	McConnell
Carper	Hassan	Menendez
Casey	Heinrich	Merkley
Cassidy	Hickenlooper	Murkowski
Collins	Hirono	Murphy

Murray	Sasse	Tillis
Ossoff	Schatz	Toomey
Padilla	Schumer	Van Hollen
Peters	Shaheen	Warner
Portman	Shelby	Warnock
Reed	Sinema	Warren
Risch	Smith	Whitehouse
Romney	Stabenow	Wicker
Rosen	Sullivan	Wyden
Rounds	Tester	Young
Sanders	Thune	

NAYS—18

Blackburn	Hawley	Lee
Boozman	Hoeven	Marshall
Braun	Hyde-Smith	Paul
Cotton	Inhofe	Rubio
Daines	Johnson	Scott (FL)
Hagerty	Lankford	Tuberville

NOT VOTING—5

Cramer	Ernst	Scott (SC)
Cruz	Moran	

The nomination was confirmed. (Mr. VAN HOLLEN assumed the Chair.)

The PRESIDING OFFICER (Ms. CORTEZ MASTO). Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action and the Senate will resume legislative session.

LEGISLATIVE SESSION

THE PRESIDING OFFICER. The Senate will now resume legislative session.

Mr. SCHUMER. 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. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Madam President, I thank my colleagues from Oklahoma and Nebraska for letting us go forward.

In a few moments, I will file cloture on a measure that will get the Senate to approve the Kigali Amendment to the Montreal Protocol.

This important amendment, which already has been agreed to by 120 countries, will affirm our Nation's commitment to curb the use of dangerous hydrofluorocarbons, HFCs. These hypertoxic chemicals are regularly found, unfortunately, in everyday appliances from air conditioners to refrigerators.

In December of 2020, we passed the AIM Act, which took a drastic step to limit HFCs and was one of the most significant climate accomplishments ever, of course, until we passed the Inflation Reduction Act a month ago.

HFCs need to be dealt with as soon as possible because they are thousands—thousands—of times more damaging to our atmosphere than carbon dioxide. So this is a very important opportunity for the Senate to make official America's intention to phase these dangerous chemicals out of use.

Approving this amendment will require two-thirds of the Senate. Reduc-

ing our country's use of HFCs has been a bipartisan priority in the past, so both parties should work together to accelerate passage of this measure.

Also, I will file on the nomination of Judge Florence Pan to serve as a circuit court judge for the D.C. Circuit, one of the most important judicial appointments we can make. After the Supreme Court, the D.C. Circuit Court of Appeals is the most important Federal court in the country with jurisdiction over cases involving Congress and the entire executive branch. The judges who preside on the D.C. Circuit must be individuals of high character, unsailable qualifications.

A few months ago, we elevated someone who meets these standards when confirming Michelle Childs to the bench, and we intend to do it again with Judge Pan's nomination.

Looking ahead, confirming even more of the President's judicial nominees will be a priority for the Senate.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 1067.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 1067, Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Charles E. Schumer, Christopher Murphy, Tammy Baldwin, Tina Smith, Christopher A. Coons, Elizabeth Warren, Jeanne Shaheen, Jeff Merkley, Alex Padilla, Richard J. Durbin, Jack Reed, Gary C. Peters, Edward J. Markey, Sherrod Brown, Tim Kaine, Ben Ray Lujan, Mazie Hirono.

LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

AMENDMENT TO MONTREAL PROTOCOL (“KIGALI AMENDMENT”)

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 2, Treaty Document No. 117-1.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will state the treaty.

The senior assistant legislative clerk read as follows:

Calendar No. 2, Treaty Document, the Amendment to Montreal Protocol (“Kigali Amendment”).

Mr. SCHUMER. I ask unanimous consent that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of advice and consent to ratification.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Resolution of Advice and Consent to Ratification is as follows:

TEXT OF RESOLUTION OF ADVICE AND CONSENT TO RATIFICATION

Resolved (two-thirds of the Senators present concurring therein),

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO A DECLARATION

The Senate advises and consents to the ratification of the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (“The Kigali Amendment”) (Treaty Doc. 117-1), subject to the declaration of section 2.

SECTION 2. DECLARATION

The advice and consent of the Senate under section 1 is subject to the following declaration:

The Kigali Amendment is not self-executing.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 2, Treaty Document No. 117-1, amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”) and a resolution of advice and consent to ratification with 1 declaration.

Charles E. Schumer, Robert Menendez, Tammy Baldwin, Christopher Murphy, Mazie Hirono, Martin Heinrich, Christopher A. Coons, Benjamin L. Cardin, Margaret Wood Hassan, Sheldon Whitehouse, Alex Padilla, Brian Schatz, Patty Murray, Jacky Rosen, Edward J. Markey, Richard

Blumenthal, Angus S. King, Jr., Thomas R. Carper.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, September 15, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I ask unanimous consent that the filing deadline for first-degree amendments to Calendar No. 2, Treaty Document No. 117-1 be at 4 p.m. on Monday, September 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 1066, 1141, 1142, 1143, 1144; all nominations on the Secretary's desk in the Foreign Service; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Geoffrey R. Pyatt, of California, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (Energy Resources); Nathaniel Fick, of Maine, to be Ambassador at Large for Cyberspace and Digital Policy. (New Position); Rolfe Michael Schiffer, of New York, to be an Assistant Administrator of the United States Agency for International Development; PATRICK LEAHY, of Vermont, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations; JAMES E. RISCH, of Idaho, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations; and PN2170-1 FOREIGN SERVICE nominations (163) beginning Donald R. Alderman, and ending John M. Grondelski, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 19, 2022?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. I ask unanimous consent that the Senate proceed to legislative session and 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.

SHIREEN ABU AKLEH

Mr. LEAHY. Madam President, on May 19, I echoed Secretary of State Blinken's call for an “independent, credible investigation” of the violent death of widely respected Palestinian-American journalist Shireen Abu Akleh. At that time, several Members of Congress called for the FBI to be involved, as did I. That would be customary and appropriate after a tragedy like this involving a prominent American killed overseas under questionable circumstances.

Secretary Blinken later said, and I agree, that “[w]hen that investigation happens, we will follow the facts, wherever they lead. It's as straightforward as that.”

Unfortunately, there has been no independent, credible investigation. Two weeks ago, without providing any details, the Israeli Government, after first blaming the Palestinians for Ms. Abu Akleh's death, stated that she was likely shot, by mistake, by an unnamed Israeli soldier. The State Department has concluded that gunfire from Israeli Defense Force—IDF—positions was likely responsible, but that there was “no evidence to indicate her killing was intentional.” The Department acknowledges that conclusion was not the result of an investigation, but rather a review of information provided by the IDF and the Palestinian Authority—PA. We are told that “the Administration continues to believe that cooperation among Israel, the Palestinian Authority, and the U.S. Security Coordinator (USSC) is the best path to support a thorough, transparent, and impartial investigation.”

No one can credibly think that the PA, which does not have access to the IDF soldier who likely fired the bullet that killed Ms. Abu Akleh or to other IDF personnel who may have information about it, or Israel which has a history of investigations of shootings by IDF soldiers that rarely result in accountability, can be completely relied on to determine and make public all the facts of what happened in this case. The USSC, echoing the conclusion of the IDF, apparently did not interview any of the IDF soldiers or any other witnesses. To say that fatally shooting an unarmed person, and in this case one with “PRESS” written in bold letters on her clothing, was not intentional, without providing any evidence to support that conclusion, calls into question the State Department's commitment to an independent, credible investigation and to “follow the facts.”

More than 3 months later, key questions remain unanswered.

Other than reviewing the investigations conducted by the IDF and the PA, did the USSC review any of the evidence collected from other investigations, including those conducted by the New York Times, the Washington Post, CNN, the Associated Press, or the Office of the United Nations High Commissioner for Human Rights? If so, which of those other investigations did

the USSC review and what conclusions, if any, did the USSC reach with respect to those investigations?

What specific evidence led to the USSC's conclusion "that there is no reason to believe that this was intentional but rather the result of tragic circumstances"?

What were the "tragic circumstances" the USSC was referring to?

If the soldier who fired the fatal shot did not intend to kill Ms. Abu Akleh, what did he intend?

If, as the Israeli authorities appear to be saying, the soldier missed who he was aiming at and hit Ms. Abu Akleh by mistake, who was he aiming at? What evidence is there, if any, that anyone in the immediate vicinity of where Ms. Abu Akleh was shot was firing at the IDF soldier who killed her?

What steps will the State Department take to ensure the independent, credible investigation the Secretary, and many others, have called for?

What steps has the State Department taken to determine whether the Leahy Law applies in this case?

On July 5, the Department spokesperson said "we would want to see accountability in any case of a wrongful death. That would especially—and is especially the case in the wrongful death of an American citizen, as was Shireen Abu Akleh." What steps does the Department plan to take to ensure such accountability?

I have also urged Israeli authorities to discipline those who were responsible for, and participated in, the chaos that erupted during Ms. Abu Akleh's funeral procession, when Israeli police needlessly beat mourners with batons, including the pallbearers, causing them to momentarily drop one end of the casket. Has anything been done?

There is an increasing foreboding that, as in so many other cases and like the murder of Jamal Khashoggi, there will never be the independent, credible investigation and accountability that Ms. Abu Akleh's family, the Secretary of State, I, and others have called for. That would further jeopardize the safety of journalists everywhere who courageously risk their lives to inform the public. An independent, credible investigation—meaning not by the IDF and not by the PA—but with their full cooperation, must be conducted and the findings made public. Whether her killing was intentional, reckless, or a tragic mistake, there must be accountability. And if it was intentional, and if no one is held accountable, then the Leahy Law must be applied.

VOTE EXPLANATION

Mr. PETERS. Madam President, while returning to Washington, DC, on September 12, my flight was temporarily grounded by inclement weather, delaying my return to Washington, DC. As a result, I was unable to attend the vote on the motion to invoke cloture

on Executive Calendar No. 1043, Arianna J. Freeman, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

I would have voted yea on the confirmation had I been able to attend the vote.

REMEMBERING JODIE FINGLAND

Mrs. MURRAY. Madam President, I rise today to recognize and honor the life of Jodie Finland, a dedicated public servant who passed away on September 4 after battling a long illness.

Jodie devoted her life's work to expanding educational opportunities for students across the country, and she will be remembered for her wonderful, caring personality. I join my staff and so many others who had the privilege of knowing and working with Jodie through her tireless work at the Department of Education in mourning her passing and remembering her life.

Over the years, Jodie held many different positions at the Department of Education in the Obama administration. She served as chief of staff, deputy assistant secretary, and principal adviser for legislative affairs all in the Office for Legislation and Congressional Affairs, and worked closely with the Senate and House in these roles.

Whether briefing Members of Congress, preparing the Secretary for a committee hearing, or providing strategic advice to senior managers at the Department, Jodie was known for being kind, calm, and extremely knowledgeable. She was particularly known for her skill in higher education policy.

Jodie dedicated her career to the advancement and improvement of education for all, and her work impacted so many students, educators, and families across the country. She will be remembered fondly.

REMEMBERING MARGARET "MEGAN" MICHAEL DEBRANSKI KELHART

Mr. BARRASSO. Madam President, I rise today to honor the life of Margaret "Megan" Michael Debranski Kelhart. Megan passed away on August 19, 2022, after a heroic battle with cancer.

Megan spent her career as a dedicated public servant. Megan most recently worked as head of congressional and legislative affairs for the Bureau of Reclamation. Prior to that, she worked for the U.S. Fish and Wildlife Service and the U.S. Senate. In these roles, she worked with nearly every congressional office.

Megan was born on December 2, 1975, in Norfolk, VA. In 1994, Megan graduated from Lakeland High School where she excelled as a student and was a standout tennis player on a State champion tennis team. She was also a cheerleader, school band member, and prom queen. Megan later studied political science at Virginia Tech, where she was an active member of the Alpha

Chi Omega sorority and later received her master of science degree in natural resources.

In 2001, Megan met her husband Matthew, while playing in the Senate summer softball league. The couple married in October of 2003. Together, they enjoyed college football and travelling the world together. In 2009, Megan and her husband welcomed their son, Matteson Michael Donnan Kelhart.

Megan is survived by her husband Matthew and their son Matteson of Alexandria, VA; father Dr. Michael Debranski and mother Margaret Debranski of Suffolk, VA; grandmother Margaret Beamon of Suffolk, VA; father-in-law and his wife Joseph and Lily Kelhart of Bethlehem, PA; and mother-in-law and her husband Terri and Joseph Costa of Perkasio, PA; and many other loved ones.

I ask our colleagues to join us in honoring the life of Margaret "Megan" Michael Debranski Kelhart.

ADDITIONAL STATEMENTS

RECOGNIZING HEARTLAND CHIA

• Mr. PAUL. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Heartland Chia of Franklin, KY, as the Senate Small Business of the Week.

Chris Kummer's small business was founded on an idea that virtually no one thought possible: successful chia crops planted and harvested in the United States. But as a fifth-generation farmer, Mr. Kummer is no stranger to the challenges posed by mother nature. Thus, with decades of farming experience under his belt and a tireless dedication to his crops, Mr. Kummer has turned this once crazy idea into a thriving business. Founded in 2012, Heartland Chia develops and markets locally grown chia to buyers across the country. Chris's wife, Jill Kummer, joins her husband at the helm of their business, handling most of the marketing and administrative duties while her husband works with the crop directly in the field. Together, the Kummerts are proud to be the only chia seed growers in the U.S.A., a tremendous feat that adds to the biodiversity of Kentucky's burgeoning agricultural industry.

Mr. Kummer will be the first to tell you that his business would not be possible had it not been for the visionary researchers at the University of Kentucky College of Food, Agriculture, and Environment. Since his great-grandfather planted his first crop on their family farm in 1889, the Kummerts have grown crops traditional to the Midwestern U.S., such as soy, wheat, and corn. It never occurred to them to plant chia as the plant requires a very

long summer in order to grow and produce seed, meaning that most of the world's chia plants are grown in regions near the equator, such as Central America. Farmers everywhere took it for granted that this plant could not be grown north of the U.S.-Mexico border, but the breeding program over at the University of Kentucky sought to change that. Over a period spanning 6 to 8 years, researchers Dr. David Hildebrand and Dr. Tim Phillips, both plant and soil scientists, used decades old breeding methods to create a new strain of chia that would flower earlier in the year, allowing the crop to survive in less temperate climates than those near the equator. Once the scientists created a product they were confident in, they were careful in selecting a steward for their new "Early Flowering" chia seed. Dr. Hildebrand knew Chris Kummer from his days as a student at UK and knew of his farming background; therefore he immediately came to mind.

In 2011, Dr. Phillips and Dr. Hildebrand gave Mr. Kummer half the world's seed supply of this new strain of chia. In the first year of planting, the Kummers lost most of their chia crops, as they and the researchers over at University of Kentucky were still learning best practices for growing this new crop. But through the persistence instilled in him from his farmer forebears, Chris and his wife absorbed as much knowledge as they could from this first planting season and put it to the test the next year. By the end of their second planting season, the Kummers had already entered into commercial production. The success of this second season led UK to purchase a patent for the seed, ensuring that it only be used for benefit of American farmers, domestic food manufacturers, and domestic consumers.

Today, Heartland Chia works with several farmers across four different States that all use the Kummer's chia for manufacturing processes. By producing this previously ungrowable plant in the U.S., the Kummers have not only added to the biodiversity of the State, they have created a reliable source of what is now widely considered "a superfood." In a recent publication, the Mayo Clinic listed chia as one of the few foods truly deserving the distinction of "superfood" due its long list of health and nutritional benefits. Given this growth in consumer demand, it was only natural that Mr. Kummer would embark on this experimental journey with the support of his family, University of Kentucky scientists, as well as food manufacturers seeking top-quality chia.

Chris has been celebrated for his innovative spirit as several food companies encouraged him to pursue this unlikely feat of growing chia on American soil. Chris has fulfilled a need within the U.S. market as many food suppliers lacked a reliable source for top quality chia seeds. After overcoming the odds, the Kummers con-

tinue to grow and produce their own chia and market their products direct to consumers and to food suppliers alike. Not only are they doing a great service to the economy and ecology of Kentucky, they are spreading the good word about an unlikely food that greatly bolsters our body's health. Through persistence and dedication, the Kummers have made their dream a reality, to the great benefit of Kentucky and beyond. Congratulations to Chris and Jill Kummer, along with the entire team at Heartland Chia. I thank you for your innovative outlook and entrepreneurial spirit, and I look forward to seeing your continued growth and success in Kentucky.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3103. An act to amend title 18, United States Code, to eliminate the statute of limitations for the filing of a civil claim for any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of such title.

S. 4785. An act to extend by 19 days the authorization for the special assessment for the Domestic Trafficking Victims' Fund.

H.R. 5754. An act to amend title 38, United States Code, to improve the ability of veterans to electronically submit complaints about the delivery of health care services by the Department of Veterans Affairs.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

At 12:22 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 442. An act to amend title 40, United States Code, to require the Administrator of General Services to procure the most life-cycle cost effective and energy efficient lighting products and to issue guidance on the efficiency, effectiveness, and economy of those products, and for other purposes.

S. 2293. An act to amend the Robert T. Stafford Disaster Relief and Emergency As-

sistance Act to provide certain employment rights to reservists of the Federal Emergency Management Agency, and for other purposes.

S. 4205. An act to require the Administrator of the Federal Emergency Management Agency to establish a working group relating to best practices and Federal guidance for animals in emergencies and disasters, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 884. An act to direct the Secretary of Transportation to establish a national aviation preparedness plan for communicable disease outbreaks, and for other purposes.

H.R. 1468. An act to amend title 40, United States Code, to eliminate the leasing authority of the Securities and Exchange Commission, and for other purposes.

H.R. 3173. An act to amend title XVIII of the Social Security Act to establish requirements with respect to the use of prior authorization under Medicare Advantage plans, and for other purposes.

H.R. 5774. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that unmet needs after a major disaster are met.

H.R. 5865. An act to designate the facility of the United States Postal Service located at 4110 Bluebonnet Drive in Stafford, Texas, as the "Leonard Scarcella Post Office Building".

H.R. 5916. An act to amend title 38, United States Code, to allow for the electronic request of certain records, and for other purposes.

H.R. 7735. An act to direct the Secretary of Veterans Affairs to update the appraisal requirements for certain loans guaranteed by the Department of Veterans Affairs, and for other purposes.

H.R. 7846. An act to increase, effective as of December 1, 2022, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

H.R. 7939. An act to make permanent certain educational assistance benefits under the laws administered by the Secretary of Veterans Affairs in the case of changes to courses of education by reason of emergency situations, and for other purposes.

H.R. 8260. An act to amend title 38, United States Code, to shorten the timeframe for designation of benefits under Department of Veterans Affairs life insurance programs, to improve the treatment of undisbursed life insurance benefits by the Department of Veterans Affairs, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 15, 2022, she had presented to the President of the United States the following enrolled bills:

S. 3103. An act to amend title 18, United States Code, to eliminate the statute of limitations for the filing of a civil claim for any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of such title.

S. 4785. An act to extend by 19 days the authorization for the special assessment for the Domestic Trafficking Victims' Fund.

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5013. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural eConnectivity Program" received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5014. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticides; Certification of Pesticide Applicators; Further Extension to Expiration Date of Certification Plans" ((FRL No. 9134.1-04-OCSPP) (RIN2070-AL01)) received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5015. A communication from the Director of Rural Development, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Single Family Housing Guaranteed Loan Programs" (RIN0575-AD22) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5016. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium; Correction" (RIN0584-AE81) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5017. A communication from the Acting Director of the Regulations Development Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Changes to Accreditation of Non-Federal Analytical Testing Laboratories" (RIN0583-AD70) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5018. A communication from the Acting Director of the Regulations Development Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rescission of Dual Labeling Requirements for Certain Packages of Meat and Poultry" (RIN0583-AD70) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5019. A communication from the Director of the Regulations Management Division, Rural Development, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Notice of Funding Opportunity for the Higher Blends Infrastructure Incentive Program (HBIP) for Fiscal Year 2022" received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 4553. A bill to extend other transaction authority for the Department of Homeland Security (Rept. No. 117-149).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 4428. A bill to support the security of Taiwan and its right of self-determination, and for other purposes.

S. 4653. A bill to provide for certain authorities of the Department of State, and for other purposes.

EXECUTIVE REPORTS OF
COMMITTEE

The following executive reports of nominations were submitted:

By Mr. DURBIN for the Committee on the Judiciary.

Bradley N. Garcia, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

Dana M. Douglas, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York.

Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota.

Frances Kay Behm, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Kevin G. Ritz, of Tennessee, to be United States Attorney for the Western District of Tennessee for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. REED (for himself, Ms. CORTEZ MASTO, and Ms. WARREN):

S. 4857. A bill to amend the Securities Exchange Act of 1934 to require companies to file public reports after meeting certain quantitative thresholds, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARSHALL:

S. 4858. A bill to amend the Controlled Substances Act to require electronic communication service providers and remote computing services to report to the Attorney General the unlawful sale and distribution of controlled substances; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. PETERS, Mr. GRASSLEY, Ms. SINEMA, Mr. TILLIS, Mrs. FEINSTEIN, and Mr. CRUZ):

S. 4859. A bill to reauthorize the Project Safe Neighborhoods Grant Program Authorization Act of 2018, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 4860. A bill to provide for the establishment of a grazing management program on

Federal land in Malheur County, Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROUNDS (for himself, Mr. HOEVEN, Mr. MARSHALL, and Mr. CRAMER):

S. 4861. A bill to amend title 49, United States Code, to exempt employees in certain farm-related service industries and employees of State, local, and Tribal governments from entry-level driver training requirements for operating a commercial motor vehicle and allow States to issue restricted commercial driver's licenses to owners and employees of certain small businesses, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. ROSEN (for herself and Mr. BOOZMAN):

S. 4862. A bill to establish a commission on long-term care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Ms. DUCKWORTH, Ms. HIRONO, Mrs. SHAHEEN, and Ms. ROSEN):

S. 4863. A bill to amend the Small Business Act to improve the Women's Business Center Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. KAINE (for himself and Mr. WARNER):

S. 4864. A bill to amend the Natural Gas Act to bolster fairness and transparency in the consideration of interstate natural gas pipeline permits, to provide for greater public input opportunities in the natural gas pipeline permitting process, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LUJÁN (for himself, Mr. MERKLEY, Mr. HEINRICH, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. KLOBUCHAR):

S. 4865. A bill to establish the Foundation for Digital Equity, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VAN HOLLEN (for himself and Mr. BOOKER):

S. 4866. A bill to establish a program to address sickle cell disease and other heritable hemoglobinopathies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJÁN (for himself, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. WYDEN, Mr. CASEY, Mr. PADILLA, Mr. VAN HOLLEN, Mr. BOOKER, Ms. BALDWIN, Mr. REED, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. MARKEY, Mr. KELLY, and Ms. DUCKWORTH):

S. 4867. A bill to provide enhanced student loan relief to educators; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 4868. A bill to provide support and assistance to unborn children, pregnant women, parents, and families; to the Committee on Finance.

By Mr. LEE (for himself, Ms. LUMMIS, and Mr. BRAUN):

S. 4869. A bill to index certain thresholds for inflation; to the Committee on Finance.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 4870. A bill to approve the settlement of the water right claims of the Tule River Tribe, and for other purposes; to the Committee on Indian Affairs.

By Ms. BALDWIN (for herself and Ms. COLLINS):

S. 4871. A bill to establish an office to coordinate work relating to behavioral health crisis care and to improve the National Suicide Prevention Lifeline program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. SMITH):

S. 4872. A bill to establish a permanent rural housing preservation and revitalization program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself, Ms. COLLINS, Ms. BALDWIN, and Ms. KLOBUCHAR):

S. 4873. A bill to amend title XVIII of the Social Security Act to waive cost-sharing for advance care planning services, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself and Mr. YOUNG):

S. 4874. A bill to establish an Early Federal Pell Grant Commitment Program; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BLACKBURN (for herself and Mr. HAGERTY):

S. 4875. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to establish a grant program for law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. COTTON, Mr. SCOTT of Florida, Mr. HAGERTY, Mr. WICKER, Ms. ERNST, Mr. CASSIDY, Mr. CORNYN, Mr. BRAUN, Mr. CRUZ, Mr. HAWLEY, Mrs. BLACKBURN, and Mrs. HYDE-SMITH):

S. 4876. A bill to punish the distribution of fentanyl resulting in death as felony murder; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself and Mr. DAINES):

S. 4877. A bill to amend Public Law 91-378 to authorize activities relating to Civilian Conservation Centers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 4878. A bill to amend title VI of the Social Security Act to improve the Local Assistance and Tribal Consistency Fund, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Mr. MURPHY, Mr. COONS, and Mr. PORTMAN):

S. Res. 765. A resolution designating October 8, 2022, as "National Hydrogen and Fuel Cell Day"; to the Committee on the Judiciary.

By Ms. HASSAN (for herself, Mrs. CAPITO, and Mr. CASEY):

S. Res. 766. A resolution supporting the designation of September 16, 2022, as "National Concussion Awareness Day"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Mr. CASEY, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. MENENDEZ, Ms. SMITH, Mr. VAN HOLLEN, and Ms. WARREN):

S. Res. 767. A resolution designating the week beginning September 11, 2022, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

By Mr. CRAPO (for himself, Mrs. FEINSTEIN, Mr. RISCH, Mr. WARNOCK, Mr. BLUMENTHAL, Mr. PADILLA, and Mr. WHITEHOUSE):

S. Res. 768. A resolution recognizing and supporting the goals and ideals of National Forensic Science Week; considered and agreed to.

By Mr. CASEY (for himself, Mr. MENENDEZ, and Mr. TOOMEY):

S. Res. 769. A resolution honoring the athletic career and humanitarian and civic work of Roberto Enrique Clemente Walker, Sr., on the 50th anniversary of his 3,000th regular season hit; to the Committee on the Judiciary.

By Mrs. BLACKBURN:

S. Res. 770. A resolution commemorating September 17, 2022, as "Constitution Day" and celebrating the signing of the Constitution; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 642

At the request of Ms. BALDWIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 642, a bill to protect the rights of passengers with disabilities in air transportation, and for other purposes.

S. 828

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 885

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 885, a bill to establish a rural postsecondary and economic development grant program.

S. 1848

At the request of Mrs. GILLIBRAND, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1848, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 2014

At the request of Ms. WARREN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2014, a bill to permit legally married same-sex couples to amend their filing status for tax returns outside the statute of limitations.

S. 2215

At the request of Ms. STABENOW, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 2215, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 2242

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2242, a bill to prohibit

commercial sexual orientation conversion therapy, and for other purposes.

S. 2559

At the request of Mr. PORTMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2559, a bill to establish the National Deepfake and Digital Provenance Task Force, and for other purposes.

S. 2706

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2706, a bill to improve diversity in clinical trials and data collection for COVID-19 and future public health threats to address social determinants of health.

S. 2753

At the request of Mr. PADILLA, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 2753, 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. 3013

At the request of Ms. ERNST, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3013, a bill to require the evaluation and standardization of suicide prevention efforts by the Department of Defense, and for other purposes.

S. 3161

At the request of Mrs. BLACKBURN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3161, a bill to require the Secretary of Defense to carry out a pilot program to supplement the Transition Assistance Program of the Department of Defense.

S. 3295

At the request of Ms. SMITH, the names of the Senator from Delaware (Mr. COONS), the Senator from New Mexico (Mr. LUJÁN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Massachusetts (Ms. WARREN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 3295, a bill to increase access to pre-exposure prophylaxis to reduce the transmission of HIV.

S. 3357

At the request of Mr. BOOKER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3357, a bill to substantially restrict the use of animal testing for cosmetics.

S. 3538

At the request of Mr. GRAHAM, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3538, a bill to establish a National Commission on Online Child Sexual Exploitation Prevention, and for other purposes.

S. 3909

At the request of Mr. KAINE, the names of the Senator from Vermont

(Mr. LEAHY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3909, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 4168

At the request of Mr. PORTMAN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 4168, a bill to amend title 54, United States Code, to reauthorize the National Park Foundation.

S. 4202

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4202, a bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 4203

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4203, a bill to extend the National Alzheimer's Project.

S. 4254

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 4254, a bill to amend the Lobbying Disclosure Act of 1995 to clarify a provision relating to certain contents of registrations under that Act.

S. 4360

At the request of Mr. OSSOFF, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 4360, a bill to amend title 37, United States Code, to extend the authority to temporarily adjust the basic allowance for housing in certain areas.

S. 4466

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 4466, a bill to amend the Peace Corps Act by reauthorizing the Peace Corps, providing better support for current, returning, and former volunteers, and for other purposes.

S. 4516

At the request of Ms. ERNST, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 4516, a bill to require the Office of Federal Procurement Policy to develop governmentwide procurement policy and guidance to mitigate organizational conflict of interests relating to national security and foreign policy, and for other purposes.

S. 4524

At the request of Mrs. GILLIBRAND, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from California (Mrs. FEINSTEIN), the Senator from Georgia (Mr. OSSOFF), the Senator from New Jersey (Mr. BOOKER), the Senator from Texas (Mr. CORNYN), the Senator from Iowa (Mr.

GRASSLEY), the Senator from California (Mr. PADILLA) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 4524, a bill to limit the judicial enforceability of predispute nondisclosure and non-disparagement contract clauses relating to disputes involving sexual assault and sexual harassment.

S. 4561

At the request of Mr. WARNOCK, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 4561, a bill to direct the Secretary of Defense to seek to enter into an agreement with an entity to conduct a study and produce a report on barriers to home ownership for members of the Armed Forces.

S. 4605

At the request of Ms. STABENOW, the names of the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 4605, a bill to amend title XVIII of the Social Security Act to ensure stability in payments to home health agencies under the Medicare program.

S. 4718

At the request of Mr. BLUNT, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 4718, a bill to direct the Secretary of Defense to establish a joint training pipeline between the United States Navy and the Royal Australian Navy, and for other purposes.

S. 4854

At the request of Mrs. BLACKBURN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 4854, a bill to amend title 36, United States Code, to repeal the Federal charter of the National Education Association.

S.J. RES. 61

At the request of Mr. BURR, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S.J. Res. 61, a joint resolution to provide for the resolution of issues in a railway labor-management dispute, and for other purposes.

S. CON. RES. 10

At the request of Ms. STABENOW, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Con. Res. 10, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 183

At the request of Mr. WYDEN, the names of the Senator from Colorado (Mr. HICKENLOOPER) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. Res. 183, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 754

At the request of Mrs. SHAHEEN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 754, a resolution designating November 13, 2022, as "National Warrior Call Day" in recognition of the importance of connecting warriors in the United States to support structures necessary to transition from the battlefield.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Ms. CORTEZ MASTO, and Ms. WARREN):

S. 4857. A bill to amend the Securities Exchange Act of 1934 to require companies to file public reports after meeting certain quantitative thresholds, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today, I am joined by Senator CORTEZ MASTO in introducing the Private Markets Transparency and Accountability Act, a bill that will address a disturbing trend in our capital markets. Increasingly, some of America's largest and most important companies are exploiting weaknesses in our securities laws to stay or go dark; that is, they are avoiding requirements to enter the public markets, where disclosure and transparency are required under law. Instead, they are remaining indefinitely in the private markets, where there is less visibility into the health and activities of the company.

Why should average Americans care? First, they are invested in these companies through pension plans and mutual funds. Second, transparency is the lifeblood of fair and efficient markets. And third, these companies have incredible influence over our society and way of life.

This legislation will address this disturbing trend by requiring the Nation's largest and most important private companies to register with the Securities and Exchange Commission, SEC. Requiring registration would put these companies on par with publicly traded corporations with regard to ongoing public disclosure about their business practices and financial condition.

The most significant development in the capital markets over the last decade has been the explosive growth of the private markets. According to consulting firm McKinsey, annual private market fundraising reached a record of almost \$1.2 trillion worldwide in 2021 up from \$380 billion in 2011. More money has been raised in the private markets than in the public markets each year over the past 10 years. Many large companies find the allure of virtually no public transparency or oversight that is available in the private markets irresistible. Under current law, they find that it is all too easy to stay private forever.

Under the Securities Exchange Act of 1934, Exchange Act, a private company

must register with the SEC after reaching 2,000 shareholders “of record.” But this requirement is easily circumvented because a single Wall Street broker or bank, which holds securities on behalf of thousands of underlying investors, is counted as one recordholder. The SEC estimates that under this threshold, 89 percent of public companies could choose to transition to the private markets and go dark tomorrow.

This threshold desperately needs reform. Former SEC Chairman Mary Schapiro has testified before the Banking Committee that “since the definition of ‘held of record’ was put into place, a fundamental shift has occurred in how securities are held in the United States.” And Harvard Law Professor John Coates recently testified before the committee that “there is much to be said for revisiting the thresholds that are built into the [Exchange] Act, thinking about them in a different way, [and] not simply counting numbers.”

It should be alarming when private companies can become extremely large and influential in our economy and raise unlimited amounts of capital from an unlimited number of investors, while circumventing the basic disclosure and governance requirements that Congress sought to apply. That is what is happening today. A central feature of the Exchange Act has effectively been gutted.

Again, these are not small or inconsequential companies. Former SEC Commissioner Allison Herren Lee has observed that very large private companies are “notable not just for their size, but for their transformational impacts on our way of life. They have, for example, changed the transportation and travel habits of millions across the globe, spawned billions of dollars in litigation, changed the legal underpinnings of entire markets, and launched civilians into space. Yet, despite their outsize impact, there is little public information available about their activities. They are not required to file periodic reports or make the disclosures required in proxy statements. They are not even required to obtain, much less distribute, audited financial statements. This has consequences for investors and policymakers alike, which in turn may have consequences for the broader economy.”

The Private Markets Transparency and Accountability Act would restore the Exchange Act in order to provide the public with the essential insight it needs to make informed decisions. Under our legislation, private companies would be required to register with the SEC if they either reach a valuation of \$700 million, excluding shares held by affiliates, or have at least 5,000 employees and \$5 billion in revenues. These companies would enter the public disclosure system that Congress established in the Exchange Act and would have powerful incentives to conduct public stock offerings and list their shares on stock exchanges.

Our legislation would provide momentum and-pop investors in the private markets with nearly all of the same protections that they are entitled to in the public markets. Pension plans that invest in companies through private equity funds would finally be able to obtain basic information about those companies, such as their audited financial statements, and employees who get compensated with company stock and options would be able to determine the true value of their shares. They would no longer need to fly blind when deciding whether to take another job and face the potentially enormous financial consequences of relinquishing their stock or options.

By mandating that very highly valued or large companies register with the SEC, our legislation would raise the bar on governance for companies that control huge swaths of our economy. The ability to stay private forever has directly led to the dramatic rise of “unicorns,” or private companies with at least a \$1 billion valuation. At the start of December 2021, the United States had nearly 473 unicorns. Some of these unicorns have been plagued by scandals and toxic cultures, without needing to comply with governance requirements for public companies designed to curb waste and force management accountability. Still others have been exposed as outright frauds. In these situations, investors suffer losses while fund managers keep their fees and company executives keep their bonuses. Arguably, greater transparency would have protected investors from unnecessary losses. Indeed, some unicorns that received sky-high valuations in the opaque private markets saw those valuations tumble when they faced the discipline and scrutiny that comes with public market transparency.

Finally, our legislation helps markets allocate capital more efficiently. When risks are obscured in dark corners of our markets, then capital may not be directed towards the most deserving companies. When similar companies in similar industries of similar size are subject to wildly different disclosure requirements, market participants have less information to value those companies. That means the shares of many public companies may not be accurately priced. Without accurate prices, retail investors cannot have confidence that they are getting reasonable returns on their hard-earned savings.

Our capital markets depend on disclosure and transparency. As more companies remain private indefinitely or go dark, we lose those features and weaken the foundational strengths of our economy. We need to restore these bedrock requirements and ensure that they apply to all major companies whether they are in the private or the public markets.

I thank the bill’s supporters, including the AFL-CIO, the Consumer Federation of America, the North Amer-

ican Securities Administrators Association, the Healthy Markets Association, Public Citizen, former SEC Commissioner Robert J. Jackson, Columbia Law Professor John Coffee, and Harvard Law Professor John Coates.

I would like to thank Senator CORTEZ MASTO for working with me on this legislation, and I urge our colleagues to join us in supporting the Private Markets Transparency and Accountability Act.

By Mr. KAINÉ (for himself and Mr. WARNER):

S. 4864. A bill to amend the Natural Gas Act to bolster fairness and transparency in the consideration of interstate natural gas pipeline permits, to provide for greater public input opportunities in the natural gas pipeline permitting process, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. KAINÉ. Mr. President, today I am introducing a bill to make the process of siting natural gas pipelines fairer, more transparent, and more responsive to landowner concerns.

For some time now, I have been listening to Virginians with passionate views on the process involved in permitting the Mountain Valley Pipeline, as well as the previous proposal for the Atlantic Coast Pipeline. For various reasons, many oppose one or both of these projects, while others support these projects. The Federal Energy Regulatory Commission, FERC, is tasked with analyzing all the issues—purpose and need for a project, impacts on people living on the route, potential risks to the environment or property—and deciding what course best serves the public interest.

From listening to all sides, I have concluded that while reasonable people may reach different conclusions, FERC’s public input process is flawed and could be better. Accordingly, this legislation proposes several steps to address several shortcomings, all of which were originally brought to my attention by Virginia constituents. For instance, this bill requires programmatic analysis of pipelines proposed around the same time and in the same geographic vicinity so that the full impacts of multiple projects can be analyzed. It requires a greater number of public comment meetings so that citizens are not required to commute long distances to meetings at which they must speed through just a few minutes of remarks on these complex topics. It ensures that affected landowners are given proper notice and compensation. It guarantees that landowner complaints will be heard before construction commences, and it clarifies the circumstances under which eminent domain should and should not be used.

I am pleased to be joined by my colleague Senator MARK WARNER on this bill, which is an update to a version we introduced in the 116th Congress. The public deserves reasonable opportunity

to weigh in on energy infrastructure projects, and we are heeding calls by our constituents to make this process fairer and more transparent without mandating a particular outcome.

I encourage the Senate to consider this legislation, not to pave the way for pipelines nor to throw up insurmountable roadblocks to them but to give the public greater certainty that the Federal Government's infrastructure decisions are fair and transparent.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 4870. A bill to approve the settlement of the water right claims of the Tule River Tribe, and for other purposes; to the Committee on Indian Affairs.

Mr. PADILLA. Mr. President, I rise to introduce the Tule River Tribe Reserved Water Rights Settlement Act of 2022. This legislation would finalize this multidecade effort by the Tule River Tribe to provide clean drinking water to their people and uphold the Federal Government's trust and treaty responsibilities.

The Tule River people are descendants of the Yokuts Indians, a large group of Native Americans who occupied what is now known as the San Joaquin Valley in California for thousands of years prior to contact with settlers.

In 1856, the Federal Government established their reservation in Tulare County, with the specific goal of providing the Tribe with arable farmland and the water resources necessary to establish self-sufficiency. However, their land was fraudulently stolen from them, and in 1873, President Grant issued an Executive order to create a new reservation for the tribe. This land, which is the Tribe's current reservation, is comprised of mostly mountainous lands that do not provide sufficient irrigation opportunities or water storage facilities. Today, the Tule River Tribe struggles to provide clean drinking water to their people, and Tule Tribal citizens suffer from a low standard of living as a result.

Since 1971, the Tribe has worked to establish its federally reserved water rights to create the viable homeland they were promised and to ensure that their citizens have enough water to meet their current and future water needs. For decades, the Tribe has worked with the Departments of the Interior and Justice as well as downstream water users to advance a settlement agreement, thereby avoiding costly litigation for both the Tribe and the U.S. Government.

I am proud to introduce this legislation to quantify the Tribe's water right of 5,828 acre-feet per year of surface water and fund \$568 million towards the construction of a water storage project. Our legislation would also codify what is known as the 2007 Agreement with downstream water users, who support this legislation. Finally, the legislation would transfer approxi-

mately 9,000 acres of Federal land currently in the Sequoia National Monument to allow the Tribe to protect the watershed headwaters and 800 acres of grazing land to the north and south of the reservation boundary.

It is long past time for the Federal Government to live up to its trust and treaty responsibilities to the Tule River Tribe. We must codify this water settlement and settle the Tule River Tribe's claims against the United States. Access to clean drinking water now and in the future is essential to the continued strength of Tribal nations and to ensuring the sustainability and viability of future generations.

Water is a sacred and necessary resource for Tribal nations and for all people. As California and the West continue to experience a historic megadrought, enactment of our legislation would provide water security to Tule River citizens now and into the future.

I thank Senator FEINSTEIN for introducing this legislation with me in the Senate. I would also like to thank the Tule River Tribe for their decades of hard work to finalize this settlement and the downstream water users, including the Tule River Association and the South Tule Independent Ditch Company, for working with the Tribe to settle this issue and avoid litigation.

I look forward to working with my colleagues to enact the Tule River Tribe Reserved Water Rights Settlement Act of 2022 as quickly as possible.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 765—DESIGNATING OCTOBER 8, 2022, AS "NATIONAL HYDROGEN AND FUEL CELL DAY"

Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Mr. MURPHY, Mr. COONS, and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 765

Whereas hydrogen, which has an atomic mass of 1.008, is the most abundant element in the universe;

Whereas the United States is a world leader in the development and deployment of fuel cell and hydrogen technologies;

Whereas hydrogen fuel cells played an instrumental role in the United States space program, helping the United States achieve the mission of landing a man on the Moon;

Whereas private industry, Federal and State governments, national laboratories, and institutions of higher education continue to improve fuel cell and hydrogen technologies to address the most pressing energy, environmental, and economic issues of the United States;

Whereas fuel cells utilizing hydrogen and hydrogen-rich fuels to generate electricity are clean, efficient, safe, and resilient technologies being used for—

(1) stationary and backup power generation; and

(2) zero-emission transportation for light-duty vehicles, industrial vehicles, delivery

vans, buses, trucks, trains, military vehicles, marine applications, and aerial vehicles;

Whereas stationary fuel cells are being placed in service for continuous and backup power to provide businesses and other energy consumers with reliable power in the event of grid outages;

Whereas stationary fuel cells can help reduce water use, as compared to traditional power generation technologies;

Whereas fuel cell electric vehicles that utilize hydrogen can completely replicate the experience of internal combustion vehicles, including comparable range and refueling times;

Whereas hydrogen fuel cell industrial vehicles are deployed at logistical hubs and warehouses across the United States and exported to facilities in Europe and Asia;

Whereas hydrogen is a nontoxic gas that can be derived from a variety of domestically available traditional and renewable resources, including solar, wind, biogas, and the abundant supply of natural gas in the United States;

Whereas hydrogen and fuel cells can store energy to help enhance the grid and maximize opportunities to deploy renewable energy;

Whereas the United States produces and uses approximately 10,000,000 metric tons of hydrogen per year;

Whereas engineers and safety code and standard professionals have developed consensus-based protocols for safe delivery, handling, and use of hydrogen; and

Whereas the ingenuity of the people of the United States is essential to paving the way for the future use of hydrogen technologies: Now, therefore, be it

Resolved, That the Senate designates October 8, 2022, as "National Hydrogen and Fuel Cell Day".

SENATE RESOLUTION 766—SUPPORTING THE DESIGNATION OF SEPTEMBER 16, 2022, AS "NATIONAL CONCUSSION AWARENESS DAY"

Ms. HASSAN (for herself, Mrs. CAPITO, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 766

Whereas mild traumatic brain injury, otherwise known as a concussion, is an important health concern for children, teens, and adults;

Whereas, according to information from the Centers for Disease Control and Prevention—

(1) there are as many as 1,600,000 to 3,800,000 sports-related concussions annually;

(2) as many as 5,300,000 individuals live with a disability because of a traumatic brain injury;

(3) between 2010 and 2016, an estimated 2,000,000 children under age 18 visited an emergency department because of a traumatic brain injury sustained during sports- or recreation-related activities;

(4) an estimated 283,000 children seek care in United States emergency departments each year for a sports- or recreation-related traumatic brain injury, with traumatic brain injuries sustained in contact sports accounting for approximately 45 percent of these visits;

(5) research suggests that many children with a traumatic brain injury do not seek care in emergency departments or do not seek care at all, resulting in a significant underestimate of prevalence; and

(6) approximately 15 percent of all high school students in the United States self-reported one or more sports- or recreation-related concussions within the preceding 12 months;

Whereas the seriousness of concussions should not be minimized in athletics, and return-to-play and return-to-learn protocols can help ensure recovery;

Whereas concussions can affect physical, mental, and social health, and a greater awareness and understanding of proper diagnosis and management of concussions is critical to improved outcomes; and

Whereas the Senate can raise awareness about concussions among the medical community and the public: Now, therefore, be it Resolved, That the Senate—

(1) supports the designation of September 16, 2022, as “National Concussion Awareness Day”;

(2) recognizes that mild traumatic brain injury (“mTBI”), otherwise known as a concussion, is an important health concern;

(3) commends the organizations and individuals that raise awareness about mild traumatic brain injury;

(4) encourages Federal, State, and local policymakers to work together—

(A) to raise awareness about the effects of concussions; and

(B) to improve the understanding of proper diagnosis and management of concussions; and

(5) encourages further research and prevention efforts to ensure that fewer individuals experience the most adverse effects of mild traumatic brain injury.

SENATE RESOLUTION 767—DESIGNATING THE WEEK BEGINNING SEPTEMBER 11, 2022, AS “NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK”

Mr. CARDIN (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Mr. CASEY, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. MENENDEZ, Ms. SMITH, Mr. VAN HOLLEN, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 767

Whereas direct care workers, including direct support professionals, personal assistants, personal attendants, in-home support workers, and paraprofessionals, are key to providing publicly funded, long-term support and services for millions of individuals with disabilities;

Whereas direct support professionals provide essential services that ensure all individuals with disabilities are—

(1) included as a valued part of the communities in which those individuals live;

(2) supported at home, at work, and in the communities of the United States; and

(3) empowered to live with the dignity that all people of the United States deserve;

Whereas, by fostering connections between individuals with disabilities and their families, friends, and communities, direct support professionals ensure that individuals with disabilities thrive, thereby avoiding more costly institutional care;

Whereas direct support professionals build close, respectful, and trusting relationships with individuals with disabilities and provide a broad range of personalized support to those individuals, including—

(1) helping individuals make person-centered choices;

(2) assisting with personal care, meal preparation, medication management, and other aspects of daily living;

(3) assisting individuals in accessing the community and securing competitive, integrated employment;

(4) providing transportation to school, work, religious, and recreational activities;

(5) helping with general daily affairs, such as assisting with financial matters, medical appointments, and personal interests;

(6) assisting individuals in the transition from isolated or congregate settings or services to living in the communities of their choice; and

(7) helping to keep individuals with disabilities safe and healthy during the COVID-19 pandemic;

Whereas there is a critical and increasing shortage of direct support professionals throughout the United States, a crisis which has been exacerbated by the COVID-19 pandemic, bringing uncertainty and risk to individuals with disabilities;

Whereas direct support professionals do not have their own Standard Occupational Classification for the purposes of federal data collection, which includes data produced by the Bureau of Labor Statistics of the Department of Labor;

Whereas the direct care workforce, including direct support professionals, is expected to grow more than any other occupation in the United States;

Whereas many direct support professionals—

(1) are the primary financial providers for their families;

(2) are hardworking, taxpaying citizens who provide a critical service in the United States; and

(3) continue to earn low wages, receive inadequate benefits, and have limited opportunities for advancement, resulting in high turnover and vacancy rates that adversely affect the quality of support, safety, and health of individuals with disabilities; and

Whereas the Supreme Court of the United States, in *Olmstead v. L.C.*, 527 U.S. 581 (1999)—

(1) recognized the importance of the deinstitutionalization of, and community-based services for, individuals with disabilities; and

(2) held that, under the Americans with Disabilities Act of 1990 (42 U.S. 12101 et seq.), a State must provide person-centered, community-based service options to individuals with intellectual and developmental disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 11, 2022, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities;

(3) appreciates the contribution of direct support professionals in supporting individuals with disabilities and their families in the United States;

(4) commends direct support professionals for being integral to the provision of long-term support and services for individuals with disabilities;

(5) encourages the Bureau of Labor Statistics of the Department of Labor to collect data specific to direct support professionals; and

(6) finds that the successful implementation of public policies affecting individuals with disabilities in the United States can depend on the dedication of direct support professionals.

SENATE RESOLUTION 768—RECOGNIZING AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL FORENSIC SCIENCE WEEK

Mr. CRAPO (for himself, Mrs. FEINSTEIN, Mr. RISCH, Mr. WARNOCK, Mr. BLUMENTHAL, Mr. PADILLA, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 768

Whereas the Senate is committed to the use of forensic science in the investigation of crimes, the prosecution and conviction of the correct perpetrators of crimes, and the exoneration of innocent individuals falsely accused of crimes in the United States;

Whereas forensic science service providers address critical questions in civil and criminal investigations and trials in the United States, including by providing scientific conclusions relating to forensic evidence;

Whereas forensic science service providers partner with—

(1) Federal agencies to build and maintain criminal databases relating to latent prints, DNA, and other information relevant to criminal cases; and

(2) Federal, State, and local agencies to ensure public safety;

Whereas forensic science service providers serve a vital role in the criminal justice system by providing scientific information to investigators and officers of the court; and

Whereas the fourth week in September 2022 is recognized as “National Forensic Science Week”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Forensic Science Week; and

(2) recognizes that National Forensic Science Week provides a special opportunity for—

(A) forensic science service providers to—

(i) acknowledge the contributions of forensic scientists in the laboratories in which those individuals work;

(ii) organize community events to encourage a better understanding of forensic science;

(iii) provide tours to Federal, State, and local policymakers to assist those individuals in gaining better insight into the current capabilities of forensic science service providers and the future demands that forensic science service providers will face; and

(iv) contact and invite local media outlets to cover events hosted during National Forensic Science Week;

(B) local policymakers to—

(i) recognize, through formal commendation or resolution, the contributions of local forensic science laboratories to the communities of those policymakers;

(ii) formally declare the fourth week of September 2022 to be “National Forensic Science Week” by proclamation;

(iii) visit local forensic science laboratories to gain an understanding of the capabilities and needs of those laboratories; and

(iv) discuss the operational needs of State and local forensic science laboratories;

(C) individuals in the United States, including members of the media, to—

(i) attend community events sponsored by local forensic science laboratories;

(ii) take tours of local forensic science laboratories; and

(iii) ask local forensic science laboratories about the operational and legislative needs of those laboratories;

(D) members of the media to highlight local news stories that focus on the work of local forensic science laboratories in the

communities that those laboratories serve; and

(E) public safety officers, law enforcement officers, and officers of the court to—

(i) attend community events sponsored by local forensic science laboratories;

(ii) take tours of local forensic science laboratories;

(iii) discuss the operational needs of State and local forensic science laboratories; and

(iv) engage with local forensic science laboratories about working together more effectively.

SENATE RESOLUTION 769—HONORING THE ATHLETIC CAREER AND HUMANITARIAN AND CIVIC WORK OF ROBERTO ENRIQUE CLEMENTE WALKER, SR., ON THE 50TH ANNIVERSARY OF HIS 3,000TH REGULAR SEASON HIT

Mr. CASEY (for himself, Mr. MENENDEZ, and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 769

Whereas Roberto Clemente was born on August 18, 1934, in Carolina, Puerto Rico;

Whereas Clemente played for numerous seasons in the Puerto Rican Professional Baseball League;

Whereas, in 1954, Clemente began playing in Minor Leagues Baseball for the Montreal Royals, where he impressed many Major League Baseball scouts;

Whereas, on November 22, 1954, the Pittsburgh Pirates drafted Clemente;

Whereas, in 18 seasons with the Pirates, Clemente became a decorated player who was recognized for his achievements as—

- (1) a 15-time All-Star;
- (2) a 12-time Gold Glove Award Winner;
- (3) a 4-time National League Batting Champion;
- (4) a 2-time World Series Champion;
- (5) a 1-time National League MVP; and
- (6) a 1-time World Series MVP;

Whereas Roberto Clemente ranks 33rd all-time in total hits;

Whereas, in addition to exhibiting excellence on the field, Clemente was a selfless and committed individual off the field;

Whereas Clemente joined the Marine Corps Reserve in 1958, working his way up to private first class;

Whereas Clemente dedicated himself to humanitarian work;

Whereas Clemente delivered significant aid in the form of money, food, clothes, and medicine to communities across Latin America;

Whereas, beyond humanitarian work, Clemente shared his love of baseball, hosting free baseball clinics for underprivileged children in numerous communities;

Whereas, on September 30, 1972, for the 3,000th and final regular season hit of his illustrious career, Clemente hit a 4th-inning double against the New York Mets at the Three Rivers Stadium in Pittsburgh, Pennsylvania;

Whereas Clemente played right field in his 2,433rd game as a Pittsburgh Pirate, tying with all-time great Honus Wagner for most games played as a Pittsburgh Pirate;

Whereas, after the end of the 1972 season, Clemente flew to deliver humanitarian aid in the wake of a destructive earthquake near Managua, Nicaragua;

Whereas, on December 31, 1972, the aircraft carrying Clemente and the aid packages crashed into the Atlantic Ocean near Isla Verde, Puerto Rico;

Whereas Clemente and the 4 others on board the plane did not survive the crash,

which killed one of brightest stars in baseball;

Whereas, after the tragic and premature death of Clemente, in 1973 the Baseball Writers' Association of America waived the waiting period and elected Clemente as a first-ballot National Baseball Hall of Fame and Museum inductee with 92.7 percent of the vote;

Whereas, in 1973, the Pittsburgh Pirates retired uniform number 21, the number famously worn by Clemente;

Whereas, that same year, Major League Baseball renamed the Commissioner's Award, given to the player who "best exemplifies the game of baseball, sportsmanship, community involvement and the individual's contribution to his team", as the "Roberto Clemente Award";

Whereas Clemente, posthumously, has received the Congressional Gold Medal, the Presidential Citizens Medal, and the Presidential Medal of Freedom;

Whereas, in 2012, the Puerto Rican Baseball League honored Clemente by renaming itself the "Liga de Béisbol Profesional Roberto Clemente";

Whereas the legacy of Roberto Clemente lives on today, especially his work to overcome the racial and linguistic barriers that plagued Major League Baseball;

Whereas Clemente serves as a role model for countless individuals, especially in the Latino community, due to his on-field excellence and commitment to humanitarian causes;

Whereas the impact of Clemente can be seen in the many parks, schools, and sports stadiums across the United States and Latin America that have been renamed to honor Roberto Clemente; and

Whereas September 15 through October 15, 2022, is National Hispanic Heritage Month: Now, therefore, be it

Resolved, That the Senate—

(1) honors Roberto Clemente for his excellence in both sport and in citizenship on the 50th anniversary of his 3,000th and final regular season hit; and

(2) recognizes, during National Hispanic Heritage Month, the lasting impact that Roberto Clemente has had on baseball and the United States.

SENATE RESOLUTION 770—COMMEMORATING SEPTEMBER 17, 2022, AS "CONSTITUTION DAY" AND CELEBRATING THE SIGNING OF THE CONSTITUTION

Mrs. BLACKBURN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 770

Whereas the Constitution of the United States (referred to in this preamble as the "Constitution") is the supreme law of the United States;

Whereas the Constitution enshrines the freedom of the people of the United States;

Whereas the Constitution forms a more perfect Union;

Whereas the fundamental principles of the Constitution are limited government, separation of powers, individual liberty, and rule of law;

Whereas the Constitution establishes justice, ensures domestic tranquility, provides for the common defense, promotes the general welfare, and secures the blessings of liberty, now and for future generations;

Whereas the Constitution guarantees that no one can be deprived of life, liberty, or property without due process of law, including unborn children;

Whereas the Constitution protects the rights of conscience against the enterprises of the civil authority;

Whereas the Constitution affirms that the Government of the United States exists to serve its citizens;

Whereas the Constitution grants power to a national, Federal Government while preserving fundamental, individual rights;

Whereas the Constitution separates the power of the Federal government into 3 branches: executive, judicial, and legislative;

Whereas the powers of each branch of the Federal Government are delegated in the Constitution, with powers not assigned to the branches reserved to the States;

Whereas the Constitution grants the executive power to the President;

Whereas the Constitution does not allow the President to enact national policies in areas that are reserved solely to Congress under the Constitution;

Whereas the Constitution grants judicial power to the Supreme Court and inferior courts that Congress may ordain and establish;

Whereas justices and judges have constitutional limits on their power;

Whereas an activist judiciary that usurps powers reserved to the people through other branches of government is a threat to the United States;

Whereas the judiciary should interpret laws as written by Congress rather than allowing executive agencies to rewrite those laws to suit a political agenda;

Whereas the Constitution grants all legislative powers to Congress, which consists of a Senate and a House of Representatives;

Whereas the Constitution assigns to Congress the responsibility for organizing the executive and judicial branches, raising revenue, declaring war, and making all laws necessary for executing these powers;

Whereas it is a breach of trust for Congress to delegate excessive legislative authority to executive departments, agencies, and commissions, thus empowering the administrative state instead of the elected representatives of the people of the United States;

Whereas the Constitution protects the democracy of the United States;

Whereas elections are a vital component of democracy;

Whereas the Constitution states that the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature of that State;

Whereas article I, section 5 of the Constitution—

(1) provides that "Each House [of Congress] may determine the Rules of its Proceedings"; and

(2) authorizes the Senate to make procedural rules, including the length of debate;

Whereas no one may unilaterally rewrite or otherwise impugn the validity of the text of the Constitution;

Whereas the Constitution can only be changed by amendment;

Whereas an amendment to the Constitution may be proposed by a $\frac{2}{3}$ vote of both Houses of Congress, or, if $\frac{2}{3}$ of the States request an amendment, by a convention called for that purpose;

Whereas an amendment to the Constitution must be ratified by $\frac{3}{4}$ of the State legislatures or $\frac{3}{4}$ of conventions called in each State for ratification;

Whereas, according to the First Amendment to the Constitution—

(1) Congress shall make no law respecting an establishment of religion or prohibiting free exercise of religion; and

(2) Congress shall make no law abridging the freedom of speech or of the press;

Whereas, according to the Second Amendment to the Constitution, the right of the people to keep and bear arms shall not be infringed;

Whereas Congress may not pass laws that deny or abridge any constitutional rights;

Whereas it is unconstitutional for the Federal Government to wield its authority beyond the scope of power delegated to it or to use that authority as a political weapon against the rights of States to pass voter identification laws, oversee the health care of their citizens, draft curricula, and craft other laws and policies consistent with the Constitution;

Whereas constitutional rights are not negotiable;

Whereas all legislation, regulations, and official actions should conform to the original meaning of the Constitution as understood at the time the language was adopted;

Whereas the Constitution was written during the Philadelphia Convention, now known as the Constitutional Convention, which convened from May 25 to September 17, 1787; and

Whereas Constitution Day commemorates the formation and signing of the Constitution by 39 courageous men on September 17, 1787, in Philadelphia, Pennsylvania: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the signing of the Constitution of the United States by recognizing Constitution Day on September 17, 2022; and

(2) affirms that the Constitution of the United States is not a flexible document, but an enduring covenant.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5499. Mr. REED (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 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.

TEXT OF AMENDMENTS

SA 5499. Mr. REED (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 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 all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “James M. Inhofe National Defense Authorization Act for Fiscal Year 2023”.

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Limitations on production of Extended Range Cannon Artillery howitzers.

Subtitle C—Navy Programs

Sec. 121. DDG(X) destroyer program.

Sec. 122. Multiyear procurement authority for Arleigh Burke class destroyers.

Sec. 123. Block buy contracts for Ship-to-Shore Connector program.

Sec. 124. Procurement authorities for John Lewis-class fleet replenishment oiler ships.

Sec. 125. Tomahawk cruise missile capability on FFG-62 class vessels.

Sec. 126. Navy shipbuilding workforce development initiative.

Sec. 127. Extension of prohibition on availability of funds for Navy port waterborne security barriers.

Sec. 128. Limitation on retirement of E-6B aircraft.

Sec. 129. EA-18G aircraft.

Sec. 130. Block buy contracts for CH-53K heavy lift helicopter program.

Subtitle D—Air Force Programs

Sec. 141. Prohibition on certain reductions to inventory of E-3 airborne warning and control system aircraft.

Sec. 142. Modification of inventory requirements for air refueling tanker aircraft.

Sec. 143. Prohibition on reductions to inventory of F-22 Block 20 aircraft.

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

Sec. 151. Parts for commercial derivative aircraft and engines and aircraft based on commercial design.

Sec. 152. Assessment and strategy for fielding counter unmanned aerial systems swarm capabilities.

Sec. 153. Treatment of nuclear modernization and hypersonic missile programs within Defense Priorities and Allocations System.

Sec. 154. Government Accountability Office assessment of efforts to modernize propulsion systems of the F-35 aircraft.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Disclosure requirements for recipients of research and development funds.

Sec. 212. Modification of cooperative research and development project authority.

Sec. 213. Administration of the Advanced Sensor Applications Program.

Sec. 214. Modification of authority of the Department of Defense to carry out certain prototype projects.

Sec. 215. Competitively awarded demonstrations and tests of electromagnetic warfare technology.

Sec. 216. Government-Industry Working Group on Microelectronics.

Sec. 217. Inclusion of Office of Under Secretary of Defense for Research and Engineering in personnel management authority to attract experts in science and engineering.

Sec. 218. Investment plan for foundational capabilities needed to develop novel processing approaches for future defense applications.

Sec. 219. Open radio access network 5G acquisition acceleration and transition plans.

Sec. 220. Pilot program to facilitate the development of electric vehicle battery technologies for warfighters.

Subtitle C—Plans, Reports, and Other Matters

Sec. 231. Report on recommendations from Army Futures Command Research Program Realignment Study.

Sec. 232. Strategy and plan for strengthening and fostering defense innovation ecosystem.

Sec. 233. Modification of Director for Operational Test and Evaluation annual report.

Sec. 234. Extension of requirement for quarterly briefings on development and implementation of strategy for fifth generation information and communications technologies.

Sec. 235. Report on estimated costs of conducting a minimum frequency of hypersonic weapons testing.

Sec. 236. Annual report on studies and reports being undertaken by the Department of Defense.

Sec. 237. Quantifiable assurance capability for security of microelectronics.

Sec. 238. Clarification of role of Chief Digital and Artificial Intelligence Officer.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Aggregation of energy conservation measures and funding.

Sec. 312. Establishment of joint working group to determine joint requirements for future operational energy needs of Department of Defense.

Sec. 313. Additional special considerations for developing and implementing the energy performance goals and energy performance master plan of the Department of Defense.

Sec. 314. Participation in pollutant banks and water quality trading.

Sec. 315. Consideration under Defense Environmental Restoration Program for State-owned facilities of the National Guard with proven exposure of hazardous substances and waste.

Sec. 316. Authorization of closure of Red Hill bulk fuel storage facility.

Sec. 317. Revision of Unified Facilities Guide Specifications and Unified Facilities Criteria to include specifications on use of gas insulated switchgear and criteria and specifications on microgrids and microgrid converters.

Sec. 318. Transfer of customers from electrical utility system of the Navy at former Naval Air Station Barber's Point, Hawaii, to new electrical system in Kalaheo, Hawaii.

Sec. 319. Pilot program on use of sustainable aviation fuel.

Sec. 320. Renewal of annual environmental and energy reports of Department of Defense.

Sec. 321. Report on feasibility of terminating energy procurement from foreign entities of concern.

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

Sec. 331. 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.

Sec. 332. Modification of limitation on disclosure of results of testing for perfluoroalkyl or polyfluoroalkyl substances on private property.

Sec. 333. Department of Defense research relating to perfluoroalkyl or polyfluoroalkyl substances.

Subtitle D—Logistics and Sustainment

Sec. 351. Implementation of Comptroller General recommendations regarding Shipyard Infrastructure Optimization Plan of the Navy.

Sec. 352. Research and analysis on the capacity of private shipyards in the United States and the effect of those shipyards on Naval fleet readiness.

Sec. 353. Limitation on funds for the Joint Military Information Support Operations Web Operations Center.

Sec. 354. Notification of increase in retention rates for Navy ship repair contracts.

Sec. 355. Inapplicability of advance billing dollar limitation for relief efforts following major disasters or emergencies.

Sec. 356. Repeal of Comptroller General review on time limitations on duration of public-private competitions.

Subtitle E—Reports

Sec. 371. Inclusion of information regarding joint medical estimates in readiness reports.

Subtitle F—Other Matters

Sec. 381. Implementation of recommendations relating to animal facility sanitation and master plan for housing and care of horses.

Sec. 382. Inclusion of land under jurisdiction of Department of Defense subject to long-term real estate agreement as community infrastructure for purposes of Defense community infrastructure pilot program.

Sec. 383. Restriction on procurement or purchasing by Department of Defense of turnout gear for firefighters containing perfluoroalkyl substances or polyfluoroalkyl substances.

Sec. 384. Continued designation of Secretary of the Navy as executive agent for Naval Small Craft Instruction and Technical Training School.

Sec. 385. Prohibition on use of funds to discontinue the Marine Mammal System program.

Sec. 386. Limitation on replacement of non-tactical vehicle fleet of the Department of Defense with electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles.

Sec. 387. Limitation on use of charging stations for personal electric vehicles.

Sec. 388. Pilot programs for tactical vehicle safety data collection.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. End strength level matters.

Sec. 403. Additional authority to vary Space Force end strength.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for reserves on active duty in support of the Reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Consideration of adverse information.

Sec. 502. Extension of time limitation for grade retention while awaiting retirement.

Sec. 503. Realignment in Navy distribution of flag officers serving in the grades of O-8 and O-9.

Sec. 504. Updating warrant officer selection and promotion authority.

Sec. 505. Authorized strengths for Space Force officers on active duty in grades of major, lieutenant colonel, and colonel.

Sec. 506. Repeal of requirement for Inspector General of the Department of Defense to conduct certain reviews.

Sec. 507. Modification of reports on Air Force personnel performing duties of a Nuclear and Missile Operations Officer (13N).

Subtitle B—Reserve Component Management

Sec. 511. Authority to waive requirement that performance of Active Guard and Reserve duty at the request of a Governor may not interfere with certain duties.

Sec. 512. Selected Reserve and Ready Reserve order to active duty to respond to a significant cyber incident.

Sec. 513. Backdating of effective date of rank for reserve officers in the National Guard due to undue delays in Federal recognition.

Sec. 514. Independent study on Federal recognition process.

Sec. 515. Continued National Guard support for FireGuard program.

Sec. 516. Inclusion of United States Naval Sea Cadet Corps among youth and charitable organizations authorized to receive assistance from the National Guard.

Subtitle C—General Service Authorities and Military Records

Sec. 521. Modernization of the Selective Service System.

Sec. 522. Prohibition on induction under the Military Selective Service Act without express authorization.

Sec. 523. Extension of temporary authority for targeted recruitment incentives.

Sec. 524. Home leave demonstration program.

Sec. 525. Prohibition on considering State laws and regulations when determining individual duty assignments.

Sec. 526. Modification to limitations on discharge or release from active duty.

Sec. 527. Sex-neutral high fitness standards for Army combat Military Occupational Specialties.

Subtitle D—Military Justice and Other Legal Matters

Sec. 541. Briefing and report on resourcing required for implementation of military justice reform.

Sec. 542. Randomization of court-martial panels.

Sec. 543. Matters in connection with special trial counsel.

Sec. 544. Jurisdiction of Courts of Criminal Appeals.

Sec. 545. Special trial counsel.

Sec. 546. Exclusion of officers serving as lead special trial counsel from limitations on authorized strengths for general and flag officers.

Sec. 547. Special trial counsel of Department of the Air Force.

Sec. 548. Restricted reporting option for Department of Defense civilian employees choosing to report experiencing adult sexual assault.

Sec. 549. Improvements to Department of Defense tracking of and response to incidents of child abuse, adult crimes against children, and serious harmful behavior between children and youth involving military dependents on military installations.

Sec. 550. Primary prevention.

Sec. 551. Dissemination of civilian legal services information.

Subtitle E—Member Education, Training, and Transition

Sec. 561. Review of certain Special Operations personnel policies.

Sec. 562. Expanded eligibility to provide Junior Reserve Officers' Training Corps (JROTC) instruction.

Sec. 563. Pre-service education demonstration program.

Subtitle F—Military Family Readiness and Dependents' Education

Sec. 571. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.

Sec. 572. 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.

Sec. 573. Pilot program on hiring of special education inclusion coordinators for Department of Defense child development centers.

Sec. 574. Extension of and report on pilot program to expand eligibility for enrollment at domestic dependent elementary and secondary schools.

Subtitle G—Decorations and Awards, Miscellaneous Reports, and Other Matters

- Sec. 581. Temporary exemption from end strength grade restrictions for the Space Force.
- Sec. 582. Report on officer personnel management and the development of the professional military ethic in the Space Force.
- Sec. 583. Report on incidence of suicide by military job code in the Department of Defense.
- Sec. 584. Waiver of time limitations for act of valor during World War II.
- Sec. 585. Authorization to award Medal of Honor to Sergeant Major David R. Halbruner for acts of valor in support of an unnamed operation in 2012.
- Sec. 586. Recognition of service of Lieutenant General Frank Maxwell Andrews.
- Sec. 587. Posthumous appointment of Ulysses S. Grant to grade of General of the Armies of the United States.
- Sec. 588. Modification to notification on manning of afloat naval forces.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Temporary continuation of basic allowance for housing for members whose sole dependent dies while residing with the member.
- Sec. 602. Basic allowance for housing for members without dependents when home port change would financially disadvantage member.
- Sec. 603. Extension of authority to temporarily adjust basic allowance for housing in certain areas.
- Sec. 604. Increase in income for purposes of eligibility for basic needs allowance.
- Sec. 605. Conforming amendments to update references to travel and transportation authorities.

Subtitle B—Bonus and Incentive Pays

- Sec. 611. One-year extension of certain expiring bonus and special pay authorities.
- Sec. 612. Repeal of sunset of hazardous duty pay.
- Sec. 613. Authorization of assignment pay or special duty pay based on climate in which a member's duties are performed.

Subtitle C—Leave

- Sec. 621. Modification of authority to allow members of the Armed Forces to accumulate leave in excess of 60 days.
- Sec. 622. Technical amendments to leave entitlement and accumulation.
- Sec. 623. Convalescent leave for members of the Armed Forces.

Subtitle D—Other Matters

- Sec. 631. Air Force rated officer retention demonstration program.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

- Sec. 701. Improvements to the TRICARE dental program.
- Sec. 702. Health benefits for members of the National Guard following required training or other duty to respond to a national emergency.
- Sec. 703. Confidentiality requirements for mental health care services for members of the Armed Forces.

- Sec. 704. Improvement of referrals for specialty care under TRICARE Prime during permanent changes of station.

- Sec. 705. Study on providing benefits under TRICARE Reserve Select and TRICARE dental program to members of the Selected Reserve and their dependents.

Subtitle B—Health Care Administration

- Sec. 721. Improvements to organization of military health system.
- Sec. 722. Inclusion of level three trauma care capabilities in requirements for medical centers.
- Sec. 723. Extension of Accountable Care Organization demonstration and annual report requirement.
- Sec. 724. Modification of requirement to transfer public health functions to Defense Health Agency.
- Sec. 725. Establishment of Military Health System Medical Logistics Directorate.
- Sec. 726. Establishment of centers of excellence for specialty care in the military health system.
- Sec. 727. Requirement to establish Academic Health System.

- Sec. 728. Adherence to policies relating to mild traumatic brain injury and post-traumatic stress disorder.

- Sec. 729. Policy on accountability for wounded warriors undergoing disability evaluation.

Subtitle C—Reports and Other Matters

- Sec. 741. Three-year extension of authority to continue DOD-VA Health Care Sharing Incentive Fund.
- Sec. 742. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.

- Sec. 743. Authorization of permanent program to improve opioid management in the military health system.

- Sec. 744. Clarification of membership requirements and compensation authority for independent suicide prevention and response review committee.

- Sec. 745. Termination of veterans' advisory board on radiation dose reconstruction.

- Sec. 746. Scholarship-for-service pilot program for civilian behavioral health providers.

- Sec. 747. Expansion of extramedical maternal health providers demonstration project to include members of the Armed Forces on active duty and other individuals receiving care at military medical treatment facilities.

- Sec. 748. Authority to carry out studies and demonstration projects relating to delivery of health and medical care through use of other transaction authority.

- Sec. 749. Capability assessment and action plan with respect to effects of exposure to open burn pits and other environmental hazards.

- Sec. 750. Independent analysis of Department of Defense Comprehensive Autism Care Demonstration program.

- Sec. 751. Report on suicide prevention reforms for members of the Armed Forces.

- Sec. 752. Report on behavioral health workforce and plan to address shortfalls in providers.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

- Sec. 801. Modifications to middle tier acquisition authority.
- Sec. 802. Extension of Defense Modernization Account authority.
- Sec. 803. Prohibition on certain procurements of major defense acquisition programs.
- Sec. 804. Revision of authority for procedures to allow rapid acquisition and deployment of capabilities needed under specified high-priority circumstances.
- Sec. 805. Acquisition reporting system.
- Sec. 806. Modification of reporting requirement in connection with requests for multiyear procurement authority for large defense acquisitions.
- Sec. 807. Modification of limitation on cancellation of designation of Executive Agent for a certain Defense Production Act program.
- Sec. 808. Comptroller General assessment of acquisition programs and related efforts.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

- Sec. 821. Treatment of certain clauses implementing executive order mandates.
- Sec. 822. Data requirements for commercial products for major weapon systems.
- Sec. 823. Task and delivery order contracting for architectural and engineering services.
- Sec. 824. Extension of pilot program for distribution support and services for weapons systems contractors.
- Sec. 825. Pilot program to accelerate contracting and pricing processes.
- Sec. 826. Extension of Never Contract with the Enemy.
- Sec. 827. Progress payment incentive pilot.
- Sec. 828. Report on Department of Defense Strategic Capabilities Office contracting capabilities.

Subtitle C—Industrial Base Matters

- Sec. 841. Analyses of certain activities for action to address sourcing and industrial capacity.
- Sec. 842. Modification to miscellaneous limitations on the procurement of goods other than United States goods.
- Sec. 843. Demonstration exercise of enhanced planning for industrial mobilization and supply chain management.
- Sec. 844. Procurement requirements relating to rare earth elements and strategic and critical materials.
- Sec. 845. Modification to the national technology and industrial base.
- Sec. 846. Modification of prohibition on operation or procurement of foreign-made unmanned aircraft systems.
- Sec. 847. Annual report on industrial base constraints for munitions.

Subtitle D—Small Business Matters

- Sec. 861. Modifications to the Defense Research and Development Rapid Innovation Program.
- Sec. 862. Permanent extension and modification of Mentor-Protege Program.
- Sec. 863. Small business integration working group.

Sec. 864. Demonstration of commercial due diligence for small business programs.

Sec. 865. Improvements to Procurement Technical Assistance Center program.

Subtitle E—Other Matters

Sec. 871. Risk management for Department of Defense pharmaceutical supply chains.

Sec. 872. Key advanced system development industry days.

Sec. 873. Modification of provision relating to determination of certain activities with unusually hazardous risks.

Sec. 874. Incorporation of controlled unclassified information guidance into program classification guides and program protection plans.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

Sec. 901. Increase in authorized number of Assistant and Deputy Assistant Secretaries of Defense.

Sec. 902. Conforming amendments relating to repeal of position of Chief Management Officer.

Sec. 903. Limitation on availability of funds for operation and maintenance for Office of Secretary of Defense.

Sec. 904. Limitation on use of funds until demonstration of product to identify, task, and manage congressional reporting requirements.

Sec. 905. Limitation on use of funds until Department of Defense complies with requirements relating to alignment of Close Combat Lethality Task Force.

Subtitle B—Other Department of Defense Organization and Management Matters

Sec. 911. Modification of requirements that are responsibility of Armed Forces not Joint Requirements Oversight Council.

Sec. 912. Briefing on revisions to Unified Command Plan.

Sec. 913. Updates to management reform framework.

Sec. 914. Strategic management dashboard demonstration.

Sec. 915. Demonstration program for component content management systems.

Subtitle C—Space Force Matters

Sec. 921. Vice Chief of Space Operations.

Sec. 922. Establishment of field operating agencies and direct reporting units of Space Force.

Sec. 923. Framework for new subtitle F of title 10, United States Code, on Space Component.

Sec. 924. Study of proposed Space Force reorganization.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.

Sec. 1002. Report on budgetary effects of inflation.

Subtitle B—Counterdrug Activities

Sec. 1011. Extension of authority and annual report on unified counterdrug and counterterrorism campaign in Colombia.

Subtitle C—Naval Vessels

Sec. 1021. Modification to annual naval vessel construction plan.

Sec. 1022. Amphibious warship force structure.

Sec. 1023. Modification to limitation on decommissioning or inactivating a battle force ship before the end of expected service life.

Sec. 1024. Contract requirements relating to maintenance and modernization availabilities for certain naval vessels.

Sec. 1025. Prohibition on retirement of certain naval vessels.

Subtitle D—Counterterrorism

Sec. 1031. Modification and extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.

Sec. 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.

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.

Sec. 1034. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.

Subtitle E—Miscellaneous Authorities and Limitations

Sec. 1041. Department of Defense-Department of Veterans Affairs Discharge Review Board Committee.

Sec. 1042. Modification of provisions relating to cross-functional team for emerging threat relating to anomalous health incidents.

Sec. 1043. Civilian casualty prevention, mitigation, and response.

Sec. 1044. 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.

Sec. 1045. Personnel supporting the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

Sec. 1046. Joint all domain command and control.

Sec. 1047. Extension of admission to Guam or the Commonwealth of the Northern Mariana Islands for certain nonimmigrant H-2B workers.

Sec. 1048. Department of Defense support for civil authorities to address the illegal immigration crisis at the southwest border.

Sec. 1049. Department of Defense support for funerals and memorial events for Members and former Members of Congress.

Sec. 1050. Expansion of eligibility for direct acceptance of gifts by members of the Armed Forces and Department of Defense and Coast Guard employees and their families.

Sec. 1051. Technical amendments related to recently enacted Commissions.

Subtitle F—Studies and Reports

Sec. 1061. Submission of National Defense Strategy in classified and unclassified form.

Sec. 1062. Report on impact of certain ethics requirements on Department of Defense hiring, retention, and operations.

Sec. 1063. Extension of certain reporting deadlines.

Subtitle G—Other Matters

Sec. 1071. Annual risk assessment.

Sec. 1072. Joint Concept for Competing.

Sec. 1073. Prioritization and acceleration of investments to attain threat matrix framework level 4 capability at training ranges supporting F-35 operations.

Sec. 1074. Modification of Arctic Security Initiative.

Sec. 1075. Pilot program on safe storage of personally owned firearms.

Sec. 1076. Sense of the Senate on redesignation of the Africa Center for Strategic Studies as the James M. Inhofe Center for Africa Strategic Studies.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Eligibility of Department of Defense employees in time-limited appointments to compete for permanent appointments.

Sec. 1102. Employment authority for civilian faculty at certain military department schools.

Sec. 1103. Employment and compensation of civilian faculty members at Inter-American Defense College.

Sec. 1104. Modification to personnel management authority to attract experts in science and engineering.

Sec. 1105. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.

Sec. 1106. Modification and extension of pilot program on dynamic shaping of the workforce to improve the technical skills and expertise at certain Department of Defense laboratories.

Sec. 1107. Modification of effective date of repeal of two-year probationary period for employees.

Sec. 1108. Modification and extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.

Sec. 1109. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.

Sec. 1110. Modification of temporary expansion of authority for non-competitive appointments of military spouses by Federal agencies.

Sec. 1111. Department of Defense Cyber and Digital Service Academy.

Sec. 1112. Civilian Cybersecurity Reserve pilot project.

Sec. 1113. Modification to pilot program for the temporary assignment of cyber and information technology personnel to private sector organizations.

Sec. 1114. Report on cyber excepted service.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Extension of authority to support border security operations of certain foreign countries.

Sec. 1202. Modification of reporting requirement for provision of support to friendly foreign countries for conduct of operations.

- Sec. 1203. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security.
- Sec. 1204. Modification of authority for participation in multinational centers of excellence.
- Sec. 1205. Modification of Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program and plan for Irregular Warfare Center.
- Sec. 1206. Modification of authority for humanitarian demining assistance and stockpiled conventional munitions assistance.
- Sec. 1207. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1208. Modifications to humanitarian assistance.
- Sec. 1209. Defense Environmental International Cooperation Program.
- Sec. 1210. Security cooperation programs with foreign partners to advance women, peace, and security.
- Sec. 1211. Review of implementation of prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights.
- Sec. 1212. Independent assessment of United States efforts to train, advise, assist, and equip the military forces of Somalia.
- Sec. 1213. Assessment and report on adequacy of authorities to provide assistance to military and security forces in area of responsibility of United States Africa Command.
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- Sec. 1604. Cybersecurity cooperation training at Joint Military Attaché School.
- Sec. 1605. Strategy, force, and capability development for cyber effects and security in support of operational forces.

- Sec. 1606. Total force generation for the Cyberspace Operations Forces.
- Sec. 1607. Management and oversight of Joint Cyber Warfighting Architecture.
- Sec. 1608. Study to determine the optimal strategy for structuring and manning elements of the Joint Force Headquarters-Cyber Organizations, Joint Mission Operations Centers, and Cyber Operations-Integrated Planning Elements.
- Sec. 1609. Annual briefing on relationship between National Security Agency and United States Cyber Command.
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- Sec. 1625. Report on recommendations from Navy Civilian Career Path study.
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- Sec. 1631. Limitation on availability of funds for operation and maintenance for Office of Secretary of Defense until framework to enhance cybersecurity of United States defense industrial base is completed.
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- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
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TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
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Sec. 2806. Extension of authorization of depot working capital funds for unspecified minor military construction.

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Sec. 2864. Modification of quitclaim deed between the United States and the City of Clinton, Oklahoma.

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Sec. 3114. Assistance by the National Nuclear Security Administration to the Air Force for the development of the Mark 21A fuse.

Sec. 3115. Extension of deadline for transfer of parcels of land to be conveyed to Los Alamos County, New Mexico.

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Sec. 3124. Determination of standardized indirect cost elements.

Sec. 3125. Adjustment of minor construction threshold.

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Sec. 4601. Military construction.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of Energy national security programs.

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 purpose 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 2023 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. LIMITATIONS ON PRODUCTION OF EXTENDED RANGE CANNON ARTILLERY HOWITZERS.

(a) LIMITATIONS.—In carrying out the acquisition of Extended Range Cannon Artillery howitzers, the Secretary of the Army shall—

(1) limit production of prototype Extended Range Cannon Artillery howitzers to not more than 18;

(2) compare the cost and value to the United States Government of a Paladin Integrated Management-modification production approach with a new-build production approach;

(3) include in any cost analysis or comparison—

(A) the value of a Paladin howitzer that may be modified to produce an Extended Range Cannon Artillery howitzer; and

(B) the production value of government-owned infrastructure that would be leveraged to facilitate the modification;

(4) use a full and open competitive approach using best value criteria for post-prototype production source selection; and

(5) base any production strategy and source selection decisions on a full understanding of the cost of production, including—

(A) the comparison of production approaches described in paragraph (2); and

(B) any cost analysis or comparison described in paragraph (3).

(b) **CERTIFICATION.**—Before issuing a request for proposal for the post-prototype production of an Extended Range Cannon Artillery howitzer, the Secretary of the Army shall—

(1) certify to the congressional defense committees that the acquisition strategy upon which the request for proposal is based complies with the requirements of subsection (a); and

(2) provide a briefing to the congressional defense committees on that acquisition strategy and the relevant cost and value comparison described in subsection (a)(2).

Subtitle C—Navy Programs

SEC. 121. DDG(X) DESTROYER PROGRAM.

(a) **IN GENERAL.**—Notwithstanding subsection (e)(1) of section 3201 of title 10, United States Code, and in accordance with subsection (e)(3) of such section, the Secretary of the Navy, for the covered program, shall—

(1) award prime contracts for concept design, preliminary design, and contract design to eligible shipbuilders;

(2) award prime contracts for detailed design and construction only to eligible shipbuilders; and

(3) allocate not less than one vessel and not more than two vessels in the covered program to each eligible shipbuilder before making a competitive contract award for the construction of vessels in the covered program.

(b) **COLLABORATION REQUIREMENT.**—The Secretary of the Navy shall maximize collaboration between the Federal Government and eligible shipbuilders throughout the design, development, and production of the covered program.

(c) **COMPETITIVE INCENTIVE REQUIREMENT.**—The Secretary of the Navy shall provide for competitive incentives throughout the design, development, and production of the covered program, including the following:

(1) Design labor hours, provided neither eligible shipbuilder has fewer than 30 percent of aggregate design labor hours in any phase of vessel design.

(2) Competitive solicitations for vessel procurement following the actions required by subsection (a)(3).

(d) **TECHNOLOGY MATURATION REQUIREMENTS.**—The Secretary of the Navy shall incorporate into the acquisition strategy of the covered program the requirements of the following:

(1) Section 131 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1237).

(2) Section 221 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1599).

(e) **TRANSITION REQUIREMENT.**—The Secretary of the Navy shall ensure a transition from the Arleigh Burke-class destroyer program to the covered program that maintains predictable production workload at eligible shipbuilders.

(f) **DEFINITIONS.**—In this section:

(1) **COVERED PROGRAM.**—The term “covered program” means the DDG(X) destroyer program.

(2) **ELIGIBLE SHIPBUILDER.**—The term “eligible shipbuilder” means any of the following:

(A) General Dynamics Bath Iron Works.

(B) Huntington Ingalls Incorporated, Ingalls Shipbuilding division.

(3) **PREDICTABLE PRODUCTION WORKLOAD.**—The term “predictable production workload” means production workload that is not less than 70 percent of the average production workload of the Arleigh Burke-class destroyer program over the most recent five-fiscal year period throughout the transition from the Arleigh Burke-class destroyer program to the covered program.

SEC. 122. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS.

(a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—Subject to section 3501 of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of up to 15 Arleigh Burke class Flight III guided missile destroyers.

(b) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2023, for advance procurement associated with the destroyers for which authorization to enter into a multiyear procurement contract is provided under subsection (a), and for systems and subsystems associated with such destroyers 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 2023 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) **CONTRACT REQUIREMENT.**—

(1) **IN GENERAL.**—The Secretary of the Navy shall ensure that a contract entered into under subsection (a) includes a priced option to procure an additional such destroyer in each of fiscal years 2023 through 2027.

(2) **OPTION DEFINED.**—In this subsection, the term “option” has the meaning given that term in section 2.101 of the Federal Acquisition Regulation (or any successor regulation).

SEC. 123. BLOCK BUY CONTRACTS FOR SHIP-TO-SHORE CONNECTOR PROGRAM.

(a) **BLOCK BUY CONTRACT AUTHORITY.**—Beginning in fiscal year 2023, the Secretary of the Navy may enter into one or more block buy contracts for the procurement of up to 10 Ship-to-Shore Connector class craft and associated material.

(b) **LIABILITY.**—Any contract entered into under subsection (a) shall provide that—

(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(2) the total liability of the Federal Government for termination of the contract shall be limited to the total amount of funding obligated to the contract at the time of termination.

(c) **CERTIFICATION REQUIRED.**—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for such program:

(1) The use of such a contract is consistent with the Chief of Naval Operations' projected force structure requirements for such craft.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost

savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by craft, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by craft, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by craft, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(3) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(4) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic, including a description of the basis for such estimates.

(5) The use of such a contract will promote the national security of the United States.

(d) **MILESTONE DECISION AUTHORITY DEFINED.**—In this section, the term “milestone decision authority” has the meaning given the term in section 4251(d) of title 10, United States Code.

SEC. 124. PROCUREMENT AUTHORITIES FOR JOHN LEWIS-CLASS FLEET REPLENISHMENT OILER SHIPS.

(a) **CONTRACT AUTHORITY.**—

(1) **PROCUREMENT AUTHORIZED.**—In fiscal year 2023 or 2024, the Secretary of the Navy may enter into one or more contracts for the procurement of not more than eight John Lewis-class fleet replenishment oiler ships.

(2) **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 program.

(b) **CERTIFICATION REQUIRED.**—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for such program:

(1) The use of such a contract is consistent with the Department of the Navy's projected force structure requirements for such ships.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(3) There is a reasonable expectation that throughout the contemplated contract period the Secretary of the Navy will request funding for the contract at the level required to avoid contract cancellation.

(4) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(5) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

(6) The use of such a contract will promote the national security of the United States.

(7) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year, and the future-years defense program (as defined under section 221 of title 10, United States Code) for such fiscal year will include the funding required to execute the program without cancellation.

(c) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with a ship or ships for which authorization to enter into a contract is provided under subsection (a), and for systems and subsystems associated with such ships in economic order quantities when cost savings are achievable.

(d) **CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.**—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

(e) **MILESTONE DECISION AUTHORITY DEFINED.**—In this section, the term “milestone decision authority” has the meaning given the term in section 4251(d) of title 10, United States Code.

SEC. 125. TOMAHAWK CRUISE MISSILE CAPABILITY ON FFG-62 CLASS VESSELS.

Before accepting delivery of any FFG-62 class vessel, the Secretary of the Navy shall require that the vessel be capable of carrying and employing Tomahawk cruise missiles.

SEC. 126. NAVY SHIPBUILDING WORKFORCE DEVELOPMENT INITIATIVE.

(a) **IN GENERAL.**—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8696. Navy shipbuilding workforce development initiative.

“(a) **REQUIREMENT.**—

“(1) **IN GENERAL.**—The Secretary of the Navy shall ensure that any award for a covered contract or contract modification includes a separate and distinct line item for workforce development.

“(2) **COVERED CONTRACTS AND CONTRACT MODIFICATIONS.**—For purposes of this subsection, a covered contract or contract modification is a construction contract or contract modification for the procurement of one or more naval vessels entered into using funds from the Shipbuilding and Conversion, Navy account with a prime contractor that will deliver such vessel or vessels to the Navy.

“(3) **AMOUNT OF LINE ITEM.**—The amount of funding in a line item for workforce development required under subsection (a)(1) shall be not less than one-half of one percent and not more than one percent of the target price of the contract concerned.

“(b) **MATCHING CONTRIBUTION REQUIREMENT.**—

“(1) **IN GENERAL.**—Funds for a line item for workforce development required under subsection (a)(1) may be obligated only—

“(A) on or after the date on which the service acquisition executive of the Navy receives a written commitment from one or more entities described in paragraph (2) of a separate and distinct cumulative contribution for workforce development; and

“(B) in an amount that is—

“(i) equal to the amount of the contribution described in subparagraph (A), if the contribution is less than the amount of funding in the line item; or

“(ii) equal to the amount of funding in the line item, if the contribution is equal to or greater than the amount of such funding.

“(2) **ENTITIES DESCRIBED.**—The entities described in this paragraph are the following:

“(A) The prime contractor receiving the award described in subsection (a)(1).

“(B) A qualified subcontractor.

“(C) A State government or other State entity.

“(D) A county government or other county entity.

“(E) A local government or other local entity.

“(c) **AUTHORIZED ACTIVITIES.**—

“(1) **IN GENERAL.**—Funds for a line item for workforce development required under subsection (a)(1) may be used only to provide for the activities described in paragraph (2) in support of the production and production support workforce of the prime contractor concerned or a qualified subcontractor.

“(2) **ACTIVITIES DESCRIBED.**—The activities described in this paragraph are the following:

“(A) The creation of short- and long-term workforce housing, transportation, and other support services to facilitate attraction, relocation, and retention of workers.

“(B) The expansion of local talent pipeline programs for both new and existing workers.

“(C) Investments in long-term outreach in middle and high school programs, specifically career and technical education programs, to promote and develop manufacturing skills.

“(D) Facilities developed or modified for the primary purpose of workforce development.

“(E) Direct costs attributable to workforce development.

“(F) Attraction and retention bonus programs.

“(G) On-the-job training to develop key manufacturing skills.

“(d) **APPROVAL REQUIREMENT.**—The service acquisition executive of the Navy shall—

“(1) provide the final approval of the use of funds for a line item for workforce development required under subsection (a)(1); and

“(2) not later than 30 days after the date on which such approval is provided, certify to the congressional defense committees compliance with the requirements of subsections (b) and (c), including—

“(A) a detailed explanation of such compliance; and

“(B) the associated benefits to—

“(i) the Federal Government; and

“(ii) the shipbuilding industrial base of the Navy.

“(e) **QUALIFIED SUBCONTRACTOR DEFINED.**—In this section, the term “qualified subcontractor” means a subcontractor to a prime contractor receiving an award described in subsection (a)(1) that will deliver the vessel or vessels covered by the award to the Navy.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 863 of such title is amended by adding at the end the following new item:

“8696. Navy shipbuilding workforce development initiative.”

(c) **APPLICABILITY.**—Section 8696 of title 10, United States Code, as added by subsection (a), shall apply with respect to contracts and contract modifications entered into on or after June 1, 2023.

SEC. 127. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.

(a) **IN GENERAL.**—Subsection (a) of section 130 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 122 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1570), is further amended by striking “for fiscal years 2019, 2020, 2021, or 2022” and inserting “for any of fiscal years 2019 through 2023”.

(b) **TECHNICAL AMENDMENT.**—Subsection (b)(4) of such section is amended by striking “section 2304” and inserting “sections 3201 through 3205”.

SEC. 128. LIMITATION ON RETIREMENT OF E-6B AIRCRAFT.

The Secretary of the Navy may take no action that would prevent the Navy from maintaining the fleet of E-6B aircraft in the configuration and capability in effect as of the date of the enactment of this Act until the date on which the Chair of the Joint Requirements Oversight Council certifies in writing to the congressional defense committees that the replacement capability for the E-6B aircraft will—

(1) be fielded at the same time or before the retirement of the E-6B aircraft; and

(2) result in equal or greater capability available to the commanders of the combatant commands.

SEC. 129. EA-18G AIRCRAFT.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Navy may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any EA-18G aircraft.

(b) **TRANSFER OF AIRCRAFT.**—The Secretary of the Navy shall transfer the EA-18G aircraft associated with the expeditionary land-based electronic attack squadrons to the Navy Reserve.

(c) **ESTABLISHMENT OF SQUADRONS.**—The Secretary of the Air Force shall designate one or more units from the Air National Guard or the Air Force Reserve to join with the Navy Reserve to establish one or more joint service expeditionary, land-based electronic attack squadrons to match the capability of such squadrons assigned to Naval Air Station Whidbey Island, Washington, as of the date of the enactment of this Act.

(d) **REPORT ON IMPLEMENTATION PLAN.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall jointly submit to the congressional defense committees a report on the plan of the Secretaries to implement this section.

SEC. 130. BLOCK BUY CONTRACTS FOR CH-53K HEAVY LIFT HELICOPTER PROGRAM.

(a) **BLOCK BUY CONTRACT AUTHORITY.**—During fiscal years 2023 and 2024, the Secretary of the Navy may enter into one or more block buy contracts for the procurement of airframes and engines in support of the CH-53K heavy lift helicopter program (in this section referred to as the “program”).

(b) **LIABILITY.**—Any contract entered into under subsection (a) shall provide that—

(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(2) the total liability of the Federal Government for termination of the contract shall be limited to the total amount of funding obligated to the contract at the time of termination.

(c) **CERTIFICATION REQUIRED.**—A contract may not be entered into under subsection (a) unless the Secretary of Defense certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority (as defined in section 4251(d) of title 10, United States Code) for the program:

(1) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated obligations and expenditures by fiscal year for the program without the authority provided in subsection (a);

(B) the estimated obligations and expenditures by fiscal year for the program with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year for the program with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(2) There is a reasonable expectation that throughout the contemplated contract period the Secretary of Defense will request funding for the contract at the level required to avoid contract cancellation.

(3) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(4) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

(5) The use of such a contract will promote the national security of the United States.

(6) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year, and the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for such fiscal year will include the funding required to execute the program without cancellation.

(7) The contract will be a fixed price type contract.

Subtitle D—Air Force Programs

SEC. 141. PROHIBITION ON CERTAIN REDUCTIONS TO INVENTORY OF E-3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) PROHIBITION.—Except as provided in subsections (b) and (c), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any E-3 aircraft if such actions would reduce the total aircraft inventory for such aircraft below 26.

(b) EXCEPTION FOR ACQUISITION STRATEGY.—If the Secretary of the Air Force submits to the congressional defense committees an acquisition strategy for the E-7 Wedgetail approved by the Service Acquisition Executive of the Air Force, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E-3 aircraft to 21 after the date on which the strategy is so submitted.

(c) EXCEPTION FOR CONTRACT AWARD.—If the Secretary of the Air Force awards a contract for the E-7 Wedgetail aircraft, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E-3 aircraft to 16 after the date on which such contract is so awarded.

SEC. 142. MODIFICATION OF INVENTORY REQUIREMENTS FOR AIR REFUELING TANKER AIRCRAFT.

(a) MODIFICATION OF GENERAL REQUIREMENT.—Section 135(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 3431) is amended by striking “412” and inserting “400”.

(b) MODIFICATION OF LIMITATION ON RETIREMENT OF KC-135 AIRCRAFT.—Section 137(b)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1576) is amended by striking “18” and inserting “31”.

SEC. 143. PROHIBITION ON REDUCTIONS TO INVENTORY OF F-22 BLOCK 20 AIRCRAFT.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized

to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any F-22 Block 20 aircraft.

(b) EXPIRATION OF PROHIBITION.—The prohibition under subsection (a) shall cease to have effect on the date on which the Secretary of the Air Force submits to the congressional defense committees—

(1) a detailed plan approved by the Secretary to conduct formal training for F-22 aircrews to ensure that the combat capability at operational units would not be degraded if the Air Force were to retire all F-22 Block 20 aircraft; and

(2) a report on how the Secretary intends to avoid—

(A) diminishing the combat effectiveness of remaining F-22 aircraft;

(B) exacerbating F-22 aircraft availability concerns; and

(C) complicating F-22 aircraft squadron maintenance issues.

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

SEC. 151. PARTS FOR COMMERCIAL DERIVATIVE AIRCRAFT AND ENGINES AND AIRCRAFT BASED ON COMMERCIAL DESIGN.

(a) IN GENERAL.—The Secretary of the Air Force and the Secretary of the Navy shall—

(1) include covered parts in supply chain solutions to provide for replacement or increased inventories for—

(A) all commercial derivative aircraft and engines of the Department of Defense; and

(B) all aircraft of the Department that are based on commercial design;

(2) conduct the acquisition of all follow-on covered parts on a competitive basis, based on price and quality; and

(3) procure covered parts only from suppliers that provide covered parts that possess a FAA Authorized Release Certificate, FAA Form 8130-3 Airworthy Approval Tag, from a repair station certified pursuant to part 145 of title 14, Code of Federal Regulations (or successor regulation).

(b) COVERED PARTS DEFINED.—In this section, the term “covered parts”—

(1) means used, overhauled, reconditioned, or re-manufactured common or dual use parts certified as airworthy by the Federal Aviation Administration; and

(2) does not include life limited parts.

SEC. 152. ASSESSMENT AND STRATEGY FOR FIELDING COUNTER UNMANNED AERIAL SYSTEMS SWARM CAPABILITIES.

(a) ASSESSMENT, ANALYSIS, AND REVIEW.—The Secretary of Defense shall conduct—

(1) an assessment of the threats posed by unmanned aerial system (UAS) swarms or unmanned aerial systems with indicative swarm capabilities to installations and deployed armed forces;

(2) an analysis of the use or potential use of unmanned aerial system swarms by adversaries, including China, Russia, Iran, North Korea, and non-state actors;

(3) an analysis of the implication of swarming technologies such as autonomous intelligence and machine learning;

(4) a review of current fielded systems and whether they effectively counter a wide range of potential unmanned aerial system swarm threats; and

(5) an overview of development efforts and field tests of technologies that offer scalable, modular, and rapidly deployable systems that could counter unmanned aerial system swarms.

(b) STRATEGY DEVELOPMENT AND IMPLEMENTATION REQUIRED.—

(1) IN GENERAL.—The Secretary shall develop and implement a strategy to field systems to counter threats posed by unmanned aerial system swarms.

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

(A) The development of a comprehensive definition of “unmanned aerial system swarm”.

(B) A plan to establish and incorporate requirements for development, testing, and fielding of counter unmanned aerial system swarm capabilities.

(C) A plan to acquire and field adequate organic capabilities to counter unmanned aerial system swarms in defense of United States armed forces, assets, and infrastructure across land, air, and maritime domains.

(D) An estimate of resources needed by the Army, the Navy, and the Air Force to implement the plan required by paragraph (3).

(E) An analysis, determination, and prioritization of legislative action required to ensure the Department has the ability to counter the threats described in subsection (a)(1).

(F) Such other matters as the Secretary considers pertinent.

(3) INCORPORATION INTO EXISTING STRATEGY.—The Secretary may incorporate the strategy required by paragraph (1) into a strategy that was in effect on the day before the date of the enactment of this Act.

(c) INFORMATION TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary under subsection (a); and

(2) the strategy developed and implemented by the Secretary under subsection (b).

SEC. 153. TREATMENT OF NUCLEAR MODERNIZATION AND HYPERSONIC MISSILE PROGRAMS WITHIN DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States is entering into an unprecedented period of strategic competition with two potential adversaries, each of which now possesses, or will acquire, nuclear and missile forces equal to or greater than such forces possessed by the United States;

(2) ensuring the continued deterrence of the growing threat of the nuclear capabilities of such adversaries requires—

(A) safe, secure, effective, and credible nuclear forces, with a range of flexible employment options, available to the President; and

(B) robust missile forces capable of overcoming current and future missile defenses;

(3) such forces can only be achieved through the rapid and complete modernization of legacy nuclear capabilities of the United States and the timely development of a range of ballistic, cruise, and hypersonic boost-glide missiles;

(4) ongoing Department of Defense and National Nuclear Security Administration programs and projects to achieve the modernization of United States nuclear forces enjoy virtually no scheduled margin for delivery prior to the expected retirement or decommissioning of legacy systems and facilities, even as the People's Republic of China, the Russian Federation, and North Korea work to rapidly modernize and expand their nuclear arsenals;

(5) the People's Republic of China, the Russian Federation, and North Korea are—

(A) engaged in a variety of missile programs intended to defeat the missile defense capabilities of the United States and its allies; and

(B) expected to field such capabilities in greater volumes than the United States;

(6) imbalances in such capabilities are inherently destabilizing and represent profound risks to the security of the United

States and its allies and to global stability at large;

(7) the Secretary of Defense and the Secretary of Energy should leverage all available tools to reduce the risk of schedule delays in nuclear modernization and hypersonic missile programs and projects, including by—

(A) universally applying the authorities provided by the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to each such program or project; and

(B) assigning a DX priority rating under part 700 of title 15, Code of Federal Regulations, to each such program or project;

(8) the assignment of DX priority ratings would help minimize the risk that such programs and projects are unnecessarily delayed due to misallocations of industrial materials, services, or facilities; and

(9) the Secretary of Defense and the Secretary of Energy should promptly inform Congress of any additional opportunities to further reduce risks relating to such programs and projects or the schedules for such programs and projects that could be achieved through the adjustment of existing authorities.

(b) **REPORT AND CERTIFICATION.**—

(1) **IN GENERAL.**—Not later than January 1, 2023, the Secretary of Defense and the Secretary of Energy shall jointly submit to the congressional defense committees a report including—

(A) with respect to each nuclear weapons delivery system, missile warning system, hypersonic boost-glide missile system program, or weapon program or nuclear security enterprise infrastructure project of the National Nuclear Security Administration, a determination of whether such program or project should be assigned a DX priority rating under part 700 of title 15, Code of Federal Regulations;

(B) for any such program or project that the respective Secretary determines under subparagraph (A) should be assigned a DX priority rating, a confirmation that such program or project has been assigned a DX rating; and

(C) for any such program or project that has not been assigned a DX priority rating as of January 1, 2023—

(i) an explanation for any delay in assigning such a rating; and

(ii) a timeline for the assignment of such a rating.

(2) **ANNUAL CERTIFICATION.**—For any nuclear weapons delivery system, missile warning system, hypersonic boost-glide missile system program, or weapon program or nuclear security enterprise infrastructure project of the National Nuclear Security Administration that the respective Secretary determines under paragraph (1)(A) should not be assigned a DX priority rating, the Secretary shall, until such program reaches full operational capability, annually submit to the congressional defense committees a certification that the lack of assignment of such rating will not negatively affect the delivery of operational capabilities by such program or project.

(3) **NONDELEGATION.**—The Secretary may not delegate a determination under paragraph (1)(A) to any other official.

SEC. 154. GOVERNMENT ACCOUNTABILITY OFFICE ASSESSMENT OF EFFORTS TO MODERNIZE PROPULSION SYSTEMS OF THE F-35 AIRCRAFT.

(a) **IN GENERAL.**—Not later than February 28, 2023, the Comptroller General of the United States shall conduct an assessment of efforts to modernize propulsion systems of the F-35 aircraft.

(b) **ELEMENTS.**—The findings of the assessment required by subsection (a) shall set forth the following:

(1) The results of a comparative analysis and independent cost assessment, conducted by the Comptroller General, of options to modernize propulsion systems of the F-35 aircraft, including—

(A) modernizing the existing F135 engine; and

(B) the development and insertion of the Adaptive Engine Transition Program engine.

(2) The costs of the alternatives associated with development, production, retrofit, integration, and installation, including air vehicle modifications, and sustainment infrastructure requirements of the Adaptive Engine Transition Program engine for the F-35A aircraft.

(3) An assessment of progress made by prototype aircraft in the Adaptive Engine Transition Program effort.

(4) The timeline associated with modernizing the F135 engine to meet Block 4 upgrade requirements for the F-35A aircraft.

(5) The costs associated with modernizing the F135 engine to meet Block 4 upgrade requirements.

(6) An assessment of the potential impact of the modernization alternatives described in this subsection on life cycle sustainment and sparing contracts, including the impact on international partners.

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 2023 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. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF RESEARCH AND DEVELOPMENT FUNDS.

(a) **IN GENERAL.**—Chapter 301 of title 10, United States Code, is amended by inserting after section 4026 the following new section:

“§4027. Disclosure requirements for recipients of research and development funds

“(a) **IN GENERAL.**—Except as provided in subsections (b) and (c), an individual or entity (including a State or local government) that uses funds received from the Department of Defense to carry out research or development activities shall include, in any public document pertaining to such activities, a clear statement indicating the dollar amount of the funds received from the Department for such activities.

“(b) **EXCEPTION.**—The disclosure requirement under subsection (a) shall not apply to a public document consisting of fewer than 280 characters.

“(c) **WAIVER.**—The Secretary of Defense may waive the disclosure requirement under subsection (a) on a case-by-case basis.

“(d) **PUBLIC DOCUMENT DEFINED.**—In this section, the term ‘public document’ means any document or other written statement made available for public reference or use, regardless of whether such document or statement is made available in hard copy or electronic format.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4026 the following new item:

“4027. Disclosure requirements for recipients of research and development funds.”

SEC. 212. MODIFICATION OF COOPERATIVE RESEARCH AND DEVELOPMENT PROJECT AUTHORITY.

(a) **IN GENERAL.**—Section 2350a of title 10, United States Code, is amended—

(1) in subsection (a)(2), by adding at the end the following:

“(F) The European Union, including the European Defence Agency, the European Commission, and the Council of the European Union, and their suborganizations.”; and

(2) in subsection (i), by amending paragraph (1) to read as follows:

“(1) The term ‘cooperative research and development project’ means a project—

“(A) involving joint participation by—

“(i) the United States and—

“(ii)(I) one or more countries and organizations referred to in subsection (a)(2) under a memorandum of understanding (or other formal agreement); or

“(II) one or more parties in the national technology and industrial base (as defined in section 4801 of this title) under a memorandum of understanding (or other formal agreement); and

“(B) to carry out a joint research and development program—

“(i) to develop new conventional defense equipment and munitions; or

“(ii) to modify existing military equipment to meet United States military requirements.”

(b) **CONFORMING REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulations to conform with section 2350a of title 10, United States Code, as amended by subsection (a).

SEC. 213. ADMINISTRATION OF THE ADVANCED SENSOR APPLICATIONS PROGRAM.

(a) **RESOURCE SPONSOR.**—

(1) **IN GENERAL.**—The Commander of Naval Air Systems Command (NAVAIR) shall, in conjunction with the Director of Air Warfare (OPNAV N98), serve as the resource sponsor for the Advanced Sensor Applications Program (known as “ASAP” and in this section referred to as the “Program”).

(2) **RESPONSIBILITIES.**—The resource sponsor of the Program shall be responsible for the following:

(A) Developing budget requests relating to the Program.

(B) Establishing priorities for the Program.

(C) Approving the execution of funding and projects for the Program.

(D) Coordination and joint planning with external stakeholders in matters relating to the Program.

(b) **LIMITATIONS.**—No other entity in the Department of the Navy may—

(1) serve as a resource sponsor for the Program;

(2) provide direction and management for the Program;

(3) set priorities for the Program;

(4) regulate or limit the information available or accessible to the Program;

(5) edit reports or findings generated under the Program; or

(6) coordinate and manage interactions of the Program with external stakeholders.

(c) **AUTHORITY FOR PROGRAM MANAGER.**—The program manager for the Program may access, consider, act on, and apply information, at all levels of classification and from all sources and organizations, that is pertinent to the projects and activities that the Program is executing, or considering proposing for the future.

(d) **QUARTERLY BRIEFINGS.**—Not less frequently than once every three months, the program manager for the Program shall provide the congressional defense committees and congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) a briefing on all aspects of the Program, including on the

implementation of this section, other congressional direction, and direction and oversight from the Commander of Naval Air Systems Command and other higher headquarters.

(e) **STRATEGIC RELATIONSHIP.**—The program manager for the Program shall evaluate the feasibility and advisability of establishing a strategic relationship with the Naval Research Laboratory for scientific and technical assistance and support for the Program.

(f) **USE OF ASSETS.**—The Commander shall take all actions the Commander considers reasonable—

(1) to enable the Program to utilize assets controlled within the Naval Air Systems Command enterprise, including sensor systems and platforms; and

(2) to pursue the use of other assets that may further the mission of the Program.

SEC. 214. MODIFICATION OF AUTHORITY OF THE DEPARTMENT OF DEFENSE TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

Section 4022 of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by striking “, and any follow-on production contract or transaction that is awarded pursuant to subsection (f),” both places it appears;

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

(C) in subparagraph (B)(ii), by striking the period at the end and inserting “; and”; and

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

“(C) may be exercised for a transaction for a follow-on production contract or transaction that is awarded pursuant to subsection (f) and expected to cost the Department of Defense in excess of \$100,000,000 (including all options) only if a covered official—

“(i) determines in writing that—

“(I) the requirements of subsection (d) will be met; and

“(II) the use of the authority of this section is essential to meet critical national security objectives; and

“(ii) notifies the congressional defense committees in writing of the findings required under clause (i) at the time such authority is exercised.”; and

(2) in subsection (e)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (4), respectively;

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following new paragraph:

“(1) The term ‘covered official’ means—

“(A) a service acquisition executive;

“(B) the Director of the Defense Advanced Research Projects Agency;

“(C) the Director of the Missile Defense Agency;

“(D) the Undersecretary of Defense for Acquisition and Sustainment; or

“(E) the Undersecretary of Defense for Research and Engineering.”; and

(C) by inserting after paragraph (2), as so redesignated, the following new paragraph:

“(3) The term ‘service acquisition executive’ has the meaning given the term in section 101 of this title.”.

SEC. 215. COMPETITIVELY AWARDED DEMONSTRATIONS AND TESTS OF ELECTROMAGNETIC WARFARE TECHNOLOGY.

(a) **DEMONSTRATIONS AND TESTS REQUIRED.**—Not later than 270 days after the date of the enactment of this Act, the Director of the Air Force Rapid Capabilities Office (RCO) shall conduct competitively awarded demonstrations and tests of commercial electronics technology to determine whether technology currently exists that could en-

able the following electromagnetic warfare capabilities:

(1) The operation of multiple emitters and receivers in the same frequency at the same time and in the same location without mutual interference and without using adaptive beam forming or nulling.

(2) Protecting the reception of Global Positioning System and other vulnerable low-power signals from multiple high-power jammers at a level that is significantly better than the protection afforded by Controlled Reception Pattern Antennas.

(3) Simultaneous transmission from and reception of separate signals on the same platform wherein the signals lie in the same frequency and are transmitted and received at the same time without interference.

(4) Capabilities similar to paragraphs (1) through (3) in a live, virtual constructive simulation environment.

(5) Other capabilities that might satisfy or support needs set forth in the Electromagnetic Spectrum Superiority Strategy Implementation Plan.

(b) **OVERSIGHT OF TESTS.**—The Director of Operational Test and Evaluation shall—

(1) provide oversight of the demonstrations and tests required by subsection (a);

(2) review other applicable government or commercial demonstrations and tests; and

(3) not later than 30 days after the completion of the demonstrations and tests under subsection (a), independently advise the Chief Information Officer (CIO) of the Department of Defense, the Under Secretary of Defense for Research and Engineering (USD R&E), and the Under Secretary of Defense for Acquisition and Sustainment (USD A&S) of the outcomes of the demonstrations and tests.

(c) **OUTCOME-BASED ACTIONS REQUIRED.**—If the Director of Operational Test and Evaluation and the Director of the Air Force Rapid Capabilities Office affirm that the demonstrations and tests under subsection (a) confirm that current technology could enable the capabilities described in paragraphs (1) through (3) of such subsection—

(1) not later than 45 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office and the Director of Operational Test and Evaluation shall brief the congressional defense committees on the outcomes of the tests;

(2) the Director of the Air Force Rapid Capabilities Office may commit additional funds to begin engineering form, fit, and function development and integration for specific Department of Defense platforms and applications; and

(3) not later than 90 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office, the Chief Information Officer, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment shall brief the congressional defense committees on a plan to further develop and deploy the demonstrated and tested technologies to support the Electromagnetic Spectrum Superiority Strategy Implementation Plan.

SEC. 216. GOVERNMENT-INDUSTRY WORKING GROUP ON MICROELECTRONICS.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary of Defense shall establish a working group for industry, academia, and Department of Defense components to coordinate on microelectronics issues of mutual interest as specified in subsection (b).

(2) **COMPOSITION.**—The working group established under paragraph (1) shall be composed of representatives of industry, academia, and Department of Defense components.

(3) **DESIGNATION.**—The working group established under paragraph (1) shall be referred to as the “Government-Industry Working Group on Microelectronics” (in this section referred to as the “Working Group”).

(b) **SCOPE.**—The Secretary shall ensure that the Working Group supports dialogue and coordination on the following topic areas relating to microelectronics:

(1) Future research needs.

(2) Infrastructure needs and shortfalls.

(3) Technical and process standards.

(4) Training and certification needs for the workforce.

(5) Supply chain issues.

(6) Supply chain, manufacturing, and packaging security.

(c) **ADMINISTRATIVE SUPPORT FRAMEWORK.**—

(1) **CHARTER AND POLICIES.**—Not later than March 1, 2023, the Secretary of Defense shall develop a charter and issue policies for the functioning of the Working Group.

(2) **SUPPORT.**—The joint federation of capabilities established under section 937 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) shall provide administrative support to the Working Group.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to give a competitive advantage to any participant in the Working Group.

(e) **SUNSET.**—The provisions of this section shall terminate on December 31, 2030.

SEC. 217. INCLUSION OF OFFICE OF UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING IN PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092 of title 10, United States Code, is amended—

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

“(10) **OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.**—The Undersecretary of Defense for Research and Engineering may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Office.”; and

(2) in subsection (b)(1)—

(A) in subparagraph (H), by striking “; and” and inserting a semicolon;

(B) in subparagraph (I), by striking the semicolon and inserting “; and”; and

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

“(J) in the case of the Office of the Under Secretary of Defense for Research and Engineering, appoint scientists and engineers to a total of not more than 10 scientific and engineering positions in the Office.”.

SEC. 218. INVESTMENT PLAN FOR FOUNDATIONAL CAPABILITIES NEEDED TO DEVELOP NOVEL PROCESSING APPROACHES FOR FUTURE DEFENSE APPLICATIONS.

(a) **INVESTMENT PLANS REQUIRED.**—Not later than November 1, 2023, and not less frequently than once every three years thereafter until December 31, 2035, the Secretary of Defense shall submit to the congressional defense committees an investment plan for foundational capabilities needed to develop novel processing approaches for future defense applications.

(b) **PURPOSE.**—The purpose of the investment plan required by subsection (a) is to establish an integrated approach to the identification, prioritization, development, and leveraging of Department of Defense investments from the research, development, test, and evaluation accounts of the Department.

(c) **ELEMENTS.**—The investment plan required by subsection (a) shall—

(1) identify current and projected investments in research and technology development to support fielding and use of novel processing approaches;

(2) identify current and projected investments supporting the acceleration of novel processing approaches, including investments in—

(A) personnel and workforce capabilities;

(B) facilities and infrastructure to host systems utilizing novel processing approaches;

(C) algorithm developments necessary to expand the functionality from each novel processing approach;

(D) other Federal agencies and federally sponsored laboratories; and

(E) appropriate international and commercial sector organizations and activities;

(3) describe mechanisms to coordinate and leverage investments within the Department and with non-Federal partners;

(4) describe the technical goals to be achieved and capabilities to be developed under the strategy; and

(5) include recommendations for such legislative or administration action as may support the effective execution of the investment plan.

(d) **FORM.**—Each plan submitted under subsection (a) shall be submitted in such form as the Secretary considers appropriate, which may include classified, unclassified, and publicly releasable formats.

(e) **NOVEL PROCESSING APPROACHES DEFINED.**—In this section, the term “novel processing approaches” means—

(1) new, emerging techniques in computation, such as biocomputing, exascale computing, utility scale quantum computing; and

(2) associated algorithm and hardware development needed to instantiate such techniques.

SEC. 219. OPEN RADIO ACCESS NETWORK 5G ACQUISITION ACCELERATION AND TRANSITION PLANS.

(a) **THREE-YEAR TRANSITION PLAN REQUIRED.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, the Assistant Secretary of the Navy for Research, Development, and Acquisition, and the Assistant Secretary of the Air Force for Acquisition and Research, in coordination with and under the oversight of the Chief Information Officer, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment, shall each develop and submit to the congressional defense committees an unclassified three-year transition plan for fifth generation information and communications technology (5G) infrastructure for their respective military department.

(2) **ELEMENTS.**—The transition plans identified under paragraph (1) shall include—

(A) an operational needs assessment that identifies the highest priority areas where fifth generation information and communications technologies should be deployed;

(B) an investment plan that includes funding estimates, by fiscal year and appropriation account, to accelerate the maturation, acquisition, and deployment of fifth generation information and communications capabilities that use the open radio access network approach on Department of Defense facilities and systems;

(C) metrics and reporting mechanisms to drive progress towards the three-year transition goal;

(D) identification and designation of a single point of contact at each installation, and within each of the services to facilitate the

deployment of fifth generation information and communications technologies;

(E) planned efforts to streamline the real estate, contracting, and communications policies and processes to field wireless infrastructure that has resulted in a lengthy approval processes for industry to provide on-air wireless coverage on an installation;

(F) identification of other areas of concern that require investment to support the transition to fifth generation information and communications technology that uses the open radio access network approach; and

(G) such other matters as the Secretary of Defense considers appropriate.

(b) **CROSS-FUNCTIONAL TEAM ASSESSMENT.**—

(1) **ASSESSMENT AND BRIEFING REQUIRED.**—Not later than 150 days after the date of the enactment of this Act and after all of the plans required by subsection (a)(1) have been submitted in accordance with such subsection, the cross-functional team established pursuant to section 224(c)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 4571 note) shall assess such plans and provide the congressional defense committees with a briefing on the findings of the cross functional team with respect to such assessment.

(2) **ELEMENTS.**—The briefing provided under paragraph (1) shall include the following:

(A) Recommendations to further accelerate the deployment of fifth-generation information and communications technologies that use the open radio access network approach across the Department of Defense.

(B) Recommendations to standardize and streamline the real estate, contracting, and communications policies and processes to field wireless infrastructure on an installation.

(C) An engagement plan for Department participants in international wireless standards setting bodies.

(D) Such other matters as the cross functional team described in paragraph (1) considers appropriate.

(c) **OPEN RADIO ACCESS NETWORK APPROACH DEFINED.**—In this section the term “open radio access network approach” means an approach to networking that uses a disaggregated or virtualized radio access network and core in which components can be provided by different vendors and interoperate through open protocols and interfaces, including those protocols and interfaces utilizing the Open Radio Access Network (commonly known as “Open RAN”) approach.

SEC. 220. PILOT PROGRAM TO FACILITATE THE DEVELOPMENT OF ELECTRIC VEHICLE BATTERY TECHNOLOGIES FOR WARFIGHTERS.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary of Defense may establish and carry out a pilot program to assess the feasibility and advisability of providing support to domestic battery producers, particularly those producing lithium-ion cells and battery packs—

(A) to facilitate the research and development of safe and secure battery technologies for existing as well as new or novel battery chemistry configurations;

(B) to assess existing commercial battery offerings within the marketplace for viability and utility for warfighter applications; and

(C) 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) **DESIGNATION.**—The pilot program established under paragraph (1) shall be known as the “Warfighter Electric Battery Transition

Project” (referred to in this section as the “Project”).

(b) **GRANTS, CONTRACTS, AND OTHER AGREEMENTS.**—The Secretary may carry out the Project through the award of support, as described in subsection (a)(1), in the form of grants to, or contracts or other agreements with, battery producers, particularly those producing lithium-ion cells and battery packs.

(c) **USE OF GRANT AND CONTRACT AMOUNTS.**—A recipient of a grant, contract, or other agreement under the Project may use the amount of the grant, contract, or other agreement to carry out the following:

(1) Conducting research and development to validate new or novel battery chemistry configurations, including through experimentation, prototyping, testing, integration or manufacturing feasibility assessment.

(2) Providing commercially available technologies to each Secretary of a military department and the commanders of combatant commands to support utility assessments or other testing by warfighters.

(3) Building and strengthening relationships of the Department of Defense with non-traditional defense contractors in the technology industry that may have unused or underused solutions to the specific operational challenges of the Department.

(d) **PRIORITY OF AWARDS.**—In awarding grants, contracts, or other agreements under the Project, the Secretary shall give preference to technology producers that—

(1) manufacture battery cells, packs, and modules in the United States;

(2) manufacture battery cells, packs, and modules in the national technology industrial base (NTIB);

(3) provide modularity to support diverse applications;

(4) facilitate safety in tactical and combat applications by using chemistries that reduce thermal runaway and minimize oxygen liberation;

(5) facilitate optimal use in light- medium- and heavy-duty applications by providing a minimum of 400 Wh/L of volumetric energy density;

(6) demonstrate new or novel battery chemistry configurations, safety characteristics, or form-factor configurations;

(7) facilitate the domestic supply chain for raw materials; and

(8) offer commercial products or commercial services and maintains customers with verified purchase orders.

(e) **REPORTING AND DATA COLLECTION.**—

(1) **PLAN REQUIRED BEFORE IMPLEMENTATION.**—The Secretary may not commence the Project until the Secretary has completed a plan for the implementation of the Project, including—

(A) collecting, analyzing, and retaining Project data;

(B) developing and sharing best practices for achieving the objectives of the Project;

(C) identification of any policy or regulatory impediments inhibiting the execution of the program; and

(D) sharing results from the program across the Department, and with elements of the Federal Government, including the legislative branch of the Federal Government.

(f) **ADMINISTRATION.**—The Under Secretary of Defense for Research and Engineering shall administer the Project.

(g) **TERMINATION.**—The Project shall terminate on December 31, 2028.

Subtitle C—Plans, Reports, and Other Matters

SEC. 231. REPORT ON RECOMMENDATIONS FROM ARMY FUTURES COMMAND RESEARCH PROGRAM REALIGNMENT STUDY.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this

Act, the Secretary of the Army shall submit to the congressional defense committees a report on the recommendations made by the National Academies in the Army Futures Command Research Program Realignment Study.

(b) **CONTENTS.**—The report submitted under subsection (a) shall include the following:

(1) A description of each recommendation described in such subsection that has already been implemented.

(2) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(3) A description of each recommendation described in such subsection that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendation.

(4) For each recommendation under paragraph (3) the Secretary determines to implement, the following:

(A) A timeline for implementation.

(B) A description of any additional resources or authorities required for implementation.

(C) The plan for implementation.

(5) For each recommendation under paragraph (3) the Secretary determines not to implement, a justification for the determination not to implement.

(c) **FORMAT.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 232. STRATEGY AND PLAN FOR STRENGTHENING AND FOSTERING DEFENSE INNOVATION ECOSYSTEM.

(a) **STRATEGY AND IMPLEMENTATION PLAN REQUIRED.**—Not later than March 1, 2023, the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop a strategy and an implementation plan for the defense innovation ecosystem.

(b) **PURPOSES.**—

(1) **STRATEGY.**—The purpose of the strategy required by subsection (a) is to provide a framework for identifying, assessing, and tracking innovation ecosystems that are beneficial to advancing the defense, national security, and warfighting missions of the Department of Defense.

(2) **IMPLEMENTATION PLAN.**—The purpose of the implementation plan required by subsection (a) is to provide—

(A) concrete steps and measures of effectiveness to gauge the effect of the innovation ecosystems described in paragraph (1) on the Department; and

(B) a means for assessing the effectiveness of approaches taken by the Department to grow, foster, and sustain such innovation ecosystems.

(c) **ELEMENTS.**—The strategy and the implementation plan required by subsection (a) shall include the following elements:

(1) A process for defining, assessing, and selecting innovation ecosystems with potential to provide benefit to the Department.

(2) Metrics for measuring the performance and health of innovation ecosystems being supported by the Department, including identification of criteria to determine when to establish or cease supporting identified ecosystems.

(3) Identification of Department of Defense research, development, test, and evaluation assets and authorities that can be engaged in identifying, establishing, sustaining, and expanding innovation ecosystems.

(4) For each innovation ecosystem designated or established by the Department—

(A) a listing of such innovation ecosystems with a description of core competencies or focus areas;

(B) identification of Department research, development, test, and evaluation organizations engaged with such innovation ecosystems;

(C) identification of the private sector assets and authorities that are being used to support, sustain, and expand the identified innovation ecosystem; and

(D) a description of challenges and successes associated with each innovation ecosystem.

(5) Such other elements as the Secretary considers appropriate.

(d) **INTERIM BRIEFING.**—Not later than December 1, 2022, the Secretary shall provide the congressional defense committees a briefing on the strategy and implementation plan developed under subsection (a).

(e) **SUBMITTAL OF STRATEGY AND PLAN.**—Not later than March 1, 2023, the Secretary shall submit to the congressional defense committees the strategy and implementation plan developed under subsection (a).

(f) **QUADRENNIAL UPDATES.**—Not later than March 1, 2027, and not less frequently than once every four years thereafter until December 31, 2039, the Secretary shall—

(1) update the strategy and plan developed under subsection (a); and

(2) submit the updated strategy and plan to the congressional defense committees.

(g) **AUTHORITIES.**—The strategy and implementation plan developed under subsection (a) may incorporate the use of the following authorities or programs:

(1) Section 1746a of title 10, United States Code, relating to acquisition workforce educational partnerships.

(2) Section 2194 of such title, relating to education partnerships.

(3) Section 2474 of such title, relating to centers of industrial and technical excellence.

(4) Section 4001 of such title, relating to research and development projects.

(5) Section 4010 of such title, relating to the Defense established program to stimulate competitive research.

(6) Sections 4021 and 4022 of such title, relating to transactions other than contracts and grants and authority of the Department of Defense to carry out certain prototype projects, respectively.

(7) Section 4023 of such title, relating to procurement for experimental purposes.

(8) Section 4025 of such title, relating to prizes for advanced technology achievements.

(9) Section 4123 of such title, relating to mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.

(10) Section 4144 of such title, relating to research and educational programs at historically black colleges and universities and minority serving institutions.

(11) Section 4832 of such title, relating to the encouragement of technology transfer at the Department of Defense.

(12) Section 252 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), relating to regional advanced technology clusters.

(13) Section 801(e) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 4832 note), relating to enhanced transfer of technology development at Department of Defense laboratories.

(14) Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), relating to defense pilot program for authority to acquire innovative commercial products, technologies, and services using general solicitation competitive procedures.

(15) Section 217 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 10 U.S.C. 4001 note), relating to mech-

anisms for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.

(16) Section 833 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 4001 note), relating to a pilot program on acquisition practices for emerging technologies.

(17) Other such authorities as the Secretary deems appropriate.

(h) **DEFINITIONS.**—In this section:

(1) The term “Department of Defense research, development, test, and evaluation assets” includes the following:

(A) The Department of Defense science and technology reinvention laboratories designated under section 4121 of title 10, United States Code.

(B) The Major Range and Test Facility Base (as defined in section 4173(i) of such title).

(C) Department of Defense sponsored manufacturing innovation institutes.

(D) The organic industrial base.

(E) Department of Defense agencies and field activities that execute research, development, test, and evaluation funded activities.

(2) The term “innovation ecosystem” refers to a regionally based network of private sector, academic, and government institutions in a network of formal and informal institutional relationships that contribute to technological and economic development in a defined technology sector or sectors.

SEC. 233. MODIFICATION OF DIRECTOR FOR OPERATIONAL TEST AND EVALUATION ANNUAL REPORT.

Section 139(h)(3) of title 10, United States Code, is amended by inserting “or controlled unclassified” after “classified”.

SEC. 234. EXTENSION OF REQUIREMENT FOR QUARTERLY BRIEFINGS ON DEVELOPMENT AND IMPLEMENTATION OF STRATEGY FOR FIFTH GENERATION INFORMATION AND COMMUNICATIONS TECHNOLOGIES.

Section 254(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 4571 note) is amended, in the matter before subparagraph (A), by striking “March 15, 2022” and inserting “December 1, 2026”.

SEC. 235. REPORT ON ESTIMATED COSTS OF CONDUCTING A MINIMUM FREQUENCY OF HYPERSONIC WEAPONS TESTING.

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 estimated costs for conducting not fewer than one full-scale, operationally relevant, live-fire, hypersonic weapon test of the systems currently under development each year by each of the Air Force, the Army, and the Navy, once such systems reach initial operational capability.

SEC. 236. ANNUAL REPORT ON STUDIES AND REPORTS BEING UNDERTAKEN BY THE DEPARTMENT OF DEFENSE.

Section 4126 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) **ANNUAL REPORT.**—(1) Each year, 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 annual report on all studies and reports being undertaken for the Department of Defense as of the date of the report by federally funded research and development centers.

“(2) Each report submitted under paragraph (1) shall set forth, for the period covered by the report, the following:

“(A) A list of each study and report described by paragraph (1).

“(B) For each study or report listed under subparagraph (A) the following:

“(i) The title of the study or report.

“(ii) The federally funded research and development center undertaking the study or report.

“(iii) The amount of the contract or other agreement pursuant to which the study or report is being produced or conducted.

“(iv) The anticipated completion date of the study or report.

“(3) The report required by paragraph (1) shall not apply to the following:

“(A) Classified reports or studies.

“(B) Technical reports associated with scientific research or technical development activities.

“(C) Reports or studies that are deliverables under contract for non-Defense Department entities.

“(D) Reports or studies that are draft, or have not undergone a peer-review or pre-publication security review process established by the federally funded research and development centers.”

“(4) The report required by paragraph (1) shall be generated using the products and processes generated pursuant to section 908 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 111 note).

“(5) The requirements of this subsection shall terminate on the date that is five years after the date of the enactment of this subsection.”

SEC. 237. QUANTIFIABLE ASSURANCE CAPABILITY FOR SECURITY OF MICROELECTRONICS.

(a) DEVELOPMENT AND IMPLEMENTATION OF CAPABILITY.—The Secretary of Defense shall develop and implement a capability for quantifiable assurance to achieve practical, affordable, and risk-based objectives for security of microelectronics to enable the Department of Defense to access and apply state-of-the-art microelectronics for military purposes.

(b) ESTABLISHMENT OF REQUIREMENTS AND SCHEDULE OF SUPPORT FOR DEVELOPMENT, TEST, AND ASSESSMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall, in consultation with the Under Secretary of Defense for Research and Engineering, establish requirements and a schedule for support from the National Security Agency to develop, test, assess, implement, and improve the capability required by subsection (a).

(2) NATIONAL SECURITY AGENCY.—The Director of the National Security Agency shall take such actions as may be necessary to satisfy the requirements established under paragraph (1).

(3) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering and the Director of the National Security Agency shall provide the congressional defense committees a briefing on the requirements and the schedule for support established under paragraph (1).

(c) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense shall assess whether the Department of Defense, to enable expanded use of unprogrammed application specific integrated circuits or other custom-designed integrated circuits manufactured by a supplier that is not using processes accredited by the Defense Microelectronics Activity for the purpose of enabling the Department to access commercial state-of-the-art microelectronics technology using risk-based quantifiable assurance security methodology, should—

(A) seek changes to the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, and Department of Defense Instruc-

tion 5200.44 (relating to protection of mission critical functions to achieve trusted systems and networks); and

(B) expand the use of unprogrammed custom-designed integrated circuits that are not controlled by such regulations.

(2) BRIEFING.—Not later than April 1, 2023, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the assessment conducted under paragraph (1).

SEC. 238. CLARIFICATION OF ROLE OF CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER.

(a) PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.—Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(6)—

(A) by striking “Director of the Joint Artificial Intelligence Center” and inserting “official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.)”; and

(B) by striking “for the Center” and inserting “to support the activities of such official under section 238 of such Act”; and

(C) in the paragraph heading, by striking “CENTER”;

(2) in subsection (b)(1)(F)—

(A) by striking “Joint Artificial Intelligence Center” and inserting “official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.)”; and

(B) by striking “in the Center” and inserting “in support of the activities of such official under section 238 of such Act”;

(3) in subsection (c)(2), by striking “Joint Artificial Intelligence Center” and inserting “the activities under section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.)”.

(b) JOINT ARTIFICIAL INTELLIGENCE RESEARCH, DEVELOPMENT, AND TRANSITION ACTIVITIES.—Section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.) is amended—

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

“(c) ORGANIZATION AND ROLES.—

“(1) IN GENERAL.—In addition to designating an official under subsection (b), the Secretary of Defense shall assign to appropriate officials within the Department of Defense roles and responsibilities relating to the research, development, prototyping, testing, procurement of, requirements for, and operational use of artificial intelligence technologies.

“(2) APPROPRIATE OFFICIALS.—The officials assigned roles and responsibilities under paragraph (1) shall include—

“(A) the Under Secretary of Defense for Research and Engineering;

“(B) the Under Secretary of Defense for Acquisition and Sustainment;

“(C) one or more officials in each military department;

“(D) officials of appropriate Defense Agencies; and

“(E) such other officials as the Secretary of Defense determines appropriate.”;

(2) in subsection (e), by striking “Director of the Joint Artificial Intelligence Center” and inserting “official designated under subsection (b)”;

(3) by striking subsection (h).

(c) BIENNIAL REPORT ON ACTIVITIES OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE.—

(1) IN GENERAL.—Section 260 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended—

(A) in the section heading, by striking “JOINT ARTIFICIAL INTELLIGENCE CENTER” and inserting “ACTIVITIES OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE”;

(B) in subsection (a)—

(i) by striking “2023” and inserting “2025”; and

(ii) by striking “Joint Artificial Intelligence Center (referred to in this section as the ‘Center’)” and inserting “Chief Digital and Artificial Intelligence Office (referred to in this section as the ‘Office’)”;

(C) in subsection (b)—

(i) in paragraph (1), by striking “Center” and inserting “Office”;

(ii) in paragraph (2), by striking “National Mission Initiatives, Component Mission Initiatives, and any other initiatives of the Center” and inserting “initiatives of the Office”;

(iii) in paragraphs (3) through (6), by striking “Center” each place it appears and inserting “Office”;

(iv) in paragraph (7), by striking “Center and the Center’s investments in the National Mission Initiatives and Component Mission Initiatives” and inserting “Office and the Office’s investments”;

(v) in paragraph (8), by striking “Chief Information Officer” and inserting “Chief Digital Artificial Intelligence Officer”;

(vi) in paragraph (10), by striking “Center” and inserting “Office”;

(D) by striking subsection (c).

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 260 and inserting the following new item:

“Sec. 260. Biannual report on the activities of the Chief Digital and Artificial Intelligence Office.”

(d) CHIEF DATA OFFICER RESPONSIBILITY FOR DEPARTMENT OF DEFENSE DATA SETS.—Section 903(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2223 note) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(e) BOARD OF ADVISORS FOR THE OFFICE OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE.—

(1) IN GENERAL.—Section 233 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 4001 note) is amended—

(A) in the section heading, by striking “JOINT ARTIFICIAL INTELLIGENCE CENTER” and inserting “CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE”;

(B) in subsection (a), by striking “Joint Artificial Intelligence Center” and inserting “Chief Digital and Artificial Intelligence Office”;

(C) in subsection (b), by striking “Director” each place it appears and inserting “Chief Digital and Artificial Intelligence Officer”;

(D) in subsection (f), by striking “September 30, 2024” and inserting “September 30, 2026”; and

(E) in subsection (g)—

(i) by striking paragraphs (2) and (3); and

(ii) by redesignating paragraph (4) as paragraph (2).

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 233 and inserting the following new item:

“Sec. 233. Board of advisors for the Chief Digital and Artificial Intelligence Office.”

(f) APPLICATION OF ARTIFICIAL INTELLIGENCE TO THE DEFENSE REFORM PILLAR IN THE NATIONAL DEFENSE STRATEGY.—Section

234(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 113 note) is amended by striking “Director of the Joint Artificial Intelligence Center” and inserting “official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.)”.

(g) PILOT PROGRAM ON THE USE OF ELECTRONIC PORTFOLIOS TO EVALUATE CERTAIN APPLICANTS FOR TECHNICAL POSITIONS.—Section 247(c) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 1580 note prec.) is amended—

(1) by striking paragraphs (1) and (2);

(2) by inserting before paragraph (3) the following new paragraph (1):

“(3) the Chief Digital and Artificial Intelligence Office;”;

(3) by redesignating paragraphs (3) and (4) and paragraphs (2) and (3), respectively.

(h) REFERENCES TO JOINT ARTIFICIAL INTELLIGENCE CENTER IN LAW.—Any reference in any law, regulation, guidance, instruction, or other document of the Federal Government to the Director of the Joint Artificial Intelligence Center of the Department of Defense or to the Joint Artificial Intelligence Center shall be deemed to refer to the official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.) or the office of such official, as the case may be.

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 2023 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. AGGREGATION OF ENERGY CONSERVATION MEASURES AND FUNDING.

Section 2911 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(j) AGGREGATE ENERGY CONSERVATION MEASURES AND FUNDING.—(1) To the maximum extent practicable, the Secretary concerned shall take a holistic view of the energy project opportunities on installations under the jurisdiction of such Secretary and shall consider aggregate energy conservation measures, including energy conservation measures with quick payback, with energy resilience enhancement projects and other projects that may have a longer payback period.

“(2) In considering aggregate energy conservation measures under paragraph (1), the Secretary concerned shall incorporate all funding available to such Secretary for such measures, including—

“(A) appropriated funds, such as—

“(i) funds appropriated for the Energy Resilience and Conservation Investment Program of the Department; and

“(ii) funds appropriated for the Facilities Sustainment, Restoration, and Modernization program of the Department; and

“(B) funding available under performance contracts, such as energy savings performance contracts and utility energy service contracts.”.

SEC. 312. ESTABLISHMENT OF JOINT WORKING GROUP TO DETERMINE JOINT REQUIREMENTS FOR FUTURE OPERATIONAL ENERGY NEEDS OF DEPARTMENT OF DEFENSE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a joint working group

(in this section referred to as the “working group”) to determine joint requirements for future operational energy needs of the Department of Defense.

(b) EXECUTIVE AGENT.—The Secretary of the Air Force shall serve as the executive agent of the working group.

(c) REQUIREMENTS SPECIFIED.—

(1) IN GENERAL.—In determining joint requirements under subsection (a), the working group shall address the operational energy needs of each military department and combatant command to meet energy needs in all domains of warfare, including land, air, sea, space, cyberspace, subsea, and subterranean environments.

(2) PRIORITY FOR CERTAIN SYSTEMS.—Priority for joint requirements under subsection (a) shall be given to independent operational energy systems that—

(A) are capable of operating in austere and isolated environments with quick deployment capabilities; and

(B) may reduce conventional air pollution and greenhouse gas emissions comparable to currently used systems.

(d) EXISTING OR NEW PROGRAMS.—The working group shall address the feasibility of meeting joint requirements determined under subsection (a) through the existing energy programs of the Department and make recommendations for new programs to meet such requirements.

(e) FOCUS AREAS.—In carrying out the requirements under this section, the working group shall focus its efforts on operational energy, to include—

(1) micro-reactors and small modular reactors;

(2) hydrogen-based fuel systems, including hydrogen fuel cells and hydrogen-based combustion engines;

(3) battery storage;

(4) renewable energy sources;

(5) retrofits to existing platforms that will increase efficiencies; and

(6) other technologies and resources that meet joint requirements determined under subsection (a).

(f) RECOMMENDED PLAN OF ACTION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees an unclassified and classified report and provide to the congressional defense committees a classified briefing outlining recommendations for programs to meet joint requirements for future operational energy needs of the Department of Defense by 2025, 2030, and 2040.

(2) FOCUS ON READINESS AND FLEXIBILITY.—In submitting the report and providing the briefing required by paragraph (1), the Secretary shall—

(A) address each element of the report or briefing, as the case may be, in the context of maintaining or increasing—

(i) the readiness levels of the Armed Forces; and

(ii) the flexibility of operational elements within the Department; and

(B) disregard energy sources that do not increase such readiness and flexibility, with an explanation for the reason such sources were disregarded.

(g) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term “advanced nuclear reactor” has the meaning given that term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) MICRO-REACTOR.—The term “micro-reactor” means an advanced nuclear reactor that has an electric power production capacity that is not greater than 50 megawatts that can be transported via land, air, or sea transport and can be redeployed.

(3) SMALL MODULAR REACTOR.—The term “small modular reactor” means an advanced nuclear reactor—

(A) with a rated capacity of less than 300 electrical megawatts; or

(B) that can be constructed and operated in combination with similar reactors at a single site.

SEC. 313. ADDITIONAL SPECIAL CONSIDERATIONS FOR DEVELOPING AND IMPLEMENTING THE ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN OF THE DEPARTMENT OF DEFENSE.

Section 2911(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(14) The reliability and security of energy resources in the event of a military conflict.

“(15) The value of resourcing energy from allies of the United States in the North Atlantic Treaty Organization and other major allies of the United States.”.

SEC. 314. PARTICIPATION IN POLLUTANT BANKS AND WATER QUALITY TRADING.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2694c the following new section:

“§ 2694d. Participation in pollutant banks and water quality trading

“(a) AUTHORITY TO PARTICIPATE.—The Secretary of a military department, and the Secretary of Defense with respect to matters concerning a Defense Agency, when engaged in an authorized activity that may or will result in the discharge of pollutants, may make payments to a pollutant banking program or water quality trading program approved in accordance with the Water Quality Trading Policy dated January 13, 2003, set forth by the Office of Water of the Environmental Protection Agency, or any successor administrative guidance or regulation.

“(b) TREATMENT OF PAYMENTS.—Payments made under subsection (a) to a pollutant banking program or water quality trading program may be treated as eligible project costs for military construction.

“(c) DISCHARGE OF POLLUTANTS DEFINED.—In this section, the term ‘discharge of pollutants’ has the meaning given that term in section 502(12) of the Federal Water Pollution Control Act (33 U.S.C. 1362(12)) (commonly referred to as the ‘Clean Water Act’).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2694c following new item:

“2694d. Participation in pollutant banks and water quality trading.”.

SEC. 315. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR STATE-OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The term ‘State-owned National Guard facility’ means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.”.

(b) AUTHORITY FOR DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701(a)(1) of such title is amended, in the first sentence, by inserting “and at State-owned National Guard facilities” before the period.

(c) RESPONSIBILITY FOR RESPONSE ACTIONS.—Section 2701(c)(1) of such title is amended by adding at the end the following new subparagraph:

“(D) Each State-owned National Guard facility being used for training the National

Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department at the time of actions leading to contamination by hazardous substances or pollutants or contaminants.”.

SEC. 316. AUTHORIZATION OF CLOSURE OF RED HILL BULK FUEL STORAGE FACILITY.

(a) **IN GENERAL.**—The Secretary of Defense may close the Red Hill bulk fuel storage facility of the Department of Defense in Hawaii (in this section referred to as the “Facility”).

(b) **PLAN FOR CLOSURE AND POST-CLOSURE CARE.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for—

- (A) closure of the Facility;
- (B) cleanup of the Facility;
- (C) monitoring of the Facility following such closure;
- (D) maintenance of the Facility following such closure;
- (E) optimal post-closure care for the Facility, specifically addressing—

- (i) monitoring and maintenance of liners;
- (ii) final covers;
- (iii) leachate collection and removal systems;

- (iv) leak detection system; and
- (v) gas collection systems to protect against releases of hazardous elements;

(F) environmental remediation of groundwater at the Facility, to include a description of environmental remediation plans, including necessary resources for the Secretary of the Navy to conduct remediation actions at the Facility in the following year;

(G) coordination and communication with applicable Federal and State regulatory authorities, the local water utility authority, applicable State environmental agencies, and surrounding communities on remediation activities conducted by the Navy at the Facility;

(H) improvements to processes, procedures, organization, training, leadership, education, facilities, and policy of the Department of Defense related to best practices for the remediation and closure of the Facility; and

(I) measures to ensure that future strategic level assets of the Department of Defense are properly maintained and critical environmental assets are protected.

(2) **PREPARATION OF PLAN.**—The Secretary shall prepare the plan required under paragraph (1) in consultation with—

(A) the Administrator of the Environmental Protection Agency;

(B) the head of the Hawaii Department of Health;

(C) the Director of the United States Geological Survey; and

(D) the heads of such other relevant Federal and State agencies as the Secretary considers appropriate.

(c) **IDENTIFICATION OF POINT OF CONTACT AT DEPARTMENT OF DEFENSE.**—Not later than 60 days after the date of the enactment of this Act, to ensure clear and consistent communication related to the defueling, cleanup, closure, and remediation of the Facility, the Secretary of Defense shall identify a single point of contact within the Office of the Secretary of Defense to oversee and communicate with the public and members of Congress regarding the status of the Facility at each phase of defueling, cleanup, closure, and remediation.

(d) **WATER MONITORING PROGRAM.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a water monitoring program—

(1) to monitor movement of the fuel plume in the aquifer surrounding the Facility;

(2) to monitor long-term impacts to such aquifer and local water bodies resulting from water contamination from the Facility; and

(3) to coordinate with the Agency for Toxic Substances and Disease Registry of the Department of Health and Human Services as the Agency conducts a follow up to the previously conducted voluntary survey of individuals and entities impacted by water contamination from the Facility.

SEC. 317. REVISION OF UNIFIED FACILITIES GUIDE SPECIFICATIONS AND UNIFIED FACILITIES CRITERIA TO INCLUDE SPECIFICATIONS ON USE OF GAS INSULATED SWITCHGEAR AND CRITERIA AND SPECIFICATIONS ON MICROGRIDS AND MICROGRID CONVERTERS.

(a) **GAS INSULATED SWITCHGEAR.**—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall modify the Unified Facilities Guide Specifications to include a distinct specification for medium voltage gas insulated switchgear.

(b) **MICROGRIDS.**—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) modify the Unified Facilities Criteria to include criteria for microgrids; and

(2) modify the Unified Facilities Guide Specifications to include specifications for microgrids and microgrid controllers.

SEC. 318. TRANSFER OF CUSTOMERS FROM ELECTRICAL UTILITY SYSTEM OF THE NAVY AT FORMER NAVAL AIR STATION BARBER'S POINT, HAWAII, TO NEW ELECTRICAL SYSTEM IN KALAELOA, HAWAII.

(a) **IN GENERAL.**—Subject to the availability of appropriations for such purpose, the Secretary of the Navy shall pay the reasonable costs to transfer all customers off of the electrical utility system of the Navy located at former Naval Air Station Barber's Point, Hawaii, to the new electrical system in Kalaeloa, Hawaii, operated by Hawaii Electric.

(b) **COOPERATIVE AGREEMENT OR OTHER INSTRUMENT.**—The Secretary of the Navy may enter into a cooperative agreement or other appropriate instrument with a third party—

(1) to make amounts available to pay the reasonable costs of transfers described in subsection (a); and

(2) to reimburse the third party for the reasonable costs that it may incur to carry out paragraph (1).

(c) **FACILITATION OF TRANSFER.**—To facilitate the transfer of customers described in subsection (a), the Secretary of the Navy shall provide the following to the State of Hawaii:

(1) A load analysis and design necessary to complete such transfer.

(2) Such rights of way and easements as may be necessary to support the construction of replacement electrical infrastructure.

(d) **DISPOSAL OF NAVY ELECTRICAL SYSTEM.**—Subject to the availability of appropriations for such purpose, after all customers have been transferred as required under subsection (a), the Secretary of the Navy may dispose of the electrical system of the Navy located at former Naval Air Station Barber's Point, Hawaii.

SEC. 319. PILOT PROGRAM ON USE OF SUSTAINABLE AVIATION FUEL.

(a) **PILOT PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense shall conduct a pilot program on the use of sustainable aviation fuel by the Department of Defense.

(2) **DESIGN OF PROGRAM.**—The pilot program shall be designed to—

(A) identify any logistical challenges with respect to the use of sustainable aviation fuel by the Department;

(B) promote understanding of the technical and performance characteristics of sustainable aviation fuel when used in a military setting; and

(C) engage nearby commercial airports to explore opportunities and challenges to partner on increased use of sustainable aviation fuel.

(b) **SELECTION OF FACILITIES.**—

(1) **SELECTION.**—

(A) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall select not fewer than two geographically diverse facilities of the Department at which to carry out the pilot program.

(B) **ONSITE REFINERY.**—Not fewer than one facility selected under subparagraph (A) shall be a facility with an onsite refinery that is located in proximity to not fewer than one major commercial airport that is also actively seeking to increase the use of sustainable aviation fuel.

(2) **NOTICE TO CONGRESS.**—Upon the selection of each facility under paragraph (1), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives notice of the selection, including an identification of the facility selected.

(c) **USE OF SUSTAINABLE AVIATION FUEL.**—

(1) **PLANS.**—For each facility selected under subsection (b), not later than one year after the selection of the facility, the Secretary shall—

(A) develop a plan on how to implement, by September 30, 2028, a target of exclusively using at the facility aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel;

(B) submit the plan developed under subparagraph (A) to the Committees on Armed Services of the Senate and the House of Representatives; and

(C) provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on such plan that includes, at a minimum—

(i) a description of any operational, infrastructure, or logistical requirements and recommendations for the blending and use of sustainable aviation fuel; and

(ii) a description of any stakeholder engagement in the development of the plan, including any consultations with nearby commercial airport owners or operators.

(2) **IMPLEMENTATION OF PLANS.**—For each facility selected under subsection (b), during the period beginning on a date that is not later than September 30, 2028, and for five years thereafter, the Secretary shall require, in accordance with the respective plan developed under paragraph (1), the exclusive use at the facility of aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel.

(d) **CRITERIA FOR SUSTAINABLE AVIATION FUEL.**—Sustainable aviation fuel used under the pilot program shall meet the following criteria:

(1) Such fuel shall be produced in the United States from domestic feedstock sources.

(2) Such fuel shall constitute drop-in fuel that meets all specifications and performance requirements of the Department of Defense and the Armed Forces.

(e) **WAIVER.**—The Secretary may waive the use of sustainable aviation fuel at a facility under the pilot program if the Secretary—

(1) determines such use is not feasible due to a lack of domestic availability of sustainable aviation fuel or a national security contingency; and

(2) submits to the congressional defense committees notice of such waiver and the reasons for such waiver.

(f) FINAL REPORT.—

(1) IN GENERAL.—At the conclusion of the pilot program, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the pilot program.

(2) ELEMENTS.—The report required by paragraph (1) shall include each of the following:

(A) An assessment of the effect of using sustainable aviation fuel on the overall fuel costs of blended fuel.

(B) A description of any operational, infrastructure, or logistical requirements and recommendations for the blending and use of sustainable aviation fuel, with a focus on scaling up adoption of such fuel throughout the Armed Forces.

(C) Recommendations with respect to how military installations can leverage proximity to commercial airports and other jet fuel consumers to increase the rate of use of sustainable aviation fuel, for both military and non-military use, including potential collaboration on innovative financing or purchasing and shared supply chain infrastructure.

(D) A description of the effects on performance and operation of aircraft using sustainable aviation fuel, including—

(i) if used, considerations of various blending ratios and their associated benefits;

(ii) efficiency and distance improvements of flights using sustainable aviation fuel;

(iii) weight savings on large transportation aircraft and other types of aircraft with using blended fuel with higher concentrations of sustainable aviation fuel;

(iv) maintenance benefits of using sustainable aviation fuel, including engine longevity;

(v) the effect of the use of sustainable aviation fuel on emissions and air quality;

(vi) the effect of the use of sustainable aviation fuel on the environment and on surrounding communities, including environmental justice factors that are created by the demand for and use of sustainable aviation fuel by the Department of Defense; and

(vii) benefits with respect to job creation in the sustainable aviation fuel production and supply chain.

(g) SUSTAINABLE AVIATION FUEL DEFINED.—In this section, the term “sustainable aviation fuel” means liquid fuel that—

(1) consists of synthesized hydrocarbon;

(2) meets the requirements of ASTM International Standard D7566 (or successor standard);

(3) is derived from biomass (as such term is defined in section 45K(c)(3) of the Internal Revenue Code of 1986), waste streams, renewable energy sources, or gaseous carbon oxides; and

(4) is not derived from palm fatty acid distillates.

SEC. 320. RENEWAL OF ANNUAL ENVIRONMENTAL AND ENERGY REPORTS OF DEPARTMENT OF DEFENSE.

(a) ENVIRONMENTAL REPORT.—Section 2711 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:

“(a) REPORT REQUIRED.—Not later than March 31 of each year, the Secretary of Defense shall submit to Congress a report on progress made by environmental programs of the Department of Defense during the preceding fiscal year.

“(b) ELEMENTS.—Each report under subsection (a) shall include, for the year covered by the report, the following:

“(1) With respect to environmental restoration activities of the Department of De-

fense, and for each of the military departments, information on the Defense Environmental Restoration Program under section 2701 of this title, including—

“(A) the total number of sites at which such program was carried out;

“(B) the progress of remediation for sites that have not yet completed cleanup;

“(C) the remaining cost to complete cleanup of known sites; and

“(D) an assessment by the Secretary of Defense of the overall progress of such program.

“(2) An assessment by the Secretary of achievements for environmental conservation and planning by the Department.

“(3) An assessment by the Secretary of achievements for environmental compliance by the Department.

“(4) An assessment by the Secretary of achievements for climate resiliency by the Department.

“(5) An assessment by the Secretary of the progress made by the Department in achieving the objectives and goals of the Environmental Technology Program of the Department.

“(c) CONSOLIDATION.—The Secretary of Defense may consolidate or attach with or otherwise include in any report required under subsection (a) any annual report or other requirement that is aligned or associated with, or would be better understood if presented as part of a consolidated report addressing, environmental restoration, compliance, and resilience.”

(b) ENERGY REPORT.—

(1) IN GENERAL.—Section 2925 of such title is amended—

(A) by amending the section heading to read as follows: “**Annual report on energy performance, resilience, and readiness of Department of Defense**”; and

(B) by striking subsections (a) and (b) and inserting the following new subsections:

“(a) REPORT REQUIRED.—Not later than 240 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report detailing the fulfillment during that fiscal year of the authorities and requirements under sections 2688, 2911, 2912, 2920, and 2926 of this title, including progress on energy resilience at military installations and the use of operational energy in combat platforms and at contingency locations.

“(b) ELEMENTS.—Each report under subsection (a) shall include the following:

“(1) For the year covered by the report, the following:

“(A) A description of the progress made to achieve the goals of the Energy Policy Act of 2005 (Public Law 109-58), section 2911(g) of this title, and the Energy Independence and Security Act of 2007 (Public Law 110-140).

“(B) A description of the energy savings, return on investment, and enhancements to installation mission assurance realized by the fulfillment of the goals described in paragraph (1).

“(C) A description of and progress towards the energy security, resilience, and performance goals and master planning for the Department of Defense, including associated metrics pursuant to subsections (c) and (d) of section 2911 of this title and requirements under section 2688(g) of this title.

“(D) An evaluation of progress made by the Department in implementing the operational energy strategy of the Department, including the progress of key initiatives and technology investments related to operational energy demand and management.

“(E) Details of the amounts of any funds transferred by the Secretary of Defense pursuant to section 2912 of this title, including a detailed description of the purpose for which such amounts have been used.

“(2) Statistical information on operational energy demands of the Department, in terms of expenditures and consumption, for the preceding five fiscal years, including information on funding made available in regular defense appropriations Acts and any supplemental appropriation Acts.

“(3) A description of each initiative related to the operational energy strategy of the Department and a summary of funds appropriated for each initiative in the previous fiscal year and current fiscal year and requested for each initiative for the next five fiscal years.

“(4) Such recommendations as the Secretary considers appropriate for additional changes in organization or authority within the Department to enable further implementation of the energy strategy and such other comments and recommendations as the Secretary considers appropriate.

“(c) CLASSIFIED FORM.—If a report under subsection (a) is submitted in classified form, the Secretary of Defense shall, concurrently with such report, submit to the congressional defense committees an unclassified version of the report.

“(d) CONSOLIDATION.—The Secretary of Defense may consolidate or attach with or otherwise include in any report required under subsection (a) any annual report or other requirement that is aligned or associated with, or would be better understood if presented as part of a consolidated report addressing energy performance, resilience, and readiness.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 173 of such title is amended by striking the item relating to section 2925 and inserting the following new item:

“2925. Annual report on energy performance, resilience, and readiness of Department of Defense.”

(c) TREATMENT OF TERMINATION OF REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Section 1061(c) of National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 111 note) is amended by striking paragraphs (51) and (54).

(2) RULE OF CONSTRUCTION.—The reports required by sections 2711 and 2925 of title 10, United States Code, as amended by this section, shall not be considered to be covered reports for purposes of section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 111 note).

SEC. 321. REPORT ON FEASIBILITY OF TERMINATING ENERGY PROCUREMENT FROM FOREIGN ENTITIES OF CONCERN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of terminating energy procurement by the Department of Defense from foreign entities of concern.

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

(1) An assessment of the reliance by the Department of Defense on foreign entities of concern for the procurement of energy.

(2) An identification of the number of energy contracts in force between the Director of the Defense Logistics Agency and a foreign entity of concern or an entity headquartered in a country that is a foreign entity of concern.

(3) Such proposals as the Assistant Secretary of Defense for Energy, Installations, and Environment may have for divestment of resourcing of energy for the Department of Defense from entities described in subparagraph (B) and reconfiguring such

resourcing instead from allies of the United States in the North Atlantic Treaty Organization and other major allies of the United States.

(c) FOREIGN ENTITY OF CONCERN DEFINED.—In this section, the term “foreign entity of concern” has the meaning given that term in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651).

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

SEC. 331. 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), and section 342 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1643), is further amended—

(1) in clause (ii), by striking “2023” and inserting “2022”; and

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

“(iii) Without regard to section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than \$20,000,000 in fiscal year 2023 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.”.

SEC. 332. MODIFICATION OF LIMITATION ON DISCLOSURE OF RESULTS OF TESTING FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES ON PRIVATE PROPERTY.

Section 345(a)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2715 note) is amended by inserting “personally identifiable information in connection with” after “publicly disclose”.

SEC. 333. DEPARTMENT OF DEFENSE RESEARCH RELATING TO PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) PUBLICATION OF INFORMATION.—

(1) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, 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 research efforts of the Department of Defense relating to perfluoroalkyl or polyfluoroalkyl substances, which shall include the following:

(A) A description of any research collaborations and data sharing by the Department with the Department of Veterans Affairs, the Agency for Toxic Substances and Disease Registry, or any other agency (as defined in section 551 title 5, United States Code), States, academic institutions, nongovernmental organizations, or any other entity.

(B) Regularly updated information on research projects supported or conducted by the Department of Defense pertaining to the development, testing, and evaluation of a fluorine-free firefighting foam or any other alternative to aqueous film forming foam that contains perfluoroalkyl or polyfluoroalkyl substances, excluding any

proprietary information that is business confidential.

(C) Regularly updated information on research projects supported or conducted by the Department pertaining to the health effects of perfluoroalkyl or polyfluoroalkyl substances, including information relating to the impact of such substances on firefighters, veterans, and military families and excluding any personally identifiable information.

(D) Regularly updated information on research projects supported or conducted by the Department pertaining to treatment options for drinking water, surface water, ground water, and the safe disposal of perfluoroalkyl or polyfluoroalkyl substances.

(E) Budget information, including specific spending information for the research projects relating to perfluoroalkyl or polyfluoroalkyl substances that are supported or conducted by the Department.

(F) Such other matters as may be relevant to ongoing research projects supported or conducted by the Department to address the use of perfluoroalkyl or polyfluoroalkyl substances and the health effects of the use of such substances.

(2) FORMAT.—The information published under paragraph (1) shall be made available in a downloadable, machine-readable, open, and a user-friendly format.

(3) DEFINITIONS.—In this subsection:

(A) MILITARY INSTALLATION.—The term “military installation” includes active, inactive, and former military installations.

(B) PERFLUOROALKYL SUBSTANCE.—The term “perfluoroalkyl substance” means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(C) POLYFLUOROALKYL SUBSTANCE.—The term “polyfluoroalkyl substance” means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(b) INCLUSION OF RESEARCH DUTIES IN PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES TASK FORCE.—Section 2714(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(5) Supporting research efforts relating to perfluoroalkyl substances or polyfluoroalkyl substances.

“(6) Establishing practices to ensure the timely and complete dissemination of research findings and related data relating to perfluoroalkyl substances or polyfluoroalkyl substances to the general public.”.

Subtitle D—Logistics and Sustainment

SEC. 351. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS REGARDING SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN OF THE NAVY.

(a) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Navy shall—

(1) develop metrics for assessing progress of the Secretary toward improved shipyard capacity and performance in carrying out the Shipyard Infrastructure Optimization Plan of the Navy, including by measuring the effectiveness of capital investments;

(2) ensure that the shipyard optimization program office of the Navy—

(A) includes all costs, such as inflation, program office activities, utilities, roads, environmental remediation, historic preservation, and alternative workspace when developing a detailed cost estimate; and

(B) uses cost estimating best practices in developing a detailed cost estimate, including—

(i) a program baseline;

(ii) a work breakdown structure;

(iii) a description of the methodology and key assumptions;

(iv) a consideration of inflation;

(v) a full assessment of risk and uncertainty; and

(vi) a sensitivity analysis; and

(3) obtain an independent cost estimate for the shipyard optimization program before starting the prioritization of projects under such program.

(b) BRIEFING.—If the Secretary of the Navy is unable to implement the requirements under subsection (a) by March 1, 2023, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives before such date on—

(1) the current progress of the Secretary towards implementing those requirements;

(2) any hindrance to implementing those requirements; and

(3) any additional resources necessary to implement those requirements.

SEC. 352. RESEARCH AND ANALYSIS ON THE CAPACITY OF PRIVATE SHIPYARDS IN THE UNITED STATES AND THE EFFECT OF THOSE SHIPYARDS ON NAVAL FLEET READINESS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall enter into an agreement with a nonprofit entity or a federally funded research and development center to conduct research and analysis regarding the capacity and capability of private shipyards in the United States to repair, maintain, and modernize surface combatants and support ships of the Navy to ensure fleet readiness.

(b) ELEMENTS.—The research and analysis conducted under subsection (a) shall include the following:

(1) An assessment of the maintenance needs of the Navy during the five-year period preceding the date of the enactment of this Act, including frequency of unplanned maintenance and average time it takes to repair ships.

(2) An assessment of the projected maintenance needs of the Navy during the 10-year period following such date of enactment.

(3) An assessment of whether current private shipyards in the United States have the capacity to meet current and anticipated needs of the Navy to maintain and repair ships, include whether there are adequate ship repair facilities and a sufficient trained workforce.

(4) An identification of barriers limiting success of intermediate-level and depot-level maintenance availabilities, including constraints of adding private depot capacity and capability.

(5) Recommendations based on the findings of paragraphs (1) through (4) regarding actions the Secretary of the Navy can take to ensure there is an industrial base of private ship repair facilities to meet the needs of the Navy and ensure fleet readiness, including whether the Secretary should institute a new force generation model, establish additional homeport facilities, or establish new hub-type maintenance facilities.

(c) INPUT FROM PRIVATE SHIPYARDS.—In conducting research and analysis under subsection (a), the nonprofit entity or federally funded research and development center with whom the Secretary of the Navy entered into an agreement under subsection (a) shall consult with private shipyards regarding—

(1) the fleet maintenance needs of surface combatant and support ships of the Navy;

(2) private shipyard capacity, including workforce; and

(3) additional investment in private shipyards necessary to meet the needs of the Navy.

(d) REPORT.—

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

the nonprofit entity or federally funded research and development center with whom the Secretary of the Navy entered into an agreement under subsection (a) shall submit to the Secretary a report on the results of the research and analysis undertaken under such subsection.

(2) TRANSMITTAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall transmit to the congressional defense committees a copy of the report.

SEC. 353. LIMITATION ON FUNDS FOR THE JOINT MILITARY INFORMATION SUPPORT OPERATIONS WEB OPERATIONS CENTER.

Not more than 50 percent of the amount authorized to be appropriated for the Joint Military Information Support Operations Web Operations Center for Operation and Maintenance, Defense-Wide, may be obligated and expended until the Secretary of Defense submits to the congressional defense committees a plan for—

(1) appropriately scoping and tailoring messaging activities to foreign target audiences;

(2) ensuring messages serve a valid military purpose;

(3) effectively managing risk associated with web-based military information support operations;

(4) maintaining alignment with policies and procedures of the Department of Defense;

(5) adequately overseeing and approving the work of contractors;

(6) ensuring alignment with policy guidance and procedures of the Department; and

(7) coordinating activities with the Global Engagement Center of the Department of State and other relevant non-Department of Defense entities.

SEC. 354. NOTIFICATION OF INCREASE IN RETENTION RATES FOR NAVY SHIP REPAIR CONTRACTS.

(a) IN GENERAL.—Not later than 30 days before making a change to increase the level of retention rates for a Navy ship repair contract, the Secretary of the Navy shall notify the congressional defense committees.

(b) MATTERS TO BE INCLUDED.—A notification under subsection (a) with respect to a change to increase the level of retention rates for a Navy ship repair contract shall include the following information:

(1) An identification of any considerations that informed the decision to increase such rates.

(2) The desired effect the change will have on the Navy ship repair industrial base.

SEC. 355. INAPPLICABILITY OF ADVANCE BILLING DOLLAR LIMITATION FOR RELIEF EFFORTS FOLLOWING MAJOR DISASTERS OR EMERGENCIES.

Section 2208(1)(3) of title 10, United States Code, is amended—

(1) by striking “The total” and inserting “(A) Except as provided in subparagraph (B), the total”; and

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

“(B) The dollar limitation under subparagraph (A) shall not apply with respect to advance billing for relief efforts following a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).”

SEC. 356. REPEAL OF COMPTROLLER GENERAL REVIEW ON TIME LIMITATIONS ON DURATION OF PUBLIC-PRIVATE COMPETITIONS.

Subsection (c) of section 322 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2252) is repealed.

Subtitle E—Reports

SEC. 371. INCLUSION OF INFORMATION REGARDING JOINT MEDICAL ESTIMATES IN READINESS REPORTS.

Section 482(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (11) as paragraph (12); and

(2) by inserting after paragraph (10) the following new paragraph:

“(11) A summary of the joint medical estimate under section 732(b)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1817) prepared by the Joint Staff Surgeon with a mitigation plan to correct any readiness problem or deficiency and the timeline, cost, and any legislative action required to correct any such problem or deficiency.”

Subtitle F—Other Matters

SEC. 381. IMPLEMENTATION OF RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION AND MASTER PLAN FOR HOUSING AND CARE OF HORSES.

(a) IMPLEMENTATION BY SECRETARY OF THE ARMY OF CERTAIN RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION.—Not later than March 1, 2023, the Secretary of the Army shall implement the recommendations contained in the memorandum of the Department of the Army dated February 25, 2022, the subject of which is “Animal Facility Sanitation Inspection Findings for the Fort Myer Caisson Barns/Paddocks and the Fort Belvoir Caisson Pasture Facility” (MHCB-RN).

(b) MASTER PLAN FOR THE HOUSING AND CARE OF ALL HORSES WITHIN THE CARE OF THE OLD GUARD.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Army shall submit to Congress a master plan for the housing and care of all horses within the care of the 3rd United States Infantry (commonly known as the “Old Guard”).

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) describe all modifications planned or underway at the Fort Myer Caisson Barns/Paddocks, the Fort Belvoir Caisson Pasture Facility, and any other facility or location under consideration for stabling of the horses described in paragraph (1);

(B) identify adequate space at Fort Myer, Virginia, to properly care for the horses described in paragraph (1);

(C) prioritize the allotment of the space identified under subparagraph (B) over other functions of Fort Myer that could be placed elsewhere;

(D) include projected timelines and resource requirements to execute the plan; and

(E) describe—

(i) immediate remedies for the unsanitary and unsafe conditions present at the locations described in subparagraph (A); and

(ii) how long-term quality of life improvements will be provided for the horses described in paragraph (1).

SEC. 382. INCLUSION OF LAND UNDER JURISDICTION OF DEPARTMENT OF DEFENSE SUBJECT TO LONG-TERM REAL ESTATE AGREEMENT AS COMMUNITY INFRASTRUCTURE FOR PURPOSES OF DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391(e)(4)(A)(i) of title 10, United States Code, is amended by inserting before the semicolon the following: “or on land under the jurisdiction of a Secretary of a military department subject to a long-term real estate agreement, such as a lease or an easement”.

SEC. 383. RESTRICTION ON PROCUREMENT OR PURCHASING BY DEPARTMENT OF DEFENSE OF TURNOUT GEAR FOR FIREFIGHTERS CONTAINING PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

(a) PROHIBITION ON PROCUREMENT AND PURCHASING.—Beginning on October 1, 2026, the Secretary of Defense may not enter into a contract to procure or purchase covered personal protective firefighting equipment for use by Federal or civilian firefighters if such equipment contains an intentionally added perfluoroalkyl substance or polyfluoroalkyl substance.

(b) IMPLEMENTATION.—

(1) INCLUSION IN CONTRACTS.—The Secretary of Defense shall include the prohibition under subsection (a) in any contract entered into by the Department of Defense to procure covered personal protective firefighting equipment for use by Federal or civilian firefighters.

(2) NO OBLIGATION TO TEST.—In carrying out the prohibition under subsection (a), the Secretary shall not have an obligation to test covered personal protective firefighting equipment to confirm the absence of perfluoroalkyl substances or polyfluoroalkyl substances.

(c) EXISTING INVENTORY.—Nothing in this section shall impact existing inventories of covered personal protective firefighting equipment.

(d) AVAILABILITY OF ALTERNATIVES.—

(1) IN GENERAL.—The requirement under subsection (a) shall be subject to the availability of sufficiently protective covered personal protective firefighting equipment that does not contain intentionally added perfluoroalkyl substances or polyfluoroalkyl substances.

(2) EXTENSION OF EFFECTIVE DATE.—If the Secretary of Defense determines that no sufficiently protective covered personal protective firefighting equipment that does not contain intentionally added perfluoroalkyl substances or polyfluoroalkyl substances is available, the deadline under subsection (a) shall be extended until the Secretary determines that such covered personal protective firefighting equipment is available.

(e) DEFINITIONS.—In this section:

(1) COVERED PERSONAL PROTECTIVE FIREFIGHTING EQUIPMENT.—The term “covered personal protective firefighting equipment” means—

(A) any product that provides protection to the upper and lower torso, arms, legs, head, hands, and feet; or

(B) any other personal protective firefighting equipment, as determined by the Secretary of Defense.

(2) PERFLUOROALKYL SUBSTANCE.—The term “perfluoroalkyl substance” means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(3) POLYFLUOROALKYL SUBSTANCE.—The term “polyfluoroalkyl substance” means a man-made chemical containing at least one fully fluorinated carbon atom and at least one non-fully fluorinated carbon atom.

SEC. 384. 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 2023—

(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) to provide such support, as necessary, for the continued operation of such school.

SEC. 385. PROHIBITION ON USE OF FUNDS TO DISCONTINUE THE MARINE MAMMAL SYSTEM PROGRAM.

(a) **PROHIBITION.**—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to discontinue or prepare to discontinue, including through substantive reduction in training and operational employment, the Marine Mammal System program that has been or is currently being used for—

(1) port security at installations of the Navy, commonly known as Mark-6 systems; or

(2) mine search capabilities, commonly known as Mark-7 systems.

(b) **WAIVER.**—The Secretary of the Navy may waive the prohibition under subsection (a) if the Secretary, with the concurrence of the Director of Operational Test and Evaluation of the Department of Defense, certifies to the congressional defense committees in writing that the Secretary has—

(1) identified a replacement capability and the necessary quantity of systems to carry out such capability to meet all operational requirements currently being met by the Marine Mammal System program with a detailed explanation of such capability and quantity;

(2) achieved initial operational capability of all systems described in paragraph (1) with a detailed explanation of such achievement; and

(3) deployed a sufficient quantity of systems described in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all operational requirements currently being met by the Marine Mammal System program with a detailed explanation of such deployment.

SEC. 386. LIMITATION ON REPLACEMENT OF NON-TACTICAL VEHICLE FLEET OF THE DEPARTMENT OF DEFENSE WITH ELECTRIC VEHICLES, ADVANCED-BIOFUEL-POWERED VEHICLES, OR HYDROGEN-POWERED VEHICLES.

(a) **IN GENERAL.**—Until the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives the report described in subsection (b), the Secretary may not enter into an indefinite delivery indefinite quantity contract to procure and replace the existing non-tactical vehicle fleet of the Department of Defense with electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles.

(b) **ELEMENTS.**—The report described in this subsection shall include the following:

(1) A complete cost estimate for the acquisition by the Department of Defense, or through contract mechanisms used by the Department, such as energy savings performance contracts, of electric non-tactical vehicles to replace the existing non-tactical vehicle fleet of the Department, which shall include—

(A) the cost per unit and number of units to be procured of each type of electric non-tactical vehicle (trucks, buses, vans, etc.);

(B) the cost associated with building the required infrastructure to support electric non-tactical vehicles, including charging stations and electric grid requirements;

(C) a per-unit lifecycle cost comparison between electric vehicles and combustion engine vehicles of each type (electric truck versus conventional truck, etc.);

(D) maintenance requirements of electric vehicles compared to combustion engine vehicles; and

(E) for each military department, a cost comparison over periods of three, five, 10, and 15 years of pursuing an electric non-tactical vehicle fleet versus continuing with combustion engine non-tactical vehicles.

(2) An assessment of the current and projected sourcing shortfalls for lithium, cobalt, and nickel from Taiwan, India, member countries of the North Atlantic Treaty Organization, and major allies of the North Atlantic Treaty Organization.

(3) An assessment of the current and projected supply chain shortfalls for electric vehicles, set forth by industry.

(4) An assessment of the cost associated with building the required infrastructure to support electric non-tactical vehicles, including charging stations and electric grid requirements.

(5) An assessment of the security risks associated with data collection conducted with respect to electric vehicles and related computer systems.

(6) An assessment of the current range requirements for electric vehicle compared to combustion engine vehicles and the average life of vehicles of the Department necessary to maintain current readiness requirements of the Department.

(7) An assessment of maintenance requirements of electric vehicles compared to combustion engine vehicles.

(8) A cost-benefit analysis of the cost, time, and manpower associated with maintenance of electric non-tactical vehicles compared to combustion engine non-tactical vehicles.

(9) An assessment of the effect transitioning to electric non-tactical vehicles would have on the National Defense Stockpile administered by the Defense Logistics Agency and current and future requirements relating to such stockpile.

(10) An identification of components for electric non-tactical vehicles that are currently being sourced from the People's Republic of China.

(11) An assessment of the long-term cost and benefit to the Department of being an early adopter of hydrogen-powered vehicles and advanced-biofuel-powered vehicles.

(12) An assessment of the long-term availability to the Department of internal combustion engines and spare parts for such engines, including whether or not they will be manufactured in the United States or repairable with parts made in the United States and labor in the United States.

(13) A comparison of the relative risk to personnel of the Department, budgetary impacts, and impacts on the supply chain between different fuel types to determine the tradeoffs associated with the adoption and use of any particular fuel type.

(c) **ADDITIONAL PROHIBITION.**—No funds may be obligated or expended for the Department of Defense for the procurement of non-tactical electric vehicles, advanced-biofuel-powered vehicles, hydrogen-powered vehicles, or any components or spare parts associated with such vehicles that are not in compliance with subpart 22.15 of the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code (or any successor regulations), on the Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor.

(d) **DEFINITIONS.**—In this section:

(1) **ADVANCED-BIOFUEL-POWERED VEHICLE.**—The term “advanced-biofuel-powered vehicle” includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2202 (7 U.S.C. 8101(3)(A)).

(2) **CHARGING STATION.**—The term “charging station” means a parking space with electric vehicle supply equipment that supplies electric energy for the recharging of electric vehicles with at least a level 2 charger.

(3) **ELECTRIC GRID REQUIREMENTS.**—The term “electric grid requirements” means the power grid and infrastructure requirements

needed to support plug-in electric vehicles and vehicle-to-grid requirements.

(4) **HYDROGEN-POWERED VEHICLE.**—The term “hydrogen-powered vehicle” means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.

(5) **NON-TACTICAL VEHICLE.**—The term “non-tactical vehicle” means any commercial motor vehicle, trailer, material handling equipment, or engineering equipment that carries passengers or cargo acquired for the administrative, direct mission, or operational support of military functions.

SEC. 387. LIMITATION ON USE OF CHARGING STATIONS FOR PERSONAL ELECTRIC VEHICLES.

The Secretary of Defense may not permit the charging of personal electric vehicles through the use of charging stations provided by the Department of Defense unless the charging infrastructure for such stations allows for the receipt of payment for such charging.

SEC. 388. PILOT PROGRAMS FOR TACTICAL VEHICLE SAFETY DATA COLLECTION.

(a) **IN GENERAL.**—Not later than October 1, 2023, the Secretary of the Army and the Secretary of the Navy shall each initiate a pilot program to evaluate the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles in the Army and the Marine Corps, respectively.

(b) **DURATION.**—Each pilot program initiated under subsection (a) shall be carried out for a period of not less than two years.

(c) **REQUIREMENTS.**—In carrying out a pilot program under this section, the Secretary of the Army and the Secretary of the Navy shall—

(1) carry out the pilot program at not fewer than one military installation in the United States selected by the Secretary concerned that contains the necessary forces, equipment, and maneuver training ranges to collect data on drivers and military tactical vehicles during training and routine operation;

(2) install data recorders on a sufficient number of each type of military tactical vehicle specified in subsection (d) to gain statistically significant results;

(3) select a data recorder capable of collecting and exporting telemetry data, event data, and driver identification data during operation and accidents;

(4) establish and maintain a data repository for operation and event data captured by the data recorder; and

(5) establish processes to leverage operation and event data to improve individual vehicle operator performance, identify installation hazards that threaten safe vehicle operation, and identify vehicle-type specific operating conditions that increase the risk of accidents or mishaps.

(d) **MILITARY TACTICAL VEHICLES SPECIFIED.**—Military tactical vehicles specified in this subsection are the following:

(1) High Mobility Multipurpose Wheeled Vehicles.

(2) Family of Medium Tactical Vehicles.

(3) Medium Tactical Vehicle Replacements.

(4) Heavy Expanded Mobility Tactical Trucks.

(5) Light Armored Vehicles.

(6) Stryker armored combat vehicles.

(7) Such other military tactical vehicles as the Secretary of the Army or the Secretary of the Navy considers appropriate.

(e) **IMPLEMENTATION PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall each—

(1) develop plans for implementing the pilot programs under this section; and

(2) provide to the congressional defense committees a briefing on those plans and the estimated cost of implementing those plans.

(f) **REPORT REQUIRED.**—Not later than December 15, 2024, the Secretary of the Army and the Secretary of the Navy shall each submit to the congressional defense committees a report on the pilot program carried out under this section by the Secretary concerned, including—

(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(2) adjustments made, or to be made, to the implementation plans developed under subsection (e); and

(3) any other matters as determined appropriate by the Secretary concerned.

(g) **ASSESSMENT REQUIRED.**—Not later than December 15, 2025, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the congressional defense committees an assessment of the pilot programs carried out under this section, including—

(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(2) an assessment of the utility of establishing an enduring program to use data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(3) an assessment of the scope, size, and estimated cost of such an enduring program; and

(4) such other matters as the Secretary of the Army and the Secretary of the Navy determine appropriate.

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, 2023, as follows:

- (1) The Army, 473,000.
- (2) The Navy, 354,000.
- (3) The Marine Corps, 177,000.
- (4) The Air Force, 325,344.
- (5) The Space Force, 8,600.

SEC. 402. END STRENGTH LEVEL MATTERS.

(a) **STRENGTH LEVELS TO SUPPORT NATIONAL DEFENSE STRATEGY.**—

(1) **IN GENERAL.**—Section 691 of title 10, United States Code, is repealed.

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 691.

(b) **CERTAIN ACTIVE-DUTY AND SELECTED RESERVE STRENGTHS.**—Section 115 of such title is amended—

(1) in subsection (f), by striking “increase” each place it appears and inserting “vary”; and

(2) in subsection (g)—

(A) in paragraph (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; and

“(B) 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 nor more than 2 percent of such authorized end strength.”; and

(B) in paragraph (2), by striking “increase” each place it appears and inserting “variance”.

SEC. 403. ADDITIONAL AUTHORITY TO VARY SPACE FORCE END STRENGTH.

(a) **IN GENERAL.**—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 each fiscal year as follows:

(1) Increase the end strength authorized pursuant to section 115(a)(1)(A) for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.

(2) Decrease the end strength authorized pursuant to section 115(a)(1)(A) for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(b) **TERMINATION.**—The authority provided under subsection (a) shall terminate on December 31, 2023.

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, 2023, as follows:

- (1) The Army National Guard of the United States, 336,000.
- (2) The Army Reserve, 189,500.
- (3) The Navy Reserve, 57,700.
- (4) The Marine Corps Reserve, 33,000.
- (5) The Air National Guard of the United States, 108,400.
- (6) The Air Force Reserve, 70,000.
- (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, 2023, 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, 10,077.
- (4) The Marine Corps Reserve, 2,388.
- (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 2023 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, 6,492.

(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 2023, 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 2023 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 2023.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. CONSIDERATION OF ADVERSE INFORMATION.

Section 628a(a)(1) of title 10, United States Code, is amended—

(1) by inserting “(A)” before “If the Secretary concerned”; and

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

“(B) Nothing in this section shall be construed to prevent a Secretary concerned from deferring consideration of adverse information concerning an officer subject to this section until the next regularly scheduled promotion board applicable to such officer, in lieu of furnishing such adverse information to a special selection review board under this section.”.

SEC. 502. EXTENSION OF TIME LIMITATION FOR GRADE RETENTION WHILE AWAITING RETIREMENT.

Section 601(b)(5) of title 10, United States Code, is amended by striking “retirement,

but not for more than 60 days.” and inserting the following: “retirement, but—

“(A) subject to subparagraph (B), not for more than 60 days; and

“(B) with respect to an officer awaiting retirement following not less than one year of consecutive deployment outside of the United States to a combat zone (as defined in section 112(c) of the Internal Revenue Code of 1986) or in support of a contingency operation, not for more than 90 days.”.

SEC. 503. REALIGNMENT IN NAVY DISTRIBUTION OF FLAG OFFICERS SERVING IN THE GRADES OF O-8 AND O-9.

Section 525(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking “33” and inserting “34”; and

(2) in subparagraph (C), by striking “50” and inserting “49”.

SEC. 504. UPDATING WARRANT OFFICER SELECTION AND PROMOTION AUTHORITY.

(a) CONVENING OF SELECTION BOARDS.—Section 573 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) Upon the request of a warrant officer, the Secretary of the military department with jurisdiction over the officer may exclude the officer from consideration by a selection board convened under this section to consider warrant officers for promotion to the next higher grade.

“(2) The Secretary concerned may approve a request of a warrant officer under paragraph (1) only if—

“(A) the basis for the request is to allow the officer to complete a deepening assignment in support of career progression, advanced education, another assignment of significant value to the Department of Defense, or a career progression requirement delayed by an assignment or education;

“(B) it is determined the exclusion from consideration is in the best interest of the military department concerned; and

“(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.”.

(b) PROMOTIONS: EFFECT OF FAILURE OF SELECTION FOR.—Section 577 of title 10, United States Code, is amended by striking the period at the end of the second sentence and inserting “, or a warrant officer excluded under section 573(g) of this title.”.

(c) RECOMMENDATION FOR PROMOTION BY SELECTION BOARDS.—Section 575 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e)(1) In selecting the warrant officers to be recommended for promotion, a selection board may, when authorized by the Secretary concerned, recommend warrant officers of particular merit, from among those warrant officers selected for promotion, to be placed higher on the promotion list contained in the board’s report under section 576(c) of this title.

“(2) A warrant officer may be recommended to be placed higher on a promotion list under paragraph (1) only if the warrant officer receives the recommendation of at least a majority of the members of the board, unless the Secretary concerned establishes an alternative requirement. Any such alternate requirement shall be furnished to the board as part of the guidelines furnished to the board under section 576 of this title.

“(3) For the warrant officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend the order in which those warrant officers should be placed on the list.”.

(d) INFORMATION TO BE FURNISHED TO SELECTION BOARDS; SELECTION PROCEDURES.—Section 576(c) of title 10, United States Code, is amended to read as follows:

“(C) A selection board convened under section 573(a) of this title shall, when authorized under section 575(e) of this title, include in its report to the Secretary concerned the names of those warrant officers recommended by the board to be placed higher on the promotion list and the order in which those officers should be placed on the list. The names of all other warrant officers recommended for promotion under this section shall be arranged in the board’s report in the order of seniority on the warrant officer active-duty list.”.

(e) PROMOTIONS: HOW MADE; EFFECTIVE DATE.—Section 578(a) of title 10, United States Code, is amended—

(1) by striking “, in the order of the seniority of such officers on the warrant officer active-duty list”; and

(2) by adding at the end the following new sentence: “Warrant officers of particular merit who were recommended by the board to be placed higher on the promotion list under section 576(c) of this title shall be listed first and, amongst themselves, in the order recommended by the board, followed by the other warrant officers approved for promotion in order of the seniority of such officers on the warrant officer active-duty list.”.

SEC. 505. AUTHORIZED STRENGTHS FOR SPACE FORCE OFFICERS ON ACTIVE DUTY IN GRADES OF MAJOR, LIEUTENANT COLONEL, AND COLONEL.

The table in subsection (a)(1) of section 523 of title 10, United States Code, is amended by inserting after the items relating to the Marine Corps new items relating to the total number of commissioned officers (excluding officers in categories specified in subsection (b) of such section) serving on active duty in the Space Force in the grades of major, lieutenant colonel, and colonel, respectively, as follows:

3,900	1,016	782	234
4,300	1,135	873	262
5,000	1,259	845	315
7,000	1,659	1,045	415
10,000	2,259	1,345	565”.

SEC. 506. REPEAL OF REQUIREMENT FOR INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE TO CONDUCT CERTAIN REVIEWS.

Section 847(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 1701 note) is amended—

(1) by striking “REQUIREMENT.—” and all that follows through “Each request” and inserting “REQUIREMENT.—Each request”; and

(2) by striking paragraph (2).

SEC. 507. MODIFICATION OF REPORTS ON AIR FORCE PERSONNEL PERFORMING DUTIES OF A NUCLEAR AND MISSILE OPERATIONS OFFICER (13N).

Section 506(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1682) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

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

“(8) A staffing plan for managing personnel within the 13N career field as the Air Force transitions from the Minuteman III weapon system to the Sentinel weapon system.”.

Subtitle B—Reserve Component Management

SEC. 511. AUTHORITY TO WAIVE REQUIREMENT THAT PERFORMANCE OF ACTIVE GUARD AND RESERVE DUTY AT THE REQUEST OF A GOVERNOR MAY NOT INTERFERE WITH CERTAIN DUTIES.

(a) IN GENERAL.—Section 328(b) of title 32, United States Code, is amended by adding at the end the following new subsection:

“(c) WAIVER AUTHORITY.—(1) Notwithstanding section 101(d)(6)(A) of title 10 and subsection (b) of this section, the Governor

of a State or the Commonwealth of Puerto Rico, Guam, or the Virgin Islands, or the commanding general of the District of Columbia National Guard, as the case may be, may, at the request of the Secretary concerned, order a member of the National Guard to perform Active Guard and Reserve duty for purposes of performing training of the regular components of the armed forces as the primary duty.

“(2) Training performed under paragraph (1) must be in compliance with the requirements of section 502(f)(2)(B)(i) of this title.

“(3) No more than 100 personnel may be granted a waiver by a Secretary concerned under paragraph (1) at a time.

“(4) The authority under paragraph (1) shall terminate on October 1, 2024.”.

(b) BRIEFING ON PERFORMANCE OF TRAINING AS PRIMARY DUTY.—Not later than March 1, 2023, the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing describing how many members of the National Guard are performing Active Guard and Reserve duty for purposes of performing training of the regular components of the Armed Forces as the primary duty.

(c) BRIEFING ON END STRENGTH REQUIREMENTS.—Not later than October 1, 2024, the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing outlining the end strength requirement going forward for Active Guard and Reserve forces of the National Guard impacted by subsection (c) of section 328(b) of title 32, United States Code, as added by subsection (a) of this section.

SEC. 512. 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) in the heading, by striking “AUTHORITY” and inserting “OPERATIONAL MISSIONS AND CERTAIN OTHER EMERGENCIES”;;

(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 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 determines it is necessary to augment the active forces for a Department of Defense response 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

“(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 or collection of related cyber incidents that are determined by the President to be 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

“(C) a significant incident declared pursuant to section 2233 of the Homeland Security Act of 2002 (6 U.S.C. 677b).”.

SEC. 513. BACKDATING OF EFFECTIVE DATE OF RANK FOR RESERVE OFFICERS IN THE NATIONAL GUARD DUE TO UNDUE DELAYS IN FEDERAL RECOGNITION.

Paragraph (2) of section 14308(f) of title 10, United States Code, is amended to read as follows:

“(2) If there is a delay in extending Federal recognition in the next higher grade in the Army National Guard or the Air National Guard to a reserve commissioned officer of the Army or the Air Force that exceeds 100 days from the date the National Guard Bureau determines such officer's application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau, and the delay was not attributable to the action or inaction of such officer—

“(A) in the event of State promotion with an effective date before January 1, 2024, the effective date of the promotion concerned under paragraph (1) may be adjusted to a date determined by the Secretary concerned, but not earlier than the effective date of the State promotion; and

“(B) in the event of State promotion with an effective date on or after January 1, 2024, the effective date of the promotion concerned under paragraph (1) shall be adjusted by the Secretary concerned to the later of—

“(i) the date the National Guard Bureau deems such officer's application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau; and

“(ii) the date on which the officer occupies a billet in the next higher grade.”.

SEC. 514. INDEPENDENT STUDY ON FEDERAL RECOGNITION PROCESS.

(a) INDEPENDENT STUDY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the National Guard commissioned officer and warrant officer promotion system and provide recommendations to the Department of Defense, the Department of the Air Force, the Department of the Army, the National Guard Bureau, and individual State National Guard commands.

(2) ELEMENTS.—The study referred to in paragraph (1) shall include a comprehensive review and assessment of the following:

(A) Reasons for delays in processing personnel actions for Federal recognition of State National Guard member promotions.

(B) The Federal recognition process used to extend Federal recognition to State promotions.

(C) Best practices among the various State National Guards for managing their requirements under the existing National Guard promotion system.

(D) Possible improvements to requirements, policies, procedures, workflow, or resources to reduce the processing time for Federal recognition of state promotions.

(E) An assessment of the feasibility of developing or adopting a commercially available solution for an integrated enterprise information technology system for managing National Guard officer and warrant officer promotions that allows seamless transition for promotions as they move through review at the National Guard Bureau, the Department of the Army, the Department of the Air Force, and the Department of Defense.

(F) Possible metrics to evaluate effectiveness of any recommendations made.

(G) Possible remedies for undue delays in Federal recognition, including adjustment to the effective date of promotion beyond current statutory authorities.

(H) Any other matters the federally funded research and development center determines relevant.

(3) REPORT.—

(A) IN GENERAL.—The contract under paragraph (1) shall require the federally funded research and development center that conducts the study under the contract to submit to the Secretary of Defense, the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau a report on the results of the study.

(B) SUBMISSION TO CONGRESS.—Upon receiving the report required under subparagraph (A), the Secretary of Defense shall submit an unedited copy of the report results to the congressional defense committees within 30 days of receiving the report from the federally funded research and development corporation.

(b) REPORTING REQUIREMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified in paragraph (3), the Secretary of Defense, in consultation with the Secretary of the Army and the Secretary of the Air Force as appropriate, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report detailing the current status of the Federal recognition process for National Guard promotions.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An update on efforts to transition to fully digital processes in accordance with recommendations made pursuant to subsection (a).

(B) The average processing time for personnel actions related to Federal recognition of reserve commissioned officer promotions in the Army and Air National Guards, respectively, including the time in days from the date at which the National Guard Bureau received the promotion until the date at which Federal recognition was granted.

(C) The average time it took during the previous fiscal year to extend Federal recognition.

(D) The number of Army and Air National Guard officers who experienced Federal recognition delays greater than 90 days in the previous fiscal year.

(E) A summary of any additional resources or authorities needed to further streamline the Federal recognition processes to reduce average Federal recognition processing time to 90 days or fewer.

(F) Any other information that the Secretary concerned deem relevant.

(3) EXPIRATION OF ANNUAL REPORTING REQUIREMENT.—The date referred to in paragraph (1) is such time as the average processing time for personnel actions described under this subsection is reduced to 90 days or fewer for each of the Army and Air National Guards.

SEC. 515. CONTINUED NATIONAL GUARD SUPPORT FOR FIREGUARD PROGRAM.

(a) REQUIRED SUPPORT THROUGH FISCAL YEAR 2028.—Until September 30, 2028, the Secretary of Defense shall continue to support the FireGuard program with National Guard personnel, including personnel from the California National Guard and Colorado National Guard, to aggregate, analyze, and assess multi-source remote sensing information for interagency partnerships in the initial detection and monitoring of wildfires across the United States.

(b) NOTICE AND WAIT REQUIREMENT AFTER FISCAL YEAR 2028.—Beginning on October 1, 2028, the Secretary of Defense may not reduce the support described under subsection (a), or transfer responsibility for such support to an interagency partner, until 30 days after the date on which the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives written notice of the proposed change, and reasons for the change.

SEC. 516. INCLUSION OF UNITED STATES NAVAL SEA CADET CORPS AMONG YOUTH AND CHARITABLE ORGANIZATIONS AUTHORIZED TO RECEIVE ASSISTANCE FROM THE NATIONAL GUARD.

Section 508(d) of title 32, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following new paragraph:

“(14) The United States Naval Sea Cadet Corps.”.

Subtitle C—General Service Authorities and Military Records

SEC. 521. MODERNIZATION OF THE SELECTIVE SERVICE SYSTEM.

(a) REFERENCE.—Except as expressly provided otherwise, any reference in this section to a section or other provision shall be deemed to be a reference to that section or other provision of the Military Selective Service Act (50 U.S.C. 3801 et seq.).

(b) PURPOSE OF SELECTIVE SERVICE.—Subsection (b) of section 1 (50 U.S.C. 3801) is amended to read as follows:

“(b) The Congress declares that the security of the Nation requires that adequate military strength be achieved and maintained by ensuring a requisite number of personnel with the necessary capabilities to meet the diverse mobilization needs of the Department of Defense during a time of war.”.

(c) SOLEMNITY OF MILITARY SERVICE.—Section 3 (50 U.S.C. 3802) is amended by adding at the end the following:

“(c) Regulations prescribed pursuant to subsection (a) shall include methods to convey to every person required to register the solemn obligation for military service if called into training or service under this Act.”.

(d) EXPANDED REGISTRATION TO ALL AMERICANS.—

(1) Section 3(a) (50 U.S.C. 3802(a)) is amended—

(A) by striking “male citizen” and inserting “citizen”;

(B) by striking “male person” and inserting “person”;

(C) by striking “present himself” and inserting “appear”; and

(D) by striking “so long as he” and inserting “so long as such alien”.

(2) Section 4(e) (50 U.S.C. 3803(e)) is amended by striking “enlisted men” and inserting “enlisted persons”.

(3) Section 5 (50 U.S.C. 3805) is amended—

(A) in subsection (a)(1)—

(i) by striking “on account of race or color” and inserting “on any basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e-2(a))”; and

(ii) by striking “call for men” and inserting “call for persons”; and

(B) in subsection (b), by striking “men” each place it appears and inserting “persons”.

(4) Section 6 (50 U.S.C. 3806) is amended—

(A) in subsection (a)(1)—

(i) by striking “enlisted men” and inserting “enlisted persons”; and

(ii) by striking “accrue to him” and inserting “accrue to such alien”; and

(B) in subsection (h)—

(i) by striking “(other than wives alone, except in cases of extreme hardship)”; and

(ii) by striking “wives and children” and inserting “spouses and children”.

(5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is amended by striking “the President is requested” and all that follows through “race or national origin” and inserting “the President is requested to appoint the membership of each local board so that each board has both male and female members and, to the maximum extent practicable, it is proportionately representative of those registrants within its jurisdiction in each applicable basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e-2(a)), but no action by any board shall be declared invalid on the ground that such board failed to conform to such representation quota”.

(6) Section 16(a) (50 U.S.C. 3814(a)) is amended by striking “men” and inserting “persons”.

(e) **MAINTAINING THE HEALTH OF THE SELECTIVE SERVICE SYSTEM.**—Section 10(a) (50 U.S.C. 3809(a)) is amended by adding at the end the following new paragraph:

“(5) The Selective Service System shall conduct exercises periodically of all mobilization plans, systems, and processes to evaluate and test the effectiveness of such plans, systems, and processes. Once every 4 years, the exercise shall include the full range of internal and interagency procedures to ensure functionality and interoperability and may take place as part of the Department of Defense mobilization exercise under section 10208 of title 10, United States Code. The Selective Service System shall conduct a public awareness campaign in conjunction with each exercise to communicate the purpose of the exercise to the public.”.

(f) **TECHNICAL AND CONFORMING AMENDMENTS.**—The Military Selective Service Act is amended—

(1) in section 4 (50 U.S.C. 3803)—

(A) in subsection (a) in the third undesignated paragraph—

(i) by striking “his acceptability in all respects, including his” and inserting “such person’s acceptability in all respects, including such person’s”; and

(ii) by striking “he may prescribe” and inserting “the President may prescribe”;

(B) in subsection (c)—

(i) in paragraph (2), by striking “any enlisted member” and inserting “any person who is an enlisted member”; and

(ii) in paragraphs (3), (4), and (5), by striking “in which he resides” and inserting “in which such person resides”;

(C) in subsection (g), by striking “coordinate with him” and inserting “coordinate with the Director”; and

(D) in subsection (k)(1), by striking “finding by him” and inserting “finding by the President”;

(2) in section 5(d) (50 U.S.C. 3805(d)), by striking “he may prescribe” and inserting “the President may prescribe”;

(3) in section 6 (50 U.S.C. 3806)—

(A) in subsection (c)(2)(D), by striking “he may prescribe” and inserting “the President may prescribe”;

(B) in subsection (d)(3), by striking “he may deem appropriate” and inserting “the President considers appropriate”; and

(C) in subsection (h), by striking “he may prescribe” each place it appears and inserting “the President may prescribe”;

(4) in section 10 (50 U.S.C. 3809)—

(A) in subsection (b)—

(i) in paragraph (3)—

(I) by striking “He shall create” and inserting “The President shall create”; and

(II) by striking “upon his own motion” and inserting “upon the President’s own motion”;

(ii) in paragraph (4), by striking “his status” and inserting “such individual’s status”; and

(iii) in paragraphs (4), (6), (8), and (9), by striking “he may deem” each place it appears and inserting “the President considers”; and

(B) in subsection (c), by striking “vested in him” and inserting “vested in the President”;

(5) in section 13(b) (50 U.S.C. 3812(b)), by striking “regulation if he” and inserting “regulation if the President”;

(6) in section 15 (50 U.S.C. 3813)—

(A) in subsection (b), by striking “his” each place it appears and inserting “the registrant’s”; and

(B) in subsection (d), by striking “he may deem” and inserting “the President considers”;

(7) in section 16(g) (50 U.S.C. 3814(g))—

(A) in paragraph (1), by striking “who as his regular and customary vocation” and inserting “who, as such person’s regular and customary vocation.”; and

(B) in paragraph (2)—

(i) by striking “one who as his customary vocation” and inserting “a person who, as such person’s customary vocation.”; and

(ii) by striking “he is a member” and inserting “such person is a member”;

(8) in section 18(a) (50 U.S.C. 3816(a)), by striking “he is authorized” and inserting “the President is authorized”;

(9) in section 21 (50 U.S.C. 3819)—

(A) by striking “he is sooner” and inserting “sooner”;

(B) by striking “he” each subsequent place it appears and inserting “such member”; and

(C) by striking “his consent” and inserting “such member’s consent”;

(10) in section 22(b) (50 U.S.C. 3820(b)), in paragraphs (1) and (2), by striking “his” each place it appears and inserting “the registrant’s”; and

(11) except as otherwise provided in this section—

(A) by striking “he” each place it appears and inserting “such person”;

(B) by striking “his” each place it appears and inserting “such person’s”;

(C) by striking “him” each place it appears and inserting “such person”; and

(D) by striking “present himself” each place it appears in section 12 (50 U.S.C. 3811) and inserting “appear”.

(g) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act, except that the amendments made by subsection (d) shall take effect 1 year after such date of enactment.

SEC. 522. PROHIBITION ON INDUCTION UNDER THE MILITARY SELECTIVE SERVICE ACT WITHOUT EXPRESS AUTHORIZATION.

Section 9 of the Military Selective Service Act (50 U.S.C. 3809) is amended by adding at the end the following new subsection:

“(i) No person shall be inducted for training and service in the Armed Forces under this title unless Congress first passes and there is enacted a law expressly authorizing such induction into service.”.

SEC. 523. EXTENSION OF TEMPORARY AUTHORITY FOR TARGETED RECRUITMENT INCENTIVES.

Section 522(h) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 503) is amended—

(1) by striking the semicolon and inserting a comma; and

(2) by striking “2020” and inserting “2025”.

SEC. 524. HOME LEAVE DEMONSTRATION PROGRAM.

(a) **IN GENERAL.**—During the period specified in subsection (f), the Secretary of a military department may reimburse an eligible member of the armed forces for the cost of airfare for that member to travel to the home of record of the member.

(b) **ELIGIBLE MEMBERS.**—A member of the armed forces is eligible for a reimbursement under subsection (a) with respect to travel described in that subsection if—

(1) the member—

(A) is assigned to a duty location in Alaska; and

(B) as of any date during the period specified in subsection (f), has been assigned to a duty location in Alaska for a period of one year or more;

(2) after an evaluation of the member by a mental health provider, that provider recommends, in writing, that the member use leave to which the member is entitled under section 704 of title 10, United States Code, to travel away from Alaska for the health and well-being of the member; and

(3) an officer with the grade of O-6 or higher in the chain of command of the member authorizes the travel of the member.

(c) **TREATMENT OF TIME AS LEAVE.**—The time during which a member who receives a reimbursement under subsection (a) with respect to travel described in that subsection is absent from duty for such travel shall be treated as leave for purposes of section 704 of title 10, United States Code.

(d) **AUTHORIZED DESTINATION.**—Reimbursement under subsection (a) is authorized only for the cost of airfare for a member to travel to the home of record of the member. If a member travels to any other location pursuant to an authorization under subsection (b), the amount the member is reimbursed under subsection (a) may not exceed the cost the member would have incurred for airfare if the member had traveled to the home of record of the member.

(e) **BRIEFING REQUIRED.**—Not later than February 1, 2024, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the use and effectiveness of reimbursements authorized by subsection (a).

(f) **PERIOD SPECIFIED.**—The period specified in this subsection is the period—

(1) beginning on the date of the enactment of this Act; and

(2) ending on December 31, 2023.

(g) **MENTAL HEALTH PROVIDER DEFINED.**—In this section, the term “mental health provider” means—

(1) a health care provider of the Department of the Defense at a facility of the Department; or

(2) a non-Departmental health care provider (as defined in section 717 of the National Defense Authorization Act for Fiscal

Year 2016 (Public Law 114-92; 129 Stat 868; 10 U.S.C. 1073 note)).

SEC. 525. PROHIBITION ON CONSIDERING STATE LAWS AND REGULATIONS WHEN DETERMINING INDIVIDUAL DUTY ASSIGNMENTS.

The Secretary of Defense may not use the agreement or disagreement of a member of the Armed Forces with the State laws and regulations applicable to any duty station when determining the duty assignment of the member.

SEC. 526. MODIFICATION TO LIMITATIONS ON DISCHARGE OR RELEASE FROM ACTIVE DUTY.

Section 1168(a) of title 10, United States Code, is amended by striking “A member of an armed force” and inserting “A member of an active or reserve component of an armed force”.

SEC. 527. SEX-NEUTRAL HIGH FITNESS STANDARDS FOR ARMY COMBAT MILITARY OCCUPATIONAL SPECIALTIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall—

(1) establish sex-neutral fitness standards for combat Military Occupational Specialties (MOSSs) that are higher than those for non-combat MOSSs; and

(2) provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives describing—

(A) the list of combat MOSSs established for purposes of paragraph (1); and

(B) the methodology used to determine whether to include a MOS on such list.

Subtitle D—Military Justice and Other Legal Matters

SEC. 541. BRIEFING AND REPORT ON RESOURCING REQUIRED FOR IMPLEMENTATION OF MILITARY JUSTICE REFORM.

(a) BRIEFING AND REPORT REQUIRED.—

(1) BRIEFING.—Not later than March 1, 2023, and no less frequently than once every 180 days thereafter through December 31, 2024, each Secretary concerned shall provide to the appropriate congressional committees a briefing that details the resourcing necessary to implement subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the appropriate congressional committees a report that details the resourcing necessary to implement subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(3) FORM OF BRIEFING AND REPORT.—The Secretaries concerned may provide the briefings and report required under paragraphs (1) and (2) jointly, or separately, as determined appropriate by such Secretaries.

(b) ELEMENTS.—The briefing and report required under subsection (a) shall address the following:

(1) The number of personnel and personnel authorizations (military and civilian) required by the Armed Forces to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(2) The basis for the numbers provided pursuant to paragraph (1), including the following:

(A) A description of the organizational structure in which such personnel or groups of personnel are or will be aligned.

(B) The nature of the duties and functions to be performed by any such personnel or

groups of personnel across the domains of policy-making, execution, assessment, and oversight.

(C) The optimum caseload goal assigned to the following categories of personnel who are or will participate in the military justice process: criminal investigators of different levels and expertise, laboratory personnel, defense counsel, special trial counsel, military defense counsel, military judges, military magistrates, and paralegals.

(D) Any required increase in the number of personnel currently authorized in law to be assigned to the Armed Force concerned.

(3) The nature and scope of any contract required by the Armed Force concerned to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(4) The amount and types of additional funding required by the Armed Force concerned to implement the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(5) Any additional authorities required to implement the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(6) Any additional information the Secretary concerned determines is necessary to ensure the manning, equipping, and resourcing of the Armed Forces to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” has the meaning given that term in section 101(a) of title 10, United States Code.

SEC. 542. RANDOMIZATION OF COURT-MARTIAL PANELS.

(a) IN GENERAL.—Section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

“(4) When convening a court-martial, the convening authority shall detail as members thereof members of the armed forces under such regulations as the President may prescribe for the randomized selection of qualified personnel, to the maximum extent practicable.”.

(b) REGULATIONS.—Not later than 2 years after the date of the enactment of this Act, the President shall prescribe regulations implementing the requirement under paragraph (4) of section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), as added by subsection (a).

SEC. 543. MATTERS IN CONNECTION WITH SPECIAL TRIAL COUNSEL.

(a) DEFINITION OF COVERED OFFENSE.—

(1) IN GENERAL.—Paragraph (17)(A) of section 801 of title 10, United States Code (article 1 of the Uniform Code of Military Justice), as added by section 533 of the National

Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1695), is amended—

(A) by striking “section 920 (article 120)” and inserting “section 919a (article 119a), section 919b (article 119b), section 920 (article 120), section 920a (article 120a)”;

(B) by striking “the standalone offense of child pornography” and inserting “the standalone offenses of child pornography, indecent conduct, indecent language to a child under the age of 16, and pandering and prostitution”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall—

(A) take effect on the date that is two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81); and

(B) apply with respect to any offenses that occur after that date.

(b) RESIDUAL PROSECUTORIAL DUTIES AND OTHER JUDICIAL FUNCTIONS OF CONVENING AUTHORITIES IN COVERED CASES.—The President shall prescribe regulations to ensure that residual prosecutorial duties and other judicial functions of convening authorities, including but not limited to granting immunity, ordering depositions, and hiring experts, with respect to charges and specifications over which a special trial counsel exercises authority pursuant to section 824a of title 10, United States Code (article 24a of the Uniform Code of Military Justice), are transferred to the military judge, the special trial counsel, or other authority as appropriate in such cases by no later than the effective date established in section 539C of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 801 note), in consideration of due process for all parties involved in such a case.

(c) AMENDMENT TO THE RULES FOR COURTMARTIAL.—The President shall prescribe in regulation such modifications to Rule 813 of the Rules for Courts-Martial and other Rules as appropriate to ensure that at the beginning of each court-martial convened, the presentation of orders does not in open court specify the name, rank, or position of the convening authority convening such court, unless such convening authority is the Secretary concerned, the Secretary of Defense, or the President.

(d) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the progress of the Department of Defense in implementing this section, including an identification of—

(1) the duties to be transferred under subsection (b);

(2) the positions to which those duties will be transferred; and

(3) any provisions of law or Rules for Courts Martial that must be amended or modified to fully complete the transfer.

(e) ADDITIONAL REPORTING RELATIVE TO IMPLEMENTATION OF SUBTITLE D OF TITLE V OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—Not later than February 1, 2025, and annually thereafter for five years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the holistic effect of the reforms contained in subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) on the military justice system. The report shall include the following elements:

(1) An overall assessment of the effect such reforms have had on the military justice system and the maintenance of good order and discipline in the ranks.

(2) The percentage of caseload and court-martial assessed as meeting, or having been

assessed as potentially meeting, the definition of “covered offense”, disaggregated by offense and military service where possible.

(3) An assessment of prevalence and data concerning disposition of cases by commanders after declination of prosecution by special trial counsel, disaggregated by offense and military service when possible.

(4) Assessment of the effect, if any, the reforms contained in such subtitle have had on non-judicial punishment concerning covered and non-covered offenses.

(5) A description of the resources and personnel required to maintain and execute the reforms made by such subtitle during the reporting period relative to fiscal year 2022.

(6) A description of any other factors or matters considered by the Secretary to be important to a holistic assessment of these reforms on the military justice system.

SEC. 544. JURISDICTION OF COURTS OF CRIMINAL APPEALS.

(a) JURISDICTION.—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking “shall have jurisdiction over” and all that follows through the period at the end of subparagraph (D) and inserting the following: “shall have jurisdiction over—

“(A) a timely appeal from the judgment of a court-martial, entered into the record under section 860(c) of this title (article 60c(a)), that includes a finding of guilty; and

“(B) a summary court-martial case in which the accused filed an application for review with the Court under section 869(d)(1)(B) of this title (article 69(d)(1)(B)) and for which the application has been granted by the Court.”; and

(2) in subsection (c), by striking “is timely if” and all that follows through the period at the end of paragraph (2) and inserting the following: “is timely if—

“(1) in the case of an appeal under subparagraph (A) of such subsection, it is filed before the later of—

“(A) the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)); and

“(B) the date set by the Court of Criminal Appeals by rule or order; and

“(2) in the case of an appeal under subparagraph (B) of such subsection, an application for review with the Court is filed not later than the earlier of the dates established under section 869(d)(2)(B) of this title (article 69(d)(2)(B)).”.

(b) REVIEW BY JUDGE ADVOCATE GENERAL.—Section 869 of title 10, United States Code (article 69 of the Uniform Code of Military Justice) is amended—

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

“(a) IN GENERAL.—Upon application by the accused or receipt of the record pursuant to section 864(c)(3) of this title (article 64(c)(3)) and subject to subsections (b), (c), and (d), the Judge Advocate General may—

“(1) with respect to a summary court-martial, modify or set aside, in whole or in part, the findings and sentence; or

“(2) with respect to a general or special court-martial, order such court-martial to be reviewed under section 866 of this title (article 66).”; and

(2) in subsection (b)—

(A) by inserting “(1)” before “To qualify”; and

(B) by striking “not later than one year after” and all that follows through the period at the end and inserting the following: “not later than—

“(A) for a summary court-martial, one year after the date of completion of review under section 864 of this title (article 64); or

“(B) for a general or special court-martial, one year after the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)), unless the accused submitted a waiver or withdrawal of appellate review under section 861 of this title (article 61) before being provided notice of appellate rights, in which case the application must be submitted to the Judge Advocate General not later than one year after the entry of judgment under section 860(c) of this title (article 60c).

“(2) The Judge Advocate General may, for good cause shown, extend the period for submission of an application, but may not consider an application submitted more than three years after the completion date referred to in paragraph (1)(A).”;

(3) in subsection (c)—

(A) in paragraph (1)(A), by striking “section 864 or 865(b) of this title (article 64 or 65(b))” and inserting “section 864 of this title (article 64)”; and

(B) in paragraph (2), by striking “the Judge Advocate General shall order appropriate corrective action under rules prescribed by the President” and inserting “the Judge Advocate General shall send the case to the Court of Criminal Appeals”; and

(4) in subsection (d)(1), by striking “under subsection (c)—” and all that follows through “(B) in a case submitted” and inserting “under subsection (c)(1) in a case submitted”.

(c) WAIVER OF RIGHT TO APPEAL; WITHDRAWAL OF APPEAL.—Section 861(d) of title 10, United States Code (article 61(d) of the Uniform Code of Military Justice), is amended by striking “A waiver” and inserting “Except as provided by section 869(c)(2) of this title (article 69(c)(2)), a waiver”.

SEC. 545. SPECIAL TRIAL COUNSEL.

(a) TECHNICAL CORRECTIONS.—Section 824a(c)(3) of title 10, United States Code (article 24A(c)(3) of the Uniform Code of Military Justice), is amended—

(1) by striking “Subject to paragraph (4)” and inserting “Subject to paragraph (5)”; and

(2) in subparagraph (D), by striking “an ordered rehearing” and inserting “an authorized rehearing”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) as provided in section 539C of that Act.

SEC. 546. EXCLUSION OF OFFICERS SERVING AS LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS ON AUTHORIZED STRENGTHS FOR GENERAL AND FLAG OFFICERS.

During the two-year period beginning on the date of the enactment of this Act, the limitations in section 526a(a) of title 10, United States Code, shall not apply to a general or flag officer serving in the position of lead special trial counsel pursuant to an appointment under section 1044f(a)(2) of such title.

SEC. 547. SPECIAL TRIAL COUNSEL OF DEPARTMENT OF THE AIR FORCE.

(a) IN GENERAL.—Section 1044f of title 10, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “The policies shall” and inserting “Subject to subsection (c), the policies shall”; and

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection:

“(c) SPECIAL TRIAL COUNSEL OF DEPARTMENT OF THE AIR FORCE.—In establishing policies under subsection (a), the Secretary of Defense shall—

“(1) in lieu of providing for separate offices for the Air Force and Space Force under subsection (a)(1), provide for the establishment of a single dedicated office from which office the activities of the special trial counsel of the Department of the Air Force shall be supervised and overseen; and

“(2) in lieu of providing for separate lead special trial counsels for the Air Force and Space Force under subsection (a)(2), provide for the appointment of one lead special trial counsel who shall be responsible for the overall supervision and oversight of the activities of the special trial counsel of the Department of the Air Force.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 532 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1694) as provided in section 539C of such Act (10 U.S.C. 801 note).

SEC. 548. RESTRICTED REPORTING OPTION FOR DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES CHOOSING TO REPORT EXPERIENCING ADULT SEXUAL ASSAULT.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1599j. Restricted reports of incidents of adult sexual assault

“(a) RESTRICTED REPORTS.—The Secretary of Defense may provide a civilian employee of the Department of Defense an opportunity to submit to an individual described in subsection (d) a restricted report of an alleged incident of adult sexual assault for the purpose of assisting the employee in obtaining information and access to authorized victim support services provided by the Department.

“(b) RESTRICTIONS ON DISCLOSURES AND INITIATING INVESTIGATIONS.—Unless the Secretary determines that a disclosure is necessary to prevent or mitigate a serious and imminent safety threat to the employee submitting the report or to another person, a restricted report submitted pursuant to subsection (a) shall not—

“(1) be disclosed to the supervisor of the employee or any other management official; or

“(2) cause the initiation of a Federal civil or criminal investigation.

“(c) DUTIES UNDER OTHER LAWS.—The receipt of a restricted report submitted under subsection (a) shall not be construed as imputing actual or constructive knowledge of an alleged incident of sexual assault to the Department of Defense for any purpose.

“(d) INDIVIDUALS AUTHORIZED TO RECEIVE RESTRICTED REPORTS.—An individual described in this subsection is an individual who performs victim advocate duties under a program for one or more of the following purposes (or any other program designated by the Secretary):

“(1) Sexual assault prevention and response.

“(2) Victim advocacy.

“(3) Equal employment opportunity.

“(4) Workplace violence prevention and response.

“(5) Employee assistance.

“(6) Family advocacy.

“(e) DEFINITIONS.—In this section:

“(1) CIVILIAN EMPLOYEE.—The term ‘civilian employee’ has the meaning given the term ‘employee’ in section 2105 of title 5.

“(2) SEXUAL ASSAULT.—The term ‘sexual assault’ has the meaning given that term in Article 120, Uniform Code of Military Justice (10 U.S.C. 920), and includes penetrative offenses and sexual contact offenses.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is

amended by adding at the end the following new item:

“1599j. Restricted reports of incidents of adult sexual assault.”.

SEC. 549. IMPROVEMENTS TO DEPARTMENT OF DEFENSE TRACKING OF AND RESPONSE TO INCIDENTS OF CHILD ABUSE, ADULT CRIMES AGAINST CHILDREN, AND SERIOUS HARMFUL BEHAVIOR BETWEEN CHILDREN AND YOUTH INVOLVING MILITARY DEPENDENTS ON MILITARY INSTALLATIONS.

(a) **EXPANSION OF DATABASE.**—Section 549B(b)(2)(A) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 1787) is amended—

(1) by striking “problematic sexual behavior in children and youth” and inserting “incidents”; and

(2) by striking “, regardless of whether the alleged offender was another child, an adult, or someone in a noncaregiving role at the time of the incident”.

(b) **RESPONSE PROCEDURES FOR INCIDENTS OF SERIOUS HARM TO CHILDREN.**—Subsection (c) of such section is amended—

(1) in the subsection heading, by striking “REPORTED TO FAMILY ADVOCACY PROGRAMS”;

(2) by redesignating paragraph (1) as subparagraph (A) and moving such subparagraph, as so redesignated, 2 ems to the right;

(3) by inserting before subparagraph (A), as so redesignated, the following:

“(1) **RESPONSE GROUPS.**—”;

(4) by inserting after subparagraph (A), as so redesignated, the following new subparagraph:

“(B) **SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM.**—The Secretary of Defense shall establish guidance for each Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team, as defined in paragraph (8), on a military installation to address reported incidents of serious harmful behaviors between children and youth, as described in subsection (a)(2)(C).”;

(5) in paragraph (2)(A)—

(A) by striking “shall develop a standardized process by which the Family Advocacy Programs” and inserting the following: “shall develop standardized processes by which—

“(i) the Family Response Programs”;

(B) by inserting “under subsection (a)(2)(A) and (a)(2)(B)” after “reported covered incidents of serious harm to children”; and

(C) by striking “Incident Determination Committee.” and inserting the following: “Incident Determination Committee; and

“(ii) military departments screen incidents of serious harmful behavior between children and youth under subsection (a)(2)(C) to determine whether to convene the Serious Harmful Behavior Between Children and Youth Multidisciplinary Team.”;

(6) in paragraph (7), by inserting “, as described in subsection (a)(2)(A) and (a)(2)(B),” after “reported incidents of child abuse”; and

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

“(8) **SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM DEFINED.**—In this subsection, the term ‘Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team’ means a coordinated community response team on a military installation—

“(A) composed of designated members with the requisite experience, qualifications, and skills to address serious harmful behaviors between children and youth from a developmentally appropriate and trauma-informed perspective; and

“(B) with objectives that include development of procedures for information sharing, collaborative and coordinated response, restorative resolution, effective investigations and assessments, evidence-based clinical interventions and rehabilitation, and prevention of serious harmful behavior between children and youth.”.

SEC. 550. PRIMARY PREVENTION.

(a) **ANNUAL PRIMARY PREVENTION RESEARCH AGENDA.**—Section 549A(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (5), (6), and (7), respectively;

(2) by inserting after paragraph (1) the following new paragraphs:

“(2) include a focus on whether and to what extent sub-populations of the military community may be targeted for interpersonal violence more than others;

“(3) seek to identify factors that influence the prevention, perpetration, and victimization of interpersonal and self-directed violence;

“(4) seek to improve the collection and dissemination of data on hazing and bullying related to interpersonal and self-directed violence”; and

(3) in paragraph (6), as redesignated by paragraph (1) of this section, by amending the text to read as follows:

“(6) incorporate collaboration with other Federal departments and agencies, including the Department of Health and Human Services and the Centers for Disease Control and Prevention, State governments, academia, industry, Federally funded research and development centers, nonprofit organizations, and other organizations outside of the Department of Defense, including civilian institutions that conduct similar data-driven studies, collection, and analysis; and”.

(b) **PRIMARY PREVENTION WORKFORCE.**—Section 549B of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) is amended—

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

“(3) **COMPTROLLER GENERAL REPORT.**—Not later than one year after the date of the enactment of this paragraph, the Comptroller General of the United States shall submit to the congressional defense committees a report comparing the sexual harassment and prevention training of the Department of Defense with similar programs at other Federal departments and agencies and including data collected by colleges and universities and other relevant outside entities.”; and

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

“(e) **INCORPORATION OF RESEARCH AND FINDINGS.**—The Primary Prevention Workforce established under subsection (a) shall, on a regular basis, incorporate findings and conclusions from the primary prevention research agenda established under section 549A, as appropriate, into the work of the workforce.”.

SEC. 551. DISSEMINATION OF CIVILIAN LEGAL SERVICES INFORMATION.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure, through the Sexual Assault Prevention and Response Office, the coordinated distribution and referral of information on the availability of resources provided by civilian legal service organizations to military-connected sexual assault victims.

Subtitle E—Member Education, Training, and Transition

SEC. 561. REVIEW OF CERTAIN SPECIAL OPERATIONS PERSONNEL POLICIES.

(a) **REVIEW REQUIRED.**—Not later than 180 days after the date of the enactment of this

Act, the Secretary of Defense shall require the military departments and the United States Special Operations Command to complete a review and appropriately update departmental guidance and processes consistent with section 167(e)(2)(J) of title 10, United States Code, with respect to the authority of the Commander of the United States Special Operations Command to monitor the promotions of special operations forces and coordinate with the military departments regarding the assignment, retention, training, professional military education, and special and incentive pays of special operations forces.

(b) **ELEMENTS OF REVIEW.**—The review and updates to departmental guidance and processes required under subsection (a) shall address the respective roles of the military departments and the United States Special Operations Command with respect to—

(1) the recruiting, retention, professional military education, and promotion of special operations personnel;

(2) the sharing of personnel data between the military departments and the United States Special Operations Command; and

(3) any other matters the Secretary of Defense determines necessary.

(c) **REPORT REQUIRED.**—Not later than 90 days after the completion of the review and updates to departmental guidance and processes required under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on the review and any resulting updates to departmental guidance and processes. The report shall also include any recommended changes to law or resources deemed appropriate by the Secretary.

SEC. 562. EXPANDED ELIGIBILITY TO PROVIDE JUNIOR RESERVE OFFICERS' TRAINING CORPS (JROTC) INSTRUCTION.

Section 2031 of title 10, United States Code, 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)(1) Instead of, or in addition to, detailing officers and noncommissioned officers on active duty under subsection (c)(1) and authorizing the employment of retired officers and noncommissioned officers who are in receipt of retired pay and members of the Fleet Reserve and Fleet Marine Corps Reserve under subsections (d) and (e), the Secretary of the military department concerned may authorize qualified institutions to employ as administrators and instructors in the program certain officers and noncommissioned officers who—

“(A)(i) are separated under honorable conditions within the past 5 years with at least 8 years of service, or

“(ii) 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

“(B) 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 Instructor Pay Scale 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).”

SEC. 563. PRE-SERVICE EDUCATION DEMONSTRATION PROGRAM.

(a) **PRE-SERVICE EDUCATION DEMONSTRATION PROGRAM AUTHORIZED.**—The Secretary of each military department may establish and carry out a demonstration program to determine the advisability and feasibility of paying all or a portion of the charges of an education institution for the tuition of an individual who is enrolled in such educational institution for a technical or vocational degree, certificate, or certification program to meet a critical need in that military department.

(b) **ELIGIBILITY.**—The Secretary shall limit eligibility under the program to individuals who meet the following criteria:

- (1) Must be between the age of 17 and 25.
- (2) Must be a category I recruit.
- (3) Must sign a written agreement consenting to the requirements under subsection (c).

(c) **DEMONSTRATION PROGRAM REQUIREMENTS.**—Under regulations prescribed by the Secretary concerned, each demonstration program created under this section shall adhere to the following requirements:

(1) The educational program authorized under subsection (a) may not exceed a period of 3 years.

(2) Funds may not be provided under the program to an eligible individual unless the individual signs an enlistment contract for active duty military service upon the completion of the educational program for which the funds were provided.

(3) Individuals participating in the demonstration program shall be evaluated annually to ensure continued eligibility for military service.

(4) Individuals participating in the program shall be required to enroll in an ongoing, pre-service course of instruction in order to prepare such individuals for military service and ensure their continued fitness and eligibility for service. The course of instruction may be administered either remotely or in-person, as the Secretary shall direct. The pre-service instruction shall be concurrent with the degree program authorized pursuant to subsection (a).

(5) Individuals who do not maintain eligibility for military service may be required to repay any funds provided by the Secretary concerned under this program, as the Secretary shall direct.

(d) **REPORT.**—For any demonstration programs initiated under this section, the Secretary concerned shall submit an annual report to the Committees on Armed Services of the Senate and the House of Representatives that includes—

- (1) a description of the demonstration program;
- (2) a statement of the goals or anticipated outcomes of the demonstration program;
- (3) a description of the method and metrics used to evaluate the effectiveness of this demonstration program; and
- (4) any other matters the Secretary concerned determines relevant.

(e) **SUNSET.**—The authority under this section expires on October 1, 2028.

Subtitle F—Military Family Readiness and Dependents' Education

SEC. 571. 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 2023 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 2023 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 2023 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 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, 2023, 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. 572. 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) **ASSISTANCE AUTHORIZED.**—To assist communities in making adjustments resulting from changes in the size or location of the Armed Forces, the Secretary of Defense shall provide financial assistance to an eligible local educational agency described in subsection (b) if, during the period between the end of the school year preceding the fiscal year for which the assistance is authorized and the beginning of the school year immediately preceding that school year, the local educational agency—

(1) had (as determined by the Secretary of Defense in consultation with the Secretary of Education) an overall increase or reduction of—

(A) not less than five percent in the average daily attendance of military dependent students in the schools of the local educational agency; or

(B) not less than 500 military dependent students in average daily attendance in the schools of the local educational agency; or

(2) is projected to have an overall increase, between fiscal years 2023 and 2028, of not less than 500 military dependent students in av-

erage daily attendance in the schools of the local educational agency as the result of a signed record of decision.

(b) **ELIGIBLE LOCAL EDUCATIONAL AGENCIES.**—A local educational agency is eligible for assistance under subsection (a) for a fiscal year if—

(1) 20 percent or more of students enrolled in schools of the local educational agency are military dependent students; and

(2) in the case of assistance described in subsection (a)(1), the overall increase or reduction in military dependent students in schools of the local educational agency is the result of one or more of the following:

(A) The global rebasing plan of the Department of Defense.

(B) The official creation or activation of one or more new military units.

(C) The realignment of forces as a result of the base closure process.

(D) A change in the number of housing units on a military installation.

(E) A signed record of decision.

(c) **CALCULATION OF AMOUNT OF ASSISTANCE.**—

(1) **PRO RATA DISTRIBUTION.**—The amount of the assistance provided under subsection (a) to a local educational agency that is eligible for such assistance for a fiscal year shall be equal to the product obtained by multiplying—

(A) the per-student rate determined under paragraph (2) for that fiscal year; by

(B) the net of the overall increases and reductions in the number of military dependent students in schools of the local educational agency, as determined under subsection (a).

(2) **PER-STUDENT RATE.**—For purposes of paragraph (1)(A), the per-student rate for a fiscal year shall be equal to the dollar amount obtained by dividing—

(A) the total amount of funds made available for that fiscal year to provide assistance under subsection (a); by

(B) the sum of the overall increases and reductions in the number of military dependent students in schools of all eligible local educational agencies for that fiscal year under that subsection.

(3) **MAXIMUM AMOUNT OF ASSISTANCE.**—A local educational agency may not receive more than \$15,000,000 in assistance under subsection (a) for any fiscal year.

(d) **DURATION.**—Assistance may not be provided under subsection (a) after September 30, 2028.

(e) **NOTIFICATION.**—Not later than June 30, 2023, and June 30 of each fiscal year thereafter for which funds are made available to carry out this section, the Secretary of Defense shall notify each local educational agency that is eligible for assistance under subsection (a) for that fiscal year of—

(1) the eligibility of the local educational agency for the assistance; and

(2) the amount of the assistance for which the local educational agency is eligible.

(f) **DISBURSEMENT OF FUNDS.**—The Secretary of Defense shall disburse assistance made available under subsection (a) for a fiscal year not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (e) for that fiscal year.

(g) **BRIEFING REQUIRED.**—Not later than March 1, 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the estimated cost of providing assistance to local educational agencies under subsection (a) through September 30, 2028.

(h) **FUNDING FOR FISCAL YEAR 2023.**—Of the amount authorized to be appropriated by this Act for operation and maintenance for Defense-wide activities \$15,000,000 shall be available only for the purpose of providing

assistance to local educational agencies under subsection (a).

(i) **ELIGIBLE USES.**—Amounts disbursed to a local education agency under subsection (f) may be used by such local educational agency for—

- (1) general fund purposes;
- (2) special education;
- (3) school maintenance and operation;
- (4) school expansion; or
- (5) new school construction.

(j) **DEFINITIONS.**—In this section:

(1) **BASE CLOSURE PROCESS.**—The term “base closure process” means any base closure and realignment process conducted after the date of the enactment of this Act under section 2687 of title 10, United States Code, or any other similar law enacted after that date.

(2) **LOCAL EDUCATIONAL AGENCY.**—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)).

(3) **MILITARY DEPENDENT STUDENTS.**—The term “military dependent students” means—

(A) elementary and secondary school students who are dependents of members of the Armed Forces; and

(B) elementary and secondary school students who are dependents of civilian employees of the Department of Defense.

(4) **STATE.**—The term “State” means each of the 50 States and the District of Columbia.

SEC. 573. PILOT PROGRAM ON HIRING OF SPECIAL EDUCATION INCLUSION COORDINATORS FOR DEPARTMENT OF DEFENSE CHILD DEVELOPMENT CENTERS.

(a) **IN GENERAL.**—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to hire special education inclusion coordinators at child development centers selected by the Secretary under subsection (b).

(b) **SELECTION OF CENTERS.**—The Secretary of Defense shall select the child development centers at which the pilot program required by subsection (a) will be carried out based on—

- (1) the number of dependent children enrolled in the Exceptional Family Member Program at the military installation on which the center is located;
- (2) the number of children with special needs enrolled in the center; and
- (3) such other considerations as the Secretary, in consultation with the Secretaries of the military departments, considers appropriate.

(c) **FUNCTIONS.**—Each special education inclusion coordinator assigned to a child development center under the pilot program required by subsection (a) shall—

- (1) coordinate intervention and inclusion services at the center;
- (2) provide direct classroom support; and
- (3) provide guidance and assistance relating to the increased complexity of working with the behaviors of children with special needs.

(d) **BRIEFINGS REQUIRED.**—

(1) **BRIEFING ON ANTICIPATED COSTS.**—Not later than March 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the anticipated costs for the pilot program required by subsection (a).

(2) **BRIEFING ON EFFECTIVENESS OF PROGRAM.**—Not later than September 30, 2025, the Secretary of Defense shall submit provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program required by subsection (a) that includes—

(A) the number of special education inclusion coordinators hired under the pilot program;

(B) a description of any issues relating to the retention of those coordinators;

(C) a recommendation with respect to whether the pilot program should be made permanent or expanded to other military installations; and

(D) an assessment of the amount of funding required to make the pilot program permanent or expand the pilot program to other military installations, as the Secretary recommends under subparagraph (C).

(e) **DURATION OF PILOT PROGRAM.**—The pilot program required by subsection (a) shall—

(1) commence not later than January 1, 2024; and

(2) terminate on December 31, 2026.

(f) **CHILD DEVELOPMENT CENTER DEFINED.**—In this section, the term “child development center” has the meaning given that term in section 2871(2) of title 10, United States Code, and includes a facility identified as a child care center or day care center.

SEC. 574. EXTENSION OF AND REPORT ON PILOT PROGRAM TO EXPAND ELIGIBILITY FOR ENROLLMENT AT DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

(a) **IN GENERAL.**—Section 589C(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 2164 note) is amended by striking “four years after the date of the enactment of this Act” and inserting “on July 1, 2029”.

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than December 31, 2028, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the conduct of the pilot program under section 589C(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 2164 note).

(2) **ELEMENTS.**—The report required by paragraph (1) shall include a description of—

- (A) the locations at which the pilot program described in paragraph (1) is carried out;
- (B) the number of students participating in the program for each academic year by location; and
- (C) the outcome measures used to gauge the value of the program to the Department of Defense.

Subtitle G—Decorations and Awards, Miscellaneous Reports, and Other Matters

SEC. 581. TEMPORARY EXEMPTION FROM END STRENGTH GRADE RESTRICTIONS FOR THE SPACE FORCE.

Sections 517 and 523 of title 10, United States Code, shall not apply to the Space Force until January 1, 2024.

SEC. 582. REPORT ON OFFICER PERSONNEL MANAGEMENT AND THE DEVELOPMENT OF THE PROFESSIONAL MILITARY ETHIC IN THE SPACE FORCE.

(a) **REPORT REQUIRED.**—Not later than June 1, 2023, the Secretary of the Air Force 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 officer personnel management and the development of the professional military ethic in the Space Force.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

- (1) A description of issues related to officer development in the Space Force, including—
 - (A) the professional military education (PME) model for professional education and continual learning of officers in the Space Force;

(B) the career development model for officers in the Space Force, including key knowledge, skills, and attributes expected of Space Force officers at each of the company grade, field grade, and general officer levels;

(C) desired career trajectories for Space Force officers, including key assignments throughout identified Space Force career tracks and how the flexibilities in the Space Force Component proposal will be used to achieve these desired career paths;

(D) how proposed constructive credit for civilian education and non-military experience in related space industry or government sectors will fit in with the proposed PME and career development models; and

(E) how the Space Force Component proposal will enable officers to achieve joint qualifications required for promotion to general officer.

(2) A description of issues related to officer accessions in the Space Force, including—

(A) the expected sources of commissioning for officers in the Space Force, including the desired proportions of officer assessments from the Reserve Officer Training Corps (ROTC), Service Academies, Officer Training School (OTS), and direct commissionees at each grade above second lieutenant;

(B) the role of proposed constructive credit for civilian education and non-military experience in accessing officers at each grade higher than second lieutenant and the extent to which the Space Force plans to grant constructive credit in determining an officer's entry grade at each grade above second lieutenant; and

(C) the role of targeted recruiting as described in the Guardian Ideal in officer accessions, including how it will work, how frequently it will be used, for what positions, and how it will fit into overall officer accessions.

(3) A description of issues related to the professional military ethic in the Space Force, including—

(A) how the proposed talent management system, career development model, PME model, and proposed Space Force Component structure will affect the development of a uniquely military culture in the Space Force as a military service with Space as a warfighting domain;

(B) the role of the professional military ethic in the Space Force, including expectations of commissioned officers as public servants and military leaders;

(C) the expected role of Space Force civilians in the development and stewardship of the Space Force as a professional military service and how those are distinct from military members in the Space Force;

(D) the ethical implications of creating a force that is designed to “partner effectively with other space interested entities,” as described in the Guardian Ideal, and how the Space Force intends to address any ethical conflicts arising from its desired close partnership with non-military and non-governmental entities in private industry; and

(E) the specific barriers between officers, enlisted, and civilian guardians that are described as “unnecessary” in the Guardian Ideal, how and why such barriers are unnecessary for the Space Force, and any statutory or policy changes the Space Force proposes to remove such barriers, including any proposed changes to the Uniform Code of Military Justice.

(4) Any other issues related to personnel management and professional development of officers in the Space Force that the Secretary concerned determines relevant.

SEC. 583. REPORT ON INCIDENCE OF SUICIDE BY MILITARY JOB CODE IN THE DEPARTMENT OF DEFENSE.

(a) **REPORT.**—Not later than December 31, 2023, the Secretary of Defense shall conduct

a review and 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 rates of suicides in the Armed Forces, beginning after September 11, 2001, disaggregated by year, military job code (Air Force Specialty Code (AFSC), Army Military Occupational Specialty (MOS), Navy Enlisted Classification (NEC)/Billet, and Coast Guard Ratings), and status as active duty, guard, and reserve (as applicable per service).

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

(1) A compilation of suicide data by military job code to determine which military career fields have a higher per capita suicide rate compared to—

(A) other military career fields for the same period;

(B) the overall suicide rate for each service for the same period;

(C) the overall suicide rate for the Department of Defense for the same period; and

(D) the national suicide rate for the same period.

(2) A disaggregation of suicide data by age categories consistent with the Department of Defense Annual Suicide Report age categories.

(c) **INTERIM BRIEFING.**—Not later than June 1, 2023, 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 on the preliminary findings of the review conducted under this section.

SEC. 584. WAIVER OF TIME LIMITATIONS FOR ACT OF VALOR DURING WORLD WAR II.

(a) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to Master Sergeant Roderick W. Edmonds for the acts of valor described in subsection (b).

(b) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of Master Sergeant Roderick W. Edmonds on January 27, 1945, as a prisoner of war and member of the Army serving in Germany in support of the Battle of the Bulge, for which he has never been recognized by the United States Army.

SEC. 585. AUTHORIZATION TO AWARD MEDAL OF HONOR TO SERGEANT MAJOR DAVID R. HALBRUNER FOR ACTS OF VALOR IN SUPPORT OF AN UNNAMED OPERATION IN 2012.

(a) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to Sergeant Major David R. Halbruner for the acts of valor described in subsection (b).

(b) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of then-Master Sergeant Halbruner for his valorous actions on September 11–12, 2012, in support of an unnamed operation.

SEC. 586. RECOGNITION OF SERVICE OF LIEUTENANT GENERAL FRANK MAXWELL ANDREWS.

(a) **FINDINGS.**—The Senate makes the following findings:

(1) Lieutenant General Frank Maxwell Andrews was born in Nashville, Tennessee, in 1884, and graduated from the United States Military Academy, West Point, in 1906, where he received a commission in the cavalry.

(2) In 1917, Lieutenant General Andrews was transferred to the aviation section of the Army Signal Corps, where he commanded various airfields around the United States, serving in a number of leadership positions, including—

(A) Commander of the Advanced Flying School at Kelly Field in Texas;

(B) Commander of the 1st Pursuit Group at Selfridge Field in Michigan; and

(C) Chief of the Army Air Corps' Training and Operations Division.

(3) Following World War I, Lieutenant General Andrews served as the Air Officer for the Army of Occupation in Germany.

(4) In 1935, Lieutenant General Andrews was selected to command the new General Headquarters Aviation, where he had oversight of all Air Corps units and led the development of the Army Air Force.

(5) In 1939, Lieutenant General Andrews was chosen as Army G3, the Assistant Chief of Staff for Operations and Training, making him responsible for preparing operational plans for the entire Army for the impending war.

(6) During World War II, Lieutenant General Andrews led a number of global critical commands, the only general to command 3 theaters of operations during the war, serving as commander of—

(A) the Caribbean Defense Command, which held responsibility for defending the United States' southern borders;

(B) all United States forces in the Middle East, where he helped to defeat Rommel's Afrika Corps; and

(C) all United States troops in the European Theater of Operation, where he succeeded General Dwight D. Eisenhower and oversaw plans for the future invasion of Western Europe.

(7) Lieutenant General Andrews was killed in an B-24 bomber crash during an inspection tour of Iceland.

(8) A number of Lieutenant General Andrews' colleagues and subordinates have been posthumously promoted to the rank of four-star general for their contributions during World War II.

(9) Lieutenant General Andrews was considered one of General Douglas MacArthur's "great captains" due to his strong leadership capabilities, which empowered future leaders to lead United States ground and air forces to victory during World War II.

(10) Joint Base Andrews, a United States military base previously known as Andrews Air Force Base, was named for Lieutenant General Andrews on February 7, 1945, for his leadership as commander of the Air Force General Headquarters and Commanding General of the United States forces in the European Theater of Operations.

(11) In addition to Joint Base Andrews, additional military facilities and installations were named after Lieutenant General Andrews for his contribution to the United States forces, including—

(A) Royal Air Force (RAF) Andrews Field, a former RAF station, in England;

(B) Andrews Avenue, a major road leading to the Philippines' International Airport in Metro Manila, Philippines; and

(C) Andrews Theater, a theater previously serving the Naval Air Station Keflavik in Iceland.

(12) Lieutenant General Andrews is considered one of the founders of the United States Army Air Forces, known today as the United States Air Force, due to his efforts to pursue and empower a separate and independent Air Force.

(13) Lieutenant General Andrews served honorably in the United States military for over 37 years.

(14) Lieutenant General Andrews is considered one of the United States' key military commanders of World War II.

(b) **RECOGNITION OF SERVICE.**—The Senate honors and recognizes Lieutenant General Frank Maxwell Andrews for—

(1) his 37 years of loyal service to the United States Army and Army Air Corps;

(2) his heroic leadership during World War I and World War II; and

(3) his lasting legacy and selfless sacrifice on behalf of the United States.

SEC. 587. POSTHUMOUS APPOINTMENT OF ULYSSES S. GRANT TO GRADE OF GENERAL OF THE ARMIES OF THE UNITED STATES.

The President is authorized to appoint Ulysses S. Grant posthumously to the grade of General of the Armies of the United States equivalent to the rank and precedence held by General John J. Pershing pursuant to the Act entitled "An Act Relating to the creation of the office of General of the Armies of the United States", approved September 3, 1919 (41 Stat. 283, chapter 56).

SEC. 588. MODIFICATION TO NOTIFICATION ON MANNING OF AFLOAT NAVAL FORCES.

(a) **CREWING REQUIREMENT.**—Subsection (e) of section 597 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 8013 note) is amended to read as follows:

“(e) **SURFACE COMBATANT CREWING REQUIREMENT.**—Beginning October 1, 2025, the Secretary of the Navy may not assign more than one crew to a covered surface combatant vessel if any surface combatant vessel is included on a report required under subsection (a) in the most recent 12 months.”.

(b) **SURFACE COMBATANT VESSEL DEFINITION.**—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(4) **SURFACE COMBATANT VESSEL.**—The term ‘surface combatant vessel’ means any littoral combat ship (including the LCS–1 and LCS–2 classes), frigate (including the FFG–62 classes), destroyer (including the DDG–51 and DDG–1000 classes), or cruiser (including the CG–47 class).”.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. TEMPORARY CONTINUATION OF BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.

(a) **IN GENERAL.**—Section 403 of title 37, United States Code, is amended—

(1) by redesignating subsections (m) through (p) as subsections (n) through (q), respectively; and

(2) by inserting after subsection (l) the following new subsection (m):

“(m) **TEMPORARY CONTINUATION OF ALLOWANCE FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.**—(1) Notwithstanding subsection (a)(2) or any other provision of law, the Secretary of Defense, or the Secretary of Homeland Security in the case of the Coast Guard when not operating as a service in the Navy, may continue to pay to a member described in paragraph (2) for the period described in paragraph (3) a basic allowance for housing at the rate to which the member was entitled on the day before the date of the death of the dependent of the member.

“(2) A member described in this paragraph is a member of the uniformed services whose sole dependent dies while—

“(A) the member is on active duty; and

“(B) the dependent resides with the member, unless separated—

“(i) by the necessity of military service;

“(ii) to receive institutional care as a result of disability or incapacitation; or

“(iii) under such other circumstances as the Secretary concerned may by regulation prescribe.

“(3)(A) Except as provided by subparagraph (B), the period described in this paragraph is the 365-day period beginning on the date of the death of the dependent of a member described in paragraph (2).

“(B) A member described in paragraph (2) who receives, during the 365-day period described in subparagraph (A), an order for a permanent change of station or permanent change of assignment with movement of personal property and household goods authorized under section 453(c) may not continue to receive a basic allowance for housing at the rate provided for under paragraph (1) after the permanent change of station or permanent change of assignment.”.

(b) CONFORMING AMENDMENT.—Section 2881a(c)(1) of title 10, United States Code, is amended by striking “section 403(n)” and inserting “section 403(o)”.

SEC. 602. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WITHOUT DEPENDENTS WHEN HOME PORT CHANGE WOULD FINANCIALLY DISADVANTAGE MEMBER.

Subsection (p) of section 403 of title 37, United States Code, as redesignated by section 601(a)(1), is further amended—

(1) in the subsection heading, by striking “LOW-COST AND NO-COST” and inserting “CERTAIN”;

(2) by inserting “(1)” before “In the case of a member who is assigned”; and

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

“(2)(A) In the case of a member without dependents who is assigned to a unit that undergoes a change of home port or a change of permanent duty station, if the Secretary concerned determines that it would be inequitable to base the member's entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station, the Secretary concerned may—

“(i) waive the requirement to base the member's entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station member; and

“(ii) treat that member for the purposes of this section as if the unit to which the member is assigned did not undergo such a change.

“(B) The Secretary concerned may grant a waiver under subparagraph (A) to not more than 100 members in a calendar year.

“(C) Not later than March 1 of each calendar year, the Secretary concerned shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the use of the authority provided by subparagraph (A) during the preceding calendar year that includes—

“(i) the number of members granted a waiver under subparagraph (A) during that year; and

“(ii) for each such waiver, an identification of—

“(I) the grade of the member;

“(II) the home port or permanent duty station of the unit to which the member is assigned before the change described in subparagraph (A); and

“(III) the new home port or permanent duty station of that unit.

“(D) This paragraph shall cease to be effective on December 31, 2027.”.

SEC. 603. EXTENSION OF AUTHORITY TO TEMPORARILY ADJUST BASIC ALLOWANCE FOR HOUSING IN CERTAIN AREAS.

Section 403(b)(8)(C) of title 37, United States Code, is amended by striking “2022” and inserting “2024”.

SEC. 604. INCREASE IN INCOME FOR PURPOSES OF ELIGIBILITY FOR BASIC NEEDS ALLOWANCE.

(a) IN GENERAL.—Section 402b(b) of title 37, United States Code, is amended by striking “130 percent” both places it appears and inserting “150 percent”.

(b) IMPLEMENTATION.—Not later than January 1, 2024, the Secretary concerned (as defined in section 101 of title 37, United States Code) shall modify the calculation of the basic needs allowance under section 402b of title 37, United States Code, to implement the amendment made by subsection (a).

SEC. 605. CONFORMING AMENDMENTS TO UPDATE REFERENCES TO TRAVEL AND TRANSPORTATION AUTHORITIES.

(a) BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.—Section 256(g)(2)(B)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(g)(2)(B)(ii)) is amended by striking “sections 403a and 475” and inserting “sections 403b and 405”.

(b) TITLE 5.—Title 5, United States Code, is amended—

(1) in section 4109(a)(2)—

(A) in subparagraph (A), by striking “sections 474 and 475” and inserting “sections 405 and 452”; and

(B) in subparagraph (B), by striking “sections 476 and 479” and inserting “sections 452 and 453(c)”;

(2) in section 5725(c)(2)(B), by striking “section 476(b)(1)(H)(iii)” and inserting “subsections (c) and (d) of section 453”; and

(3) in section 5760—

(A) in subsection (c), by striking “section 481h(b)” and inserting “section 451(a)”;

(B) in subsection (d)—

(i) in paragraph (2), by striking “section 474(d)” and inserting “section 464”; and

(ii) in paragraph (3), by striking “section 481h(d)(1)” and inserting “section 452(d)”.

(c) TITLE 10.—Title 10, United States Code, is amended—

(1) in section 710—

(A) in subsection (f)(4)(A), in the matter preceding clause (i), by striking “section 474” and inserting “section 452”; and

(B) in subsection (h)(4), by striking “section 481f” and inserting “section 453(f)”;

(2) in section 1174a(b)(2)(B), by striking “sections 474 and 476” and inserting “sections 452 and 453(c)”;

(3) in section 1175(j), by striking “sections 474 and 476” and inserting “sections 452 and 453(c)”;

(4) in section 1175a(e)(2)(B), by striking “sections 474 and 476” and inserting “sections 452 and 453(c)”;

(5) in section 1491(d)(3), by striking “section 495(a)(2)” and inserting “section 435(a)(2)”;

(6) in section 2013(b)(2)—

(A) in subparagraph (A), by striking “sections 474 and 475” and inserting “sections 405 and 452”; and

(B) in subparagraph (B), by striking “sections 476 and 479” and inserting “sections 452 and 453(c)”;

(7) in section 2493(a)(4)(B)(ii), by striking “section 481f(d)” and inserting “section 453(f)”;

(8) in section 2613(g), by striking “section 481h(b)” and inserting “section 451(a)”;

(9) in section 12503—

(A) in subsection (a), in the second sentence, by striking “sections 206 and 495” and inserting “sections 206 and 435”;

(B) in subsection (b)(2)(A), by striking “section 495” and inserting “section 435”; and

(C) in subsection (c), by striking “chapter 7” and inserting “section 452”.

(d) TITLE 14.—Section 2764 of title 14, United States Code, is amended, in the first and third sentences, by striking “subsection

(b) of section 476” and inserting “section 453(c)”.

(e) TITLE 32.—Section 115 of title 32, United States Code, is amended—

(1) in subsection (a), in the third sentence, by striking “sections 206 and 495” and inserting “sections 206 and 435”;

(2) in subsection (b)(2)(A), by striking “section 495” and inserting “section 435”; and

(3) in subsection (c), by striking “chapter 7” and inserting “section 452”.

(f) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—Section 236(f)(4)(A) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3036(f)(4)(A)) is amended, in the matter preceding clause (i), by striking “section 474” and inserting “section 452”.

(g) TITLE 36.—Section 2101(b)(2) of title 36, United States Code, is amended by striking “section 475” and inserting “section 405”.

(h) TITLE 37.—Title 37, United States Code, is amended—

(1) in section 403—

(A) in subsection (d)(2)(A), by striking “section 476” and inserting “section 452”; and

(B) in subsection (g)—

(i) in paragraph (2), in the second sentence, by striking “section 474” and inserting “section 452”; and

(ii) in paragraph (3), by striking “section 476” and inserting “section 453(c)”;

(2) in section 420(b), by striking “sections 474–481” and inserting “section 452”;

(3) in section 422(a), by striking “section 480” and inserting “section 452”;

(4) in section 427—

(A) in subsection (a)(1)(A), by striking “section 476” and inserting “section 452”; and

(B) in subsection (c)(1), by striking “section 476” and inserting “section 452”;

(5) in section 433(b), by striking “section 474(d)(2)(A)” and inserting “section 452”;

(6) in section 451(a)(2)(H)—

(A) in clause (i), by striking “section 481f” and inserting “section 453(f)”;

(B) in clause (ii), by striking “section 481h” and inserting “section 452(b)(12)”;

(C) in clause (iii), by striking “section 481j” and inserting “section 452(b)(13)”;

(D) in clause (iv), by striking “section 481k” and inserting “section 452(b)(14)”;

(E) in clause (v), by striking “section 481” and inserting “section 452(b)(15)”;

(7) in section 1002(b)(1), by striking “section 474(a)–(d), and (f),” and inserting “section 452”;

(8) in section 1003, by striking “sections 402–403b, 474–477, 479–481, and 414” and inserting “sections 402 through 403b, 405, 414, 452, and 453”; and

(9) in section 1006(g)—

(A) by striking “section 477” and inserting “section 452(c)(2)”;

(B) by striking “section 475a(a)” and inserting “section 452(b)(11)”.

(i) CHILD NUTRITION ACT OF 1966.—Section 17(d)(2)(B)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)(ii)) is amended by striking “section 475” and inserting “section 405”.

Subtitle B—Bonus and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking “December 31, 2022” and inserting “December 31, 2023”.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking “December 31, 2022” and inserting “December 31, 2023”:

(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, 2022” and inserting “December 31, 2023”.

(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, 2022” and inserting “December 31, 2023”:

(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 352(g), relating to assignment pay or special duty pay.

(7) Section 353(i), relating to skill incentive pay or proficiency bonus.

(8) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY ADJUSTMENTS IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b) of title 37, United States Code, is amended—

(1) in paragraph (7)(E), by striking “December 31, 2022” and inserting “December 31, 2023”; and

(2) in paragraph (8)(C), by striking “September 30, 2022” and inserting “December 31, 2023”.

SEC. 612. REPEAL OF SUNSET OF HAZARDOUS DUTY PAY.

Subsection (h) of section 351 of title 37, United States Code, is repealed.

SEC. 613. AUTHORIZATION OF ASSIGNMENT PAY OR SPECIAL DUTY PAY BASED ON CLIMATE IN WHICH A MEMBER'S DUTIES ARE PERFORMED.

Section 352(a)(2) of title 37, United States Code, is amended by inserting “climate,” after “location.”

Subtitle C—Leave

SEC. 621. MODIFICATION OF AUTHORITY TO ALLOW MEMBERS OF THE ARMED FORCES TO ACCUMULATE LEAVE IN EXCESS OF 60 DAYS.

(a) IN GENERAL.—Section 701(f) of title 10, United States Code, is amended to read as follows:

“(f)(1) The Secretary concerned, under uniform regulations to be prescribed by the Secretary of Defense, may authorize a member described in paragraph (2) who, except for this subsection, would lose at the end of the fiscal year any accumulated leave in excess of the number of days of leave authorized to be accumulated under subsection (b), to retain an accumulated total of 90 days leave.

“(2) This subsection applies to a member who—

“(A) serves on active duty for a continuous period of at least 120 days in an area in which the member is entitled to special pay under section 310(a) of title 37;

“(B) is assigned to a deployable ship or mobile unit or to other duty designated for the purpose of this section; or

“(C) serves on active duty in a duty assignment in support of a contingency operation.

“(3) Leave accumulated by a member under this subsection in excess of the number of days of such leave authorized under subsection (b) is forfeited unless it is used by the member before the end of the second fiscal year after the fiscal year in which the service or assignment described in paragraph (B) of the member terminated.”.

(b) TRANSITION RULE.—Notwithstanding paragraph (3) of section 701(f) of title 10, United States Code, as amended by subsection (a), leave in excess of 90 days accumulated by a member under section 701(f) of title 10, United States Code, on or before September 30, 2022, is forfeited unless it is used by the member on or before September 30, 2025, or the retention of such leave is authorized under another provision of law.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on January 1, 2023.

SEC. 622. TECHNICAL AMENDMENTS TO LEAVE ENTITLEMENT AND ACCUMULATION.

(a) REPEAL OF OBSOLETE AUTHORITY.—Section 701 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) through (m) as subsections (d) through (l).

(b) CONFORMING AMENDMENTS TO SECTION 701 OF TITLE 10.—Section 701 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “subsections (d), (f), and (g)” and inserting “subsections (e) and (f)”;

(2) in subsection (f), as redesignated by subsection (a)(2), in the first sentence, by striking “subsections (b), (d), and (f)” and inserting “subsections (b) and (e)”;

(3) in subsection (i), as so redesignated, in the first sentence, by striking “subsections (b), (d), and (f)” and inserting “subsections (b) and (e)”.

(c) CONFORMING AMENDMENTS TO OTHER PROVISIONS OF LAW.—

(1) TITLE 14.—Section 2508(a) of title 14, United States Code, is amended by striking “section 701(f)(2)” and inserting “section 701(e)”.

(2) TITLE 37.—Title 37, United States Code, is amended—

(A) in section 501—

(i) in subsection (b)(6), by striking “120 days of leave under section 701(f)(1)” and inserting “90 days of leave under section 701(e)”;

(ii) in subsection (h), by striking “section 701(g)” and inserting “section 701(f)”;

(B) in section 502(b), by striking “section 701(h)” and inserting “section 701(g)”.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2023.

SEC. 623. CONVALESCENT LEAVE FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 701 of title 10, United States Code, as amended by section 622(a), is further amended by adding at the end the following new subsection:

“(m)(1) Except as provided by subsection (h)(3), and under regulations prescribed by the Secretary of Defense, a member of the armed forces diagnosed with a medical condition is allowed convalescent leave if—

“(A) the medical or behavioral health provider of the member—

“(i) determines that the member is not yet fit for duty as a result of that condition; and

“(ii) recommends such leave for the member to provide for the convalescence of the member from that condition; and

“(B) the commanding officer of the member or the commander of the military medical treatment facility authorizes such leave for the member.

“(2) A member may take not more than 30 days of convalescent leave under paragraph (1) with respect to a condition described in that paragraph unless—

“(A) such leave in excess of 30 days is authorized by—

“(i) the Secretary concerned; or

“(ii) an individual at the level designated by the Secretary concerned, but not below the grade of O-5 or the civilian equivalent; or

“(B) the member is authorized to receive convalescent leave under subsection (h)(3) in conjunction with the birth of a child.

“(3)(A) Convalescent leave may be authorized under paragraph (1) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.

“(B) In authorizing convalescent leave for a member under paragraph (1) with respect to a condition described in that paragraph, the commanding officer of the member or the commander of the military medical treatment facility, as the case may be, shall—

“(i) limit the duration of such leave to the minimum necessary in relation to the diagnosis, prognosis, and probable final disposition of the condition of the member; and

“(ii) authorize leave tailored to the specific medical needs of the member rather than (except for convalescent leave provided for under subsection (h)(3)) authorizing leave based on a predetermined formula.

“(4) A member taking convalescent leave under paragraph (1) shall not have the member's leave account reduced as a result of taking such leave.

“(5) In this subsection, the term ‘military medical treatment facility’ means a facility described in subsection (b), (c), or (d) of section 1073d.”.

(b) TREATMENT OF CONVALESCENT LEAVE FOR BIRTH OF CHILD.—Paragraph (3) of subsection (h) of such section, as redesignated by section 622(a), 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 inserting “(A)” after “(3)”; and

(3) by adding at the end the following new subparagraph:

“(B) Convalescent leave may be authorized under subparagraph (A) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023.

Subtitle D—Other Matters

SEC. 631. AIR FORCE RATED OFFICER RETENTION DEMONSTRATION PROGRAM.

(a) PROGRAM REQUIREMENT.—The Secretary shall establish and carry out within the Department of the Air Force a demonstration program to assess and improve retention on active duty in the Air Force of rated officers described in subsection (b).

(b) RATED OFFICERS DESCRIBED.—Rated officers described in this subsection are rated officers serving on active duty in the Air Force, excluding rated officers with a reserve appointment in the Air National Guard or Air Force Reserve—

(1) whose continued service on active duty would be in the best interest of the Department of the Air Force, as determined by the Secretary; and

(2) who have not more than three years and not less than one year remaining on an active duty service obligation under section 653 of title 10, United States Code.

(c) WRITTEN AGREEMENT.—

(1) IN GENERAL.—Under the demonstration program required under subsection (a), the Secretary shall offer retention incentives under subsection (d) to a rated officer described in subsection (b) who executes a written agreement to remain on active duty in a regular component of the Air Force for not less than four years after the completion of the active duty service obligation of the officer under section 653 of title 10, United States Code.

(2) EXCEPTION.—If the Secretary of the Air Force determines that an assignment previously guaranteed under subsection (d)(1) to a rated officer described in subsection (b) cannot be fulfilled, the agreement of the officer under paragraph (1) to remain on active duty shall expire not later than one year after that determination.

(d) RETENTION INCENTIVES.—

(1) GUARANTEE OF FUTURE ASSIGNMENT LOCATION.—Under the demonstration program required under subsection (a), the Secretary may offer to a rated officer described in subsection (b) a guarantee of future assignment locations based on the preference of the officer.

(2) AVIATION BONUS.—Under the demonstration program required under subsection (a), notwithstanding section 334(c) of title 37, United States Code, the Secretary may pay to a rated officer described in subsection (b) an aviation bonus not to exceed an average annual amount of \$50,000 (subject to paragraph (3)(B)).

(3) COMBINATION OF INCENTIVES.—The Secretary may offer to a rated officer described in subsection (b) a combination of incentives under paragraphs (1) and (2).

(e) ANNUAL BRIEFING.—Not later than December 31, 2023, and annually thereafter until the termination of the demonstration program required under subsection (a), the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing describing the use of such demonstration program and its effects on the retention on active duty in the Air Force of rated officers described in subsection (b).

(f) DEFINITIONS.—In this section:

(1) RATED OFFICER.—The term “rated officer” means an officer specified in section 9253 of title 10, United States Code.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Air Force.

(g) TERMINATION.—This section shall terminate on December 31, 2028.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. IMPROVEMENTS TO THE TRICARE DENTAL PROGRAM.

(a) IN GENERAL.—Section 1076a of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “The plans” and inserting the following:

“(1) IN GENERAL.—The plans”; and

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

“(2) PREMIUM SHARING PLANS.—The regulations required by paragraph (1) shall include, with respect to premium sharing plans referred to in subsection (d)(1), the following elements:

“(A) A third party administrator shall manage the administrative features of such plans, including eligibility, enrollment, plan change and premium payment processes, submission of qualifying life events changes, and address changes.

“(B) Such plans shall include the following three enrollment options:

“(i) Self.

“(ii) Self plus one.

“(iii) Family.

“(C) In the United States, to the extent practicable, individuals eligible to enroll in such a plan shall be offered options to enroll in plans of not fewer than four national dental insurance carriers.

“(D) To the extent practicable, each carrier described in subparagraph (C)—

“(i) shall manage dental care delivery matters, including claims adjudication (with required electronic submission of claims), coordination of benefits, covered services, enrollment verification, and provider networks;

“(ii) shall, in addition to offering a standard option plan consistent with the requirements of this section, offer a high option plan that provides more covered services;

“(iii) may offer an additional plan managed as a dental health maintenance organization plan;

“(iv) shall establish and operate dental provider networks that provide—

“(I) accessible care with a prevention or wellness focus;

“(II) continuity of care;

“(III) coordinated care (including appropriate dental and medical referrals);

“(IV) patient-centered care (including effective communications, individualized care, and shared decision-making); and

“(V) high-quality, safe care;

“(v) shall develop and implement adult and pediatric dental quality measures, including effective measurements for—

“(I) access to care;

“(II) continuity of care;

“(III) cost;

“(IV) adverse patient events;

“(V) oral health outcomes; and

“(VI) patient experience; and

“(vi) shall conduct in their provider networks, to the extent practicable, pilot programs on the development of a model of care based on the model of care referred to as patient-centered dental homes.”;

(2) in subsection (d)(1)—

(A) in subparagraph (B), by striking the second sentence;

(B) by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) The amount of the premium required under subparagraph (A)—

“(i) for standard option plans described in subsection (b)(2)(C)(ii), shall be established by the Secretary annually such that in the aggregate (taking into account the adjustments under subparagraph (D) and subsection (e)(2)(C)), the Secretary’s share of each premium is 60 percent of the premium for each enrollment category (self, self plus one, and family) of each standard option plan; and

“(ii) for non-standard option plans described in clauses (ii) and (iii) of subsection (b)(2)(C), shall be equal to the amount determined under clause (i) plus 100 percent of the additional premium amount applicable to such non-standard option plan.”; and

(C) by striking subparagraph (D) and inserting the following new subparagraph (D):

“(D) The Secretary of Defense shall reduce the monthly premium required to be paid under paragraph (1) in the case of enlisted members in pay grade E-1, E-2, E-3, or E-4.”;

(3) in subsection (e), by adding at the end the following new paragraph:

“(3) The Secretary of Defense shall reduce copayments required to be paid under paragraph (1) in the case of enlisted members in pay grade E-1, E-2, E-3, or E-4.”; and

(4) in subsection (j), by striking “plan established under this section” and inserting “standard option plan described in subsection (b)(2)(C)(ii).”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2025.

(c) RULE MAKING AUTHORITY.—

(1) IN GENERAL.—In order to implement the dental program improvements on the date specified in subsection (b), the Secretary of Defense shall, not later than January 1, 2024, issue an interim final regulation consistent with the provisions of section 1076a of title 10, United States Code, as amended by subsection (a), that will be in effect on the date specified in subsection (b).

(2) MAINTENANCE OF COVERED SERVICES.—The regulation required by paragraph (1) shall ensure that covered services under standard option plans described in subsection (b)(2)(C)(ii) of section 1076a of title 10, United States Code, as added by subsection (a), shall be no less than those services under the premium sharing plans under such section in effect as of the date of the enactment of this Act.

SEC. 702. HEALTH BENEFITS FOR MEMBERS OF THE NATIONAL GUARD FOLLOWING REQUIRED TRAINING OR OTHER DUTY TO RESPOND TO A NATIONAL EMERGENCY.

(a) TRANSITIONAL HEALTH CARE.—Subsection (a)(2) of section 1145 of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(G) A member of the National Guard who is separated from full-time National Guard Duty to which called or ordered under section 502(f) of title 32 for a period of active service of more than 30 days to perform duties that are authorized by the President or the Secretary of Defense for the purpose of responding to a national emergency declared by the President and supported by Federal funds.”.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “active duty” and inserting “active service”;

(B) in paragraph (3), by striking “paragraph (2)(B)” and inserting “subparagraph (B) or (G) of paragraph (2)”;

(C) in paragraph (4)—

(i) by striking “active duty” each place it appears and inserting “active service”; and

(ii) in the second sentence, by striking “or (D)” and inserting “(D), or (G)”;

(D) in paragraph (5), in subparagraphs (A) and (B), by striking “active duty” each place it appears and inserting “active service”; and

(E) in paragraph (7)(A)—

(i) by striking “service on active duty” and inserting “active service”; and

(ii) by striking “active duty for” and inserting “active service for”;

(2) in subsection (b)(1), by striking “active duty” and inserting “active service”; and

(3) in subsection (d)(1)(A), by striking “active duty” and inserting “active service”.

SEC. 703. CONFIDENTIALITY REQUIREMENTS FOR MENTAL HEALTH CARE SERVICES FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—In order to reinforce the policies of eliminating stigma in obtaining mental health care services and further encouraging help-seeking behavior by members of the Armed Forces, not later than July 1, 2023, the Secretary of Defense shall—

(1) update and reissue Department of Defense Instruction 6490.08, entitled “Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Service Members” and issued on August 17, 2011, taking into account—

(A) experience implementing the Instruction; and

(B) opportunities to more effectively dispel stigma in obtaining mental health care services and encourage help-seeking behavior; and

(2) develop standards within the Department of Defense that—

(A) ensure, except in cases in which there are exigent circumstances, confidentiality of mental health care services provided to members who voluntarily seek such services; and

(B) in cases in which there are exigent circumstances, prevent health care providers from disclosing more than the minimum amount of information necessary to address the exigent circumstances.

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

(1) Requirements for confidentiality regarding the request and receipt by a member of the Armed Forces of mental health care services under the self-initiated referral process under section 1090a(e) of title 10, United States Code.

(2) Requirements for confidentiality regarding the results of any drug testing incident to mental health care services.

(3) Procedures that reflect best practices of the mental health profession with respect to suicide prevention.

(4) Prohibition on retaliating against a member of the Armed Forces who requests mental health care services.

(5) Such other elements as the Secretary determines will most effectively support the policies of—

(A) eliminating stigma in obtaining mental health care services; and

(B) encouraging help-seeking behavior by members of the Armed Forces.

(c) JOINT POLICY WITH THE SECRETARY OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Not later than July 1, 2023, the Secretary of Defense and the Secretary of Veterans Affairs shall issue a joint policy that provides, except in the case of exigent circumstances, for confidentiality of mental health care services provided by the Department of Veterans Affairs to members of the Armed Forces, including members of reserve components of the Armed Forces, under sections 1712A, 1720F, 1720H, and 1789 of title 38, United States Code, and other applicable law.

(2) ELEMENTS.—The joint policy issued under paragraph (1) shall, to the extent practicable, establish standards comparable to the standards developed under subsection (a)(2).

(d) REPORT.—Not later than July 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a copy of the standards developed under subsection (a)(2) and the joint policy issued under subsection (c).

(e) EXIGENT CIRCUMSTANCE DEFINED.—In this section, the term “exigent circumstance” means a circumstance in which the Secretary of Defense determines the need to prevent serious harm to individuals or essential military functions clearly outweighs the need for confidentiality of information obtained by a health care provider incident to mental health care services voluntarily sought by a member of the Armed Forces.

SEC. 704. IMPROVEMENT OF REFERRALS FOR SPECIALTY CARE UNDER TRICARE PRIME DURING PERMANENT CHANGES OF STATION.

(a) IN GENERAL.—Section 714 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 1095f) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) IMPROVEMENT OF SPECIALTY CARE REFERRALS DURING PERMANENT CHANGES OF STATION.—In conducting evaluations and improvements under subsection (d) to the referral process described in subsection (a), the

Secretary shall ensure beneficiaries enrolled in TRICARE Prime who are undergoing a permanent change of station receive referrals from their primary care manager to such specialty care providers in the new location as the beneficiary may need before undergoing the permanent change of station.”.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the contractual and technical barriers preventing record sharing between civilian provider networks under the TRICARE program that lead to increased wait times for care for members of the Armed Forces and their dependents undergoing permanent changes of station across provider network regions.

SEC. 705. STUDY ON PROVIDING BENEFITS UNDER TRICARE RESERVE SELECT AND TRICARE DENTAL PROGRAM TO MEMBERS OF THE SELECTED RESERVE AND THEIR DEPENDENTS.

(a) STUDY.—The Secretary of Defense may conduct a study on the feasibility, potential cost effects to the budget of the Department of Defense, changes in out-of-pocket costs to beneficiaries, and effects on other Federal programs of expanding eligibility for TRICARE Reserve Select and the TRICARE dental program to include all members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(b) SPECIFICATIONS.—If the Secretary conducts the study under subsection (a), the Secretary shall include in the study an assessment of the following:

(1) Cost-shifting to the Department of Defense to support the expansion of TRICARE Reserve Select and the TRICARE dental program from—

(A) health benefit plans under chapter 89 of title 5, United States Code;

(B) employer-sponsored health insurance;

(C) private health insurance;

(D) insurance under a State health care exchange; and

(E) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(2) New costs for the Department of Defense to enroll in TRICARE Reserve Select and the TRICARE dental program members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who were previously uninsured.

(3) The resources needed to implement TRICARE Reserve Select and the TRICARE dental program for all such members, their dependents, and their non-dependent children under the age of 26.

(4) Cost-savings, if any, resulting from the expansion of TRICARE Reserve Select and the TRICARE dental program with regard to increased training days performed in support of mass medical events during battle assemblies of the reserve components, including an assessment of the impact of such expansion on—

(A) medical readiness;

(B) overall deployability rates;

(C) deployability timelines;

(D) fallout rates at mobilization sites;

(E) cross-leveling of members of the reserve components to backfill medical fallouts at mobilization sites; and

(F) any other readiness metrics affected by such expansion.

(5) Any impact of such expansion on recruitment and retention of members of the Armed Forces, including members of the Ready Reserve of the reserve components of the Armed Forces.

(6) Cost-savings, if any, in contracts that implement the Reserve Health Readiness Program of the Department of Defense.

(c) DETERMINATION OF COST EFFECTS.—If the Secretary of Defense studies the potential cost effects to the budget of the Department of Defense under subsection (a), the Secretary shall study the cost effects for the following scenarios of expanded eligibility for TRICARE Reserve Select and the TRICARE dental program:

(1) Premium free for members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(2) Premium free for such members and subsidized premiums for such dependents and non-dependent children.

(3) Subsidized premiums for such members, dependents, and non-dependent children.

(d) USE OF A FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—The Secretary may contract with a federally funded research and development center that is qualified and appropriate to conduct the study under subsection (a).

(e) BRIEFING; REPORT.—

(1) BRIEFING.—If the Secretary conducts the study under subsection (a), not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the methodology and approach of the study.

(2) REPORT.—If the Secretary conducts the study under subsection (a), not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study.

(f) DEFINITIONS.—In this section:

(1) TRICARE DENTAL PROGRAM.—The term “TRICARE dental program” means dental benefits under section 1076a of title 10, United States Code.

(2) TRICARE RESERVE SELECT.—The term “TRICARE Reserve Select” means health benefits under section 1076d of such title.

Subtitle B—Health Care Administration

SEC. 721. IMPROVEMENTS TO ORGANIZATION OF MILITARY HEALTH SYSTEM.

(a) FEASIBILITY STUDY FOR SUPERSEDING ORGANIZATION FOR DEFENSE HEALTH AGENCY.—

(1) STUDY AND REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense (referred to in this section as the “Secretary”) shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on a study, conducted by the Secretary for purposes of the report, of the feasibility of and requirements for the establishment of a defense health and medical readiness command (referred to in this subsection as the “command”) as a superseding organization to the Defense Health Agency.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) A description of the responsibilities of the commander of the command.

(B) A description of any organizations that support the Defense Health Agency, such as the medical departments and medical logistics organizations of each military department.

(C) A description of any authorities required for the leadership and direction of the command.

(D) A description of the organizational structure of the command, including any subordinate commands.

(E) A description of resourcing executive leadership of the command.

(F) A description of the location or locations of headquarters elements of the command.

(G) A description of how the current Defense Health Agency functions as a provider of optimally trained, clinically proficient health care professionals to support combatant commands.

(H) A description of how the command may further serve as a provider of optimally trained, clinically proficient health care professionals to support combatant commands.

(I) A description of the relationship of the command to the military departments, the combatant commands, and the Joint Staff.

(J) A timeline for the establishment of the command.

(K) A description of additional funding required to establish the command.

(L) A description of any additional legislative action required for the establishment of the command.

(M) Any other matters in connection with the establishment, operations, and activities of the command that the Secretary considers appropriate.

(b) **ESTABLISHMENT OF MILITARY HEALTH SYSTEM EDUCATION AND TRAINING DIRECTORATE.**—

(1) **PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to establish within the Defense Health Agency a subordinate organization, to be called the Military Health System Education and Training Directorate (referred to in this subsection as the “Directorate”).

(2) **ELEMENTS.**—The plan required under paragraph (1) shall include the following:

(A) A description of any authorities required for the leadership and direction of the Directorate.

(B) A description of the organizational structure of the Directorate, including any subordinate organizations.

(C) A description of resourcing executive leadership of the Directorate.

(D) A description of the location or locations of elements of the Directorate.

(E) A description of the ability of the Directorate to address the training requirements of the military departments, the combatant commands, and the Joint Staff.

(F) A description of additional funding required to establish the Directorate.

(G) A description of any additional legislative action required for the establishment of the Directorate.

(H) Any other matters in the connection with the establishment, operations, and activities of the Directorate that the Secretary considers appropriate.

(3) **ESTABLISHMENT.**—

(A) **IN GENERAL.**—Not later than one year after the submission of the plan required under paragraph (1), the Secretary shall establish the Directorate within the Defense Health Agency.

(B) **LEADERSHIP.**—The Directorate shall be led by the President of the Uniformed Services University of the Health Sciences.

(C) **STRUCTURE.**—The Directorate shall be composed of the following:

(i) The Medical Education and Training Campus.

(ii) The College of Allied Health Sciences.

(iii) The Uniformed Services University of the Health Sciences.

(iv) The medical education and training commands and organizations of the military departments.

(v) Training programs of military departments affiliated with civilian academic institutions.

(vi) Such other elements, facilities, and commands of the Department of Defense as the Secretary considers appropriate.

SEC. 722. INCLUSION OF LEVEL THREE TRAUMA CARE CAPABILITIES IN REQUIREMENTS FOR MEDICAL CENTERS.

Section 1073d(b)(3) of title 10, United States Code, is amended by striking “or level two” and inserting “, level two, or level three”

SEC. 723. EXTENSION OF ACCOUNTABLE CARE ORGANIZATION DEMONSTRATION AND ANNUAL REPORT REQUIREMENT.

(a) **IN GENERAL.**—The Secretary of Defense, acting through the Director of the Defense Health Agency, shall extend the duration of the Accountable Care Organization demonstration carried out by the Secretary, notice of which was published in the Federal Register on August 16, 2019 (84 Fed. Reg. 41974), (in this section referred to as the “Demonstration”) through December 31, 2028.

(b) **ANNUAL REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than March 1 of each year during which the Demonstration is carried out, beginning in 2023, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that describes the conduct of the Demonstration for the one-year period preceding the date of the report.

(2) **ELEMENTS.**—Each report submitted under paragraph (1) shall include the following:

(A) A description of how the Demonstration delivered performance of better health, better care, and lower cost.

(B) A description of the results of the Demonstration with respect to the following outcome measures:

- (i) Clinical performance.
- (ii) Utilization improvement.
- (iii) Beneficiary engagement.
- (iv) Membership growth and retention.
- (v) Case management.
- (vi) Continuity of care.
- (vii) Telehealth utilization.

(C) A description of how the Demonstration shifted financial risk from the TRICARE program to health care providers.

(D) A description of how investment in the Demonstration serves as a bridge to competitive demonstrations by the Department of Defense with accountable care organizations in the future.

(E) A detailed description of locations for future competitive demonstrations by the Department with accountable care organizations.

(3) **TRICARE PROGRAM DEFINED.**—In this subsection, the term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 724. MODIFICATION OF REQUIREMENT TO TRANSFER PUBLIC HEALTH FUNCTIONS TO DEFENSE HEALTH AGENCY.

(a) **TEMPORARY RETENTION OF PUBLIC HEALTH FUNCTIONS.**—At the determination of the Secretary of Defense, a military department may retain, until not later than September 30, 2023, a public health function that would otherwise become part of the Defense Health Agency Public Health under section 1073c(e)(2)(B) of title 10, United States Code, if such function—

(1) addresses a need that is unique to the military department; and

(2) is in direct support of operating forces and necessary to execute strategies relating to national security and defense.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on public health functions that the

Secretary has determined may be retained by a military department pursuant to subsection (a).

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of each public health function that the Secretary has determined may be retained by a military department pursuant to subsection (a).

(B) The rationale for each such determination.

(C) Recommendations for amendments to section 1073c of title 10, United States Code, to permit ongoing retention of public health functions by military departments.

(c) **MODIFICATION TO NAMES OF PUBLIC HEALTH COMMANDS.**—Section 1073c(e)(2)(B) of title 10, United States Code, is amended by striking “Army Public Health Command, the Navy-Marine Corps Public Health Command” and inserting “Army Public Health Center, the Navy-Marine Corps Public Health Center”.

SEC. 725. ESTABLISHMENT OF MILITARY HEALTH SYSTEM MEDICAL LOGISTICS DIRECTORATE.

(a) **PLAN REQUIRED.**—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 plan to establish within the Defense Health Agency a subordinate organization to be called the Military Health System Medical Logistics Directorate (in this section referred to as the “Directorate”).

(b) **ELEMENTS.**—The plan required under subsection (a) shall include the following:

(1) A description of any authorities required for the leadership and direction of the Directorate.

(2) A description of the organizational structure of the Directorate, including any subordinate organizations, to include incorporation into the Directorate of existing organizations of the military departments that provide operational theater medical materiel support.

(3) A description of resourcing by the Secretary of the executive leadership of the Directorate.

(4) A description of the location or locations of elements of the Directorate.

(5) A description of how the medical research and development organization within the Defense Health Agency will coordinate with the Directorate.

(6) A description of the ability of the Directorate to address the medical logistics requirements of the military departments, the combatant commands, and the Joint Staff.

(7) A description of additional funding required to establish the Directorate.

(8) A description of any additional legislative action required for the establishment of the Directorate.

(9) Any other matters in connection with the establishment, operations, and activities of the Directorate that the Secretary considers appropriate.

(c) **ESTABLISHMENT.**—Not later than one year after the submission of the plan required under subsection (a), the Secretary shall establish the Directorate within the Defense Health Agency.

SEC. 726. ESTABLISHMENT OF CENTERS OF EXCELLENCE FOR SPECIALTY CARE IN THE MILITARY HEALTH SYSTEM.

(a) **CENTERS OF EXCELLENCE.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish regional centers of excellence for the provision of military specialty care to eligible beneficiaries at existing major medical centers of the Department of Defense.

(2) **SATELLITE CENTERS.**—The Secretary may establish satellite centers of excellence

to provide specialty care for certain conditions, such as—

- (A) post-traumatic stress;
- (B) traumatic brain injury; and
- (C) such other conditions as the Secretary considers appropriate.

(3) **READINESS AND IMPROVEMENT OF CARE.**—Centers of excellence established under this subsection shall—

(A) ensure the military medical force readiness of the Department and the medical readiness of the Armed Forces;

(B) improve the quality of health care received by eligible beneficiaries from the Department; and

(C) improve health outcomes for eligible beneficiaries.

(b) **TYPES OF CENTERS OF EXCELLENCE.**—

(1) **IN GENERAL.**—Centers of excellence shall be established under subsection (a) for the following areas of specialty care:

- (A) Oncology.
- (B) Burn injuries and wound care.
- (C) Rehabilitation medicine.
- (D) Psychological health and traumatic brain injury.
- (E) Amputations and prosthetics.
- (F) Neurosurgery.
- (G) Orthopedic care.
- (H) Substance abuse.
- (I) Transplants.
- (J) Cardiothoracic surgery.
- (K) Such other areas of specialty care as the Secretary considers appropriate to ensure the military medical force readiness of the Department and the medical readiness of the Armed Forces.

(2) **MULTIPLE SPECIALTIES.**—A major medical center of the Department may be established as a center of excellence for more than one area of specialty care.

(c) **PRIMARY SOURCE FOR SPECIALTY CARE.**—

(1) **IN GENERAL.**—Centers of excellence established under subsection (a) shall be the primary source within the military health system for the receipt by eligible beneficiaries of specialty care.

(2) **REFERRAL.**—Eligible beneficiaries seeking specialty care services through the military health system shall be referred to a center of excellence established under subsection (a) or to an appropriate specialty care provider in the private sector if health care services at such a center are unavailable.

(d) **REPORT.**—

(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 Committees on Armed Services of the Senate and the House of Representatives a report that sets forth a plan for the Department to establish centers of excellence under this section.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A list of the centers of excellence to be established under this section and the locations of such centers.

(B) A description of the specialty care services to be provided at each such center and a staffing plan for each such center.

(C) A description of how each such center will improve—

(i) the military medical force readiness of the Department and the medical readiness of the Armed Forces;

(ii) the quality of care received by eligible beneficiaries; and

(iii) the health outcomes of eligible beneficiaries.

(D) A comprehensive plan to refer eligible beneficiaries for specialty care services at centers of excellence established under this section and centers of excellence in the private sector.

(E) A plan to assist eligible beneficiaries with travel and lodging, if necessary, in con-

nection with the receipt of specialty care services at centers of excellence established under this section or centers of excellence in the private sector.

(F) A plan to transfer specialty care providers of the Department to centers of excellence established under this section, in a number as determined by the Secretary to be required to provide specialty care services to eligible beneficiaries at such centers.

(G) A plan to monitor access to care, beneficiary satisfaction, experience of care, and clinical outcomes to understand better the impact of such centers on the health care of eligible beneficiaries.

(e) **NOTIFICATION.**—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 90 days prior to the establishment of a center of excellence under this section.

(f) **ELIGIBLE BENEFICIARY DEFINED.**—In this section, the term “eligible beneficiary” means a beneficiary under chapter 55 of title 10, United States Code.

SEC. 727. REQUIREMENT TO ESTABLISH ACADEMIC HEALTH SYSTEM.

Section 2113b(a) of title 10, United States Code, is amended by striking “may” and inserting “shall”.

SEC. 728. ADHERENCE TO POLICIES RELATING TO MILD TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) direct the Secretary of the Navy and the Secretary of the Air Force to address inconsistencies between the policies of the Department of Defense, the Department of the Navy, and the Department of the Air Force relating to the training of members of the Armed Forces on the identification of symptoms of mild traumatic brain injury in deployed locations; and

(2) ensure the Secretary of each military department routinely monitors the adherence of members of the Armed Forces under the jurisdiction of such Secretary to policies of the Department of Defense relating to post-traumatic stress disorder and traumatic brain injury, including policies related to—

(A) screening certain members of the Armed Forces for post-traumatic stress disorder and traumatic brain injury prior to any separation of such a member from the Armed Forces for misconduct; and

(B) providing counseling to members of the Armed Forces during the process of such separation regarding services and benefits that may be provided by the Department of Veterans Affairs to members after such separation.

SEC. 729. POLICY ON ACCOUNTABILITY FOR WOUNDED WARRIORS UNDERGOING DISABILITY EVALUATION.

(a) **IN GENERAL.**—Not later than April 1, 2023, the Secretary of Defense shall establish a policy to ensure accountability for actions taken under the authorities of the Defense Health Agency and the military departments concerning wounded, ill, and injured members of the Armed Forces during the integrated disability evaluation system process of the Department of Defense.

(b) **ELEMENTS.**—The policy required by subsection (a) shall include the following:

(1) A requirement that determination of fitness for duty under chapter 61 of title 10, United States Code, of a member of the Armed Forces falls under the jurisdiction of the Secretary of the military department concerned.

(2) A requirement that medical evaluation provided under the authority of the Defense Health Agency shall—

(A) comply with applicable law and regulations of the Department of Defense; and

(B) be considered by the Secretary of the military department concerned in determining fitness for duty under chapter 61 of such title.

(3) A requirement that wounded, ill, and injured members of the Armed Forces shall not be denied the protections, privileges, or right to due process afforded under applicable law and regulations of the Department of Defense and the military department concerned.

(c) **CLARIFICATION OF RESPONSIBILITIES REGARDING MEDICAL EVALUATION BOARDS.**—Section 1073c of title 10, United States Code, is amended by—

(1) redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

“(h) **AUTHORITIES RESERVED TO THE SECRETARIES OF THE MILITARY DEPARTMENTS CONCERNING THE DISABILITY EVALUATION SYSTEM.**—

“(1) **IN GENERAL.**—Notwithstanding the responsibilities and authorities of the Director of the Defense Health Agency with respect to the administration of military medical treatment facilities as set forth in this section, including medical evaluations of members of the armed forces, the Secretary of each military department shall maintain personnel authority over and responsibility for any member of the armed forces under the jurisdiction of the Secretary concerned while the member is being considered by a medical evaluation board.

“(2) **RESPONSIBILITY DESCRIBED.**—The responsibility of the Secretary of a military department described in paragraph (1) shall include the following:

“(A) Responsibility for administering the morale and welfare of members of the armed forces under the jurisdiction of the Secretary concerned.

“(B) Responsibility for determinations of fitness for duty of such members under chapter 61 of this title.”.

Subtitle C—Reports and Other Matters

SEC. 741. THREE-YEAR EXTENSION OF AUTHORITY TO CONTINUE DOD-VA HEALTH CARE SHARING INCENTIVE FUND.

Section 811(d)(3) of title 38, United States Code, is amended by striking “September 30, 2023” and inserting “September 30, 2026”.

SEC. 742. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2567), as most recently amended by section 715 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), is amended by striking “September 30, 2023” and inserting “September 30, 2024”.

SEC. 743. AUTHORIZATION OF PERMANENT PROGRAM TO IMPROVE OPIOID MANAGEMENT IN THE MILITARY HEALTH SYSTEM.

Section 716 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1090 note), is amended—

(1) in subsection (a)(1), by striking “Beginning not” and inserting “Except as provided in subsection (e), beginning not”;

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection (e):

“(e) **ALTERNATIVE INITIATIVE TO IMPROVE OPIOID MANAGEMENT.**—As an alternative to the pilot program under this section, the Director of the Defense Health Agency, not later than January 1, 2023—

“(1) may implement a permanent program to improve opioid management for beneficiaries under the TRICARE program; and

“(2) if the Director decides to implement such a permanent program, shall submit to the Committees on Armed Services of the Senate and the House of Representatives the specifications of and reasons for implementing such program.”.

SEC. 744. CLARIFICATION OF MEMBERSHIP REQUIREMENTS AND COMPENSATION AUTHORITY FOR INDEPENDENT SUICIDE PREVENTION AND RESPONSE REVIEW COMMITTEE.

Section 738 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1801) is amended—

(1) in subsection (b)(3), by inserting “(except for a former member of an Armed Force)” after “Armed Force”;

(2) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

(3) by inserting after subsection (e) the following new subsection (f):

“(f) COMPENSATION.—

“(1) IN GENERAL.—The Secretary may compensate members of the committee established under subsection (a) for the work of such members for the committee.

“(2) TREATMENT OF COMPENSATION.—A member of the committee established under subsection (a) who receives compensation under paragraph (1) shall not be considered a civilian employee of the Department of Defense for purposes of subsection (b)(3).”.

SEC. 745. TERMINATION OF VETERANS' ADVISORY BOARD ON RADIATION DOSE RECONSTRUCTION.

Section 601 of the Veterans Benefit Act of 2003 (Public Law 108-183; 38 U.S.C. 1154 note) is amended—

(1) in subsection (b), by striking “, including the establishment of the advisory board required by subsection (c)”;

and

(2) by striking subsection (c).

SEC. 746. SCHOLARSHIP-FOR-SERVICE PILOT PROGRAM FOR CIVILIAN BEHAVIORAL HEALTH PROVIDERS.

(a) IN GENERAL.—Commencing not later than two years after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program under which—

(1) the Secretary may provide—

(A) scholarships to cover tuition and related fees at an institution of higher education to an individual enrolled in a program of study leading to a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(B) student loan repayment assistance to a credentialed behavioral health provider who has a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(2) in exchange for such assistance, the recipient shall commit to work as a covered civilian behavioral health provider in the direct care component of the military health system in accordance with subsection (c).

(b) DURATION.—The Secretary of Defense shall carry out the pilot program under subsection (a) during the 10-year period beginning on the commencement of the pilot program.

(c) POST-AWARD EMPLOYMENT OBLIGATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), as a condition of receiving assistance under subsection (a), the recipient of such assistance shall enter into an agreement with the Secretary of Defense pursuant to which the recipient agrees to work on a full-time basis as a covered civilian behavioral health provider in the direct care component of the military health system for a period that is at

least equivalent to the period during which the recipient received assistance under such paragraph.

(2) OTHER TERMS AND CONDITIONS.—An agreement entered into pursuant to paragraph (1) may include such other terms and conditions as the Secretary of Defense may determine necessary to protect the interests of the United States or otherwise appropriate for purposes of this section, including terms and conditions providing for limited exceptions from the post-award employment obligation specified in such subparagraph.

(d) REPAYMENT.—

(1) IN GENERAL.—An individual who receives assistance under subsection (a) and does not complete the employment obligation required under the agreement entered into pursuant to subsection (c) shall repay to the Secretary of Defense a prorated portion of the financial assistance received by the individual under subsection (a).

(2) DETERMINATION OF AMOUNT.—The amount of any repayment required under paragraph (1) shall be determined by the Secretary.

(e) IMPLEMENTATION PLAN.—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 Representative a plan for the implementation of this section.

(f) REPORTS.—

(1) IN GENERAL.—Not later than each of one year, five years, and nine years after the commencement of the pilot program under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representative a report on the pilot program.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to the pilot program under subsection (a), the following:

(A) The number of students receiving scholarships under the pilot program.

(B) The locations of such students.

(C) The amount of total scholarship money expended per academic school year under the pilot program.

(D) The average scholarship amount per student under the pilot program.

(E) The number of students hired as behavioral health providers by the Department of Defense under the pilot program.

(F) Any recommendations for terminating the pilot program, extending the pilot program, or making the pilot program permanent.

(g) DEFINITIONS.—In this section:

(1) BEHAVIORAL HEALTH.—The term “behavioral health” includes psychiatry, clinical psychology, social work, counseling, and related fields.

(2) CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term “civilian behavioral health provider” means a behavioral health provider who is a civilian employee of the Department of Defense.

(3) COVERED CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term “covered civilian behavioral health provider” means a civilian behavioral health provider whose employment by the Secretary of Defense involves the provision of behavioral health services at a military medical treatment facility.

(4) INSTITUTION OF HIGHER EDUCATION.—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).

SEC. 747. EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT TO INCLUDE MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND OTHER INDIVIDUALS RECEIVING CARE AT MILITARY MEDICAL TREATMENT FACILITIES.

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) in subsection (a), by inserting “, including coverage of such providers at military medical treatment facilities” before the period at the end;

(2) in subsection (c), by striking “covered beneficiaries” and inserting “covered individuals”;

(3) in subsection (f)(2), by striking “covered beneficiaries” each place it appears and inserting “covered individuals”; and

(4) in subsection (h)—

(A) by amending paragraph (1) to read as follows:

“(1) The term ‘covered individual’ means a beneficiary under chapter 55 of title 10, United States Code.”; and

(B) by adding at the end the following paragraph:

“(3) The term ‘TRICARE program’ has the meaning given that term in section 1072 of title 10, United States Code.”.

SEC. 748. AUTHORITY TO CARRY OUT STUDIES AND DEMONSTRATION PROJECTS RELATING TO DELIVERY OF HEALTH AND MEDICAL CARE THROUGH USE OF OTHER TRANSACTION AUTHORITY.

(a) IN GENERAL.—Section 1092(b) of title 10, United States Code, is amended by inserting “or transactions (other than contracts, cooperative agreements, and grants)” after “contracts”.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on how the Secretary intends to use the authority to enter into transactions under section 1092(b) of title 10, United States Code, as amended by subsection (a).

SEC. 749. CAPABILITY ASSESSMENT AND ACTION PLAN WITH RESPECT TO EFFECTS OF EXPOSURE TO OPEN BURN PITS AND OTHER ENVIRONMENTAL HAZARDS.

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

(1) conduct a capability assessment of potential improvements to activities of the Department of Defense to reduce the effects of environmental exposures with respect to members of the Armed Forces; and

(2) develop an action plan to implement such improvements assessed under paragraph (1) as the Secretary considers appropriate.

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

(1) With respect to the conduct of periodic health assessments, the following:

(A) An assessment of the feasibility and advisability of adding additional screening questions relating to environmental and occupational exposures to current health assessments of members of the Armed Forces conducted by the Department of Defense, including pre- and post-deployment assessments and pre-separation assessments.

(B) An assessment of the potential value and feasibility of regularly requiring spirometry or other pulmonary function testing pre- and post-deployment for all members, or selected members, of the Armed Forces.

(2) With respect to the conduct of outreach and education, the following:

(A) An evaluation of clinician training on the health effects of airborne hazards and how to document exposure information in health records maintained by the Department of Defense and the Department of Veterans Affairs.

(B) An assessment of the adequacy of current actions by the Secretary of Defense and the Secretary of Veterans Affairs to increase awareness among members of the Armed Forces and veterans of the purposes and uses of the Airborne Hazards and Open Burn Pit Registry and the effect of a potential requirement that individuals meeting applicable criteria be automatically enrolled in the registry unless they opt out of enrollment.

(C) An assessment of operational plans for deployment with respect to the adequacy of educational activities for and evaluations of performance of command authorities, medical personnel, and members of the Armed Forces on deployment on anticipated environmental exposures and potential means to minimize and mitigate any adverse health effects of such exposures, including through the use of monitoring, personal protective equipment, and medical responses.

(D) An evaluation of potential means to improve the education of health care providers of the Department of Defense with respect to the diagnosis and treatment of health conditions associated with environmental exposures.

(3) With respect to monitoring of exposure during deployment operations, the following:

(A) An evaluation of potential means to strengthen tactics, techniques, and procedures used in deployment operations to document—

(i) specific locations where members of the Armed Forces served;

(ii) environmental exposures in such locations; and

(iii) any munitions involved during such service in such locations.

(B) An assessment of potential improvements in the acquisition and use of wearable monitoring technology and remote sensing capabilities to record environmental exposures by geographic location.

(C) An analysis of the potential value and feasibility of maintaining a repository of frozen soil samples from each deployment location to be later tested as needed when concerns relating to environmental exposures are identified.

(4) With respect to the use of the Individual Longitudinal Exposure Record (referred to in this paragraph as “ILER”), the following:

(A) An assessment of feasibility and advisability of recording individual clinical diagnosis and treatment information in ILER to be integrated with exposure data.

(B) An evaluation of—

(i) the progress toward making ILER operationally capable and accessible to members of the Armed Forces and veterans by 2023; and

(ii) the integration of ILER data with the electronic health records of the Department of Defense and the Department of Veterans Affairs.

(C) An assessment of the feasibility and advisability of making ILER data accessible to the surviving family members of members of the Armed Forces and veterans.

(5) With respect to the conduct of research, the following:

(A) An assessment of the potential use of the Airborne Hazards and Open Burn Pit Registry for research on monitoring and identifying the health consequences of exposure to open burn pits.

(B) An analysis of options for increasing the amount and the relevance of additional research into the health effects of open burn

pits and effective treatments for such health effects.

(C) An evaluation of potential research of biomarker monitoring to document environmental exposures during deployment or throughout the military career of a member of the Armed Forces.

(D) An analysis of potential organizational strengthening with respect to the management of research on environmental exposure hazards, including the establishment of a joint program executive office for such management.

(E) An assessment of the findings and recommendations of the 2020 report entitled “Respiratory Health Effects of Airborne Hazards Exposures in the Southwest Asia Theater of Military Operations” by the National Academies of Science, Engineering, and Medicine.

(6) An evaluation of such other matters as the Secretary determines appropriate to ensure a comprehensive review of activities relating to the effects of exposure to open burn pits and other environmental hazards.

(c) **SUBMISSION OF PLAN AND REPORT.**—Not later than 240 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) the action plan required by subsection (a)(2); and

(2) a report on the results of the capability assessment required by subsection (a)(1).

(d) **DEFINITIONS.**—In this section:

(1) **AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.**—The term “Airborne Hazards and Open Burn Pit Registry” means the registry established under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

(2) **ENVIRONMENTAL EXPOSURES.**—The term “environmental exposures” means exposure to open burn pits and other environmental hazards as the Secretary determines.

(3) **OPEN BURN PIT.**—The term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

SEC. 750. INDEPENDENT ANALYSIS OF DEPARTMENT OF DEFENSE COMPREHENSIVE AUTISM CARE DEMONSTRATION PROGRAM.

Section 737 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1800) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by inserting “broadly” after “disorder”; and

(ii) by striking “demonstration project” and inserting “demonstration program”

(B) in subparagraph (B), by striking “demonstration project” and inserting “demonstration program”; and

(C) in subparagraph (C), by inserting “parental involvement in applied behavioral analysis treatment, and” after “including”;

(D) in subparagraph (D), by striking “for an individual who has” and inserting “, including mental health outcomes, for individuals who have”;

(E) in subparagraph (E), by inserting “since its inception” after “demonstration program”;

(F) in subparagraph (F), by inserting “cost effectiveness, program effectiveness, and clinical” after “measure the”;

(G) in subparagraph (G), by inserting “than in the general population” after “families”;

(H) by redesignating subparagraph (H) as subparagraph (I); and

(I) by inserting after subparagraph (G) the following new subparagraph (H):

“(H) An analysis of whether the diagnosis and treatment of autism is higher among the children of military families than in the general population.”; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking “nine” and inserting “31”.

SEC. 751. REPORT ON SUICIDE PREVENTION REFORMS FOR MEMBERS OF THE ARMED FORCES.

(a) **IN GENERAL.**—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of implementing the following reforms related to suicide prevention among members of the Armed Forces:

(1) Eliminating mental health history as a disqualifier for service in the Armed Forces, including eliminating restrictions related to mental health history that are specific to military occupational specialties.

(2) Requiring comprehensive in-person annual mental health assessments of members of the Armed Forces.

(3) Requiring behavioral health providers under the TRICARE program, including providers contracted through such program, to undergo evidence-based and suicide-specific training.

(4) Requiring leaders at all levels of the Armed Forces to be trained on the following:

(A) Total wellness.

(B) Suicide warning signs and risk factors.

(C) Evidence-based, suicide-specific interventions.

(D) Effectively communicating with medical and behavioral health providers.

(E) Communicating with family members, including extended family members who are not co-located with a member of the Armed Forces, on support and access to resources for members of the Armed Forces and their dependents.

(5) Requiring mandatory referral to Warriors in Transition programs or transitional programs for members of the Armed Forces who are eligible for such programs.

(b) **DEFINITIONS.**—In this section—

(1) **TRICARE PROGRAM.**—The term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

(2) **WARRIORS IN TRANSITION PROGRAM.**—The term “Warriors in Transition program” has the meaning given that term in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1071 note).

SEC. 752. REPORT ON BEHAVIORAL HEALTH WORKFORCE AND PLAN TO ADDRESS SHORTFALLS IN PROVIDERS.

(a) **REPORT ON BEHAVIORAL HEALTH WORKFORCE.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an analysis of the behavioral health workforce under the direct care component of the military health system and submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of such analysis.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include, with respect to the workforce specified in such paragraph, the following:

(A) The number of positions authorized for military behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(B) The number of positions authorized for civilian behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(C) For each military department, the ratio of military behavioral health providers assigned to military medical treatment facilities compared to civilian behavioral health providers so assigned, disaggregated by the professions described in paragraph (3).

(D) For each military department, the number of military behavioral health providers authorized to be embedded within an operational unit, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(E) Data on the historical demand for behavioral health services by members of the Armed Forces.

(F) An estimate of the number of health care providers necessary to meet the demand by such members for behavioral health services under the direct care component of the military health system, disaggregated by provider type.

(G) An identification of any shortfall between the estimated number under subparagraph (F) and the total number of positions for behavioral health providers filled within such workforce.

(H) Such other information as the Secretary may determine appropriate.

(3) PROVIDER TYPES.—The professions described in this paragraph are as follows:

(A) Clinical psychologists.

(B) Social workers.

(C) Counselors.

(D) Such other professions as the Secretary may determine appropriate.

(b) PLAN TO ADDRESS SHORTFALLS IN BEHAVIORAL HEALTH WORKFORCE.—

(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 Committees on Armed Services of the Senate and the House of Representatives a plan to address any shortfall of the behavioral health workforce identified under subsection (a)(2)(G).

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) address, with respect to any shortfall of military behavioral health providers (addressed separately with respect to such providers assigned to military medical treatment facilities and such providers assigned to be embedded within operational units)—

(i) recruitment;

(ii) accession;

(iii) retention;

(iv) special pay and other aspects of compensation;

(v) workload;

(vi) the role of the Uniformed Services University of the Health Sciences and the Armed Forces Health Professions Scholarship Program under chapter 105 of title 10, United States Code;

(vii) any additional authorities or resources necessary for the Secretary to increase the number of such providers; and

(viii) such other considerations as the Secretary may consider appropriate;

(B) address, with respect to any shortfall of civilian behavioral health providers—

(i) recruitment;

(ii) hiring;

(iii) retention;

(iv) pay and benefits;

(v) workload;

(vi) educational scholarship programs;

(vii) any additional authorities or resources necessary for the Secretary to increase the number of such providers; and

(viii) such other considerations as the Secretary may consider appropriate;

(C) recommend whether the number of military behavioral health providers in each military department should be increased, and if so, by how many;

(D) include a plan to expand access to behavioral health services under the military health system through the use of telehealth;

(E) include a plan by each military department to allocate additional uniformed mental health providers in military medical treatment facilities at remote installations; and

(F) assess the feasibility of hiring civilian mental health providers at remote installations to augment the provision of mental health care services by uniformed mental health providers.

(c) DEFINITIONS.—In this section:

(1) BEHAVIORAL HEALTH.—The term “behavioral health” includes psychiatry, clinical psychology, social work, counseling, and related fields.

(2) CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term “civilian behavioral health provider” means a behavioral health provider who is a civilian employee of the Department of Defense.

(3) MILITARY BEHAVIORAL HEALTH PROVIDER.—The term “military behavioral health provider” means a behavioral health provider who is a member of the Armed Forces.

(4) UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.—The term “Uniformed Services University of the Health Sciences” means the university established under section 2112 of title 10, United States Code.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. MODIFICATIONS TO MIDDLE TIER ACQUISITION AUTHORITY.

Section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 321 note prec.) is amended by adding at the end the following new subsection:

“(e) ACQUISITION PLANNING.—Within one year of a program being designated as either a rapid prototyping or rapid fielding program, as defined by this section, the component acquisition executive concerned shall approve an acquisition plan that includes—

“(1) the potential transition pathway or pathways to an existing or planned program of record;

“(2) a life-cycle cost estimate; and

“(3) a test plan to verify desired performance goals.”.

SEC. 802. EXTENSION OF DEFENSE MODERNIZATION ACCOUNT AUTHORITY.

Section 3136 of title 10, United States Code, as transferred by section 1809(g)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4161), is amended by striking subsection (j).

SEC. 803. PROHIBITION ON CERTAIN PROCUREMENTS OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) PROHIBITION ON PROCUREMENT.—The Secretary of Defense may not enter into, extend, or renew a contract to procure any major defense acquisition program that contains covered items.

(b) CERTIFICATION REQUIRED.—The Secretary of Defense shall include in any solicitation for contract proposals, extensions, or renewals a requirement for prime contractors to certify compliance with subsection (a) based on the prime contractor's performance of vendor verification of all suppliers or potential suppliers in all tiers of such prime contractor's supply chain.

(c) WAIVER AUTHORITY.—The Secretary may, on a one-time basis, waive the requirements under subsection (a) with respect to a prime contractor that requests such a waiver. The waiver may be provided, for a period

of not more than five years after the effective date described in subsection (d), if the prime contractor seeking the waiver—

(1) provides a sufficient justification for the additional time to implement the requirements under such subsection, as determined by the Secretary; and

(2) submits to the Secretary, who shall not later than 30 days thereafter submit to the congressional defense committees, a full and complete laydown of the presence of covered items in the prime contractor's supply chain and a phase-out plan to eliminate such covered items from the entity's systems.

(d) EFFECTIVE DATE.—Subsections (a), (b), and (c) shall take effect one year after the date of the enactment of this Act.

(e) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue rules to implement this section.

(f) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term “covered foreign country” means the People's Republic of China.

(2) COVERED ITEMS.—The term “covered item” means an item produced or provided by an entity—

(A) owned or controlled by the government of a covered foreign country; or

(B) where the place of performance is in a covered foreign country.

(3) MAJOR DEFENSE ACQUISITION PROGRAM.—The term “major defense acquisition program” has the meaning given the term in section 4201 of title 10, United States Code.

SEC. 804. REVISION OF AUTHORITY FOR PROCEDURES TO ALLOW RAPID ACQUISITION AND DEPLOYMENT OF CAPABILITIES NEEDED UNDER SPECIFIED HIGH-PRIORITY CIRCUMSTANCES.

(a) REVISION AND CODIFICATION OF RAPID ACQUISITION AUTHORITY.—Chapter 253 of part V of title 10, United States Code, is amended to read as follows:

“CHAPTER 253—RAPID ACQUISITION PROCEDURES

“Sec.

“3601. Procedures for urgent acquisition and deployment of capability needed in response to urgent operational needs or vital national security interest.

“§ 3601. Procedures for urgent acquisition and deployment of capability needed in response to urgent operational needs or vital national security interest

“(a) PROCEDURES.—

“(1) IN GENERAL.—The Secretary of Defense shall prescribe procedures for the urgent acquisition and deployment of capability needed in response to urgent operational needs. The capabilities for which such procedures may be used in response to an urgent operational need are those—

“(A) that, subject to such exceptions as the Secretary considers appropriate for purposes of this section—

“(i) can be fielded within a period of two to 24 months;

“(ii) do not require substantial development effort;

“(iii) are based on technologies that are proven and available; and

“(iv) can appropriately be acquired under fixed price contracts; or

“(B) that can be developed or procured under a section 804 rapid acquisition pathway.

“(2) DEFINITION.—In this section, the term ‘section 804 rapid acquisition pathway’ means the rapid fielding acquisition pathway or the rapid prototyping acquisition pathway authorized under section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 321 prec.).

“(b) MATTERS TO BE INCLUDED.—The procedures prescribed under subsection (a) shall include the following:

“(1) A process for streamlined communications between the Chairman of the Joint Chiefs of Staff, the acquisition community, and the research and development community, including—

“(A) a process for the commanders of the combatant commands and the Chairman of the Joint Chiefs of Staff to communicate their needs to the acquisition community and the research and development community; and

“(B) a process for the acquisition community and the research and development community to propose capability that meet the needs communicated by the combatant commands and the Chairman of the Joint Chiefs of Staff.

“(2) Procedures for demonstrating, rapidly acquiring, and deploying a capability proposed pursuant to paragraph (1)(B), including—

“(A) a process for demonstrating performance and evaluating for current operational purposes the performance of the capability;

“(B) a process for developing an acquisition and funding strategy for the deployment of the capability; and

“(C) a process for making deployment and utilization determinations based on information obtained pursuant to subparagraphs (A) and (B).

“(3) A process to determine the disposition of a capability, including termination (demilitarization or disposal), continued sustainment, or transition to a program of record.

“(4) Specific procedures in accordance with the guidance developed under section 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 321 *prec.*).

“(C) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL NEEDS.—

“(1) DETERMINATION OF NEED FOR URGENT ACQUISITION AND DEPLOYMENT.—(A) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.

“(B) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that impacts an ongoing or anticipated contingency operation and that, if left unfulfilled, could potentially result in loss of life or critical mission failure, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.

“(C)(i) In the case of any cyber capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a deficiency that as the result of a cyber attack has resulted in critical mission failure, the loss of life, property destruction, or economic effects, or if left unfulfilled is likely to result in critical mission failure, the loss of life, property destruction, or economic effects, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed offensive or defensive cyber capability.

“(ii) In this subparagraph, the term ‘cyber attack’ means a deliberate action to alter, disrupt, deceive, degrade, or destroy computer systems or networks or the information or programs resident in or transiting these systems or networks.

“(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE.—(A)(i) Except as provided under clause (ii), whenever the Secretary makes a determination under subparagraph (A), (B), or (C) of paragraph (1) that a capability is urgently needed to eliminate a deficiency described in that subparagraph, the Secretary shall designate a senior official of the Department of Defense to ensure that the needed capability is acquired and deployed as quickly as possible, with a goal of awarding a contract for the acquisition of the capability within 15 days.

“(ii) Clause (i) does not apply to an acquisition initiated in the case of a determination by the Secretary that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway if the designated official for acquisitions using such pathway is a service acquisition executive.

“(B) Upon designation of a senior official under subparagraph (A) with respect to a needed capability, the Secretary shall authorize that official to waive any provision of law or regulation described in subsection (d) that such official determines in writing would unnecessarily impede the urgent acquisition and deployment of the needed capability. In a case in which the needed capability cannot be acquired without an extensive delay, the senior official shall require that an interim solution be implemented and deployed using the procedures developed under this section to minimize adverse consequences resulting from the urgent need.

“(3) USE OF FUNDS.—(A) In any fiscal year in which the Secretary makes a determination described in subparagraph (A), (B), or (C) of paragraph (1), or upon the Secretary making a determination that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway based on a compelling national security need, the Secretary may use any funds available to the Department of Defense if the determination includes a written finding that the use of such funds is necessary to address in a timely manner the deficiency documented or identified under such subparagraph (A), (B), or (C) or the compelling national security need identified for purposes of such section 804 pathway, respectively.

“(B) The authority provided by this section may only be used to acquire capability—

“(i) in the case of determinations by the Secretary under paragraph (1)(A), in an amount aggregating not more than \$200,000,000 during any fiscal year;

“(ii) in the case of determinations by the Secretary under paragraph (1)(B), in an amount aggregating not more than \$200,000,000 during any fiscal year;

“(iii) in the case of determinations by the Secretary under paragraph (1)(C), in an amount aggregating not more than \$200,000,000 during any fiscal year; and

“(iv) in the case of a determination by the Secretary that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, in an amount aggregating not more than \$50,000,000 during any fiscal year.

“(C) In exercising the authority under this section, the use of funds is limited as follows:

“(i) When operation and maintenance (O&M) funds are utilized as a source, special O&M funds established for a dedicated or proscribed purpose may not be used.

“(ii) When funds are utilized for sustainment purposes, this authority may not be used for more than 2 years.

“(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of a determination by the Secretary under subparagraph (A) or (C) of paragraph (1), the Sec-

retary shall notify the congressional defense committees of the determination within 15 days after the date of the determination.

“(B) In the case of a determination by the Secretary under paragraph (1)(B), the Secretary shall notify the congressional defense committees of the determination at least 10 days before the date on which the determination is effective.

“(C) In the case of a determination by the Secretary under paragraph (3)(A) that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, the Secretary shall notify the congressional defense committees of the determination within 10 days after the date of the use of such funds.

“(D) A notice under this paragraph shall include the following:

“(i) Identification of the capability to be acquired.

“(ii) The amount anticipated to be expended for the acquisition.

“(iii) The source of funds for the acquisition.

“(E) A notice under this paragraph shall fulfill any requirement to provide notification to Congress for a program (referred to as a ‘new start program’) that has not previously been specifically authorized by law or for which funds have not previously been appropriated.

“(F) A notice under this paragraph shall be provided in consultation with the Director of the Office of Management and Budget.

“(5) LIMITATION ON OFFICERS WITH AUTHORITY.—The authority to make determinations under subparagraph (A), (B), or (C) of paragraph (1) and under paragraph (3)(A) that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, to designate a senior official responsible under paragraph (3), and to provide notification to the congressional defense committees under paragraph (4) may be exercised only by the Secretary or Deputy Secretary of Defense.

“(d) AUTHORITY TO WAIVE CERTAIN LAWS AND REGULATIONS.—

“(1) AUTHORITY.—The Secretary or Deputy Secretary of Defense, for a capability required to address the needs described in subsection (c)(1) or, upon a determination described in subsection (c)(1), and the senior official designated in accordance with subsection (c)(2), with respect to that designation, is authorized to waive any provision of law or regulation addressing—

“(A) the establishment of a requirement or specification for the capability to be acquired;

“(B) the research, development, test, and evaluation of the capability to be acquired;

“(C) the production, fielding, and sustainment of the capability to be acquired; or

“(D) the solicitation, selection of sources, and award of the contracts for procurement of the capability to be acquired.

“(2) LIMITATIONS.—Nothing in this subsection authorizes the waiver of—

“(A) the requirements of this section;

“(B) any provision of law imposing civil or criminal penalties; or

“(C) any provision of law governing the proper expenditure of appropriated funds.

“(e) OPERATIONAL ASSESSMENTS.—

“(1) IN GENERAL.—The process prescribed under subsection (b)(2)(A) for demonstrating performance and evaluating the current operational performance of a capability proposed pursuant to subsection (b)(1)(B) shall include the following:

“(A) An operational assessment in accordance with procedures prescribed by the Director of Operational Test and Evaluation.

“(B) A requirement to provide information about any deficiency of the capability in

meeting the original requirements for the capability (as stated in a statement of the urgent operational need or similar document) to the deployment decision-making authority.

“(2) **LIMITATION.**—The process may not include a requirement for any deficiency of capability identified in the operational assessment to be the determining factor in deciding whether to deploy the capability.

“(3) **DIRECTOR OF OPERATIONAL TEST AND EVALUATION ACCESS.**—If a capability is deployed under the procedures prescribed pursuant to this section, or under any other authority, before operational test and evaluation of the capability is completed, the Director of Operational Test and Evaluation shall have access to operational records and data relevant to such capability in accordance with section 139(e)(3) of this title for the purpose of completing operational test and evaluation of the capability. Such access shall be provided in a time and manner determined by the Secretary of Defense consistent with requirements of operational security and other relevant operational requirements.”.

(b) **CLERICAL AMENDMENT.**—The table of chapters at the beginning of subtitle A, and at the beginning of part V of subtitle A, of title 10, United States Code, are each amended by striking the item relating to chapter 253 and inserting the following:

“253. Rapid Acquisition Procedures .. 3601”.

(c) **CONFORMING REPEALS.**—The following provisions of law are repealed:

(1) Section 804 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383).

(2) Section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314).

SEC. 805. ACQUISITION REPORTING SYSTEM.

(a) **IN GENERAL.**—The Secretary of Defense shall institute a defense acquisition reporting system to replace the requirements of section 4351 of title 10, United States Code, as soon as practicable but not later than June 30, 2023.

(b) **ELEMENTS.**—The reporting system required under subsection (a) may include such elements as determined by the Secretary to support the acquisition information reporting needs of the Department, and at a minimum shall—

(1) continue to produce the information necessary to carry out the actions specified in chapter 325 of title 10, United States Code;

(2) continue to produce the information necessary to carry out the actions specified in sections 4217 and 4311 of the Atomic Energy Defense Act (50 U.S.C. 2537, 2577);

(3) incorporate the findings of section 805 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81); and

(4) provide the congressional defense committees and other designated Government entities with access to updated acquisition reporting on a not less than quarterly basis.

SEC. 806. MODIFICATION OF REPORTING REQUIREMENT IN CONNECTION WITH REQUESTS FOR MULTIYEAR PROCUREMENT AUTHORITY FOR LARGE DEFENSE ACQUISITIONS.

Section 3501(i)(2) of title 10, United States Code, is amended—

(1) by striking “shall include in the request the following:” and all that follows through “(A) A report” and inserting “shall include in the request a report”; and

(2) by striking subparagraph (B).

SEC. 807. MODIFICATION OF LIMITATION ON CANCELLATION OF DESIGNATION OF EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.

Section 226 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1335) is amended—

(1) in subsection (a), by striking “The Secretary” and inserting “Except as provided for under subsection (e), the Secretary”;

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection:

“(e) **DESIGNATION OF OTHER EXECUTIVE AGENTS.**—The Secretary of Defense may designate other Executive Agents within the Department to implement Defense Production Act transactions entered into under the authority of sections 4002, 4003 and 4004 of title 10, United States Code.”.

SEC. 808. COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND RELATED EFFORTS.

(a) **IN GENERAL.**—Section 3072 of title 10, United States Code, is amended—

(1) in the section heading, by striking “initiatives” and inserting “efforts”;

(2) by striking “initiatives” each place it appears and inserting “efforts”;

(3) in subsection (a), by striking “through 2023” and inserting “through 2026”; and

(4) in subsection (c), in the subsection heading, by striking “INITIATIVES” and inserting “EFFORTS”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 203 of title 10, United States Code, is amended in the item relating to section 3072 by striking “initiatives” and inserting “efforts”.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 821. TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDER MANDATES.

(a) **IN GENERAL.**—Section 3862 of title 10, United States Code, is amended—

(1) in the section heading, by striking “: certification”;

(2) by redesignating subsection (c) as subsection (d);

(3) by inserting after subsection (b) the following new subsection:

“(c) **TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDER MANDATES.**—(1) The insertion of a covered clause into an existing Department of Defense contract, order, or other transaction shall be treated as a change directed by the contracting officer pursuant to, and subject to, the Changes clause of the underlying contractual instrument.

“(2) In this subsection, the term ‘covered clause’ means any clause implementing the requirements of an Executive order issued by the President.”; and

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

(A) in the subsection heading, by striking “DEFINITION” and inserting “DEFINITIONS”;

(B) by striking “section, the term” and inserting the following: “section:

“(1) The term”; and

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

“(2) The term ‘Changes clause’ means the clause described in part 52.243-4 of the Federal Acquisition Regulation or any successor regulation.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 281 of title 10, United States Code, is amended by striking the item relating to section 3862 and inserting the following:

“3862. Requests for equitable adjustment or other relief.”.

(c) **CONFORMING REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to conform with the amendments to section 3862 of title 10, United States Code, made by subsection (a).

(d) **CONFORMING POLICY GUIDANCE.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise applicable policy guidance on other transactions to conform with the amendments to section 3862 of title 10, United States Code, made by subsection (a).

SEC. 822. DATA REQUIREMENTS FOR COMMERCIAL PRODUCTS FOR MAJOR WEAPON SYSTEMS.

(a) **AMENDMENTS RELATING TO SUBSYSTEMS OF MAJOR WEAPONS SYSTEMS.**—Section 3455(b) of title 10, United States Code is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting “(1)” before “A subsystem of a major weapon system”; and

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

“(2) For subsystems proposed as commercial as defined in section 103(1) of title 41 and that have not been previously determined commercial in accordance with section 3703(d) of this title, the offeror shall be required to identify the comparable commercial product that is customarily used by the general public or non-governmental entities that serves as the basis for the ‘of a type’ assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed ‘of a type’ product and the comparable commercial product in support of the ‘of a type’ assertion. The offeror shall also provide the National Stock Numbers for both the comparable commercial product used by the general public, if one is assigned, and the product proposed to meet the Government’s requirement, if one is assigned.”.

(b) **AMENDMENTS RELATING TO COMPONENTS AND SPARE PARTS.**—Section 3455(c) of such title is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) For components or spare parts proposed as commercial as defined in section 103(1) of title 41 and that have not previously been determined commercial in accordance with section 3703(d) of this title, the offeror shall be required to identify the comparable commercial product that is customarily used by the general public or non-governmental entities that serves as the basis for the ‘of a type’ assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed ‘of a type’ product and the comparable commercial product in support of the ‘of a type’ assertion. The offeror shall also provide the National Stock Numbers for both the comparable commercial product used by the general public, if one is assigned, and the product proposed to meet the Government’s requirement, if one is assigned.”; and

(3) in paragraph (3), as so redesignated—

(A) by striking “only”; and

(B) by striking “on which the prime contractor adds no, or negligible, value”.

(c) **AMENDMENTS RELATING TO INFORMATION SUBMITTED.**—Section 3455(d) of such title is amended—

(1) in the subsection heading, by inserting after “SUBMITTED” the following: “FOR PROCUREMENTS THAT ARE NOT COVERED BY THE EXCEPTIONS IN SECTION 3703(A)(1) OF THIS TITLE”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “the contracting officer shall require the offeror to submit—” and inserting “the offeror shall be required, on an unredacted basis, to submit to the contracting officer or provide access to—”;

(B) in subparagraph (A)—

(i) by inserting “all” before “prices paid”; and

(ii) by inserting “, and the terms and conditions,” after “terms and conditions”;

(C) in subparagraph (B)—

(i) by striking clauses (ii), (iii), and (iv); and

(ii) by striking “information on—” and all that follows through “terms and conditions;” and inserting “information on all prices for the same or similar items sold under different terms and conditions, and the terms and conditions; and”;

(D) in subparagraph (C), by inserting after “reasonableness of price” the following: “because either the comparable products provided by the offeror are not a valid basis for a price analysis or the contracting officer determines the proposed price is not reasonable after evaluating sales data”; and

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

“(4) A request for cost data under paragraph (1)(C) must be approved at a level above the contracting officer.”.

SEC. 823. TASK AND DELIVERY ORDER CONTRACTING FOR ARCHITECTURAL AND ENGINEERING SERVICES.

Section 3406 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(h) ARCHITECTURAL AND ENGINEERING SERVICES.—(1) Task or delivery orders for architectural and engineering services issued under section 3403 or 3405 of this title shall be qualification-based selections executed in accordance with chapter 11 of title 40.

“(2) When issuing a task or delivery orders for architectural and engineering services under a multiple award contract, the head of an agency shall not routinely request additional information from contractors, but may request additional information or conduct discussions with contractors when available information is insufficient, in order to determine the most highly qualified contractor to perform the work in accordance with chapter 11 of title 40.”.

SEC. 824. 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 “six-year pilot program” and inserting “seven-year pilot program”; and

(2) in subsection (g), by striking “six years” and inserting “seven years”.

SEC. 825. PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING PROCESSES.

Section 890(c) of the John A. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 2306a note) is amended by striking “January 2, 2023” and inserting “January 2, 2024”.

SEC. 826. EXTENSION OF NEVER CONTRACT WITH THE ENEMY.

Section 841(n) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3455) is amended by striking “December 31, 2023” and inserting “December 31, 2025”.

SEC. 827. PROGRESS PAYMENT INCENTIVE PILOT.

(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish and implement a pilot program, to be known as the “Progress Payment Incentive Pilot Program”, to make accelerated progress payments contingent upon responsiveness to Department of Defense goals for effectiveness, efficiency, and increasing small business contract opportunities.

(b) PURPOSE.—The purpose of the pilot program is to reward Department of Defense

contractors who meet contract delivery dates, respond to Department solicitations for required certified cost or pricing data, meet small business contracting goals, and provide subcontracting opportunities for AbilityOne contracts.

(c) PROGRESS PAYMENTS.—

(1) LIMITATIONS FOR LARGE CONTRACTORS.—Except as provided under paragraph (2), under the pilot program, the Department of Defense may not award to large business contractors progress payments in excess of 50 percent.

(2) EXCEPTIONS.—The Department of Defense may increase the rate of progress payments, up to a total of 95 percent, by the following percentages:

(A) 10 percent if the relevant division of the contractor met contract delivery dates for contract end items and contract data requirement lists or performance milestone schedule, as the case may be, at least 95 percent of the time during the preceding Government fiscal year.

(B) 10 percent if the division does not have open level III or IV corrective action requests.

(C) 10 percent if all applicable contractor business systems are acceptable, without significant deficiencies.

(D) 7.5 percent if at least 95 percent of the time during the preceding Government fiscal year, when responding to solicitations that required submission of certified cost or pricing data, the division met the due date in the request for proposal.

(E) 5 percent if the contractor has met its small business subcontracting goals during the preceding Government fiscal year.

(F) 2.5 percent if the contractor has provided subcontracting opportunities for the blind and severely disabled.

(d) SUNSET.—The authority to make accelerated payments under the pilot program shall terminate on the date that is four years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023.

(e) DEFINITIONS.—In this section:

(1) LARGE DEFENSE CONTRACTOR.—The term “large defense contractor” means a contractor (other than an institution of higher education or a federally funded research and development center) that received more than \$10,000,000 in annual revenue from the Department of Defense contracts or licenses in any of the previous three years.

(2) PROGRESS PAYMENTS.—The term “progress payments” means payments provided for under section 3804 of title 10, United States Code.

SEC. 828. REPORT ON DEPARTMENT OF DEFENSE STRATEGIC CAPABILITIES OFFICE CONTRACTING CAPABILITIES.

(a) REPORT REQUIRED.—Not later than March 1, 2023, the Secretary of Defense, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, and the Director of the Strategic Capabilities Office (SCO), shall submit to the congressional defense committees a report on the adequacy of SCO contracting authorities.

(b) ELEMENTS.—The report required under subsection (a) shall include—

(1) a summary of the existing authorities of the SCO, including the mechanisms for contracting in support of existing programs;

(2) an assessment of the average amount of time needed to conduct contracting actions through current mechanisms described in paragraph (1);

(3) an assessment of the pros and cons of the current contracting processes for SCO in relation to their ability to rapidly develop and deploy technology in support of Department of Defense operational units;

(4) an assessment of the type or types of contracting authority that would be most beneficial to the SCO in carrying out its mission in order to achieve desired speed and scale for the organization, including any limits or oversight measures that should be put into place;

(5) an assessment of structural changes that may be needed in order to accommodate the preferred contracting approach for SCO; and

(6) the Secretary of Defense’s recommendations for future authorities for the SCO.

Subtitle C—Industrial Base Matters

SEC. 841. 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) INTERIM BRIEF.—Not later than January 15, 2024, the Secretary of Defense shall submit to the congressional defense committees—

(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 submitted during the 2024 calendar year:

(A) The annual or quarterly reports 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 Committee on Armed Services of the Senate and the Committee on Armed Services of 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) Solar components for satellites.
- (2) Satellite ground station service contracts.

SEC. 842. MODIFICATION TO MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.

Section 4864 of title 10, United States Code, is amended by inserting after subsection (j) the following new subsection:

“(k) PERIODIC REVIEW REQUIREMENT.—

“(1) REQUIRED DETERMINATION.—Not later than November 1, 2024, and every five years thereafter, the Under Secretary of Defense for Acquisition and Sustainment shall review each item described in subsections (a) and (e) of this section and make and submit to the congressional defense committees a written determination with one of the following recommendations:

“(A) Recommend continued inclusion of the item under this section.

“(B) Recommend continued inclusion of the item under this section with modifications.

“(C) Recommend discontinuing inclusion of the item under this section.

“(2) ELEMENTS.—The review required under paragraph (1) shall include the following elements for the most recent five-year period:

“(A) The criticality of the item to a military unit’s mission accomplishment or other national security objectives.

“(B) The extent to which such item is fielded in current programs of record.

“(C) The number of such items to be procured by current programs of record.

“(D) The extent to which cost and pricing data for such item has been deemed fair and reasonable.

“(3) JUSTIFICATION.—The determination required under paragraph (1) shall also include the findings of the review conducted under such paragraph and other key justifications for the determination.”

SEC. 843. DEMONSTRATION EXERCISE OF ENHANCED PLANNING FOR INDUSTRIAL MOBILIZATION AND SUPPLY CHAIN MANAGEMENT.

(a) DEMONSTRATION EXERCISE REQUIRED.—Not later than December 31, 2024, the Secretary of Defense shall conduct a demonstration exercise of industrial mobilization and supply chain management planning capabilities in support of an operational or contingency plan use case, as selected in consultation with the Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense for Acquisition and Sustainment. The demonstration exercise shall identify a current program that is both fielded and still in production from each military service, Defense Agency, and Department of Defense Field

Activity in order to model a notional plan for mobilization or supply chain management, as associated with the selected operational or contingency plan.

(b) ELEMENTS.—The demonstration exercise required under subsection (a) shall include the following elements:

(1) The exercise of processes and authorities that support the Department for industrial mobilization in support of declared hostilities or other contingency operations.

(2) The identification of process improvements or gaps in resources, capabilities, or authorities that require remediation, including those related to government or contractor production facilities, tooling, or workforce development.

(3) The implementation of analytical tools and processes to monitor and assess the health of the industrial base and use near real-time data and visualization capabilities in making production and distribution decisions, with an emphasis on identifying, assessing, and demonstrating commercially available tools.

(4) The establishment and tracking of goals and metrics to support institutionalization of defense industrial base health assessment and planning.

(c) BRIEFING REQUIRED.—Not later than November 1, 2023, the Secretary shall provide to the congressional defense committees an interim briefing on the demonstration exercise required under subsection (a), including—

(1) an identification of the programs and use cases to be demonstrated;

(2) a description of methodology for executing the demonstration exercise, including analytical tools or metrics identified to support the process; and

(3) any preliminary findings.

(d) ASSESSMENT.—Not later than March 1, 2025, the Secretary shall submit to the congressional defense committees a final assessment report of the demonstration exercise, including a description of—

(1) the use cases considered in this demonstration exercise;

(2) the elements required under subsection (b);

(3) outcomes and conclusions;

(4) lessons learned; and

(5) any recommendations for legislative action that may be required as a result.

(e) DEFINITIONS.—In this section, the terms “military department”, “Defense Agency”, and “Defense Field Activity” have the meanings given those terms in section 101 of title 10, United States Code.

SEC. 844. PROCUREMENT REQUIREMENTS RELATING TO RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS.

(a) DISCLOSURES CONCERNING RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS BY CONTRACTORS OF DEPARTMENT OF DEFENSE.—

(1) REQUIREMENT.—Beginning on the date that is 30 months after the date of the enactment of this Act, the Secretary of Defense shall require that any contractor that provides to the Department of Defense a system with a permanent magnet that contains rare earth elements or strategic and critical materials disclose, along with delivery of the system, the provenance of the magnet.

(2) ELEMENTS.—A disclosure under paragraph (1) shall include an identification of the country or countries in which—

(A) any rare earth elements and strategic and critical materials used in the magnet were mined;

(B) such elements and minerals were refined into oxides;

(C) such elements and minerals were made into metals and alloys; and

(D) the magnet was sintered or bonded and magnetized.

(3) IMPLEMENTATION OF SUPPLY CHAIN TRACKING SYSTEM.—If a contractor cannot make the disclosure required by paragraph (1) with respect to a system described in that paragraph, the Secretary shall require the contractor to establish and implement a supply chain tracking system in order to make the disclosure not later than 180 days after providing the system to the Department of Defense.

(4) WAIVERS.—

(A) IN GENERAL.—The Secretary may waive a requirement under paragraph (1) or (3) with respect to a system described in paragraph (1) for a period of not more than 180 days if the Secretary certifies to the Committees on Armed Services of the Senate and the House of Representatives that—

(i) the continued procurement of the system is necessary to meet the demands of a national emergency declared under section 201 of the National Emergencies Act (50 U.S.C. 1621); or

(ii) the contractor cannot currently make the disclosure required by paragraph (1) but is making significant efforts to comply with the requirements of that paragraph.

(B) WAIVER RENEWALS.—The Secretary—

(i) may renew a waiver under subparagraph (A)(i) as many times as the Secretary considers appropriate; and

(ii) may not renew a waiver under subparagraph (A)(ii) more than twice.

(5) BRIEFING REQUIRED.—Not later than 30 days after the submission of each report required by subsection (c)(3), the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes—

(A) a summary of the disclosures made under this subsection;

(B) an assessment of the extent of reliance by the United States on foreign countries, and especially countries that are not allies of the United States, for rare earth elements and strategic and critical materials;

(C) a determination with respect to which systems described in paragraph (1) are of the greatest concern for interruptions of supply chains with respect to rare earth elements and strategic and critical materials; and

(D) any suggestions for legislation or funding that would mitigate security gaps in such supply chains.

(b) EXPANSION OF RESTRICTIONS ON PROCUREMENT OF MILITARY AND DUAL-USE TECHNOLOGIES BY CHINESE MILITARY COMPANIES.—Section 1211 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 10 U.S.C. 4651 note prec.) is amended—

(1) in the section heading, by striking “COMMUNIST CHINESE MILITARY COMPANIES” and inserting “CHINESE MILITARY COMPANIES”;

(2) in subsection (a), by inserting after “military company” the following: “, any Chinese military company, or any Non-SDN Chinese military-industrial complex company”;

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

“(b) GOODS AND SERVICES COVERED.—

“(1) IN GENERAL.—For purposes of subsection (a), and except as provided in paragraph (2), the goods and services described in this subsection are goods and services—

“(A) on the munitions list of the International Traffic in Arms Regulations; or

“(B) on the Commerce Control List that—

“(i) are classified in the 600 series; or

“(ii) contain strategic and critical materials, rare earth elements, or energetic materials used to manufacture missiles or munitions.

“(2) EXCEPTIONS.—Goods and services described in this subsection do not include goods or services procured—

“(A) in connection with a visit by a vessel or an aircraft of the United States Armed Forces to the People’s Republic of China;

“(B) for testing purposes; or

“(C) for purposes of gathering intelligence.”; and

(4) in subsection (e)—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (1) and (2) as paragraphs (3) and (5), respectively;

(C) by inserting before paragraph (3), as redesignated by subparagraph (B), the following:

“(1) The term ‘Chinese military company’ has the meaning given that term by section 1260H(d)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 113 note).

“(2) The term ‘Commerce Control List’ means the list maintained by the Bureau of Industry and Security and set forth in Supplement No. 1 to part 774 of the Export Administration Regulations.”;

(D) by inserting after paragraph (3), as so redesignated, the following:

“(4) 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).”; and

(E) by adding at the end the following:

“(6) The term ‘Non-SDN Chinese military-industrial complex company’ means any entity on the Non-SDN Chinese Military-Industrial Complex Companies List—

“(A) established pursuant to Executive Order 13959 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance Communist Chinese military companies), as amended before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023; and

“(B) maintained by the Office of Foreign Assets Control of the Department of the Treasury.

“(7) The term ‘strategic and critical materials’ means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).”

(C) REVIEW OF COMPLIANCE WITH CONTRACTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and periodically thereafter until the termination date specified in paragraph (5), the Comptroller General of the United States shall assess the extent of the efforts of the Department of Defense to comply with the requirements of—

(A) subsection (a);

(B) section 1211 of the National Defense Authorization Act for Fiscal Year 2006, as amended by subsection (b); and

(C) section 4872 of title 10, United States Code.

(2) BRIEFING REQUIRED.—The Comptroller General shall periodically, until the termination date specified in paragraph (5), provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the results of the assessments conducted under paragraph (1) that includes an assessment of—

(A) the inclusion by the Department of Defense of necessary contracting clauses in relevant contracts to meet the requirements described in subparagraphs (A), (B), and (C) of paragraph (1); and

(B) the efforts of the Department of Defense to assess the compliance of contractors with such clauses.

(3) REPORT REQUIRED.—The Comptroller General shall, not less frequently than every 2 years until the termination date specified in paragraph (5), submit to the Committees on Armed Services of the Senate and the

House of Representatives a report on the results of the assessments conducted under paragraph (1) that includes an assessment of—

(A) the inclusion by the Department of Defense of necessary contracting clauses in relevant contracts to meet the requirements described in subparagraphs (A), (B), and (C) of paragraph (1); and

(B) the efforts of the Department of Defense to assess the compliance of contractors with such clauses.

(4) REFERRAL.—If, in conducting an assessment under paragraph (1), the Comptroller General determines that a contractor has failed to comply with any of the requirements described in subparagraphs (A), (B), and (C) of paragraph (1), the Comptroller General shall refer the matter to the Department of Justice, relevant Inspectors General, or other enforcement agencies, as appropriate, for further examination and possible enforcement actions.

(5) TERMINATION.—The requirements of this subsection shall terminate on the date that is 10 years after the date of the enactment of this Act.

(d) STRATEGIC AND CRITICAL MATERIALS DEFINED.—In this section, the term “strategic and critical materials” means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).

SEC. 845. MODIFICATION TO THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 4801(1) of title 10, United States Code, is amended by inserting “New Zealand,” after “Australia.”

SEC. 846. MODIFICATION OF PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

Section 848(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 4871 note; Public Law 116-92) is amended by striking “means the People’s Republic of China.” and inserting “means any of the following:

“(A) The People’s Republic of China.

“(B) The Russian Federation.

“(C) The Islamic Republic of Iran.

“(D) The Democratic People’s Republic of Korea.”

SEC. 847. ANNUAL REPORT ON INDUSTRIAL BASE CONSTRAINTS FOR MUNITIONS.

(a) BRIEFING ON FULFILLMENT OF MUNITIONS REQUIREMENTS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall deliver a briefing to the congressional defense committees regarding the current process for fulfilling the requirements of section 222c of title 10, United States Code, in a timely fashion with standardization across the Department of Defense.

(b) ANNUAL REPORT ON INDUSTRIAL BASE CONSTRAINTS FOR MUNITIONS.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 222c the following new section:

“§ 222d. Annual report on industrial base constraints for munitions

“(a) IN GENERAL.—Not later than 30 days after the submission of all reports required under section 222c(a) of this title, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Service Acquisition Executive for each military service, shall submit to the congressional defense committees a report setting forth in detail the industrial base constraints for each munition identified in the Out-Year Unconstrained Total Munitions Requirement.

“(b) ELEMENTS.—The report required under subsection (a) shall include the following elements, by munition:

“(1) Programmed purchase quantities per year.

“(2) Average procurement unit cost per year.

“(3) Contract type.

“(4) Current minimum sustaining rate of production per month and year.

“(5) Current maximum rate of production per month and year.

“(6) Expected date to meet the total requirement in section 222c of this title under the current programmed purchase profile.

“(7) A description of industrial base constraints on increased production.

“(8) A description of investments or policy changes made by the contractor to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

“(9) A description of investments or policy changes made by the United States Government to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

“(10) A description of potential investments or policy changes identified by the contractor or the United States Government to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

“(11) A list of contracts for munitions with DX or DO ratings under the Defense Priorities and Allocations System.

“(12) A prioritized list of munitions or capabilities judged to have high value for export for which additional work would be necessary to enable export, including a description of required investments to enhance exportability.

“(c) WORKING DEFINITION OF MUNITION.—The Under Secretary may define munition for the purposes of this section given the multiple subtypes of munitions.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of title 10, United States Code, is amended by inserting after the item relating to section 222c the following new item:

“222d. Annual report on industrial base constraints for munitions.”

Subtitle D—Small Business Matters

SEC. 861. MODIFICATIONS TO THE DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

(a) IN GENERAL.—Section 4061 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “fielding of technologies developed pursuant to phase II Small Business Innovation Research Program projects, phase II Small Business Technology Transfer Program projects” and inserting “fielding of technologies developed pursuant to other programs within the Department of Defense or the Federal Government to mature fundamental or applied technology”;

(2) in subsection (b)—

(A) by striking the first sentence and inserting the following: “The Secretary shall direct the Director of the Office of Small Business Programs to issue guidelines for the operation of the program in coordination with the Under Secretary of Defense for Research and Engineering.”;

(B) by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively;

(C) in paragraph (1), by adding at the end the following: “This may include candidate proposals that have been previously selected through other agency competitive procedures.”;

(D) in paragraph (2), by adding at the end the following: “Projects that have been selected through this competitive process are eligible to receive sole-source awards subsequently for production or integration into a system of record.”;

(E) in paragraph (3), as redesignated by subparagraph (B), by striking “No project shall receive more than a total of two years of funding under the program” and inserting “Projects may be funded to develop an initial concept (Phase I), mature a technology (Phase II), or integrate the technology in a system of record or operational environment (Phase III). No project shall receive more than a total of one year of funding under the program for Phase I, four years for Phase II, or three years for Phase III”;

(F) in paragraph (6), as so redesignated, by inserting “and universities that make proposals with significant small business participation” after “small business concerns”; and

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

“(7) A requirement that no agreement may be entered into unless the Secretary of the military department concerned certifies in writing that the successful transition of the program to Phase III and into the acquisition process is expected to meet high priority military requirements of such military department.”;

(3) in subsection (c), by inserting “congressional” before “earmark”;

(4) by amending subsection (d) to read as follows:

“(d) FUNDING.—(1) Not less than 3.2 percent of the extramural budget for research, development, test, and evaluation of the Department of Defense in excess of \$100,000,000 shall be used to field technologies under the program.

“(2) Up to 0.5 percent of the amount required under paragraph (1) may be used to cover administrative costs associated with the program.”; and

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

“(f) GOAL FOR TECHNOLOGY INSERTION.—The Director of the Office of Small Business Programs shall—

“(1) set a goal to increase the number of contracts awarded by the Secretary that lead to technology transition into programs of record or fielded systems;

“(2) use incentives in effect on December 31, 2021, or create new incentives, to encourage agency program managers and prime contractors to meet the goal under paragraph (1); and

“(3) submit to the congressional defense committees—

“(A) the number and percentage of contracts awarded by the Secretary that led to technology transition into programs of record or fielded systems;

“(B) information on the status of each project that received funding the program and efforts to transition those projects into programs of record or fielded systems; and

“(C) a description of each incentive that has been used by the Secretary under paragraph (2) and the effectiveness of that incentive with respect to meeting the goal under paragraph (1).”.

(b) PUBLIC-PRIVATE PARTNERSHIP TECHNOLOGY INVESTMENT PILOT PROGRAM.—

(1) IN GENERAL.—Chapter 303 of title 10, United States Code, is amended by inserting after section 4062 the following new section:

“§ 4063. Public-private partnership technology investment pilot program

“(a) ESTABLISHMENT.—(1) Subject to the availability of appropriations for this purpose, the Secretary of Defense shall, acting through the Under Secretary of Defense for Research and Engineering and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, carry out a pilot program, for no less than five years, to accelerate the development of advanced technology for national security by creating

incentives for trusted private capital to invest in domestic small businesses or nontraditional businesses that are developing technology that the Secretary considers necessary to support the modernization of the Department of Defense and national security priorities.

“(2) The purposes of the program required by paragraph (1) are as follows:

“(A) To promote the global superiority of the United States in advanced technologies of importance to national security, which are not adequately supported by private sector investment.

“(B) To accelerate the transition and deployment of advanced technologies into the Armed Forces.

“(C) To inform Department investment through coordinating planning consideration, technology roadmaps, and other analysis, as appropriate.

“(b) PUBLIC-PRIVATE PARTNERSHIP.—(1) In carrying out subsection (a), the Secretary shall enter into a public-private partnership with one or more for-profit persons using criteria that the Secretary shall establish for purposes of this subsection.

“(2) The criteria established under paragraph (1) for entering into a public-private partnership with a person shall include the following:

“(A) The person shall be independent.

“(B) The person shall be free from foreign oversight, control, influence, or beneficial ownership.

“(C) The person shall have commercial private capital fund experience with technology development in the defense and commercial sectors.

“(D) The person shall be eligible for access to classified information (as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a))).

“(3) The Secretary and a person with whom the Secretary enters a partnership under paragraph (1) shall enter into an operating agreement that sets forth the roles, responsibilities, authorities, reporting requirements, and governance framework for the partnership and its operations.

“(c) INVESTMENT AND RAISING OF CAPITAL.—(1)(A) Pursuant to a public-private partnership entered into under subsection (b), a person with whom the Secretary has entered the partnership shall invest equity in domestic small businesses or nontraditional businesses consistent with subsection (a).

“(B) Investments under subparagraph (A) shall be selected based on their technical merit, economic considerations, and ability to support modernization goals of the Department.

“(2) Pursuant to a public-private partnership entered into under subsection (b), a person described in paragraph (1)(A) shall, in order to support investment of equity under paragraph (1), raise private capital only from trusted capital sources.

“(3) A person described in subparagraph (A) shall have sole authority to raise funds for, operate, manage, and invest capital raised under such subparagraph.

“(d) BRIEFINGS.—(1) Not later than one year after the date of the enactment of this section, the Secretary shall provide to the congressional defense committees—

“(A) a briefing on the implementation of this section; and

“(B) a report on the feasibility of implementing loan guarantees as an aspect to enhance the effectiveness of this program, including—

“(i) a detailed description of how loan guarantees would be vetted, approved, and managed, including mechanisms to protect the government's interests; and

“(ii) how such loan guarantees would be coordinated with other government invest

mechanisms or other private sector financing.

“(2) Not later than five years after the date of the enactment of this section, the Secretary shall provide the congressional defense committees a briefing on the outcomes of the pilot program and the feasibility and advisability of making it permanent.

“(e) DEFINITIONS.—In this section:

“(1) 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) The term ‘domestic small businesses or nontraditional businesses’ means—

“(A) a small businesses that is a domestic business; or

“(B) a nontraditional business that is a domestic business.

“(3) The term ‘free from foreign oversight, control, influence, or beneficial ownership’, with respect to a person, means a person who has not raised and managed capital from a person or entity that is not trusted and is otherwise free from foreign oversight, control, influence, or beneficial ownership.

“(4) The term ‘independent’, with respect to a person, means a person who lacks a conflict of interest accomplished by not having entity or manager affiliation or ownership with an existing fund.

“(5) The term ‘nontraditional business’ has the meaning given the term ‘nontraditional defense contractors’ in section 3014 of this title.

“(6) 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).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4062 the following new item:

“4063. Public-private partnership technology investment program.”.

SEC. 862. PERMANENT EXTENSION AND MODIFICATION OF MENTOR-PROTEGE PROGRAM.

(a) PERMANENT EXTENSION AND MODIFICATION.—Chapter 387 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 4902. Mentor-Protege Program

“(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Defense shall establish a program to be known as the ‘Mentor-Protege Program’.

“(b) PURPOSE.—The purpose of the program is to provide incentives for major Department of Defense contractors to furnish disadvantaged small business concerns with assistance designed to—

“(1) enhance the capabilities of disadvantaged small business concerns to perform as subcontractors and suppliers under Department of Defense contracts and other contracts and subcontracts; and

“(2) increase the participation of such business concerns as subcontractors and suppliers under Department of Defense contracts, other Federal Government contracts, and commercial contracts.

“(c) PROGRAM PARTICIPANTS.—(1) A business concern meeting the eligibility requirements set out in subsection (d) may enter into agreements under subsection (e) and furnish assistance to disadvantaged small business concerns upon making application to the Secretary of Defense and being approved for participation in the program by the Secretary. A business concern participating in the program pursuant to such an approval shall be known, for the purposes of the program, as a ‘mentor firm’.

“(2) A disadvantaged small business concern eligible for the award of Federal contracts may obtain assistance from a mentor

firm upon entering into an agreement with the mentor firm as provided in subsection (e). A disadvantaged small business concern may not be a party to more than one agreement concurrently, and the authority to enter into agreements under subsection (e) shall only be available to such concern during the 5-year period beginning on the date such concern enters into the first such agreement. A disadvantaged small business concern receiving such assistance shall be known, for the purposes of the program, as a 'protege firm'.

“(3) In entering into an agreement pursuant to subsection (e), a mentor firm may rely in good faith on a written representation of a business concern that such business concern is a disadvantaged small business concern. The Small Business Administration shall determine the status of such business concern as a disadvantaged small business concern in the event of a protest regarding the status of such business concern. If at any time the business concern is determined by the Small Business Administration not to be a disadvantaged small business concern, assistance furnished such business concern by the mentor firm after the date of the determination may not be considered assistance furnished under the program.

“(d) MENTOR FIRM ELIGIBILITY.—(1) Subject to subsection (c)(1), a mentor firm may enter into an agreement with one or more protege firms under subsection (e) and provide assistance under the program pursuant to that agreement if the mentor firm—

“(A) is eligible for award of Federal contracts; and

“(B) demonstrates that it—

“(i) is qualified to provide assistance that will contribute to the purpose of the program;

“(ii) is of good financial health and character and does not appear on a Federal list of debarred or suspended contractors; and

“(iii) can impart value to a protege firm because of experience gained as a Department of Defense contractor or through knowledge of general business operations and government contracting, as demonstrated by evidence that—

“(I) during the fiscal year preceding the fiscal year in which the mentor firm enters into the agreement, the total amount of the Department of Defense contracts awarded such mentor firm and the subcontracts awarded such mentor firm under Department of Defense contracts was equal to or greater than \$100,000,000; or

“(II) the mentor firm demonstrates the capability to assist in the development of protege firms, and is approved by the Secretary of Defense pursuant to criteria specified in the regulations prescribed pursuant to subsection (j).

“(2) A mentor firm may not enter into an agreement with a protege firm if the Administrator of the Small Business Administration has made a determination finding affiliation between the mentor firm and the protege firm.

“(3) If the Administrator of the Small Business Administration has not made such a determination and if the Secretary has reason to believe (based on the regulations promulgated by the Administrator regarding affiliation) that the mentor firm is affiliated with the protege firm, the Secretary shall request a determination regarding affiliation from the Administrator of the Small Business Administration.

“(e) MENTOR-PROTEGE AGREEMENT.—Before providing assistance to a protege firm under the program, a mentor firm shall enter into a mentor-protege agreement with the protege firm regarding the assistance to be provided by the mentor firm. The agreement shall include the following:

“(1) A developmental program for the protege firm, in such detail as may be reasonable, including—

“(A) factors to assess the protege firm's developmental progress under the program;

“(B) a description of the quantitative and qualitative benefits to the Department of Defense from the agreement, if applicable;

“(C) goals for additional awards that the protege firm can compete for outside the Mentor-Protege Program; and

“(D) the assistance the mentor firm will provide to the protege firm in understanding contract regulations of the Federal Government and the Department of Defense (including the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement) after award of a subcontract under this section, if applicable.

“(2) A program participation term for any period of not more than three years, except that the term may be a period of up to five years if the Secretary of Defense determines in writing that unusual circumstances justify a program participation term in excess of three years.

“(3) Procedures for the protege firm to terminate the agreement voluntarily and for the mentor firm to terminate the agreement for cause.

“(f) FORMS OF ASSISTANCE.—A mentor firm may provide a protege firm the following:

“(1) Assistance, by using mentor firm personnel, in—

“(A) general business management, including organizational management, financial management, and personnel management, marketing, and overall business planning;

“(B) engineering and technical matters such as production, inventory control, and quality assurance; and

“(C) any other assistance designed to develop the capabilities of the protege firm under the developmental program referred to in subsection (e).

“(2) Award of subcontracts on a non-competitive basis to the protege firm under the Department of Defense or other contracts.

“(3) Payment of progress payments for performance of the protege firm under such a subcontract in amounts as provided for in the subcontract, but in no event may any such progress payment exceed 100 percent of the costs incurred by the protege firm for the performance.

“(4) Advance payments under such subcontracts.

“(5) Loans.

“(6) Assistance obtained by the mentor firm for the protege firm from one or more of the following—

“(A) small business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 648);

“(B) entities providing procurement technical assistance pursuant to this chapter;

“(C) a historically Black college or university or a minority institution of higher education; or

“(D) women's business centers described in section 29 of the Small Business Act (15 U.S.C. 656).

“(g) INCENTIVES FOR MENTOR FIRMS.—(1) The Secretary of Defense may provide to a mentor firm reimbursement for the total amount of any progress payment or advance payment made under the program by the mentor firm to a protege firm in connection with a Department of Defense contract awarded the mentor firm.

“(2)(A) The Secretary of Defense may provide to a mentor firm reimbursement for the costs of the assistance furnished to a protege firm pursuant to paragraphs (1) and (6) of subsection (f) (except as provided in subparagraph (D)) as provided for in a line item in a Department of Defense contract under which

the mentor firm is furnishing products or services to the Department, subject to a maximum amount of reimbursement specified in such contract, except that this sentence does not apply in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract.

“(B) The determinations made in annual performance reviews of a mentor firm's mentor-protege agreement shall be a major factor in the determinations of amounts of reimbursement, if any, that the mentor firm is eligible to receive in the remaining years of the program participation term under the agreement.

“(C) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed \$1,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.

“(D) The Secretary may not reimburse any fee assessed by the mentor firm for services provided to the protege firm pursuant to subsection (f)(6) or for business development expenses incurred by the mentor firm under a contract awarded to the mentor firm while participating in a joint venture with the protege firm.

“(3)(A) Costs incurred by a mentor firm in providing assistance to a protege firm that are not reimbursed pursuant to paragraph (2) shall be recognized as credit in lieu of subcontract awards for purposes of determining whether the mentor firm attains a subcontracting participation goal applicable to such mentor firm under a Department of Defense contract, under a contract with another executive agency, or under a divisional or company-wide subcontracting plan negotiated with the Department of Defense or another executive agency.

“(B) The amount of the credit given a mentor firm for any such unreimbursed costs shall be equal to—

“(i) four times the total amount of such costs attributable to assistance provided by entities described in subsection (f)(6);

“(ii) three times the total amount of such costs attributable to assistance furnished by the mentor firm's employees; and

“(iii) two times the total amount of any other such costs.

“(C) Under regulations prescribed pursuant to subsection (j), the Secretary of Defense shall adjust the amount of credit given a mentor firm pursuant to subparagraphs (A) and (B) if the Secretary determines that the firm's performance regarding the award of subcontracts to disadvantaged small business concerns has declined without justifiable cause.

“(4) A mentor firm shall receive credit toward the attainment of a subcontracting participation goal applicable to such mentor firm for each subcontract for a product or service awarded under such contract by a mentor firm to a business concern that, except for its size, would be a small business concern owned and controlled by socially and economically disadvantaged individuals, but only if—

“(A) the size of such business concern is not more than two times the maximum size specified by the Administrator of the Small Business Administration for purposes of determining whether a business concern furnishing such product or service is a small business concern; and

“(B) the business concern formerly had a mentor-protege agreement with such mentor firm that was not terminated for cause.

“(h) RELATIONSHIP TO SMALL BUSINESS ACT.—(1) For purposes of the Small Business Act (15 U.S.C. 631 et seq.), no determination

of affiliation or control (either direct or indirect) may be found between a protege firm and its mentor firm on the basis that the mentor firm has agreed to furnish (or has furnished) to its protege firm pursuant to a mentor-protege agreement any form of developmental assistance described in subsection (f).

“(2) Notwithstanding section 8 of the Small Business Act (15 U.S.C. 637), the Small Business Administration may not determine a disadvantaged small business concern to be ineligible to receive any assistance authorized under the Small Business Act on the basis that such business concern has participated in the Mentor-Protege Program or has received assistance pursuant to any developmental assistance agreement authorized under such program.

“(3) The Small Business Administration may not require a firm that is entering into, or has entered into, an agreement under subsection (e) as a protege firm to submit the agreement, or any other document required by the Secretary of Defense in the administration of the Mentor-Protege Program, to the Small Business Administration for review, approval, or any other purpose.

“(1) PARTICIPATION IN MENTOR-PROTEGE PROGRAM NOT TO BE A CONDITION FOR AWARD OF A CONTRACT OR SUBCONTRACT.—A mentor firm may not require a business concern to enter into an agreement with the mentor firm pursuant to subsection (e) as a condition for being awarded a contract by the mentor firm, including a subcontract under a contract awarded to the mentor firm.

“(j) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out the Mentor-Protege Program. Such regulations shall include the requirements set forth in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and shall prescribe procedures by which mentor firms may terminate participation in the program. The Department of Defense policy regarding the Mentor-Protege Program shall be published and maintained as an appendix to the Department of Defense Supplement to the Federal Acquisition Regulation.

“(k) REPORT BY MENTOR FIRMS.—To comply with section 8(d)(7) of the Small Business Act (15 U.S.C. 637(d)(7)), each mentor firm shall submit a report to the Secretary not less than once each fiscal year that includes, for the preceding fiscal year—

“(1) all technical or management assistance provided by mentor firm personnel for the purposes described in subsection (f)(1);

“(2) any new awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;

“(3) any extensions, increases in the scope of work, or additional payments not previously reported for prior awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;

“(4) the amount of any payment of progress payments or advance payments made to the protege firm for performance under any subcontract made under the Mentor-Protege Program;

“(5) any loans made by the mentor firm to the protege firm;

“(6) all Federal contracts awarded to the mentor firm and the protege firm as a joint venture, designating whether the award was a restricted competition or a full and open competition;

“(7) any assistance obtained by the mentor firm for the protege firm from one or more—

“(A) small business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 648);

“(B) entities providing procurement technical assistance pursuant to this chapter; or

“(C) historically Black colleges or universities or minority institutions of higher education;

“(8) whether there have been any changes to the terms of the mentor-protege agreement; and

“(9) a narrative describing the success assistance provided under subsection (f) has had in addressing the developmental needs of the protege firm, the impact on Department of Defense contracts, and addressing any problems encountered.

“(1) REVIEW OF REPORT BY THE OFFICE OF SMALL BUSINESS PROGRAMS.—The Office of Small Business Programs of the Department of Defense shall review the report required by subsection (k) and, if the Office finds that the mentor-protege agreement is not furthering the purpose of the Mentor-Protege Program, decide not to approve any continuation of the agreement.

“(m) ESTABLISHMENT OF PERFORMANCE GOALS AND PERIODIC REVIEWS.—The Office of Small Business Programs of the Department of Defense shall—

“(1) establish performance goals consistent with the stated purpose of the Mentor-Protege Program and outcome-based metrics to measure progress in meeting those goals; and

“(2) submit to the congressional defense committees, not later than February 1, 2020, a report on progress made toward implementing these performance goals and metrics, based on periodic reviews of the procedures used to approve mentor-protege agreements.

“(n) DEFINITIONS.—In this section:

“(1) The term ‘affiliation’, with respect to a relationship between a mentor firm and a protege firm, means a relationship described under section 121.103 of title 13, Code of Federal Regulations (or any successor regulation).

“(2) The term ‘disadvantaged small business concern’ means a firm that is not more than the size standard corresponding to its primary North American Industry Classification System code, is not owned or managed by individuals or entities that directly or indirectly have stock options or convertible securities in the mentor firm, and is—

“(A) a small business concern owned and controlled by socially and economically disadvantaged individuals;

“(B) a business entity owned and controlled by an Indian tribe as defined by section 8(a)(13) of the Small Business Act (15 U.S.C. 637(a)(13));

“(C) a business entity owned and controlled by a Native Hawaiian Organization as defined by section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15));

“(D) a qualified organization employing severely disabled individuals;

“(E) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D));

“(F) a small business concern owned and controlled by service-disabled veterans (as defined in section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)));

“(G) a qualified HUBZone small business concern (as defined in section 31(b) of the Small Business Act (15 U.S.C. 657a(b))); or

“(H) a small business concern that—

“(i) is a nontraditional defense contractor, as such term is defined in section 3014 of this title; or

“(ii) currently provides goods or services in the private sector that are critical to enhancing the capabilities of the defense supplier base and fulfilling key Department of Defense needs.

“(3) The term ‘historically Black college and university’ means any of the historically

Black colleges and universities referred to in section 2323 of this title, as in effect on March 1, 2018.

“(4) The term ‘minority institution of higher education’ means an institution of higher education with a student body that reflects the composition specified in section 312(b)(3), (4), and (5) of the Higher Education Act of 1965 (20 U.S.C. 1058(b)(3), (4), and (5)).

“(5) The term ‘qualified organization employing the severely disabled’ means a business entity operated on a for-profit or non-profit basis that—

“(A) uses rehabilitative engineering to provide employment opportunities for severely disabled individuals and integrates severely disabled individuals into its workforce;

“(B) employs severely disabled individuals at a rate that averages not less than 20 percent of its total workforce;

“(C) employs each severely disabled individual in its workforce generally on the basis of 40 hours per week; and

“(D) pays not less than the minimum wage prescribed pursuant to section 6 of the Fair Labor Standards Act (29 U.S.C. 206) to those employees who are severely disabled individuals.

“(6) The term ‘severely disabled individual’ means an individual who is blind (as defined in section 8501 of title 41) or a severely disabled individual (as defined in such section).

“(7) The term ‘small business concern’ has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

“(8) The term ‘small business concern owned and controlled by socially and economically disadvantaged individuals’ has the meaning given such term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

“(9) The term ‘subcontracting participation goal’, with respect to a Department of Defense contract, means a goal for the extent of the participation by disadvantaged small business concerns in the subcontracts awarded under such contract, as established pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)).”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 387 of title 10, United States Code, is amended by inserting after the item relating to section 4901 the following new item:

“4902. Mentor-Protege Program.”

(c) REPEAL OF OBSOLETE AUTHORITY.—Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 4901 note prec.) is repealed.

SEC. 863. SMALL BUSINESS INTEGRATION WORKING GROUP.

(a) IN GENERAL.—The Secretary of Defense shall create a small business integration working group, to be led by the Director of the Department of Defense Office of Small Business Programs, which convenes at least four times per year to better ensure the integration of department-wide small business efforts, including by—

(1) improving the alignment between disparate small business and industrial base programs across the Department of Defense;

(2) providing oversight of small business efforts department-wide;

(3) unifying small business policy, acquisition workforce development, and transition of emerging technologies into programs of record as required under the Small Business Strategy; and

(4) reducing barriers to entry for small businesses and non-traditional vendors into the defense industrial base.

(b) MEMBERSHIP.—The integration working group shall be comprised of representatives from each of the following organizations:

(1) Each of the military service’s small business offices.

(2) Each of the military service's small business innovation research and small business technology transfer programs.

(3) The office of the Under Secretary of Defense for Acquisition and Sustainment.

(4) The office of the Under Secretary of Defense for Research and Engineering.

(c) BRIEFING REQUIRED.—Not later than March 1, 2023, the Director of the Office of Small Business Programs shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the establishment and activities of the working group, policies enacted to allow for the sharing of best practices, and practices for conducting oversight.

SEC. 864. DEMONSTRATION OF COMMERCIAL DUE DILIGENCE FOR SMALL BUSINESS PROGRAMS.

(a) DEMONSTRATION REQUIRED.—Not later than December 31, 2027, the Secretary of Defense shall conduct a demonstration of commercial due diligence tools, techniques, and processes in order to support small businesses in identifying attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over technology they are developing on behalf of the Department of Defense.

(b) ELEMENTS.—The demonstration required under subsection (a) shall include the following elements:

(1) Identification of an entity to be responsible for the commercial due diligence process, including interfacing with small business and law enforcement community.

(2) An assessment of existing commercial due diligence processes conducted by component small business offices.

(3) Development of tactics, techniques, and procedures for tools and processes that support commercial due diligence analysis to monitor and assess attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over technologies under development by the small business community, including—

(A) providing a feedback loop with small business to provide two-way information sharing; and

(B) identifying, assessing, and demonstrating commercially available tools and services.

(4) Identification of process improvements or gaps in resources, capabilities, or authorities, as well as other lessons learned.

(5) Development of training and awareness material for small businesses that can be shared directly or through the Procurement Technical Assistance Centers.

(6) Implementation of metrics or measures of performance that can be tracked to assess the effectiveness of the commercial due diligence demonstration.

(c) BRIEFING REQUIRED.—Not later than April 1, 2023, the Secretary of Defense shall provide to the congressional defense committees an interim briefing on the demonstration required under subsection (a), including—

(1) identification of the designated organization for conducting the demonstration;

(2) a description of the methodology for executing the demonstration, including any analytical tools or metrics identified to support the process;

(3) a description of any identified instances of attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over small business technology; and

(4) any preliminary findings.

(d) ASSESSMENT.—Not later than March 1, 2028, the Secretary shall provide a final assessment report of the demonstration required under subsection (a), including any identified instances of attempts by malicious

foreign actors to gain undue access or foreign oversight, control, and influence over small business technology, any general lessons learned, and any recommendations for legislative action that may be required as a result.

SEC. 865. IMPROVEMENTS TO PROCUREMENT TECHNICAL ASSISTANCE CENTER PROGRAM.

(a) FUNDING LIMIT APPLICABLE TO PROGRAMS OPERATING ON STATEWIDE BASIS.—Section 4955(a)(1) of title 10, United States Code, is amended by striking “\$1,000,000” and inserting “\$1,500,000”.

(b) ADMINISTRATIVE COSTS.—Section 4961 of title 10, United States Code, is amended—

(1) by striking “Director of the Defense Logistics Agency” and inserting “Secretary”;

(2) in paragraph (1), by striking “three percent” and inserting “four percent”; and

(3) in paragraph (2)—

(A) by striking “Director” and inserting “Secretary”; and

(B) in subparagraph (A), by inserting “, including meetings of any association of such entities,” after “for meetings”.

Subtitle E—Other Matters

SEC. 871. RISK MANAGEMENT FOR DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAINS.

(a) RISK MANAGEMENT FOR ALL DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAINS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) develop and issue implementing guidance for risk management for Department of Defense supply chains for pharmaceutical material for the Department;

(2) identify, in coordination with the Secretary of Health and Human Services, supply chain information gaps regarding the Department's reliance on foreign suppliers of drugs, including active pharmaceutical ingredients and final drug products; and

(3) submit to Congress a report regarding—

(A) existing information streams, if any, that may be used to assess the reliance by the Department of Defense on high-risk foreign suppliers of drugs;

(B) vulnerabilities in the drug supply chains of the Department of Defense; and

(C) any recommendations to address—

(i) information gaps identified under paragraph (2); and

(ii) any risks related to such reliance on foreign suppliers.

(b) RISK MANAGEMENT FOR DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAIN.—The Director of the Defense Health Agency shall—

(1) not later than one year after the issuance of the guidance required under subsection (a)(1), develop and publish implementing guidance for risk management for the Department of Defense supply chain for pharmaceuticals; and

(2) establish a working group—

(A) to assess risks to the Department's pharmaceutical supply chain;

(B) to identify the pharmaceuticals most critical to beneficiary care at military treatment facilities; and

(C) to establish policies for allocating scarce pharmaceutical resources of the Department of Defense in case of a supply disruption.

SEC. 872. KEY ADVANCED SYSTEM DEVELOPMENT INDUSTRY DAYS.

(a) IN GENERAL.—Not later than March 1, 2023, and every 180 days thereafter, the Secretary of each of the military departments and the Commanders of the United States Special Operations Command and the United States Cyber Command shall ensure that each such department and Command conducts an industry day—

(1) to raise awareness within the private sector of—

(A) key advanced system development areas; and

(B) capability needs and existing and potential requirements related to the key advanced system development areas; and

(2) to raise awareness within such departments and Commands of potential material solutions for capability needs and existing and potential requirements related to key advanced system development areas.

(b) RESPONSIBILITIES.—

(1) CHIEFS OF ARMED FORCES.—The chief of each of the armed forces residing in a military department and the Commanders of the United States Special Operations Command and the United States Cyber Command shall have primary responsibility for the following tasks at the industry days required under subsection (a) for each key advanced system development area:

(A) Identifying related or potentially related existing, planned, or potential military requirements, including urgent and emergent operational needs.

(B) Identifying and describing related or potentially related capability needs or gaps in warfighting mission areas.

(C) Identifying and describing related or potentially related capability needs or gaps in non-warfighting support areas.

(D) Identifying and describing related or potentially related exercise, demonstration, or experimentation opportunities.

(2) ACQUISITION EXECUTIVES.—Each service acquisition executive and the acquisition executives of the United States Special Operations Command and the United States Cyber Command shall have primary responsibility for the following tasks at the industry days required under subsection (a) for each key advanced system development area:

(A) Identifying and describing related or potentially related existing, planned, or potential acquisition plans and strategies.

(B) Identifying and describing related or potentially related existing, planned, or potential funding opportunities, including—

(i) broad agency announcements;

(ii) requests for information;

(iii) funding opportunity announcements;

(iv) special program announcements;

(v) requests for proposals;

(vi) requests for quotes;

(vii) special notices;

(viii) transactions pursuant to sections 4002, 4003, and 4004 of title 10, United States Code;

(ix) unsolicited proposals; and

(x) other methods.

(c) FORM.—The industry days required under subsection (a) shall seek to maximize industry and government participation, while minimizing cost to the maximum extent practicable, by—

(1) being held at the unclassified security level with classified portions only as necessary;

(2) being publicly accessible through teleconference or other virtual means; and

(3) having supporting materials posted on a publicly accessible website.

(d) DEFINITIONS.—In this section:

(1) MILITARY DEPARTMENTS; ARMED FORCES; SERVICE ACQUISITION EXECUTIVE.—The terms “military departments”, “armed forces”, and “service acquisition executive” have the meanings given the terms in section 101 of title 10, United States Code.

(2) KEY ADVANCED SYSTEM DEVELOPMENT AREA.—The term “key advanced system development area” means the following:

(A) For the Department of the Navy—

(i) unmanned surface vessels;

(ii) unmanned underwater vessels;

(iii) unmanned deployable mobile ocean systems;

(iv) unmanned deployable fixed ocean systems; and

(v) autonomous unmanned aircraft systems.

(B) For the Department of the Air Force, autonomous unmanned aircraft systems.

(C) For the Department of the Army, autonomous unmanned aircraft systems.

(D) For the United States Special Operations Command, autonomous unmanned aircraft systems.

(E) For the United States Cyber Command, cybersecurity situational awareness systems.

SEC. 873. MODIFICATION OF PROVISION RELATING TO DETERMINATION OF CERTAIN ACTIVITIES WITH UNUSUALLY HAZARDOUS RISKS.

Section 1684 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) is amended—

(1) in subsection (a), by striking “2022 and 2023” and inserting “2022 through 2024”; and

(2) in subsection (b), by striking “September 30, 2023” and inserting “September 30, 2024”.

SEC. 874. INCORPORATION OF CONTROLLED UNCLASSIFIED INFORMATION GUIDANCE INTO PROGRAM CLASSIFICATION GUIDES AND PROGRAM PROTECTION PLANS.

(a) UPDATES REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering, ensure that all program classification guides (for classified programs) and all program protection plans (for unclassified programs) include guidance for the proper marking for controlled unclassified information (CUI) at their next regularly scheduled update.

(2) ELEMENTS.—Guidance under paragraph (1) shall include the following:

(A) A requirement to use document portion markings for controlled unclassified information

(B) A process to ensure controlled unclassified information document portion markings are used properly and consistently.

(b) MONITORING OF PROGRESS.—In tracking the progress in carrying out subsection (a), the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering shall implement a process for monitoring progress that includes the following:

(1) Tracking of all program classification guides and program protection plans so they include document portion marking for controlled unclassified information, and the dates when controlled unclassified information guidance updates are completed.

(2) Updated training in order to ensure that all government and contractor personnel using the guides described in subsection (a)(1) receive instruction, as well as periodic spot checks, to ensure that training is sufficient and properly implemented to ensure consistent application of document portion marking guidance.

(3) A process for feedback to ensure that any identified gaps or lessons learned are incorporated into guidance and training instructions.

(c) REQUIRED COMPLETION.—The Secretary shall ensure that the updates required by subsection (a) are completed before January 1, 2029.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

SEC. 901. INCREASE IN AUTHORIZED NUMBER OF ASSISTANT AND DEPUTY ASSISTANT SECRETARIES OF DEFENSE.

(a) ASSISTANT SECRETARY OF DEFENSE FOR CYBER POLICY.—

(1) IN GENERAL.—Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(8) One of the Assistant Secretaries is the Assistant Secretary of Defense for Cyber Policy. The principal duty of the Assistant Secretary shall be the overall supervision of policy and matters relating to cyber activities of the Department of Defense. The Assistant Secretary is the Principal Cyber Advisor described in section 932(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note).”.

(2) CONFORMING AMENDMENTS.—

(A) Section 932(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) is amended—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(B) Section 1643(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 2224 note) is amended by striking “by section 932(c)(3)” and inserting “by section 932(c)(2)”.

(b) INCREASE IN AUTHORIZED NUMBER OF ASSISTANT SECRETARIES OF DEFENSE.—

(1) INCREASE.—Section 138(a)(1) of title 10, United States Code, is amended by striking “15” and inserting “18”.

(2) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by striking “Assistant Secretaries of Defense (14)” and inserting “Assistant Secretaries of Defense (18)”.

(c) INCREASE IN AUTHORIZED NUMBER OF DEPUTY ASSISTANT SECRETARIES OF DEFENSE.—

(1) INCREASE.—Section 138 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) The number of Deputy Assistant Secretaries of Defense may not exceed 57.”.

(2) CONFORMING REPEAL.—Section 908 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1514; 10 U.S.C. 138 note) is repealed.

(d) ADDITIONAL AMENDMENTS.—Section 138(b) of title 10, United States Code, is amended—

(1) in paragraph (2)(A)—

(A) in the second sentence in the matter preceding clause (i), by striking “He shall have as his principal duty” and inserting “The principal duty of the Assistant Secretary shall be”; and

(B) in clause (ii), by striking subclause (III);

(2) in paragraph (3), in the second sentence, by striking “He shall have as his principal duty” and inserting “The principal duty of the Assistant Secretary shall be”; and

(3) in paragraph (4)—

(A) in subparagraph (A), by striking the semicolon and inserting “; and”; and

(B) in subparagraph (B), by striking “; and” inserting a period; and

(C) by striking subparagraph (C); and

(4) in paragraph (6), by striking “shall—” and all that follows and inserting “shall advise the Under Secretary of Defense for Acquisition and Sustainment on industrial base policies.”.

SEC. 902. CONFORMING AMENDMENTS RELATING TO REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER.

Section 2222 of title 10, United States Code, is amended—

(1) in subsection (c)(2), by striking “the Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, the Chief Information Officer, and the Chief Management Officer” and inserting “the Chief Information Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, and the Chief Information Officer”;

tion and Sustainment, and the Chief Information Officer”;

(2) in subsection (e)—

(A) in paragraph (1), by striking “the Chief Management Officer” and inserting “the Chief Information 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 Management Officer of the Department of Defense” and inserting “the Chief Information Officer of the Department of Defense, in coordination with the Chief Data and Artificial Intelligence Officer.”; and

(II) in the second sentence, by striking “the Chief Management Officer shall” and inserting “the Chief Information Officer shall”; and

(ii) in subparagraph (B), in the matter preceding clause (i), by striking “the Chief Management Officer” and inserting “the Chief Information Officer”;

(3) in subsection (f)—

(A) in paragraph (1), in the second sentence, by striking “the Chief Management Officer and”; and

(B) in paragraph (2)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B), as redesignated by clause (i), the following new subparagraph (A):

“(A) The Chief Information Officers of the military departments, or their designees.”; and

(iii) in subparagraph (C), as so redesignated, by adding at the end the following new clause:

“(iv) The Chief Data and Artificial Intelligence Officer of the Department of Defense.”;

(4) in subsection (g)(2), by striking “the Chief Management Officer” each place it appears and inserting “the Chief Information Officer”; and

(5) in subsection (i)(5)(B), by striking “the Chief Management Officer” and inserting “the Chief Information Officer”.

SEC. 903. LIMITATION ON AVAILABILITY OF FUNDS FOR OPERATION AND MAINTENANCE FOR OFFICE OF SECRETARY OF DEFENSE.

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary of Defense submits the information operations strategy and posture review, including the designation of Information Operations Force Providers and Information Operations Joint Force Trainers for the Department of Defense, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives as required by section 1631(g) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 397 note).

SEC. 904. LIMITATION ON USE OF FUNDS UNTIL DEMONSTRATION OF PRODUCT TO IDENTIFY, TASK, AND MANAGE CONGRESSIONAL REPORTING REQUIREMENTS.

Of the funds authorized to be appropriated by section 301 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Secretary of Defense demonstrates a minimum viable product—

(1) to optimize and modernize the process described in section 908(a) of the William M.

(Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 111 note) for identifying reports to Congress required by annual national defense authorization Acts, assigning responsibility for preparation of such reports, and managing the completion and delivery of such reports to Congress; and

(2) that includes capabilities to enable—

(A) direct access by the congressional defense committees to the follow-on system to that process using secure credentials;

(B) rapid automatic ingestion of data provided by those committees with respect to reports and briefings required to be submitted to Congress in a comma-separated value spreadsheet;

(C) sortable and exportable database views for tracking and research purposes;

(D) automated notification of relevant congressional staff and archival systems; and

(E) integration with Microsoft Office.

SEC. 905. LIMITATION ON USE OF FUNDS UNTIL DEPARTMENT OF DEFENSE COMPLIES WITH REQUIREMENTS RELATING TO ALIGNMENT OF CLOSE COMBAT LETHALITY TASK FORCE.

Of the funds authorized to be appropriated by section 301 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Department of Defense complies with the requirements of section 911 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1878) (relating to alignment of the Close Combat Lethality Task Force).

Subtitle B—Other Department of Defense Organization and Management Matters

SEC. 911. MODIFICATION OF REQUIREMENTS THAT ARE RESPONSIBILITY OF ARMED FORCES NOT JOINT REQUIREMENTS OVERSIGHT COUNCIL.

Section 181(e) of title 10, United States Code, is amended to read as follows:

“(e) PERFORMANCE REQUIREMENTS AS RESPONSIBILITY OF ARMED FORCES.—

“(1) IN GENERAL.—The Chief of Staff of an armed force is responsible for—

“(A) all performance requirements for that armed force; and

“(B) except as provided in paragraph (3), all inventory objective requirements for that armed force, including categories of weapons systems and overall levels of weapons systems.

“(2) REQUIREMENTS NOT REQUIRED TO BE VALIDATED.—Except for requirements specified in subsections (b)(4) and (b)(5), requirements described in paragraph (1) are not required to be validated by the Joint Requirements Oversight Council.

“(3) INVENTORY OBJECTIVE REQUIREMENTS FOR NAVAL VESSELS TO TRANSPORT MARINES.—The Commandant of the Marine Corps shall be responsible for inventory objective requirements for naval vessels with the primary mission of transporting Marines.”.

SEC. 912. BRIEFING ON REVISIONS TO UNIFIED COMMAND PLAN.

Section 161(b)(2) of title 10, United States Code, 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 President shall notify” and inserting the following: “the President shall—

“(A) notify”;

(3) in clause (ii), as redesignated by paragraph (1), by striking the period at the end and inserting “; and”;

(4) by adding at the end the following new subparagraph:

“(B) during that 60-day period, provide to the congressional defense committees a

briefing on the revisions described in subparagraph (A)(ii).”.

SEC. 913. UPDATES TO MANAGEMENT REFORM FRAMEWORK.

Section 125a of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “2022” and inserting “2023”; and

(B) in paragraph (3), by inserting “the Director for Administration and Management of the Department of Defense,” after “the Chief Information Officer of the Department of Defense.”; and

(2) in subsection (d)—

(A) by redesignating paragraph (6) as paragraph (9); and

(B) by inserting after paragraph (5) the following new paragraphs:

“(6) Development and implementation of a uniform methodology for tracking and assessing cost savings and cost avoidance from reform initiatives.

“(7) Implementation of reform-focused research to improve management and administrative science.

“(8) Tracking and implementation of technological approaches to improve management decision-making, such as artificial intelligence tools.”.

SEC. 914. STRATEGIC MANAGEMENT DASHBOARD DEMONSTRATION.

(a) IN GENERAL.—The Secretary of Defense shall conduct a demonstration of a strategic management dashboard to automate the data collection and visualization of the primary management goals of the Department of Defense.

(b) ELEMENTS.—The Secretary shall ensure that the strategic management dashboard demonstrated under subsection (a) includes the following:

(1) The capability for real-time monitoring of the performance of the Department in meeting the management goals of the Department.

(2) An integrated analytics capability, including the ability to dynamically add or upgrade new capabilities when needed.

(3) Integration with the framework required by subsection (c) of section 125a of title 10, United States Code, for measuring the progress of the Department toward covered elements of reform (as defined in subsection (d) of that section).

(4) Incorporation of the elements of the strategic management plan required by section 904(d) of the National Defense Authorization Act of Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 2201 note prec.), as derived from automated data feeds from existing information systems and databases.

(5) Incorporation of the elements of the most recent annual performance plan of the Department required by section 1115(b) of title 31, United States Code, and the most recent update on performance of the Department required by section 1116 of that title.

(6) Use of artificial intelligence and machine learning tools to improve decision making and assessment relating to data analytics.

(7) Adoption of leading and lagging indicators for key strategic management goals.

(c) AUTHORITIES.—

(1) IN GENERAL.—In conducting the demonstration required by subsection (a), the Secretary may use the authorities described in paragraph (2), and such other authorities as the Secretary considers appropriate—

(A) to help spur innovative technological or process approaches; and

(B) to attract new entrants to solve the data management and visualization challenges of the Department.

(2) AUTHORITIES DESCRIBED.—The authorities described in this paragraph are the au-

thorities provided under the following provisions of law:

(A) Section 4025 of title 10, United States Code (relating to prizes for advanced technology achievements).

(B) Section 217 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 2222 note) (relating to science and technology activities to support business systems information technology acquisition programs).

(C) Section 908 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 129a note) (relating to management innovation activities).

(d) USE OF BEST PRACTICES.—In conducting the demonstration required by subsection (a), the Secretary shall leverage commercial best practices in management and leading research in management and data science.

SEC. 915. DEMONSTRATION PROGRAM FOR COMPONENT CONTENT MANAGEMENT SYSTEMS.

(a) IN GENERAL.—Not later than July 1, 2023, the Chief Information Officer of the Department of Defense, in coordination with the Chief Digital and Artificial Intelligence Officer and the Director of the Joint Artificial Intelligence Center, shall complete a pilot program to demonstrate the application of component content management systems to a distinct set of data of the Department.

(b) SELECTION OF DATA SET.—In selecting a distinct set of data of the Department for purposes of the pilot program required by subsection (a), the Chief Information Officer shall consult with, at a minimum, the following:

(1) The Office of the Secretary of Defense with respect to directives, instructions, and other regulatory documents of the Department.

(2) The Office of the Secretary of Defense and the Joint Staff with respect to execution orders.

(3) The Office of the Under Secretary of Defense for Research and Engineering and the military departments with respect to technical manuals.

(4) The Office of the Under Secretary of Defense for Acquisition and Sustainment with respect to Contract Data Requirements List documents.

(c) AUTHORITY TO ENTER INTO CONTRACTS.—Subject to the availability of appropriations, the Secretary of Defense may enter into contracts or transactions with public or private entities to conduct studies and demonstration projects under the pilot program required by subsection (a).

(d) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer shall provide to the congressional defense committees a briefing on plans to implement the pilot program required by subsection (a).

Subtitle C—Space Force Matters

SEC. 921. VICE CHIEF OF SPACE OPERATIONS.

(a) CODIFICATION OF POSITION OF VICE CHIEF OF SPACE OPERATIONS.—Chapter 908 of title 10, United States Code, is amended by inserting after section 9082 the following new section:

“§ 9082a. Vice Chief of Space Operations

“(a) APPOINTMENT.—There is a Vice Chief of Space Operations, appointed by the President, by and with the advice and consent of the Senate, from officers on the active-duty list of the Space Force not restricted in the performance of duty.

“(b) GRADE.—The Vice Chief of Space Operations, while so serving, has the grade of general without vacating his permanent grade.

“(c) AUTHORITY AND DUTIES.—The Vice Chief has such authority and duties with respect to the Space Force as the Chief, with

the approval of the Secretary of the Air Force, may delegate to or prescribe for the Vice Chief. Orders issued by the Vice Chief in performing such duties have the same effect as those issued by the Chief.

“(d) VACANCIES.—When there is a vacancy in the office of the Chief of Space Operations, or during the absence or disability of the Chief—

“(1) the Vice Chief of the Space Operations shall perform the duties of the Chief until a successor is appointed or the absence or disability ceases; or

“(2) if there is a vacancy in the office of the Vice Chief of Space Operations or the Vice Chief is absent or disabled, unless the President directs otherwise, the most senior officer of the Space Force in the Headquarters, Space Force, who is not absent or disabled and who is not restricted in performance of duty shall perform the duties of the Chief until a successor to the Chief or the Vice Chief is appointed or until the absence or disability of the Chief or Vice Chief ceases, whichever occurs first.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 908 of title 10, United States Code, is amended by inserting after the item relating to section 9082 the following new item:

“9082a. Vice Chief of Space Operations.”.

SEC. 922. ESTABLISHMENT OF FIELD OPERATING AGENCIES AND DIRECT REPORTING UNITS OF SPACE FORCE.

(a) IN GENERAL.—Chapter 908 of title 10, United States Code, is amended by adding at the end the following new section:

“§9087. Field operating agencies and direct reporting units

“(a) AUTHORITY.—The Secretary of the Air Force may establish within the Space Force the following:

“(1) An Enterprise Talent Management Office to provide whole-of-life-cycle talent management aligned to the needs of the Space Force.

“(2) A Space Warfighting Analysis Center to conduct analysis, modeling, wargaming, and experimentation to create operational concepts and develop future force design options.

“(b) ORGANIZATION.—

“(1) ENTERPRISE TALENT MANAGEMENT OFFICE.—If, pursuant to the authority provided by subsection (a)(1), the Secretary establishes a Enterprise Talent Management Office, the Office shall operate as a field operating agency of the headquarters of the Space Force.

“(2) SPACE WARFIGHTING ANALYSIS CENTER.—If, pursuant to the authority provided by subsection (a)(2), the Secretary establishes a Space Warfighting Analysis Center, the Center shall operate as a direct reporting unit of the Chief of Space Operations.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 908 of such title is amended by adding at the end the following new item:

“9087. Field operating agencies and direct reporting units.”.

SEC. 923. FRAMEWORK FOR NEW SUBTITLE F OF TITLE 10, UNITED STATES CODE, ON SPACE COMPONENT.

(a) IN GENERAL.—Title 10, United States Code, is amended by adding at the end the following new subtitle:

“Subtitle F—Space Component

“Chap.	20101
“2001. [Reserved]	20101
“2002. [Reserved]	20201
“2003. [Reserved]	20301
“2004. [Reserved]	20401
“2005. [Reserved]	20501

“CHAPTER 2001—[RESERVED]

“Sec.
“20101. [Reserved].

“§ 20101. [Reserved]

“[Reserved].

“CHAPTER 2002—[RESERVED]

“Sec.
“20201. [Reserved].

“§ 20201. [Reserved]

“[Reserved].

“CHAPTER 2003—[RESERVED]

“Sec.
“20301. [Reserved].

“§ 20301. [Reserved]

“[Reserved].

“CHAPTER 2004—[RESERVED]

“Sec.
“20401. [Reserved].

“§ 20401. [Reserved]

“[Reserved].

“CHAPTER 2005—[RESERVED]

“Sec.
“20501. [Reserved].

“§ 20501. [Reserved]

“[Reserved].”.

(b) CLERICAL AMENDMENTS.—

(1) TABLE OF SUBTITLES.—The table of subtitles at the beginning of title 10, United States Code, is amended by adding at the end the following new item:

“F. Space Component 20101”.

(c) CONTINGENT REPEAL.—If subtitle F of title 10, United States Code, as added by subsection (a), or any chapter of that subtitle, as so added, is not amended during the period beginning on the day after the date of the enactment of this Act and ending on December 31, 2026, such subtitle or chapter, as the case may be, is repealed effective on January 1, 2027.

SEC. 924. STUDY OF PROPOSED SPACE FORCE REORGANIZATION.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with one or more federally funded research and development centers to conduct a study on the proposed reorganization of the Space Force and the establishment of the Space Component.

(b) ELEMENTS.—The study referred to in subsection (a) shall include a comprehensive review and assessment of—

(1) the feasibility and advisability of—

(A) exempting the proposed Space Component from the existing “up or out” system of officer career advancement first established by the amendments to title 10, United States Code, made by the Defense Officer Personnel Management Act (Public Law 96-513; 94 Stat. 2835);

(B) combining active and reserve components in a new, single Space Component and whether a similar outcome could be achieved using the existing active and reserve component frameworks with modest statutory changes to allow reserve officers to serve on sustained active duty;

(C) creating career flexibility for reserve members of the Space Component, including in shifting retirement points earned from one year to the next and allowing members of the Space Component to move back and forth between active and reserve status for prolonged periods of time across a career;

(2) the implications of the proposed reorganization of the Space Force on the development of space as a warfighting domain in the profession of arms, particularly with respect to officer leadership, development, and stewardship of the profession;

(3) whether existing government ethics regulations are adequate to address potential conflicts of interest for Space Component officers who seek to move back and forth between sustained active duty and working for

private sector organizations in the space industry as reserve officers in the Space Component;

(4) whether the proposed Space Component framework is consistent with the joint service requirements of chapter 38 of title 10, United States Code;

(5) budgetary implications of the establishment of the Space Component;

(6) the nature of the relationship with private industry and civilian employers that would be required and consistent with professional ethics to successfully implement the Space Component; and

(7) any other issues the Secretary or the federally funded research and development center considers relevant.

(c) DIVERSITY AND INCLUSION.—The study referred to in subsection (a) shall include an assessment of the proposed reorganization of the Space Force and the establishment of the Space Component on advancing diversity and inclusion in the Space Component.

(d) LIMITATION ON DELEGATION.—The authority of the Secretary to enter into a contract under subsection (a) may not be delegated below the level the Under Secretary of Defense for Personnel and Readiness.

(e) REPORT REQUIRED.—Not later than December 31, 2023, 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 study referred to in subsection (a).

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 2023 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. REPORT ON BUDGETARY EFFECTS OF INFLATION.

(a) ANNUAL REPORT.—Not later than 30 days following the submission of the President's budget under section 1105 of title 31,

United States Code, the Secretary of Defense shall deliver to the congressional defense committees a report on observed and anticipated budgetary effects related to inflation, including—

(1) the relevant inflation index used and the estimated and actual inflationary budgetary effects by sub-appropriation account for the previous two fiscal years and the current budget year;

(2) the enacted or requested appropriation amount by sub-appropriation;

(3) a calculation of estimated budgetary effects due to inflation using the previous fiscal year's estimated indices compared to those of the current fiscal year;

(4) a summary of any requests for equitable adjustment, exercising of economic price adjustment (EPA) clauses, or bilateral contract modifications to include an EPA, including the contract type and fiscal year and type and amount of appropriation used for the contract;

(5) a summary of any methodological changes in Department of Defense cost estimation practices for inflationary budgetary effects; and

(6) any other matters the Secretary determines appropriate.

(b) **PERIODIC BRIEFING.**—Not later than 60 days following the conclusion of the Department of Defense budget mid-year review, the Secretary of Defense shall provide the congressional defense committees with a briefing on—

(1) any changes in the observed or anticipated inflation indices included in the report required under subsection (a);

(2) any actions taken by the Department of Defense to respond to changes discussed in such report, with specific dollar value figures; and

(3) any requests for equitable adjustment received by the Department of Defense, economic price adjustment clauses exercised, or bilateral contract modifications to include an EPA made since the transmission of the report required under subsection (a).

Subtitle B—Counterdrug Activities

SEC. 1011. EXTENSION OF AUTHORITY AND ANNUAL REPORT ON UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2042), as most recently amended by section 1007 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1889), is further amended—

(1) in subsection (a)(1), by striking “2023” and inserting “2024”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “2023” and inserting “2024”; and

(3) by adding at the end the following:

“(h) **ANNUAL REPORT ON PLAN COLOMBIA.**—During each of fiscal years 2023 and 2024, the Secretary of Defense shall submit to Congress a report that includes the following:

“(1) An assessment of the threat to Colombia from narcotics trafficking and activities by organizations designated as foreign terrorist organizations under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

“(2) A description of the plan of the Government of Colombia for the unified campaign described in subsection (a).

“(3) A description of the activities supported using the authority provided by subsection (a).

“(4) An assessment of the effectiveness of the activities described in paragraph (3) in addressing the threat described in paragraph (1).”.

Subtitle C—Naval Vessels

SEC. 1021. MODIFICATION TO ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.

Section 231(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(J) For any class of battle force ship for which the procurement of the final ship of the class is proposed in the relevant future-years defense program submitted under section 221 of this title, a detailed plan that includes a description of specific impacts with respect to the transition of such class and the associated industrial base to a new program, a modified existing program, or no program. Each plan required by the preceding sentence shall include a detailed schedule with planned decision points, solicitations, and contract awards.”.

SEC. 1022. AMPHIBIOUS WARSHIP FORCE STRUCTURE.

Section 8062 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in the first sentence, by inserting “and not less than 31 operational amphibious warfare ships, of which not less than 10 shall be amphibious assault ships” before the period; and

(B) in the second sentence—

(i) by inserting “or amphibious warfare ship” before “includes”; and

(ii) by inserting “or amphibious warfare ship” before “that is temporarily unavailable”;

(2) in subsection (e)—

(A) in paragraph (2) by striking “; and” and inserting a semicolon;

(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

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

“(g) In this section, the term ‘amphibious warfare ship’ 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).”.

SEC. 1023. MODIFICATION TO LIMITATION ON DECOMMISSIONING OR INACTIVATING A BATTLE FORCE SHIP BEFORE THE END OF EXPECTED SERVICE LIFE.

(a) **IN GENERAL.**—Section 8678a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting “with the budget materials submitted by the President under section 1105(a) of title 31, United States Code, for the fiscal year in which such waiver is sought” after “such ship”; and

(2) in paragraph (2), by striking “such certification was submitted” and inserting “the National Defense Authorization Act for such fiscal year is enacted”.

(b) **NO EFFECT ON CERTAIN SHIPS.**—The amendments made by subsection (a) shall have no effect on battle force ships (as defined in section 8678a(e) of title 10, United States Code) proposed for decommissioning or inactivation in fiscal year 2023.

SEC. 1024. CONTRACT REQUIREMENTS RELATING TO MAINTENANCE AND MODERNIZATION AVAILABILITIES FOR CERTAIN NAVAL VESSELS.

(a) **SUBMARINE MAINTENANCE AND MODERNIZATION AVAILABILITIES.**—The Secretary of the Navy may only enter into a contract with a private entity for a maintenance and modernization availability for a fast attack submarine that requires drydocking the submarine if the following conditions are met:

(1) The submarine is a Virginia-class submarine.

(2) The submarine has not conducted a previous drydock availability.

(3) The work package for the contract is sufficiently detailed and provided to the private entity with sufficient time to enable a high-confidence contracting strategy for—

(A) planning;

(B) material procurement;

(C) cost;

(D) schedule; and

(E) performance.

(4) At least 70 percent of the work package for the contract is common to the work packages for previous contracts entered into under this subsection.

(b) **SURFACE SHIP MAINTENANCE AND MODERNIZATION AVAILABILITIES.**—In awarding contracts for maintenance and modernization availabilities for surface ships, issuing task orders for such availabilities, or carrying out other contracting actions with respect to such availabilities, the Secretary of the Navy may not limit evaluation factors to price only.

SEC. 1025. PROHIBITION ON RETIREMENT OF CERTAIN NAVAL VESSELS.

None of the funds authorized to be appropriated by this Act for fiscal year 2023 may be obligated or expended to retire, prepare to retire, or place in storage any of the following naval vessels:

(1) USS Vicksburg (CG 69).

(2) USS Sioux City (LCS 11).

(3) USS Wichita (LCS 13).

(4) USS Billings (LCS 15).

(5) USS Indianapolis (LCS 17).

(6) USS St. Louis (LCS 19).

(7) USS Germantown (LSD 42).

(8) USS Gunston Hall (LSD 44).

(9) USS Tortuga (LSD 46).

(10) USS Ashland (LSD 48).

(11) USNS Montford Point (T-ESD 1).

(12) USNS John Glenn (T-ESD 2).

Subtitle D—Counterterrorism

SEC. 1031. MODIFICATION AND 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 1032 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1901), is further amended—

(1) by striking “December 31, 2022” and inserting “December 31, 2023”;

(2) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(3) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) Afghanistan.”.

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 1033 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1901), is further amended by striking “December 31, 2022” and inserting “December 31, 2023”.

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 1034 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1901), is further amended by striking “December 31, 2022” and inserting “December 31, 2023”.

SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1551), as most recently amended by section 1035 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1901), is further amended by striking “2022” and inserting “2023”.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS DISCHARGE REVIEW BOARD COMMITTEE.

(a) ESTABLISHMENT OF JOINT EXECUTIVE COMMITTEE.—

(1) IN GENERAL.—There is established an interagency committee to advise the Under Secretary of Defense for Personnel and Readiness and the Deputy Secretary of Veterans Affairs on matters relating to the review boards under section 1553 of title 10, United States Code.

(2) DESIGNATION.—The interagency committee established under paragraph (1) shall be known as the “Department of Defense-Department of Veterans Affairs Discharge Review Board Committee” (hereinafter in this section referred to as the “Committee”).

(b) MEMBERSHIP.—The Committee shall be composed of the following:

(1) The Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Manpower and Reserve Affairs for each of the military services, and such other officers and employees of the Department of Defense as the Secretary of Defense may designate.

(2) The Deputy Secretary of Veterans Affairs and such other officers and employees of the Department of Veterans Affairs as the Secretary of Veterans Affairs may designate.

(c) ADMINISTRATIVE MATTERS.—

(1) IN GENERAL.—The Under Secretary and the Deputy Secretary shall jointly determine the size and structure of the Committee, as well as the administrative and procedural guidelines for the operation of the Committee.

(2) SUBCOMMITTEES.—The Committee may establish subcommittees to assist the Committee in carrying out subsections (d) and (e), including the following:

(A) A subcommittee on outreach and education.

(B) A subcommittee on training for members of the review boards under section 1553 of title 10, United States Code.

(3) SUPPORT.—The Under Secretary and the Deputy Secretary shall jointly supply appropriate staff and resources to provide administrative support and services for the Committee. Support for such purposes shall be provided at a level that the Under Secretary and the Deputy Secretary jointly determine sufficient for the efficient operation of the Committee, including any subcommittees established under paragraph (2).

(d) RECOMMENDATIONS.—

(1) IN GENERAL.—The Committee shall provide the Secretary of Defense and the Secretary of Veterans Affairs with recommendations on the strategic direction for the joint coordination and sharing efforts between and within the Department of Defense and the Department of Veterans Affairs on matters regarding the review boards described in subsection (a)(1).

(2) ANNUAL REPORT.—Not less frequently than once each year, the Committee shall submit to the two Secretaries and to Congress an annual report containing such recommendations regarding the review boards described in subsection (a)(1) as the Committee considers appropriate.

(e) FUNCTIONS.—In order to enable the Committee to make recommendations in its annual report under subsection (c)(2), the Committee shall do the following:

(1) Review existing policies, procedures, and practices regarding reviews under section 1553 of title 10, United States Code, with respect to matters that pertain to the coordination and sharing of resources between the Department of Defense and the Department of Veterans Affairs.

(2) Identify changes in policies, procedures, and practices that, in the judgment of the Committee, would promote mutually beneficial coordination, use, or exchange of use of services and resources of the two Departments, with the goal of improving the quality, efficiency, and effectiveness of the review boards under section 1553 of such title for veterans, members of the Armed Forces, individuals who retired from service in the Armed Forces, and their families through an enhanced partnership between the two Departments.

(3) Identify and assess further opportunities for the coordination and collaboration between the Departments that, in the judgment of the Committee, would positively affect the review process under section 1553 of such title.

(4) Review the implementation of activities designed to promote the coordination and sharing of resources between the Departments for matters relating to the review process under section 1553 of such title.

(5) Identify and assess strategies, which either or both Departments may implement, that would increase outreach to former members of the Armed Forces described in subsection (d)(3)(B) of section 1553 of such title who may qualify for relief under such section.

SEC. 1042. MODIFICATION OF PROVISIONS RELATING TO CROSS-FUNCTIONAL TEAM FOR EMERGING THREAT RELATING TO ANOMALOUS HEALTH INCIDENTS.

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 subsection (b)—

(A) in paragraph (1), by striking “and any other” and all that follows through “necessary; and” and inserting “, including the causation, attribution, mitigation, identification, and treatment for such incidents;”;

(B) in paragraph (2)—

(i) by inserting “and deconflict” after “integrate”;

(ii) by striking “agency” and inserting “agencies”; and

(iii) by striking the period at the end and inserting “; and”;

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

“(3) any other efforts regarding such incidents that the Secretary considers appropriate.”; and

(2) in subsection (e)(2), by striking “90 days” and all that follows through “of enactment” and inserting “March 1, 2023, and not

less frequently than once every 180 days thereafter until March 1, 2026”.

SEC. 1043. CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.

(a) ESTABLISHMENT OF OFFICE FOR CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 148. Office for Civilian Casualty Prevention, Mitigation, and Response

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish an office within the Department of Defense, to be known as the ‘Office for Civilian Casualty Prevention, Mitigation, and Response’ (in this section referred to as the ‘Office’), to serve as the focal point for matters related to civilian casualties and other forms of civilian harm resulting from military operations involving the United States Armed Forces.

“(b) RESPONSIBILITIES.—Subject to the authority, direction, and control of the Secretary, the Office shall be responsible for—

“(1) collecting data and reports of investigations related to civilian casualty incidents;

“(2) analyzing data and trends with respect to civilian casualties;

“(3) conducting regular reviews of civilian harm prevention, mitigation, and response policies and practices across the Department of Defense;

“(4) referring civilian casualty incidents for investigation by appropriate components within the Department of Defense, when necessary;

“(5) making recommendations to the Secretary and the Joint Chiefs of Staff to improve civilian harm prevention, mitigation, and response;

“(6) ensuring lessons learned from investigations of civilian casualty incidents are captured and institutionalized within policy, training, and tactics, techniques, and procedures of the Department of Defense;

“(7) coordinating and synchronizing efforts across combatant commands, the Department of State, and other relevant United States Government departments and agencies to prevent, mitigate, and respond to civilian casualty incidents;

“(8) engaging with nongovernmental organizations and civilian casualty experts; and

“(9) such other responsibilities as are directed by the Secretary.

“(c) DIRECTOR.—The head of the Office shall be the Director, who shall be appointed by the Secretary from among individuals qualified to serve as the Director who have significant experience and expertise relating to the protection of civilians.

“(d) ANALYSIS REQUIRED.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, the Office shall complete and submit to the Secretary an analysis of a representative sample of civilian casualty assessment reports and other reports of investigations of civilian casualty incidents on or after August 1, 2014—

“(A) to identify trends in civilian casualty incidents;

“(B) to identify factors contributing to civilian casualties;

“(C) to capture lessons learned from civilian casualty incidents; and

“(D) to evaluate the extent to which such lessons have been incorporated into policy, training, and tactics, techniques, and procedures of the Department of Defense.

“(2) RECOMMENDATIONS.—The analysis required by paragraph (1) shall include recommendations to the Secretary for improving civilian harm prevention, mitigation, and response.

“(e) SEMIANNUAL REPORTS.—Not later than 180 days after the date of the enactment of this section, and every 180 days thereafter until the date is 2 years after such date of enactment, the Director shall submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of recommendations included in—

“(1) the Civilian Casualty Review released by the Joint Staff in April 2018;

“(2) the independent assessment of Department of Defense standards, processes, procedures, and policy relating to civilian casualties resulting from United States military operations required by section 1721 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1809); and

“(3) the Civilian Harm Mitigation and Response Action Plan the Secretary of Defense directed to be developed on January 27, 2022.”.

(2) 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 for Civilian Casualty Prevention, Mitigation, and Response.”.

(b) LIMITATION ON USE OF FUNDS.—Of the amount authorized to be appropriated by section 301 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary submits to the congressional defense committees the report required by section 1077 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 3867) relating to civilian casualty resourcing and authorities.

SEC. 1044. 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) PROHIBITION ON DELEGATION.—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 of Defense 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 a certification that such designations remain valid.

(c) 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.

(d) 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. 1045. PERSONNEL SUPPORTING THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for adequately staffing the Office of the Assistant Secretary of Defense for Special Oper-

ations and Low Intensity Conflict to fulfill the requirements of section 138(b)(2)(A)(i) of title 10, United States Code, for exercising authority, direction, and control of all special-operations peculiar administrative matters relating to the organization, training, and equipping of special operations forces.

(b) ADDITIONAL INFORMATION.—The Secretary shall ensure the plan required under subsection (a) is informed by the manpower study required by the Joint Explanatory Statement accompanying the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

(c) ELEMENTS.—The plan required under subsection (a) shall include the following elements:

(1) A validated number of personnel necessary to fulfill the responsibilities of the Secretariat for Special Operations outlined in section 139b of title 10, United States Code, and associated funding across the future years defense plan.

(2) A hiring plan with milestones for gradually increasing the number of required personnel.

(3) A breakdown of the optimal mix of required military, civilian, and contractor personnel.

(4) An analysis of the feasibility and advisability of assigning a member of the Senior Executive Service as the Deputy Director of the Secretariat for Special Operations.

(5) An identification of any anticipated funding shortfalls for personnel supporting the Secretariat for Special Operations across the future years defense plan.

(6) Any other matters the Secretary determines relevant.

SEC. 1046. JOINT ALL DOMAIN COMMAND AND CONTROL.

(a) DIRECTION AND CONTROL OF CROSS-FUNCTIONAL TEAM FOR JOINT ALL DOMAIN COMMAND AND CONTROL.—The cross-functional team (CFT) tasked with joint all domain command and control (JADC2) shall remain under the direction of the Director, Information, Command, Control, Communications and Computers (IC4) of the Joint Chiefs of Staff to ensure—

(1) close collaboration with the Joint Requirements Oversight Council, the combatant commands, and the military services regarding operational requirements and requirements satisfaction; and

(2) objective assessments and reporting to the Deputy Secretary of Defense and the Vice Chairman of the Joint Chiefs of Staff about Joint All Domain Command and Control implementation plan execution by offices of primary responsibility.

(b) DEMONSTRATIONS AND FIELDING OF EFFECTS CHAINS.—In support of the emphasis of the National Defense Strategy on adversary-specific deterrence postures, in support of actions that can be taken within the Future Years Defense Program focused on critical kill chains and integrated concepts of operation, in support of demonstrations and experimentation, and to achieve objectives of the joint all domain command and control strategy and implementation plan that was approved by the Deputy Secretary of Defense in the United States Indo-Pacific Command area of operations, the Deputy Secretary and the Vice Chairman of the Joint Chiefs of Staff shall take the following actions:

(1) In consultation with the Commander of United States Indo-Pacific Command (INDOPACOM)—

(A) identify a prioritized list of difficult mission-critical operational challenges specific to the area of operations of such command;

(B) design, using existing systems and capabilities and resource through the Office of Cost Analysis and Program Evaluation and the Management Action Group of the Deputy

Secretary, a series of multi-domain, multi-service and multi-agency, multi-platform, and multi-system end-to-end integrated kinetic and non-kinetic effects chains, including necessary battle management functions, to solve the operational challenges identified in subparagraph (A);

(C) using mission command principles of joint all domain command and control, demonstrate the ability to execute the integrated effects chains identified in subparagraph (B) in realistic conditions on a repeatable basis, including the ability to achieve interoperability among effects chain components that do not conform to common interface standards, including through the use of the System of Systems Technology Integration Tool Chain for Heterogeneous Electronic Systems (STITCHES) managed by the 350th Spectrum Warfare Wing of the Department of the Air Force; and

(D) create a plan to deploy the effects chains to the area of operations of United States Indo-Pacific Command and execute them at the scale and pace required to solve the identified operational challenges, including necessary logistics and sustainment capabilities.

(2) Designate the Commander of United States Indo-Pacific Command to serve as the transition partner for the integrated effects chains, and to maintain and exercise them as operational capabilities.

(3) Designate the Strategic Capabilities Office and such other organizations as the Deputy Secretary deems appropriate to be responsible for—

(A) composing and demonstrating the integrated effects chains under the mission management pilot program established by section 871 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81); and

(B) providing continuing support and sustainment for, and training and exercising of, the integrated effects chains under the operational command of the Commander of United States Indo-Pacific Command.

(4) Integrate the planning and demonstrations of the effects chains with—

(A) the Production, Exploitation, and Dissemination Center in United States Indo-Pacific Command;

(B) the Family of Integrated Targeting Cells; and

(C) the tactical dissemination and information sharing systems for the Armed Forces and allies of the United States, including the Mission Partner Environment and the Maven Smart System.

(c) PERFORMANCE GOALS.—The Deputy Secretary, the Vice Chairman, and the Commander shall seek to—

(1) demonstrate at least one new integrated effects chain on a quarterly basis, beginning with the third quarter of fiscal year 2023; and

(2) include such demonstrations, as feasible, in Valiant Shield, Northern Edge, the Large Scale Global Exercise, the quarterly Scarlet Dragon exercises, the Global Information Dominance Experiments (GIDE), and annual force exercises in the area of responsibility of United States Indo-Pacific Command.

(d) IMPLEMENTATION PLAN AND ESTABLISHMENT OF JOINT FORCE HEADQUARTERS.—

(1) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Commander, in consultation and coordination with the Deputy Secretary and the Vice Chairman, shall submit to the congressional defense committees an implementation plan for the establishment of a joint force headquarters to serve as an operational command, including for —

(A) integrating joint all domain command and control effects chains and mission command and control, including in conflicts that arise with minimal warning;

(B) integrating the capabilities of Assault Breaker II, developed by the Defense Advanced Research Projects Agency, and related developmental efforts as they transition to operational deployment;

(C) exercising other joint all domain command and control capabilities and functions; and

(D) such other missions and operational tasks as the Commander may assign.

(2) **ELEMENTS.**—The plan shall required by paragraph (1) shall include the following:

(A) A description of the operational chain of command of the joint force headquarters to be established.

(B) An identification of the manning and resourcing required for the joint force headquarters, relative to assigned missions, particularly the sources of personnel required.

(C) A description of the mission and lines of effort of the joint force headquarters.

(D) A description of the relationship with existing entities in United States Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(E) An identification of infrastructure required to support the joint force headquarters.

(F) Such other matters as the Commander considers appropriate.

(3) **ESTABLISHMENT.**—Not later than October 1, 2024, the Commander shall, in consultation and coordination with the Deputy Secretary and the Vice Chairman, establish a joint force headquarters as described in paragraph (1).

(e) **SUPPORT FOR JOINT FORCE HEADQUARTERS.**—The commander of the joint force headquarters established under subsection (d)(3) shall be supported by the United States Indo-Pacific Command subordinate unified commands, subordinate component commands, standing joint task force, and the military services.

(f) **ANNUAL REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until December 31, 2028, the Deputy Secretary and Vice Chairman, in coordination with the Commander of the United States Indo-Pacific Command, and the commander of the joint force headquarters established under subsection (d)(3), shall submit to the congressional defense committees an annual report on such joint force headquarters.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include the following:

(A) A description of the mission and lines of effort of the joint force headquarters.

(B) An accounting of the personnel and other resources supporting the joint force headquarters, including support external to the headquarters.

(C) A description of the operational chain of command of the joint force headquarters.

(D) An assessment of the manning and resourcing of the joint force headquarters, relative to assigned missions.

(E) A description of the relationship with existing entities in Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(3) **FORM.**—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) **DEFINITIONS.**—In this section:

(1) The term “Family of Integrated Targeting Cells” means the Maritime Targeting Cell-Afloat, the Maritime Targeting Cell-Expeditionary, the Tactical Intelligence Targeting Access Node, and other interoperable tactical ground stations able to task the collection of, receive, process, and disseminate track and targeting information from many sensing systems in austere communications conditions.

(2) The term “joint all domain command and control” means the warfighting capability to sense, make sense, and act at all levels and phases of war, across all domains, and with partners, to deliver information advantage at the speed of relevance.

(3) The term “mission command” means pre-determined, pre-approved, operational event-driven authorities and capabilities that ensure decentralized mission execution and operational effectiveness during situations where communications are denied, disconnected, intermittent, and limited.

SEC. 1047. 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. 1048. DEPARTMENT OF DEFENSE SUPPORT FOR CIVIL AUTHORITIES TO ADDRESS THE ILLEGAL IMMIGRATION CRISIS AT THE SOUTHWEST BORDER.

(a) **FINDINGS.**—Congress finds the following:

(1) The Department of Defense has provided critical support to U.S. Customs and Border Protection along the southwest border.

(2) The Department of Defense’s presence along the southwest border assisted U.S. Customs and Border Protection in deterring illegal crossings at the southwest border.

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

(1) Department of Defense personnel have provided outstanding support to U.S. Customs and Border Protection along the southwest border; and

(2) the Department of Defense’s Support of Civil Authority Mission has significantly contributed to mitigating the impact of the current security challenges along the southwest border of the United States.

(c) **QUARTERLY BRIEFINGS.**—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter through December 31, 2024, the Undersecretary of Defense for Policy shall provide an unclassified briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, with a classified component, if necessary, regarding—

(1) Department of Defense planning to address current and anticipated border support mission requirements as part of the Department of Defense’s annual planning, programming, budgeting, and execution process;

(2) the security situation along the southwest border of the United States;

(3) any Department of Defense efforts, or updates to existing efforts, to cooperate with Mexico with respect to border security;

(4) the type of support that is currently being provided by the Department of Defense along the southwest border of the United States;

(5) the impact of such efforts and support on National Guard readiness; and

(6) any recommendations for whether the southwest border mission of the Department of Defense should be expanded to respond to the security situation referred to in paragraph (2).

SEC. 1049. DEPARTMENT OF DEFENSE SUPPORT FOR FUNERALS AND MEMORIAL EVENTS FOR MEMBERS AND FORMER MEMBERS OF CONGRESS.

(a) **IN GENERAL.**—Chapter 3 of title 10, United States Code, is amended by inserting after section 130 the following new section:

“§ 130a. Department of Defense support for funerals and related memorial events for Members and former Members of Congress

“(a) **SUPPORT FOR FUNERALS.**—The Secretary of Defense may provide such support as the Secretary considers appropriate for the funeral or related memorial events of a Member or former Member of Congress, including support with respect to transportation to and from the funeral or other memorial events, in accordance with this section.

“(b) **REQUESTS FOR SUPPORT; SECRETARY DETERMINATION.**—The Secretary may provide support under this section—

“(1) upon request from the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, or the Minority Leader of the Senate; or

“(2) if the Secretary determines such support is necessary to carry out duties or responsibilities of the Department of Defense.

“(c) **USE OF FUNDS.**—The Secretary may use funds authorized to be appropriated for operations and maintenance to provide support under this section.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130 the following new item:

“130a. Department of Defense support for funerals and memorial events for Members and former Members of Congress.”.

SEC. 1050. EXPANSION OF ELIGIBILITY FOR DIRECT ACCEPTANCE OF GIFTS BY MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE AND COAST GUARD EMPLOYEES AND THEIR FAMILIES.

Section 2601a of title 10, United States Code, is amended—

(1) in subsection (b)—

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

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

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

“(3) that results in enrollment in a Warriors in Transition program, as defined in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1071 note); or”; and

(2) in subsection (c), by striking “or (3)” and inserting “(3), or (4)”.

SEC. 1051. TECHNICAL AMENDMENTS RELATED TO RECENTLY ENACTED COMMISSIONS.

(a) **ASSISTANCE FROM DEPARTMENT OF DEFENSE.**—The Department of Defense may provide to each covered commission on a reimbursable basis such services, funds, facilities, staff, and other support services as necessary for the performance of such commission’s functions, at the request of such commission, and amounts may be paid to a covered commission for the purposes of funding such commission from amounts appropriated to the Department of Defense, as provided in advance in appropriations Acts.

(b) **COVERED COMMISSION DEFINED.**—In this section, the term “covered commission”

means a commission established pursuant to the following sections of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81):

(1) Section 1004 (Commission on Planning, Programming, Budgeting, and Execution Reform).

(2) section 1091 (National Security Commission on Emerging Biotechnology).

(3) section 1094 (Afghanistan War Commission).

(4) section 1095 (Commission on the National Defense Strategy).

(5) section 1687 (Congressional Commission on the Strategic Posture of the United States).

Subtitle F—Studies and Reports

SEC. 1061. SUBMISSION OF NATIONAL DEFENSE STRATEGY IN CLASSIFIED AND UNCLASSIFIED FORM.

Section 113(g)(1)(D) of title 10, United States Code, is amended by striking “in classified form with an unclassified summary.” and inserting “in both classified and unclassified form. The unclassified form may not be a summary of the classified document.”.

SEC. 1062. REPORT ON IMPACT OF CERTAIN ETHICS REQUIREMENTS ON DEPARTMENT OF DEFENSE HIRING, RETENTION, AND OPERATIONS.

(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 a study assessing whether the statutory ethics requirements unique to the Department of Defense and as set forth in paragraph (3) have had an impact on the hiring or retention of personnel at the Department of Defense, particularly those with specialized experience or training.

(2) ELEMENTS.—The study required under paragraph (1) shall include the following elements:

(A) An examination of how the statutory ethics requirements set forth in paragraph (3) are inconsistent or incongruent with ethics statutes that apply to all executive branch employees.

(B) An examination of how the statutory ethics requirements set forth in paragraph (3) have impacted hiring and retention of personnel, particularly those with specialized experience or training, at the Department of Defense in comparison to other executive branch agencies not subject to such requirements.

(C) An examination of how any confusion in the interpretation of the statutory ethics requirements set forth in paragraph (3)(B) may have impacted the hiring or retention of personnel, particularly those with specialized experience or training, at the Department of Defense.

(D) An examination of how the statutory restrictions set forth in subparagraphs (B) and (C) of paragraph (3) may impact the ability of the Department of Defense to obtain expertise from industry and other groups in support of technology development, supply chain security, and other national security matters.

(E) Any suggested changes to the statutory ethics requirements set forth in paragraph (3) to further the goals behind the requirements while also supporting the Department of Defense's ability to hire and retain personnel, and obtain expertise from academia, think tanks, industry, and other groups to support national security.

(3) COVERED ETHICS REQUIREMENTS.—The ethics requirements referred to in paragraph (1) are the following provisions of law:

(A) Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 1701 note).

(B) Section 1045 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 10 U.S.C. 971 note prec.).

(C) Section 1117 of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 971 note prec.).

(D) Section 988 of title 10, United States Code.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the federally funded research and development center with which the Secretary contracts under subsection (a) shall submit to the Secretary a report containing the results of the study conducted pursuant to that subsection.

(2) TRANSMITTAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall transmit a copy of the report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

SEC. 1063. EXTENSION OF CERTAIN REPORTING DEADLINES.

(a) COMMISSION ON PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION REFORM.—Section 1004(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1886) is amended—

(1) in paragraph (1), by striking “February 6, 2023” and inserting “August 6, 2023”; and

(2) in paragraph (2), by striking “September 1, 2023” and inserting “March 1, 2024”.

(b) NATIONAL SECURITY COMMISSION ON EMERGING BIOTECHNOLOGY.—Section 1091(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1931) is amended—

(1) in paragraph (1), by striking “2 years after” and inserting “2 years and 6 months after”; and

(2) in paragraph (2), by striking “1 year after” and inserting “1 year and 6 months after”.

(c) COMMISSION ON THE NATIONAL DEFENSE STRATEGY.—Section 1095(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1945) is amended—

(1) in paragraph (1), by striking “one year after” and inserting “one year and 6 months after”; and

(2) in paragraph (2), by striking “180 days after” and inserting “one year after”.

(d) CONGRESSIONAL COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.—Section 1687(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 2128) is amended—

(1) in paragraph (1), by striking “December 31, 2022” and inserting “June 30, 2023”; and

(2) in paragraph (3), by striking “180 days after” and inserting “one year after”.

Subtitle G—Other Matters

SEC. 1071. ANNUAL RISK ASSESSMENT.

Section 222a of title 10, United States Code, is amended—

(1) in the section heading, by inserting “and risk assessment” after “priorities”;

(2) in subsection (a), by inserting “and risk assessment” after “priorities”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “ELEMENTS” and inserting “UNFUNDED PRIORITY REPORT ELEMENTS”; and

(B) by striking “report under this subsection” and inserting “unfunded priority report required under subsection (a)”;

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following new subsection:

“(d) RISK ASSESSMENT ELEMENTS.—Each risk assessment required under subsection (a) shall specify, in writing, the following:

“(1) An assessment of the risks associated with the most current National Military Strategy (or update) under section 153(b)(1) of this title.

“(2) Any changes to the strategic environment, threats, objectives, force planning and sizing constructs, assessments, and assumptions.

“(3) Military strategic risks to United States interests and military risks in executing the National Military Strategy (or update).

“(4) Identification and definition of levels of risk, including an identification of what constitutes ‘significant’ risk in the judgment of the officer.

“(5) Identification and assessment of risk in the National Military Strategy (or update) by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time.

“(6) For each category of risk, an assessment of the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the current future-years defense program under section 221 of this title.

“(7) Identification and assessment of risks associated with the assumptions or plans of the National Military Strategy (or update) about the contributions of external support, as appropriate.

“(8) Identification and assessment of the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) and identification and assessment of the effect of such deficiencies and strengths for the National Military Strategy (or update).

“(9) Identification and assessment of risk resulting from, or likely to result from, current or projected effects on military installation resilience.”.

SEC. 1072. JOINT CONCEPT FOR COMPETING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop a Joint Concept for Competing.

(b) PURPOSES.—The purposes of the Joint Concept for Competing are to—

(1) define the role of the United States Armed Forces in long-term strategic competition with specific adversaries;

(2) conceptualize the campaigning of Department of Defense joint forces and employment of capabilities to eliminate opportunities for adversary aggression during day-to-day competition, deter adversary military action, and set conditions for victory during sustained conflict;

(3) describe the manner in which the Department of Defense will utilize its forces, capabilities, posture, indications and warning systems, and authorities to protect United States national interests, including integration with other instruments of national power and through security cooperation with partners and allies and operations, particularly below the threshold of traditional armed conflict;

(4) identify priority lines of effort and assign responsibility to relevant military services, combatant commands, and other elements of the Department of Defense for each specified line of effort in support of the Joint Concept for Competing; and

(5) provide a means for integrating and continuously improving the Department's ability to engage in long-term strategic competition.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for 2 years, the

Secretary of Defense shall provide a report to the congressional defense committees on the implementation of the Joint Concept for Competing.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include the following elements:

(A) A detailed description of actions taken by the Department of Defense relative to the purposes specified under subsection (b).

(B) An articulation of any new concepts or strategies necessary to support the Joint Concept for Competing.

(C) An articulation of any capabilities, resources, or authorities necessary to implement the Joint Concept for Competing.

(D) An explanation of the manner in which the Joint Concept for Competing relates to and integrates with the Joint Warfighting Concept.

(E) An explanation of the manner in which the Joint Concept for Competing synchronizes and integrates with efforts of other departments and agencies of the United States Government to address long-term strategic competition.

(F) Any other matters the Secretary of Defense determines relevant.

SEC. 1073. PRIORITIZATION AND ACCELERATION OF INVESTMENTS TO ATTAIN THREAT MATRIX FRAMEWORK LEVEL 4 CAPABILITY AT TRAINING RANGES SUPPORTING F-35 OPERATIONS.

(a) **SENSE OF CONGRESS.**—It is the sense of the Senate that—

(1) the Air Force must train to fight and win in highly contested and competitive environments against technologically advanced adversaries;

(2) in order for the Air Force to be proficient in tactics, techniques, and procedures and effectively execute at an operational level, the Air Force must train in an accurately replicated multi-domain environment for joint operations;

(3) the Air Force can emulate only a fraction of existing and emerging threats to a level suitable for advanced sensors and cannot provide a contested or degraded environment with the threats available at the two major training ranges of the Air Force; and

(4) since the Secretary of the Air Force says the Air Force cannot afford to allocate advanced capabilities across all ranges, the Air Force must prioritize developments and upgrades for ranges to ensure that one or more ranges have a complete suite of capability to conduct advanced F-35 training.

(b) **UPGRADE OF FACILITIES.**—

(1) **IN GENERAL.**—The Secretary of the Air Force shall prioritize and accelerate investments to develop and upgrade one or more ranges to attain threat matrix framework level 4 capability, such as peer capability, by not later than fiscal year 2026.

(2) **ELEMENTS.**—In carrying out paragraph (1), the Secretary of the Air Force shall prioritize—

(A) advanced radar threat systems;

(B) live mission operations capability common architecture;

(C) infrastructure, including roads, site preparation, secure facilities, power and communications infrastructure, and modernized range operations centers;

(D) advanced integrated air defense systems;

(E) air combat maneuvering instrumentation modernization;

(F) global positioning system jamming suites;

(G) contested-degraded operations jamming suites;

(H) higher fidelity targets with more advanced characteristics;

(I) modernized weapons scoring systems; and

(J) secure, live-virtual-constructive advanced air combat training systems.

SEC. 1074. MODIFICATION OF ARCTIC SECURITY INITIATIVE.

Section 1090(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) 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. 1075. PILOT PROGRAM ON SAFE STORAGE OF PERSONALLY OWNED FIREARMS.

(a) **ESTABLISHMENT.**—The Secretary of Defense shall establish a pilot program to promote the safe storage of personally owned firearms.

(b) **ELEMENTS.**—Under the pilot program under subsection (a), the Secretary of Defense shall furnish to members of the Armed Forces who are participating in the pilot program at military installations selected under subsection (e) locking devices or firearm safes, or both, for the purpose of securing personally owned firearms when not in use (including by directly providing, subsidizing, or otherwise making available such devices or safes).

(c) **PARTICIPATION.**—

(1) **VOLUNTARY PARTICIPATION.**—Participation by members of the Armed Forces in the pilot program under subsection (a) shall be on a voluntary basis.

(2) **LOCATION OF PARTICIPANTS.**—A member of the Armed Forces may participate in the pilot program under subsection (a) carried out at a military installation selected under subsection (e) regardless of whether the member resides at the military installation.

(d) **PLAN.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the implementation of the pilot program under subsection (a).

(e) **SELECTION OF INSTALLATIONS.**—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall select not fewer than five military installations at which to carry out the pilot program under subsection (a).

(f) **EFFECT ON EXISTING POLICIES.**—Nothing in this section shall be construed to circumvent or undermine any existing safe storage policies, laws, or regulations on military installations.

(g) **REPORT.**—Upon the termination under subsection (f) of the pilot program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report containing the following information:

(1) The number and type of locking devices and firearm safes furnished to members of the Armed Forces under the pilot program.

(2) The cost of carrying out the pilot program.

(3) An analysis of the effect of the pilot program on suicide prevention.

(4) Such other information as the Secretary may determine appropriate, which shall exclude any personally identifiable information about participants in the pilot program.

(h) **TERMINATION.**—The pilot program under subsection (a) shall terminate on the date that is six years after the date of the enactment of this Act.

SEC. 1076. SENSE OF THE SENATE ON REDESIGNATION OF THE AFRICA CENTER FOR STRATEGIC STUDIES AS THE JAMES M. INHOFE CENTER FOR AFRICA STRATEGIC STUDIES.

It is the sense of the Senate that—

(1) Senator James M. Inhofe—

(A) has, during his more than three decades of service in the United States Congress—

(i) demonstrated a profound commitment to strengthening United States-Africa relations; and

(ii) been one of the foremost leaders in Congress on matters related to United States-Africa relations;

(B) was a key advocate for the establishment of United States Africa Command; and

(C) has conducted 170 visits to countries in Africa; and

(2) as a recognition of Senator Inhofe's long history of engaging with, and advocating for, Africa, the Department of Defense Africa Center for Strategic Studies should be renamed the James M. Inhofe Center for Africa Strategic Studies.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.

Section 3304 of title 5, United States Code, is amended by adding at the end the following:

“(g) **ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.**—

“(1) **DEFINITIONS.**—In this subsection—

“(A) the term ‘Department’ means the Department of Defense; and

“(B) the term ‘time-limited appointment’ means a temporary or term appointment in the competitive service.

“(2) **ELIGIBILITY.**—Notwithstanding any other provision of this chapter or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, an employee of the Department serving under a time-limited appointment is eligible to compete for a permanent appointment in the competitive service when the Department is accepting applications from individuals within its own workforce, or from individuals outside its own workforce, under merit promotion procedures, if—

“(A) the employee was appointed initially under open, competitive examination under subchapter I of this chapter to the time-limited appointment;

“(B) the employee has served under 1 or more time-limited appointments within the Department for a period or periods totaling more than 2 years without a break of 2 or more years; and

“(C) the employee's performance has been at an acceptable level of performance throughout the period or periods referred to in subparagraph (B).

“(3) **CAREER-CONDITIONAL STATUS; COMPETITIVE STATUS.**—An individual appointed to a permanent position under this section—

“(A) becomes a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

“(B) acquires competitive status upon appointment.

“(4) **FORMER EMPLOYEES.**—If the Department is accepting applications as described in paragraph (2), a former employee of the Department who served under a time-limited appointment and who otherwise meets the requirements of this section shall be eligible to compete for a permanent position in the competitive service under this section if—

“(A) the employee applies for a position covered by this section not later than 2 years after the most recent date of separation; and

“(B) the employee's most recent separation was for reasons other than misconduct or performance.

“(5) REGULATIONS.—The Office of Personnel Management shall prescribe regulations necessary for the administration of this subsection.”.

SEC. 1102. EMPLOYMENT AUTHORITY FOR CIVILIAN FACULTY AT CERTAIN MILITARY DEPARTMENT SCHOOLS.

(a) ADDITION OF ARMY UNIVERSITY AND ADDITIONAL FACULTY.—

(1) IN GENERAL.—Section 7371 of title 10, United States Code, is amended—

(A) in subsection (a), by striking “the Army War College or the United States Army Command and General Staff College” and inserting “the Army War College, the United States Army Command and General Staff College, and the Army University”; and

(B) by striking subsection (c).

(2) CONFORMING AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members”.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 747 of such title is amended by striking the item relating to section 7371 and inserting the following new item:

“7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members.”.

(b) NAVAL WAR COLLEGE AND MARINE CORPS UNIVERSITY.—Section 8748 of such title is amended by striking subsection (c).

(c) AIR UNIVERSITY.—Section 9371 of such title is amended by striking subsection (c).

SEC. 1103. EMPLOYMENT AND COMPENSATION OF CIVILIAN FACULTY MEMBERS AT INTER-AMERICAN DEFENSE COLLEGE.

(a) IN GENERAL.—Subsection (c) of section 1595 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(9) The United States Element of the Inter-American Defense College.”.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by striking “institutions” and inserting “organizations”; and

(2) in subsection (c)—

(A) in the subsection heading, by striking “INSTITUTIONS” and inserting “ORGANIZATIONS”; and

(B) in the matter preceding paragraph (1), by striking “institutions” and inserting “organizations”.

SEC. 1104. MODIFICATION TO PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(8), in the second sentence, by striking “December 31, 2025” and inserting “December 31, 2030”; and

(2) in subsection (b)—

(A) in paragraph (1)(H)—

(i) by striking “10 positions” and inserting “15 positions”; and

(ii) by striking “3 such positions” and inserting “5 such positions”; and

(B) in paragraph (2)(A)—

(i) in the matter preceding clause (i), by striking “paragraph (1)(B)” and inserting “subparagraphs (B) and (H) of paragraph (1)”; and

(ii) in clause (i)—

(I) by striking “to any of” and inserting “to any of the”; and

(II) by inserting “and any of the 5 positions designated by the Director of the Space Development Agency” after “Projects Agency”; and

(iii) in clause (ii), by striking “the Director” and inserting “the Director of the Defense Advanced Research Projects Agency or the Director of the Space Development Agency”; and

(3) in subsection (c)(2), by inserting “the Space Development Agency,” after “Intelligence Center.”.

SEC. 1105. ENHANCED PAY AUTHORITY FOR CERTAIN RESEARCH AND TECHNOLOGY POSITIONS IN SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

(a) IN GENERAL.—Chapter 303 of title 10, United States Code, is amended by inserting after section 4093 the following new section:

“§ 4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories

“(a) IN GENERAL.—The Secretary of Defense may carry out a program using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the military departments in attracting and retaining high quality acquisition and technology experts in positions responsible for managing and performing complex, high-cost research and technology development efforts in the science and technology reinvention laboratories of the Department of Defense.

“(b) APPROVAL REQUIRED.—The program may be carried out in a military department only with the approval of the service acquisition executive of the military department concerned.

“(c) POSITIONS.—The positions described in this subsection are positions in the science and technology reinvention laboratories of the Department of Defense that—

“(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

“(2) are critical to the successful accomplishment of an important research or technology development mission.

“(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

“(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the service acquisition executive concerned.

“(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of the military department concerned.

“(e) LIMITATIONS.—

“(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

“(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in each military department at any one time, unless the Under Secretary of Defense for Research and Engineering, in concurrence with the Secretaries of the military departments concerned, authorizes the transfer of positions from one military department to another.

“(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having a term of less than five years.

“(f) SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE DEFINED.—In this section, the term ‘science and technology reinvention laboratories of the Department of Defense’ means the laboratories designated as science and technology reinvention laboratories by section 4121(b) of this title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of such title is amended by inserting after the item relating to section 4093 the following new item:

“4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.”.

SEC. 1106. MODIFICATION AND EXTENSION OF PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXPERTISE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) REPEAL OF OBSOLETE PROVISION.—Section 1109(b)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) is amended by striking subparagraph (D).

(b) EXTENSION OF AUTHORITY.—Section 1109(d)(1) of such Act is amended by striking “December 31, 2023” and inserting “December 31, 2027”.

SEC. 1107. MODIFICATION OF EFFECTIVE DATE OF REPEAL OF TWO-YEAR PROBATIONARY PERIOD FOR EMPLOYEES.

Section 1106 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1950) is amended—

(1) in subsection (a)(1), by striking “December 31, 2022” and inserting “December 31, 2024”; and

(2) in subsection (b), by adding at the end the following new paragraph:

“(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on December 31, 2024.”.

SEC. 1108. MODIFICATION AND 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 1112 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1953), is further amended—

(1) by striking “that is in the area of responsibility” and all that follows through “United States Africa Command.”; and

(2) by striking “through 2022” and inserting “through 2023”.

SEC. 1109. 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 1114 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1954), is further amended by striking “2023” and inserting “2024”.

SEC. 1110. MODIFICATION OF TEMPORARY EXPANSION OF AUTHORITY FOR NON-COMPETITIVE APPOINTMENTS OF MILITARY SPOUSES BY FEDERAL AGENCIES.

(a) EXTENSION OF SUNSET.—Subsection (e) of section 573 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 5 U.S.C. 3330d note) is amended, in the matter preceding paragraph (1), by striking “the date that is 5 years after the date of the enactment of this Act” and inserting “December 31, 2028”.

(b) REPEAL OF OPM LIMITATION AND REPORTS.—Subsection (d) of such section is repealed.

SEC. 1111. DEPARTMENT OF DEFENSE CYBER AND DIGITAL SERVICE ACADEMY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Homeland Security and the Director of the Office of Personnel and Management, shall establish a program to provide financial support for pursuit of programs of education at institutions of high education in covered disciplines.

(2) COVERED DISCIPLINES.—For purposes of the Program, a covered discipline is a discipline that the Secretary of Defense determines is critically needed and is cyber- or digital technology-related, including the following:

- (A) Computer-related arts and sciences.
- (B) Cyber-related engineering.
- (C) Cyber-related law and policy.
- (D) Applied analytics related sciences, data management, and digital engineering, including artificial intelligence and machine learning.

(E) Such other disciplines relating to cyber, cybersecurity, digital technology, or supporting functions as the Secretary of Defense considers appropriate.

(3) DESIGNATION.—The program established under paragraph (1) shall be known as the “Department of Defense Cyber and Digital Service Academy” (in this section the “Program”).

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Program shall—

(1) provide scholarships through institutions of higher education to students who are enrolled in programs of education at such institutions leading to degrees or specialized program certifications in covered disciplines; and

(2) prioritize the placement of scholarship recipients fulfilling the post-award employment obligation under this section.

(c) SCHOLARSHIP AMOUNTS.—

(1) AMOUNT OF ASSISTANCE.—(A) Each scholarship under the Program shall be in such amount as the Secretary determines necessary—

(i) to pay all educational expenses incurred by that person, including tuition, fees, cost of books, and laboratory expenses, for the pursuit of the program of education for which the assistance is provided under the Program; and

(ii) to provide a stipend for room and board.

(B) The Secretary shall ensure that expenses paid are limited to those educational expenses normally incurred by students at the institution of higher education involved.

(2) SUPPORT FOR INTERNSHIP ACTIVITIES.—The financial assistance for a person under this section may also be provided to support internship activities of the person in the Department of Defense and combat support agencies in periods between the academic years leading to the degree or specialized program certification for which assistance is provided the person under the Program.

(3) PERIOD OF SUPPORT.—Each scholarship under the Program shall be for not more than 5 years.

(4) ADDITIONAL STIPEND.—Students demonstrating financial need, as determined by the Secretary, may be provided with an additional stipend under the Program.

(d) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the Program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student's degree or specialized program certification, in the cyber- and digital technology-related missions of the Department, in accordance with the terms and conditions specified by

the Secretary in regulations the Secretary shall promulgate to carry out this subsection.

(e) HIRING AUTHORITY.—In carrying out this section, specifically with respect to enforcing the obligations and conditions of employment under subsection (d), 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.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under the Program, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information technology or advancing the development and application of digital technology;

(3) have demonstrated a high level of competency in relevant knowledge, skills, and abilities, as defined by the national cybersecurity awareness and education program under section 303 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7443);

(4) be a full-time student, or have been accepted as a full-time student, in a program leading to a degree or specialized program certification in a covered discipline at an institution of higher education;

(5) enter into an agreement accepting and acknowledging the post award employment obligations, pursuant to section (d);

(6) accept and acknowledge the conditions of support under section (g); and

(7) meet such other requirements for a scholarship as determined appropriate by the Secretary.

(g) CONDITIONS OF SUPPORT.—

(1) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the Office of Personnel Management (in coordination with the Department of Defense) and the institutions of higher education described in subsection (a)(1) with annual verifiable documentation of post-award employment and up-to-date contact information.

(2) TERMS.—A scholarship recipient under the Program shall be liable to the United States as provided in subsection (i) if the individual—

(A) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Secretary;

(B) is dismissed from the applicable institution of higher education for disciplinary reasons;

(C) withdraws from the eligible degree program before completing the Program;

(D) declares that the individual does not intend to fulfill the post-award employment obligation under this section;

(E) fails to maintain or fulfill any of the post-graduation or post-award obligations or requirements of the individual; or

(F) fails to fulfill the requirements of paragraph (1).

(h) MONITORING COMPLIANCE.—As a condition of participating in the Program, an institution of higher education shall—

(1) enter into an agreement with the Secretary to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

(2) provide to the Secretary and the Director of the Office of Personnel Management, on an annual basis, the post-award employment documentation required under subsection (g)(1) for scholarship recipients through the completion of their post-award employment obligations.

(i) AMOUNT OF REPAYMENT.—

(1) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in subsection (g)(2) occurs before the completion of 1 year of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program shall be considered a debt to the Government and repaid in its entirety.

(2) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of subsection (g)(2) occurs after the completion of 1 or more years of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall be considered a debt to the Government and repaid in accordance with subsection (j).

(j) REPAYMENTS.—A debt described subsection (i) shall be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this subsection.

(k) COLLECTION OF REPAYMENT.—

(1) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship award under the Program, the institution of higher education providing the scholarship shall—

(A) determine the repayment amounts and notify the recipient, the Secretary, and the Director of the Office of Personnel Management of the amounts owed; and

(B) collect the repayment amounts within a period of time as determined by the Secretary.

(2) RETURNED TO TREASURY.—Except as provided in paragraph (3), any repayment under this subsection shall be returned to the Treasury of the United States.

(3) RETAIN PERCENTAGE.—An institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The Secretary shall establish a single, fixed percentage that will apply to all eligible entities.

(l) PUBLIC INFORMATION.—

(1) EVALUATION.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall periodically evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under the Program and on hiring and retaining those individuals in the Department of Defense workforce, including information on—

(A) placement rates;

(B) where students are placed, including job titles and descriptions;

(C) salary ranges for students not released from obligations under this section;

(D) how long after graduation students are placed;

(E) how long students stay in the positions they enter upon graduation;

(F) how many students are released from obligations; and

(G) what, if any, remedial training is required.

(2) REPORTS.—The Secretary, in consultation with the Office of Personnel Management, shall submit, not less frequently than once every two years, to Congress a report, including—

(A) the results of the evaluation under paragraph (1);

(B) the disparity in any reporting between scholarship recipients and their respective institutions of higher education; and

(C) any recent statistics regarding the size, composition, and educational requirements of the relevant Department of Defense workforce.

(3) **RESOURCES.**—The Secretary, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

(A) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities relating to covered disciplines; and

(B) a modernized description of careers in covered disciplines.

(m) **ALLOCATION OF FUNDING.**—

(1) **IN GENERAL.**—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of programs of education referred to in subsection (b)(1) at institutions of higher education that have established, improved, or are administering programs of education in disciplines under the grant program established in section 2200b of title 10, United States Code, as determined by the Secretary.

(2) **ASSOCIATE DEGREES.**—Not less than five percent of the amount available for financial assistance under this section for a fiscal year shall be available for providing financial assistance for the pursuit of an associate degree at an institution described in paragraph (1).

(n) **BOARD OF DIRECTORS.**—In order to help identify workforce needs and trends relevant to the Program, the Secretary may establish a board of directors for the Program that consists of representatives of Federal departments and agencies.

(o) **COMMENCEMENT OF PROGRAM.**—The Secretary shall commence the Program as early as practicable, with the first scholarships awarded under the Program for the academic year beginning no later than the Fall semester of 2024.

SEC. 1112. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT.

(a) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) **COMPETITIVE SERVICE.**—The term “competitive service” has the meaning given the term in section 2102 of title 5, United States Code.

(3) **EXCEPTED SERVICE.**—The term “excepted service” has the meaning given the term in section 2103 of title 5, United States Code.

(4) **SIGNIFICANT INCIDENT.**—The term “significant incident”—

(A) means an incident or a group of related incidents that results, or is likely to result, in demonstrable harm to—

(i) the national security interests, foreign relations, or economy of the United States; or

(ii) the public confidence, civil liberties, or public health and safety of the people of the United States; and

(B) does not include an incident or a portion of a group of related incidents that occurs on—

(i) a national security system, as defined in section 3552 of title 44, United States Code; or

(ii) an information system described in paragraph (2) or (3) of section 3553(e) of title 44, United States Code.

(5) **TEMPORARY POSITION.**—The term “temporary position” means a position in the competitive or excepted service for a period of 180 days or less.

(6) **UNIFORMED SERVICES.**—The term “uniformed services” has the meaning given the term in section 2101 of title 5, United States Code.

(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 cyberspace operations forces of the United States Cyber Command to effectively respond to significant incidents.

(3) **ALTERNATIVE METHODS.**—Consistent with section 4703 of title 5, United States Code, in carrying out the pilot project required under paragraph (1), the Secretary may, without further authorization from the Office of Personnel Management, provide for alternative methods of—

(A) establishing qualifications requirements for, recruitment of, and appointment to positions; and

(B) classifying positions.

(4) **APPOINTMENTS.**—Under the pilot project required under paragraph (1), upon occurrence of a significant incident, the Secretary—

(A) may activate members of the Civilian Cybersecurity Reserve by—

(i) noncompetitively appointing members of the Civilian Cybersecurity Reserve to temporary positions in the competitive service; or

(ii) appointing members of the Civilian Cybersecurity Reserve to temporary positions in the excepted service;

(B) shall notify Congress whenever a member is activated under subparagraph (A); and

(C) may appoint not more than 50 members to the Civilian Cybersecurity Reserve under subparagraph (A) at any time.

(5) **STATUS AS EMPLOYEES.**—An individual appointed under paragraph (4) shall be considered a Federal civil service employee under section 2105 of title 5, United States Code.

(6) **ADDITIONAL EMPLOYEES.**—Individuals appointed under paragraph (4) shall be in addition to any employees of the United States Cyber Command who provide cybersecurity services.

(7) **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 paragraph (4), provided that such regulations shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38, United States Code.

(8) **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 paragraph (4), 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 subsection (b)(4) for any topic or product that would create a conflict of interest; and

(B) require each individual appointed under subsection (b)(4) 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) **STUDY AND IMPLEMENTATION PLAN.**—

(1) **STUDY.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall begin a study on the design and implementation of the pilot project required under subsection (b)(1), including—

(A) compensation and benefits for members of the Civilian Cybersecurity Reserve;

(B) activities that members may undertake as part of their duties;

(C) methods for identifying and recruiting members, including alternatives to traditional qualifications requirements;

(D) methods for preventing conflicts of interest or other ethical concerns as a result of participation in the pilot project and details of mitigation efforts to address any conflict of interest concerns;

(E) resources, including additional funding, needed to carry out the pilot project;

(F) possible penalties for individuals who do not respond to activation when called, in accordance with the rights and procedures set forth under title 5, Code of Federal Regulations; and

(G) processes and requirements for training and onboarding members.

(2) **IMPLEMENTATION PLAN.**—Not later than one year after beginning the study required under paragraph (1), the Secretary shall—

(A) submit to the appropriate congressional committees an implementation plan for the pilot project required under subsection (b)(1); and

(B) provide to the appropriate congressional committees a briefing on the implementation plan.

(3) **PROHIBITION.**—The Secretary 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 (2).

(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 of the enactment of this Act, 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 appropriate congressional 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 during significant incidents; 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 appropriate congressional 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.

(j) **NO ADDITIONAL FUNDS.**—

(1) **IN GENERAL.**—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(2) **EXISTING AUTHORIZED AMOUNTS.**—Funds to carry out this section may, as provided in advance in appropriations Acts, only come from amounts authorized to be appropriated to the Army.

SEC. 1113. MODIFICATION TO PILOT PROGRAM FOR THE TEMPORARY ASSIGNMENT OF CYBER AND INFORMATION TECHNOLOGY PERSONNEL TO PRIVATE SECTOR ORGANIZATIONS.

Section 1110(d) of the National Defense Authorization Act for Fiscal Year 2010 (5 U.S.C. 3702 note; Public Law 111–84) is amended by striking “September 30, 2022” and inserting “December 31, 2026”.

SEC. 1114. REPORT ON CYBER EXCEPTED SERVICE.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until September 30, 2028, 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 detailed report on cyber excepted service positions during the most recent one-year period.

(b) **CONTENTS.**—Each report submitted under subsection (a) shall include, for the period covered by the report, the following:

(1) A discussion of the process used in accepting applications, assessing candidates, process for and effect of adhering to provisions of law establishing preferences for hiring preference eligible veterans, and selecting applicants for vacancies to be filled by an individual for a cyber excepted service position.

(2) A description of the following:

(A) How the Secretary plans to recruit and retain employees in cyber excepted service positions.

(B) Cyber excepted service performance metrics.

(C) Any actions taken during the reporting period to improve cyber excepted service implementation.

(3) A discussion of how the planning and actions taken described in paragraph (2) are integrated into the strategic workforce planning of the Department.

(4) The metrics on actions occurring during the reporting period, including the following:

(A) The number of employees in cyber excepted service positions hired, disaggregated by occupation, grade, and level or pay band.

(B) The placement of employees in cyber excepted service positions, disaggregated by military department, Defense agency, or other component within the Department.

(C) The total number of veterans hired.

(D) The number of separations of employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(E) The number of retirements of employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(F) The number and amounts of recruitment, relocation, and retention incentives paid to employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(G) The number of employees who declined transition to qualified cyber excepted service positions.

(5) An assessment of the training provided to supervisors of employees in cyber excepted service positions at the Department on the use of the new authorities.

(6) An assessment of the implementation of section 1599f(a)(1)(A) of title 10, United States Code, including—

(A) how each military department, Defense agency, or other component within the Department is incorporating or intends to incorporate cyber excepted service personnel in their cyber mission workforce; and

(B) how the cyber excepted service has allowed each military department, Defense agency, or other component within the Department to establish, recruit for, and retain

personnel to fill cyber mission workforce needs.

(7) An assessment of the effect of section 1599f of title 10, United States Code, on the ability of the Department to recruit, retain, and develop cyber professionals in the Department.

(8) An assessment of barriers to participation in cyber excepted service positions, including challenges to transition between general and excepted service, differences between compensation, incentives, and benefits, access to career broadening experiences, or any other barriers as determined by the Secretary.

(9) Proposed modifications to the cyber excepted service.

(10) Such other matters as the Secretary considers appropriate.

(c) **DEFINITIONS.**—In this section:

(1) The term “cyber excepted service” consists of those positions established under section 1599f(a)(1)(A) of title 10, United States Code.

(2) The term “cyber excepted service position” means a position in the cyber excepted service.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. EXTENSION OF AUTHORITY TO SUPPORT BORDER SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.

Subsection (h) of section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended by striking “December 31, 2023” and inserting “December 31, 2025”.

SEC. 1202. MODIFICATION OF REPORTING REQUIREMENT FOR PROVISION OF SUPPORT TO FRIENDLY FOREIGN COUNTRIES FOR CONDUCT OF OPERATIONS.

Section 331(d)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

“(E) A description of the one or more entities with which the applicable friendly foreign country is engaged in hostilities and whether each such entity is covered by an authorization for the use of military force.”.

SEC. 1203. PAYMENT OF PERSONNEL EXPENSES NECESSARY FOR PARTICIPATION IN TRAINING PROGRAM CONDUCTED BY COLOMBIA UNDER THE UNITED STATES-COLOMBIA ACTION PLAN FOR REGIONAL SECURITY.

(a) **IN GENERAL.**—Subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new section 335:

“§ 335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security

“(a) **AUTHORITY.**—The Secretary of Defense may pay the expendable training supplies, travel, subsistence, and similar personnel expenses of, and special compensation for, the following that the Secretary considers necessary for participation in the training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security:

“(1) Defense personnel of friendly foreign governments.

“(2) With the concurrence of the Secretary of State, other personnel of friendly foreign governments and nongovernmental personnel.

“(b) **LIMITATION.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the authority provided in subsection (a) may only be used for the payment

of such expenses of, and special compensation for, such personnel from developing countries.

“(2) EXCEPTION.—The Secretary may authorize the payment of such expenses of, and special compensation for, such personnel from a country other than a developing country if the Secretary determines that such payment is—

“(A) necessary to respond to extraordinary circumstances; and

“(B) in the national security interest of the United States.”.

(b) ANNUAL REPORT.—Paragraph (1) of section 386(c) of title 10, United States Code, is amended to read as follows:

“(1) Sections 311, 321, 331, 332, 333, 335, 341, 344, 348, 349, and 350 of this title.”.

(c) CONFORMING AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new item:

“335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security.”.

SEC. 1204. MODIFICATION OF AUTHORITY FOR PARTICIPATION IN MULTINATIONAL CENTERS OF EXCELLENCE.

Section 344(f) of title 10, United States Code, is amended—

(1) in paragraph (1)(D), by striking “and” at the end;

(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) the International Special Training Centre, established in 1979 and located in Pfullendorf, Germany.”.

SEC. 1205. MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM AND PLAN FOR IRREGULAR WARFARE CENTER.

(a) MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Section 345 of title 10, United States Code, is amended—

(A) in the section heading, by striking “Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program” and inserting “Irregular Warfare Security Cooperation”; and

(B) in subsection (a)—

(i) in the subsection heading, by striking “PROGRAM AUTHORIZED” and inserting “AUTHORITY”; and

(ii) in paragraph (1), in the matter preceding subparagraph (A), by inserting “operate and administer a Center for Security Studies in Irregular Warfare, to be known as the ‘Irregular Warfare Center’, and” after “The Secretary of Defense may”; and

(iii) by amending paragraph (2) to read as follows:

“(2) COVERED COSTS.—

“(A) IN GENERAL.—Costs for which payment may be made under this section include the costs of—

“(i) transportation, travel, and subsistence costs of foreign national personnel and United States governmental personnel necessary for administration and execution of the authority granted to the Secretary of Defense under this section;

“(ii) strategic engagement with alumni of the program referred to in paragraph (1) to address Department of Defense objectives and planning on irregular warfare and combating terrorism topics; and

“(iii) administration and operation of the Irregular Warfare Center, including expenses associated with—

“(I) research, communication, the exchange of ideas, curriculum development and review, and training of military and civilian participants of the United States and other countries, as the Secretary considers necessary; and

“(II) maintaining an international network of irregular warfare policymakers and practitioners to achieve the objectives of the Department of Defense and the Department of State.

“(B) PAYMENT BY OTHERS PERMITTED.—Payment of costs described in subparagraph (A)(i) may be made by the Secretary of Defense, the foreign national participant, the government of such participant, or by the head of any other Federal department or agency.”.

(iv) by striking paragraph (3);

(C) in subsection (b)(1), by striking “The program authorized by” and inserting “The authority granted to the Secretary of Defense under”; and

(D) by redesignating subsections (c) and (d) as subsections (e) and (g), respectively;

(E) by inserting after subsection (b) the following new paragraphs (c) and (d):

“(c) EMPLOYMENT AND COMPENSATION OF FACULTY.—With respect to the Irregular Warfare Center, the Secretary of Defense may employ a Director, a Deputy Director, and such civilians as professors, instructors, and lecturers, as the Secretary considers necessary.

“(d) ACADEMIC COOPERATION ON IRREGULAR WARFARE.—To promote integration across the United States Government and with allies in activities across the irregular warfare competition and conflict spectrum, the Secretary of Defense may enter into partnerships and resource sharing agreements with academic institutions of the Department of Defense and other academic institutions engaged in irregular warfare security studies.”.

(F) in subsection (e), as so redesignated, in the first sentence, by striking “\$35,000,000” and inserting “\$40,000,000”; and

(G) by inserting after subsection (e), as so redesignated, the following new subsection:

“(f) ANNUAL REVIEW.—The Secretary of Defense—

“(1) shall conduct an annual review of the structure and activities of the Irregular Warfare Center and the program referred to in subsection (a) to determine whether such structure and activities are appropriately aligned with the strategic priorities of the Department of Defense and the applicable combatant commands; and

“(2) may, after an annual review under paragraph (1), revise the relevant structure and activities so as to more appropriately align such structure and activities with the strategic priorities and combatant commands.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of title 10, United States Code, is amended by striking the item relating to section 345 and inserting the following:

“345. Irregular Warfare Security Cooperation.”.

(b) PLAN FOR IRREGULAR WARFARE CENTER.—

(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 Committees on Armed Services of the Senate and the House of Representatives a plan for establishing the structure, operations, and administration of the Irregular Warfare Center described in section 345(a)(1) of title 10, United States Code.

(2) ELEMENTS.—The plan required by paragraph (1) shall include—

(A) a timeline and milestones for the establishment of the Irregular Warfare Center; and

(B) steps to enter into partnerships and resource agreements with academic institutions of the Department of Defense or other academic institutions, including any agreement for hosting or operating the Irregular Warfare Center.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that a Center for Security Studies in Irregular Warfare established under section 345 of title 10, United States Code, should be known as the “John S. McCain III Center for Security Studies in Irregular Warfare”.

SEC. 1206. MODIFICATION OF AUTHORITY FOR HUMANITARIAN DEMINING ASSISTANCE AND STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.

(a) EXPANSION OF AUTHORITY.—Subsection (a)(1) of section 407 of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking “carry out” and inserting “provide”; and

(B) by striking “in a country” and inserting “to a country”; and

(2) in subparagraph (A), by striking “in which the activities are to be carried out” and inserting “to which the assistance is to be provided”.

(b) EXPENSES.—Subsection (c) of such section is amended—

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

“(C) Travel, transportation, and subsistence expenses of foreign personnel to attend training provided by the Department of Defense under this section.”; and

(2) in paragraph (3), by striking “\$15,000,000” and inserting “\$20,000,000”.

(c) ANNUAL REPORT.—Subsection (d) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “include in the annual report under section 401 of this title a separate discussion of” and inserting “submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on”; and

(2) in paragraph (1)—

(A) by striking “in which” and inserting “to which”; and

(B) by striking “carried out” and inserting “provided”; and

(3) in paragraph (2), by striking “carried out in” and inserting “provided to”; and

(4) in paragraph (3)—

(A) by striking “in which” and inserting “to which”; and

(B) by striking “carried out” and inserting “provided”; and

(5) in paragraph (4), by striking “in carrying out such assistance in each such country” and inserting “in providing such assistance to each such country”.

SEC. 1207. 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, 2021, and ending on December 31, 2022” and inserting “beginning on October 1, 2022, and ending on December 31, 2023”.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking “beginning on October 1, 2021, and ending on December 31, 2022” and inserting “beginning on October 1, 2022, and ending on December 31, 2023”; and

(2) by striking “\$60,000,000” and inserting “\$30,000,000”.

SEC. 1208. MODIFICATIONS TO HUMANITARIAN ASSISTANCE.

Section 2561 of title 10, United States Code, is amended to read as follows:

“§ 2561. Humanitarian assistance

“(a) **AUTHORIZED ASSISTANCE.**—To the extent provided in defense authorization Acts, funds authorized to be appropriated to the Department of Defense for a fiscal year for humanitarian assistance shall be used for collaborative Department of Defense engagements with partner country government authorities in permissive environments to achieve the objectives of—

“(1) directly relieving or reducing human suffering, disease, hunger, or privation; and

“(2) increasing partner country capacity—

“(A) to provide essential human services to vulnerable populations; and

“(B) to address disaster risk reduction, mitigation, and preparedness.

“(b) **PURPOSES.**—The Secretary of Defense may use funds authorized under subsection (a) for the following purposes:

“(1) Procurement, transportation, and positioning of supplies and equipment.

“(2) Small-scale construction and renovation of facilities and basic infrastructure.

“(3) Health-related projects and activities.

“(4) Any other activity the Secretary of Defense considers necessary to achieve the objectives described in subsection (a).

“(c) **AVAILABILITY OF FUNDS.**—To the extent provided in appropriations Acts, funds appropriated for humanitarian assistance for purposes of this section shall remain available until expended.

“(d) **STATUS REPORTS.**—(1) The Secretary of Defense shall submit to the appropriate committees of Congress an annual report on the provision of humanitarian assistance pursuant to this section for the prior fiscal year. The report shall be submitted each year at the time of the budget submission by the President for the next fiscal year.

“(2) Each report required by paragraph (1) shall cover all provisions of law that authorize appropriations for humanitarian assistance to be available from the Department of Defense for purposes of this section.

“(3) Each report under this subsection shall set forth the following information regarding activities during the preceding fiscal year:

“(A) The total amount of funds obligated for humanitarian assistance under this section.

“(B) A comprehensive list of funded humanitarian assistance efforts, disaggregated by foreign partner country, amount obligated, and purpose specified in subsection (b).

“(C) A description of the manner in which such expenditures address—

“(i) the humanitarian needs of the foreign partner country; and

“(ii) United States national security objectives.

“(D) A description of any transfer of excess nonlethal supplies of the Department of Defense made available for humanitarian relief purposes under section 2557 of this title. The description shall include the date of the transfer, the entity to whom the transfer is made, and the quantity of items transferred.

“(e) **NOTIFICATION.**—In the case of activities under a program that results in the provision of small-scale construction under subsection (b)(2) costing more than \$750,000, not later than 15 days before the commencement of such activities, the Secretary of Defense shall submit to the appropriate committees of Congress a notification that includes the location, project title, and cost of each small-scale construction project that will be carried out.

“(f) **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) **DEFENSE AUTHORIZATION ACT.**—The term ‘defense authorization Act’ means an Act that authorizes appropriations for one or more fiscal years for military activities of the Department of Defense, including authorizations of appropriations for the activities described in paragraph (7) of section 114(a) of this title.”.

SEC. 1209. DEFENSE ENVIRONMENTAL INTERNATIONAL COOPERATION PROGRAM.

(a) **ESTABLISHMENT.**—The Secretary of Defense, in coordination with the commanders of the geographic combatant commands, shall establish a program, to be known as the “Defense Environmental International Cooperation Program”, to support engagement with partner countries on defense-related environmental and operational energy issues in support of the theater campaign plans of the geographic combatant commands.

(b) **OBJECTIVES.**—The Defense Environmental International Cooperation Program shall be carried out to achieve the following objectives:

(1) To build military-to-military relationships in support of the Department of Defense’s efforts to engage in long-term strategic competition.

(2) To sustain the mission capability and forward posture of the United States Armed Forces.

(3) To enhance the capability, capacity, and resilience of the military forces of partner countries.

(c) **FUNDING.**—Of amounts authorized to be appropriated for a fiscal year for the Department and available for operation and maintenance, the Secretary may make available \$10,000,000 for purposes of supporting the Defense Environmental International Cooperation Program, consistent with the priorities of the commanders of the geographic combatant commands.

(d) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than March 1 each year, the Secretary shall submit to the congressional defense committees a report on obligations and expenditures made to carry out the Defense Environmental International Cooperation Program during the preceding fiscal year.

(2) **ELEMENTS.**—Each report required by paragraph (1) shall include the following:

(A) An accounting of each obligation and expenditure made to carry out the Defense Environmental International Cooperation Program, by partner country and military force.

(B) An explanation of the manner in which each such obligation or expenditure supports the objectives described in subsection (b).

(C) Any other matter the Secretary considers relevant.

SEC. 1210. SECURITY COOPERATION PROGRAMS WITH FOREIGN PARTNERS TO ADVANCE WOMEN, PEACE, AND SECURITY.

(a) **IN GENERAL.**—The Secretary of Defense, in consultation with the Secretary of State, may, in fiscal years 2023 through 2025, conduct or support security cooperation programs and activities involving the national military or national-level security forces of a foreign country or other covered personnel to advise, train, and educate such forces or such other covered personnel with respect to—

(1) the recruitment, employment, development, retention, promotion, and meaningful participation in decisionmaking of women;

(2) sexual harassment, sexual assault, domestic abuse, and other forms of violence that disproportionately impact women;

(3) the requirements of women, including providing appropriate equipment and facilities; and

(4) the implementation of activities described in this subsection, including the integration of such activities into security-sector policy, planning, exercises, and trainings, as appropriate.

(b) **ANNUAL REPORT.**—Not later than 90 days after the end of each of fiscal years 2023, 2024, and 2025, the Secretary of Defense shall submit to the congressional defense committees a report detailing the assistance provided under this section and the recipients of such assistance.

(c) **OTHER COVERED PERSONNEL DEFINED.**—In this section, the term “other covered personnel” means personnel of—

(1) the ministry of defense, or a governmental entity with a similar function, of a foreign country; or

(2) a regional organization with a security mission.

SEC. 1211. REVIEW OF IMPLEMENTATION OF PROHIBITION ON USE OF FUNDS FOR ASSISTANCE TO UNITS OF FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the promotion of human rights is a critical element of Department of Defense security cooperation programs and activities that advance United States national security interests and values.

(b) **REVIEW.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the commanders of the geographic combatant commands, shall initiate a review of the policies, guidance, and processes for Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) **ELEMENTS.**—The review required by paragraph (1) shall include an assessment of the following:

(A) The standards and procedures by which the Secretary, before making a decision to provide assistance to a unit of a foreign security force under section 362 of title 10, United States Code, gives full consideration to credible information that the unit has committed a gross violation of human rights, including credible information available to the Department of State relating to human rights violations by such unit.

(B) The roles and responsibilities of Department of Defense components in implementing such section, including the Under Secretary of Defense for Policy, the Deputy Assistant Secretary of Defense for Global Partnerships, the geographic combatant commands, and the Office of the General Counsel, and whether such components are adequately funded to carry out their respective roles and responsibilities.

(C) The standards and procedures by which the Secretary implements the exception under subsection (b) of such section based on a determination that all necessary corrective steps have been taken.

(D) The standards and procedures by which the Secretary exercises the waiver authority under subsection (c) of such section based on a determination that a waiver is required by extraordinary circumstances.

(E) The policies, standards, and processes for the remediation of units of foreign security forces described in such section and resumption of assistance consistent with such section, and the effectiveness of such remediation process.

(F) The process by which the Secretary determines whether a unit of a foreign security force designated to receive training, equipment, or other assistance under such section is new or fundamentally different from its predecessor for which there was determined to be credible information that the unit had committed a gross violation of human rights.

(C) REPORTS.—

(1) FINDINGS OF REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings of the review conducted under subsection (b) that includes any recommendations or corrective actions necessary with respect to the policies, guidance, and processes for Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) REMEDIATION PROCESS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through fiscal year 2025, the Secretary shall submit to the appropriate committees of Congress a report on the remediation process under section 362 of title 10, United States Code, and resumption of assistance consistent with such section.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An identification of the units of foreign security forces that currently have been determined under section 362 of title 10, United States Code, to be ineligible to receive Department of Defense training, equipment, or other assistance.

(ii) With respect to each unit identified under clause (i), the date on which such determination was made.

(iii) The number of requests submitted by geographic combatant commands for review by a remediation review panel with respect to resumption of assistance to a unit of a foreign security force that has been denied assistance under such section, disaggregated by geographic combatant command.

(iv) For the preceding reporting period, the number of—

(I) remediation review panels convened; and

(II) cases resolved.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term “appropriate committees of Congress” means—

(i) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(ii) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1212. INDEPENDENT ASSESSMENT OF UNITED STATES EFFORTS TO TRAIN, ADVISE, ASSIST, AND EQUIP THE MILITARY FORCES OF SOMALIA.

(a) IN GENERAL.—The Secretary of Defense shall provide for an independent assessment of Department of Defense efforts to train, advise, assist, and equip the military forces of Somalia.

(b) CONDUCT OF ASSESSMENT.—To conduct the assessment required by subsection (a), the Secretary shall select—

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

(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.

(c) ELEMENTS.—The assessment required by subsection (a) shall include an assessment of the following:

(1) The evolution of United States approaches to training, advising, assisting, and equipping the military forces of Somalia.

(2) The extent to which—

(A) the Department has an established plan, with objectives and milestones, for the effort to train, advise, assist, and equip such forces;

(B) advisory efforts are meeting objectives, including whether and the manner in which—

(i) advisors track the operational effectiveness of such forces; and

(ii) any such data informs future training and advisory efforts;

(C) the Department sufficiently engages, collaborates, and deconflicts with—

(i) other Federal departments and agencies that conduct assistance and advisory engagements with such forces; and

(ii) international and multilateral entities that conduct assistance and advisory engagements with such forces; and

(D) the Department has established and enforced a policy, processes, and procedures for accountability relating to equipment provided by the United States to such forces.

(3) Factors that have hindered, or may in the future hinder, the development of professional, sustainable, and capable such forces.

(4) With respect to the effort to train, advise, assist, and equip such forces, the extent to which the December 2020 decision to reduce and reposition outside Somalia the majority of the members of the United States Armed Forces assigned to carry out the effort has impacted the effectiveness of the effort.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the entity selected to conduct the assessment required by subsection (a) shall submit to the Secretary and the congressional defense committees a report containing the findings of the assessment.

(e) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2023 and available for operation and maintenance for Defense-wide activities, up to \$1,000,000 shall be made available for the assessment required by subsection (a).

SEC. 1213. ASSESSMENT AND REPORT ON ADEQUACY OF AUTHORITIES TO PROVIDE ASSISTANCE TO MILITARY AND SECURITY FORCES IN AREA OF RESPONSIBILITY OF UNITED STATES AFRICA COMMAND.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Commander of the United States Africa Command, shall conduct an assessment of the adequacy of authorities available to the Secretary for the purpose of providing support, including training, equipment, supplies and services, facility and infrastructure repair and renovation, and sustainment, to military and other security forces of governments in the area of responsibility of the United States Africa Command that are actively engaged in defending their territory and people from the threat posed by ISIS and al-Qaeda.

(2) ELEMENT.—The assessment required by paragraph (1) shall identify any gaps in existing authorities and associated resourcing that would inhibit the ability of the Secretary to support the United States Africa Command theater campaign plan objectives.

(b) REPORT.—Not later than December 31, 2022, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the assessment required by subsection (a).

Subtitle B—Matters Relating to Syria, Iraq, and Iran

SEC. 1221. EXTENSION 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, 2022” and inserting “December 31, 2023”.

(b) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (1)(3)(D) of such section is amended by striking “December 31, 2022” and inserting “December 31, 2023”.

SEC. 1222. EXTENSION AND MODIFICATION 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 2022” and inserting “fiscal year 2023”; and

(2) by striking “\$25,000,000” and inserting “\$20,000,000”.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking “fiscal year 2022” and inserting “fiscal year 2023”.

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. 3558) is amended, in the matter preceding paragraph (1), by striking “December 31, 2022” and inserting “December 31, 2023”.

(b) FUNDING.—Subsection (g) of such section is amended—

(1) by striking “fiscal year 2022” and inserting “fiscal year 2023”; and

(2) by striking “\$345,000,000” and inserting “\$358,000,000”.

(c) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (o)(5) of such section is amended by striking “December 31, 2022” and inserting “December 31, 2023”.

SEC. 1224. ASSESSMENT OF SUPPORT TO IRAQI SECURITY FORCES AND KURDISH PESHMERGA FORCES TO COUNTER AIR AND MISSILE THREATS.

(a) IN GENERAL.—Not later than April 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on support to Iraqi Security Forces and Kurdish Peshmerga Forces to counter air and missile threats.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) An assessment of the threat from missiles, rockets, and unmanned aerial systems (UAS) to United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(2) An assessment of the current state of air defense capabilities of United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(3) Identification of perceived gaps in air defense capabilities of United States and coalition armed forces and the implications for the security of such forces in Iraq, including the Iraqi Kurdistan Region.

(4) Recommendations for training or equipment needed to overcome the assessed air defense deficiencies of United States and coalition armed forces in Iraq, including the Iraqi Kurdistan Region.

(5) An assessment of the current state of the air defense capabilities of partner armed

forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(6) An assessment of the perceived gaps in air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(7) An assessment of recommended training and equipment and available level of equipment to maximize air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(8) Such other matters as the Secretary considers appropriate.

SEC. 1225. UPDATES TO ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) IN GENERAL.—Section 1245(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) is amended—

(1) in subparagraph (B), by striking “and the Special Groups in Iraq,” and inserting “Houthis, and the Special Groups in Iraq, including Kata’ib Hezbollah and Asa’ib Ahl al-Haq,”;

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(3) by inserting after subparagraph (B) the following:

“(C) the threat from Special Groups in Iraq, including Kata’ib Hezbollah and Asa’ib Ahl al-Haq, to United States and coalition forces located in Iraq and Syria.”; and

(4) in subparagraph (D), as redesignated, by striking “and” at the end;

(5) in subparagraph (E), as redesignated, by striking the period at the end and inserting “; and”;

(6) by adding at the end the following:

“(F) all formal or informal agreements involving a strategic military or security partnership with the Russian Federation, the People’s Republic of China, or any proxies of either such country.”.

Subtitle C—Matters Relating to Europe and the Russian Federation

SEC. 1231. MODIFICATION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2488) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “for fiscal year 2017, 2018, 2019, 2020, 2021, or 2022” and inserting “for any fiscal year”; and

(B) by striking “in the fiscal year concerned”; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking “with respect to funds for a fiscal year”.

SEC. 1232. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

Section 1234(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1974) is amended by striking “None of the funds” and all that follows through “2022” and inserting “None of the funds authorized to be appropriated for fiscal year 2022 or 2023”.

SEC. 1233. EXTENSION AND MODIFICATION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (a) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1608) is amended to read as follows:

“(1) IN GENERAL.—Amounts available for a fiscal year under subsection (f) shall be available to the Secretary of Defense, with

the concurrence of the Secretary of State, to provide, for the purposes described in paragraph (2), appropriate security assistance and intelligence support, including training, equipment, logistics support, supplies and services, salaries and stipends, and sustenance to—

“(A) the military and national security forces of Ukraine; and

“(B) other forces or groups recognized by, and under the authority of, the Government of Ukraine, including governmental entities within Ukraine, that are engaged in resisting Russian aggression.

“(2) PURPOSES DESCRIBED.—The purposes described in this paragraph are as follows:

“(A) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

“(B) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

“(C) To replace, from the inventory of the United States, weapons and articles provided to the Government of Ukraine.

“(D) To recover or dispose of equipment procured using funds made available under this section.”.

(b) UNITED STATES INVENTORY AND OTHER SOURCES.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) ACCEPTANCE OF RETURNED EQUIPMENT.—

“(A) IN GENERAL.—The Secretary of Defense may accept equipment procured under the authority of this section that was transferred to the military or national security forces of Ukraine or to other assisted entities and has been returned by such forces to the United States.

“(B) TREATMENT AS STOCKS OF THE DEPARTMENT.—Equipment procured under the authority of this section that has not been transferred to the military or national security forces of Ukraine or to other assisted entities, or that has been returned by such forces or other assisted entities to the United States, may, upon written notification by the Secretary of Defense to the congressional defense committees, be treated as stocks of the Department.”.

(c) FUNDING.—Subsection (f) of such section is amended by adding at the end the following new paragraph:

“(8) For fiscal year 2023, \$800,000,000.”.

(d) NOTICE TO CONGRESS; REPORTS.—Such section is further amended—

(1) by striking the second subsection (g);

(2) by redesignating the first subsection (g) (as added by section 1237(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2496)) and subsection (h) as subsections (i) and (j), respectively; and

(3) by inserting after subsection (f) the following new subsections (g) and (h):

“(g) NOTICE TO CONGRESS.—

“(1) IN GENERAL.—Not less than 15 days before providing assistance or support under this section (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United States, as far in advance as is practicable), the Secretary of Defense shall submit to the congressional defense committees a written notification of the details of such assistance or support.

“(2) SUPPORT TO OTHER FORCES OR GROUPS.—Not less than 15 days before providing assistance or support under this section to other forces or groups described in subsection (a)(1)(B) (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United

States, as far in advance as is practicable but not later than 48 hours in advance) the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written notification detailing the intended recipient forces or groups, the command and control relationship that each such entity has with the Government of Ukraine, and the assistance or support to be provided.

“(h) QUARTERLY REPORTS.—Not less frequently than quarterly, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority under this section.”.

(e) TERMINATION OF AUTHORITY.—Subsection (i) of such subsection, as redesignated, is amended by striking “December 31, 2024” and inserting “December 31, 2025”.

SEC. 1234. NORTH ATLANTIC TREATY ORGANIZATION SPECIAL OPERATIONS HEADQUARTERS.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section 2350r:

“§ 2350r. North Atlantic Treaty Organization Special Operations Headquarters

“(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for each fiscal year for operation and maintenance for the Army, to be derived from amounts made available for support of North Atlantic Treaty Organization (referred to in this section as ‘NATO’) operations, the Secretary of Defense is authorized to use up to \$50,000,000 for each such fiscal year for the purposes set forth in subsection (b).

“(b) PURPOSES.—The Secretary shall provide funds for the NATO Special Operations Headquarters—

“(1) to improve coordination and cooperation between the special operations forces of NATO nations and nations approved by the North Atlantic Council as NATO partner nations;

“(2) to facilitate joint operations by the special operations forces of NATO nations and such NATO partner nations;

“(3) to support special operations forces peculiar command, control, and communications capabilities;

“(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

“(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of a multinational education and training program.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new item:

“2350r. North Atlantic Treaty Organization Special Operations Headquarters.”.

(c) REPEAL.—Section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2541) is repealed.

SEC. 1235. REPORT ON UNITED STATES MILITARY FORCE POSTURE AND RESOURCING REQUIREMENTS IN EUROPE.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the United States military force posture requirements for the United States European Command to support the following objectives:

(1) Implementation of the National Defense Strategy with respect to the area of responsibility of the United States European Command.

(2) Fulfillment of the commitments of the United States to NATO operations, missions, and activities, as modified and agreed upon at the 2022 Madrid Summit.

(3) Reduction of the risk of executing the contingency plans of the Department of Defense.

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

(1) For each military service and warfighting domain, a description of the force structure and posture of assigned and allocated forces in Europe, including consideration of the balance of permanently stationed forces and forces rotating from the United States, to support the objectives described in subsection (a).

(2) An assessment of the military training and all domain exercises to support such objectives, including—

(A) training and exercises on interoperability; and

(B) joint activities with allies and partners.

(3) An assessment of logistics requirements, including personnel, equipment, supplies, pre-positioned storage, host country support and agreements, and maintenance needs, to support such objectives.

(4) An identification of required infrastructure, facilities, and military construction investments to support such objectives.

(5) A description of the requirements for United States European Command integrated air and missile defense throughout the area of responsibility of the United States European Command.

(6) An assessment of United States security cooperation activities and resources required to support such objectives.

(7) A detailed assessment of the resources necessary to address the elements described in paragraphs (1) through (6), categorized by the budget accounts for—

(A) procurement;

(B) research, development, test, and evaluation;

(C) operation and maintenance;

(D) military personnel; and

(E) military construction.

(8) The projected timeline to achieve fulfillment of each such element.

(9) Any other information the Secretary considers relevant.

(c) FORM.—The report required by subsection (a) may be submitted in classified form but shall include an unclassified summary.

SEC. 1236. SENSE OF THE SENATE AND REPORT ON CIVILIAN HARM.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the members of the Armed Forces of the United States—

(A) uphold the highest standards of professionalism during the conduct of effective, efficient, and decisive military operations around the world in defense of the people of the United States; and

(B) go to great lengths to minimize civilian harm during the conduct of military operations; and

(2) the Russian Federation has demonstrated a complete disregard for the safety of civilians during its unlawful and unprovoked invasion of Ukraine, which has involved indiscriminate bombing of civilian areas and executions of noncombatants.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report detailing the atrocities committed by the Russian Federation against civilians in Ukraine since February 24, 2022.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form.

SEC. 1237. 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 (NATO) is critical to advancing United States national security objectives in Europe and around the world;

(2) NATO 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 contributions of NATO to the collective defense are indispensable to the security, prosperity, and freedom of its members;

(4) the United States reaffirms its ironclad commitment—

(A) to NATO as the foundation of transatlantic security; and

(B) to upholding the obligations of the United States under the North Atlantic Treaty, done at Washington, DC, April 4, 1949, including Article 5 of the Treaty;

(5) the 2022 National Defense Strategy correctly highlights the criticality of alliances and partnerships, stating that “[m]utually-beneficial alliances and partnerships are an enduring strength for the United States, and are critical to achieving our objectives, as the unified response to Russia’s further invasion of Ukraine has demonstrated”;

(6) the Russian Federation’s premeditated and unprovoked invasion of Ukraine poses the most direct threat to security and stability in Europe since the end of World War II and requires the full attention of the NATO alliance;

(7) the unprovoked and illegal war conducted by the Russian Federation against Ukraine has fundamentally altered the concept of transatlantic security and requires—

(A) a reinvigorated commitment to the shared principles of the NATO alliance; and

(B) a commensurate response to deter further revanchism by the Russian Federation in the Euro-Atlantic region;

(8) as NATO refocuses its deterrence and defense posture to respond to the Russian Federation’s escalatory actions, allies must simultaneously address threats posed across all domains and all areas of the Euro-Atlantic region, including—

(A) threats posed by predatory investments and influence operations carried out by the People’s Republic of China;

(B) border disruptions emanating from Belarus; and

(C) the persistent threat of violent extremist organizations;

(9) to respond to aggression by the Russian Federation and address other threats, the NATO alliance should—

(A) assess opportunities to further bolster the NATO enhanced Forward Presence and enhanced Vigilance Activity battlegroups;

(B) focus efforts on burden sharing agreements made in the Wales Pledge, capability targets, contributions to NATO missions and operations, and resilience commitments;

(C) consider force posture adjustments to address emerging security concerns highlighted by the Russian Federation’s invasion of Ukraine;

(D) explore additional opportunities to strengthen cooperation with non-NATO countries to counter malign activities carried out by the Russian Federation;

(E) continue efforts to identify, coordinate, and deliver humanitarian aid and security assistance to Ukraine;

(F) intensify efforts to work with NATO allies to establish and enhance rapid and assured movement of military forces throughout the North Atlantic region and across the continent of Europe on land, on and under

the sea, and in the air, including through increased investment, coordination, and standardization intended to identify and reduce obstacles to the movement of United States and allied military forces in a time of crisis or conflict;

(G) reaffirm the open-door policy of NATO to allow any European country to apply for membership and be considered on its merits for admission, including—

(i) aspirants such as Ukraine, Georgia, and Bosnia and Herzegovina; and

(ii) Finland and Sweden, which in the wake of the Russian Federation’s invasion of Ukraine, have sought NATO membership to further bolster their own security and the security of the Euro-Atlantic region; and

(H) continue efforts to evaluate whether the NATO alliance is sufficiently funded and resourced to carry out its objectives;

(10) the United States and fellow NATO allies should continue long-term efforts—

(A) to improve interoperability among the military forces of NATO allies and non-NATO allies so as to enhance effective and efficient collective operations, including by the divestment of Soviet-era platforms;

(B) to strive for continued progress on key initiatives set forth in recent NATO summits, including readiness, military mobility, multi-domain operations, and resilience;

(C) to enhance security sector cooperation and explore opportunities to reinforce civil sector preparedness and resilience measures, which may be likely targets of malign influence and hybrid campaigns;

(D) to mitigate the impact of hybrid warfare operations, particularly such operations in the information and cyber domains;

(E) to expand joint research and development initiatives, with a focus on emerging technologies such as quantum computing, artificial intelligence, and machine learning;

(F) to enhance interoperability, build institutional capacity, and strengthen the collective ability of NATO allies to resist malign influence from the Russian Federation and the People’s Republic of China; and

(G) to coordinate and de-conflict security efforts and the dedication of resources with the European Union—

(i) to ensure the fulfillment of European Union and NATO common interests and objectives; and

(ii) to minimize unnecessary overlaps;

(11) the European Deterrence Initiative remains critically important, including for purposes of strengthening allied and partner capability and power projection along the eastern flank of NATO, and has demonstrated its unique value during the current Russian Federation attack on Ukraine;

(12) NATO should maintain cooperation on COVID-19 pandemic response efforts and expand cooperation for future pandemic and disaster preparedness;

(13) the policy of the United States should be to work with NATO and other allies and partners to build permanent mechanisms to strengthen supply chains, enhance supply chain security, fill supply chain gaps, and maintain commitments made at the June 2020 NATO Defense Ministerial, particularly with respect to pandemic response preparations;

(14) the United States and NATO should expand cooperation efforts on cybersecurity issues to prevent adversaries and criminals from compromising critical systems and infrastructure; and

(15) the adoption by NATO of a robust strategy toward the Black Sea is in the interest of the United States, and the United States should consider collaborating with interested allies and partner countries to advance a coordinated strategy that includes diverse elements of the transatlantic security architecture.

SEC. 1238. SENSE OF THE SENATE ON UKRAINE.

It is the sense of the Senate that—

(1) the United States stands with the people of Ukraine as they defend their freedom and sovereignty and the pursuit of further Euro-Atlantic integration;

(2) the Russian Federation's premeditated and unprovoked invasion of Ukraine—

(A) fully violates the territorial sovereignty of Ukraine and the democratic aspirations of the people of Ukraine; and

(B) presents the gravest threat to transatlantic security since World War II;

(3) the Russian Federation continues to commit heinous acts against Ukrainian civilians and members of the military forces of Ukraine;

(4) the Russian Federation has no right or authority to veto Ukraine's pursuit of membership in the North Atlantic Treaty Organization (NATO), or the determination of any country to make its own decision to pursue such membership in accordance with NATO's open door policy;

(5) the United States, fellow NATO allies and partners, and the international community have—

(A) rallied support and coordinated assistance for Ukraine;

(B) bolstered NATO presence and engagement along NATO's eastern flank; and

(C) imposed a severe and far-reaching set of economic measures to respond to the Russian Federation's violation of the sovereignty and territorial integrity of Ukraine; and

(6) the United States should—

(A) continue to work closely with NATO allies and non-NATO allies and partners to support the ability of Ukraine to repel and rebuild from the Russian Federation's invasion, including by—

(i) continuing to provide the Government of Ukraine with targeted security, intelligence, and humanitarian assistance to strengthen the defenses of Ukraine and mitigate suffering wrought by the Russian Federation's brutality, consistent with the security interests of the United States;

(ii) coordinating sanctions, export restrictions, and other economic penalties against the Russian Federation and any country that enables the Russian Federation's invasion of Ukraine; and

(iii) supporting efforts to enhance the cybersecurity capabilities of Ukraine;

(B) consider whether further adjustments to United States strategy or military force posture within the area of responsibility of the United States European Command are necessitated by the upheaval of the security environment caused by the Russian Federation;

(C) explore opportunities to further strengthen partnerships with non-NATO partners in Europe;

(D) continue to support—

(i) efforts to counter disinformation; and

(ii) free media sources such as Voice of America and Radio Free Europe/Radio Liberty; and

(E) support energy diversification efforts across the Euro-Atlantic region to reduce the dependency on energy from the Russian Federation.

Subtitle D—Matters Relating to the Indo-Pacific Region

SEC. 1241. EXTENSION AND MODIFICATION OF PACIFIC DETERRENCE INITIATIVE.

(a) **EXTENSION.**—Subsection (c) of section 1251 of the 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 2022” and inserting “the National Defense Authorization Act for Fiscal Year 2023”; and

(2) by striking “fiscal year 2022” and inserting “fiscal year 2023”.

(b) **REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION AND STUDY ON COMPETITIVE STRATEGIES.**—Subsection (d)(1) of such section is amended—

(1) in subparagraph (A), by striking “fiscal years 2023 and 2024” and inserting “fiscal years 2024 and 2025”; and

(2) in subparagraph (B)—

(A) in clause (vi)(I)(aa)—

(i) in subitem (AA), by striking “to modernize and strengthen the” and inserting “to improve the posture and”; and

(ii) in subitem (FF)—

(I) by striking “to improve” and inserting “to modernize and improve”; and

(II) by striking the semicolon and inserting “; and”; and

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

“(vii) A budget display that compares the independent assessment of the Commander of the United States Pacific Command with the amounts contained in the budget display for the applicable fiscal year under subsection (f).”.

SEC. 1242. 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 2022” and inserting “fiscal year 2023”.

SEC. 1243. MODIFICATION OF INDO-PACIFIC MARITIME SECURITY INITIATIVE TO AUTHORIZE USE OF FUNDS FOR THE COAST GUARD.

Section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended by striking subsection (f) and inserting the following new subsection (f):

“(f) **AVAILABILITY OF FUNDS FOR COAST GUARD PERSONNEL AND CAPABILITIES.**—The Secretary of Defense may use funds made available under this section to facilitate the participation of Coast Guard personnel in, and the use of Coast Guard capabilities for, trainings, exercises, and other activities with foreign partners under this section.”.

SEC. 1244. DEFENSE OF TAIWAN.

(a) **DEFINITIONS.**—In this section:

(1) **DENY.**—The term “deny” means to use combined joint operations to delay, degrade, and ultimately defeat an attempt by the People's Republic of China to execute a fait accompli against Taiwan, resulting in—

(A) the termination of hostilities or at least the attempted fait accompli; or

(B) the neutralization of the ability of the People's Republic of China to execute a fait accompli against Taiwan.

(2) **FAIT ACCOMPLI.**—The term “fait accompli” refers to the strategy of the People's Republic of China for invading and seizing control of Taiwan before the United States Armed Forces can respond effectively, while simultaneously deterring an effective combined joint response by the United States Armed Forces by convincing the United States that mounting such a response would be prohibitively difficult or costly.

(b) **STATEMENT OF POLICY.**—Consistent with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.), it shall be the policy of the United States to maintain the ability of the United States Armed Forces to deny a fait accompli against Taiwan in order to deter the People's Republic of China from using military force to unilaterally change the status quo with Taiwan.

SEC. 1245. MULTI-YEAR PLAN TO FULFILL DEFENSIVE REQUIREMENTS OF MILITARY FORCES OF TAIWAN AND MODIFICATION OF ANNUAL REPORT ON TAIWAN ASYMMETRIC CAPABILITIES AND INTELLIGENCE SUPPORT.

(a) **MULTI-YEAR PLAN.**—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 and the American Institute in Taiwan, shall seek to engage with appropriate officials of Taiwan to develop and implement a multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined trainings, exercises, and planning activities, consistent with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.).

(b) **ELEMENTS.**—The plan required by subsection (a) shall include the following:

(1) An identification of the defensive capability gaps and capacity shortfalls of Taiwan.

(2) An assessment of the relative priority assigned by appropriate officials of Taiwan to address such capability gaps and capacity shortfalls.

(3) An explanation of the annual resources committed by Taiwan to address such capability gaps and capacity shortfalls.

(4) An assessment of—

(A) the defensive capability gaps and capacity shortfalls that could be addressed in a sufficient and timely manner by unilateral efforts of Taiwan; and

(B) the defensive capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner solely through unilateral efforts.

(5) An assessment of the capability gaps and capacity shortfalls described in paragraph (4)(B) that could be addressed in a sufficient and timely manner by—

(A) Department of Defense security assistance authorized by chapter 16 of title 10, United States Code;

(B) the Foreign Military Financing and Foreign Military Sales programs of the Department of State;

(C) the provision of excess defense articles pursuant to the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(D) section 614(a)(1) of the Foreign Assistance Act of 1961; or

(E) any other authority available to the Secretary of Defense or the Secretary of State.

(6) An identification of opportunities to build interoperability, combined readiness, joint planning capability, and share situational awareness among the United States, Taiwan, and other foreign partners and allies, as appropriate, through combined trainings, exercises, and planning activities, including—

(A) table-top exercises and wargames that allow operational commands to improve joint and combined war planning for contingencies involving a well-equipped adversary in a counter-intervention campaign;

(B) joint and combined exercises that test the feasibility of counter-intervention strategies, develop interoperability across services, and develop the lethality and survivability of combined forces against a well-equipped adversary;

(C) logistics exercises that test the feasibility of expeditionary logistics in an extended campaign with a well-equipped adversary;

(D) service-to-service exercise programs that build functional mission skills for addressing challenges posed by a well-equipped adversary in a counter-intervention campaign; and

(E) any other combined training, exercise, or planning activity with the military forces

of Taiwan that the Secretary of Defense considers relevant.

(c) MODIFICATION OF ANNUAL REPORT.—Section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1988) is amended—

(1) in subsection (a)—

(A) by striking paragraph (7);

(B) by redesignating paragraph (6) as paragraph (7);

(C) by inserting after paragraph (5) the following new paragraph (6):

“(6) With respect to capabilities and capacities the Secretary of Defense assesses to be most effective in deterring, defeating, or delaying military aggression by the People’s Republic of China, a prioritized list of capability gaps and capacity shortfalls of the military forces of Taiwan, including—

“(A) an identification of—

“(i) any United States, Taiwan, or ally or partner country defense production timeline challenge related to potential materiel solutions to such capability gaps;

“(ii) the associated investment costs of enabling expanded production for items currently at maximum production;

“(iii) the associated investment costs of, or mitigation strategies for, enabling export for items currently not exportable; and

“(iv) existing stocks of such capabilities in the United States and ally and partner countries;

“(B) the feasibility and advisability of procuring solutions to such gaps and shortfalls through United States allies and partners, including through co-development or co-production;

“(C) the feasibility and advisability of assisting Taiwan in the domestic production of solutions to capability gaps, including through—

“(i) the transfer of intellectual property; and

“(ii) co-development or co-production arrangements;

“(D) the estimated costs, expressed in a range of options, of procuring sufficient capabilities and capacities to address such gaps and shortfalls;

“(E) an assessment of the relative priority assigned by appropriate officials of Taiwan to each such gap and shortfall; and

“(F) a detailed explanation of the extent to which Taiwan is prioritizing the development, production, or fielding of solutions to such gaps and shortfalls within its overall defense budget.”;

(D) by redesignating paragraph (11) as paragraph (15); and

(E) by inserting after paragraph (10) the following new paragraphs:

“(11) An assessment of the implications of current levels of pre-positioned war reserve materiel on the ability of the United States to respond to a crisis or conflict involving Taiwan with respect to—

“(A) providing military or non-military aid to the Government of Taiwan; and

“(B) sustaining military installations and other infrastructure of the United States in the Indo-Pacific region.

“(12) An evaluation of the feasibility and advisability of establishing war reserve stockpiles for allies and pre-positioned facilities in Taiwan.

“(13) An assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report.

“(14) A summary of changes to pre-positioned war reserve materiel of the United States in the Indo-Pacific region since the preceding report.”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “PLAN” and inserting “PLANS”;

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and moving such subparagraphs 2 ems to the right;

(C) in the matter preceding subparagraph (A), as so redesignated, by striking “The Secretary” and inserting the following:

“(1) ASSISTANCE TO IMPROVE TAIWAN’S DEFENSIVE ASYMMETRIC CAPABILITIES.—The Secretary”; and

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

“(2) EXPEDITED MILITARY ASSISTANCE.—

“(A) IN GENERAL.—The Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall develop options for the United States to use, to the maximum extent practicable, existing authorities or programs to expedite military assistance to Taiwan in the event of a crisis or conflict.

“(B) ELEMENTS.—The plan required by subparagraph (A) shall include the following:

“(i) A list of defense articles of the United States that may be transferred to Taiwan during a crisis or conflict.

“(ii) A list of authorities that may be used to provide expedited military assistance to Taiwan during a crisis or conflict.

“(iii) An assessment of methods that could be used to deliver such assistance to Taiwan during a crisis or conflict, including—

“(I) the feasibility of employing such methods in different scenarios; and

“(II) recommendations for improving the ability of the Armed Forces to deliver such assistance to Taiwan.

“(iv) An assessment of any challenges in providing such assistance to Taiwan in the event of a crisis or conflict and recommendations for addressing such challenges.”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) by amending paragraph (2) to read as follows:

“(2) the plans required by subsection (b), and any updates to such plans, as determined by the Secretary of Defense; and”;

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

“(3) a report on—

“(A) the status of efforts to develop and implement a joint multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined trainings, exercises, and planning activities consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.); and

“(B) any other matter the Secretary considers necessary.”; and

(4) in subsection (d), by striking “report” and inserting “reports”.

SEC. 1246. ENHANCING MAJOR DEFENSE PARTNERSHIP WITH INDIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall direct appropriate personnel within the Department of Defense to seek to engage their counterparts within the Ministry of Defence of India for the purpose of expanding cooperation on emerging technologies, readiness, and logistics.

(b) TOPICS.—At a minimum, the personnel described in subsection (a) shall seek to engage their counterparts in the Ministry of Defence of India on the following topics:

(1) Intelligence collection capabilities.

(2) Unmanned aerial vehicles.

(3) Fourth and fifth generation aircraft.

(4) Depot-level maintenance.

(5) Joint research and development.

(6) 5G and Open Radio Access Network technologies.

(7) Cyber.

(8) Cold-weather capabilities.

(9) Any other matter the Secretary considers relevant.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide a briefing to the appropriate committees of Congress that includes—

(1) an assessment of the feasibility and advisability of expanding cooperation with the Ministry of Defence of India on the topics described in subsection (b);

(2) a description of other opportunities to expand cooperation with the Ministry of Defence of India on topics other than the topics described in such subsection;

(3) a description of any challenges, including agreements, authorities, and resourcing, that need to be addressed so as to expand cooperation with the Ministry of Defence of India on the topics described in such subsection;

(4) an articulation of security considerations to ensure the protection of research and development, intellectual property, and United States-provided equipment from being stolen or exploited by adversaries;

(5) an identification of opportunities for academia and private industry to participate in expanded cooperation with the Ministry of Defence of India; and

(6) 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, 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. 1247. ENHANCED INDICATIONS AND WARNING FOR DETERRENCE AND DISSUASION.

(a) ESTABLISHMENT OF PROGRAM FOR ENHANCED INDICATIONS AND WARNING.—

(1) IN GENERAL.—The Director of the Defense Intelligence Agency shall establish a program to increase warning time of potential aggression by adversary nation states, focusing especially on the United States Indo-Pacific Command and United States European Command areas of operations.

(2) DESIGNATION.—The program established under paragraph (1) shall be known as the “Program for Enhanced Indications and Warning” (in this section the “Program”).

(3) PURPOSE.—The purpose of the Program is to gain increased warning time to provide time for the Department to mount deterrence and dissuasion actions to persuade adversaries to refrain from aggression, including through potential revelations or demonstrations of capabilities and actions to create doubt in the minds of adversary leaders regarding the prospects for military success.

(b) HEAD OF PROGRAM.—

(1) IN GENERAL.—The Director shall appoint a defense intelligence officer to serve as the mission manager for the Program.

(2) DESIGNATION.—The mission manager for the Program shall be known as the “Program Manager for Enhanced Indications and Warning” (in this section the “Program Manager”).

(c) SOURCES OF INFORMATION AND ANALYSIS.—The Program Manager shall ensure that the Program makes use of all available sources of information, from public, commercial, and classified sources across the intelligence community and the Department of Defense, as well as advanced analytics, including artificial intelligence, to establish a

system capable of discerning deviations from normal patterns of behavior and activity that may indicate preparations for military actions.

(d) **INTEGRATION WITH OTHER PROGRAMS.**—

(1) **SUPPORT.**—The Program shall be supported by the Chief Digital and Artificial Intelligence Officer, the Maven project, by capabilities sponsored by the Office of the Under Secretary of Defense for Intelligence and Security, and programs already underway within the Defense Intelligence Agency.

(2) **AGREEMENTS.**—The Director shall seek to engage in agreements to integrate information and capabilities from other components of the intelligence community to facilitate the purpose of the Program.

(e) **BRIEFINGS.**—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter through 2027, the Program Manager shall provide the appropriate committees of Congress a briefing on the status of the activities of the Program.

(f) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the congressional defense committees; and

(B) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(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. 1248. PILOT PROGRAM TO DEVELOP YOUNG CIVILIAN DEFENSE LEADERS IN THE INDO-PACIFIC REGION.

(a) **IN GENERAL.**—The Secretary of Defense may establish, using existing authorities of the Department of Defense, a pilot program to enhance engagement of the Department with young civilian defense and security leaders in the Indo-Pacific region.

(b) **PURPOSES.**—The activities of the pilot program under subsection (a) shall include training of, and engagement with, young civilian leaders from foreign partner ministries of defense and other appropriate ministries with a national defense mission in the Indo-Pacific region for purposes of—

(1) enhancing bilateral and multilateral cooperation between—

(A) civilian leaders in the Department; and

(B) civilian leaders in foreign partner ministries of defense; and

(2) building the capacity of young civilian leaders in foreign partner ministries of defense to promote civilian control of the military, respect for human rights, and adherence to the law of armed conflict.

(c) **PRIORITY.**—In carrying out the pilot program under subsection (a), the Secretary of Defense shall prioritize engagement with civilian defense leaders from foreign partner ministries of defense who are 40 years of age or younger.

(d) **BRIEFINGS.**—

(1) **DESIGN OF PILOT PROGRAM.**—Not later than June 1, 2023, the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate committees of Congress on the design of the pilot program under subsection (a).

(2) **PROGRESS BRIEFING.**—Not later than December 31, 2023, and annually thereafter until the date on which the pilot program terminates under subsection (e), the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate committees of Congress on the pilot program that includes—

(A) a description of the activities conducted and the results of such activities;

(B) an identification of existing authorities used to carry out the pilot program;

(C) any recommendations related to new authorities or modifications to existing au-

thorities necessary to more effectively achieve the objectives of the pilot program; and

(D) any other matter the Secretary of Defense considers relevant.

(e) **TERMINATION.**—The pilot program under subsection (a) shall terminate on December 31, 2026.

(f) **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. 1249. CROSS-FUNCTIONAL TEAM FOR MATTERS RELATING TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) **ESTABLISHMENT.**—Using the authority provided pursuant to section 911(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 111 note), the Secretary of Defense shall establish a cross-functional team—

(1) to integrate Department of Defense efforts to address national security challenges posed by the People's Republic of China; and

(2) to ensure alignment across Department strategies, policies, resourcing, and fielding of relevant capabilities.

(b) **DUTIES.**—The duties of the cross-functional team established under subsection (a) shall be—

(1) to assist the Secretary with integrating Department efforts to address national security challenges posed by the People's Republic of China;

(2) to integrate the efforts of the Department regarding the People's Republic of China with the efforts of other relevant Federal departments and agencies; and

(3) to streamline and strengthen cooperation with United States allies and partners, particularly such allies and partners in the Indo-Pacific region.

(c) **TEAM LEADERSHIP.**—

(1) **IN GENERAL.**—The Secretary shall select an appropriate civilian official to lead the cross-functional team and a senior military officer to serve as the deputy to the civilian official so selected.

(2) **DIRECT REPORTING.**—The leadership of the cross-functional team shall report directly to the Secretary and the Deputy Secretary of Defense.

(d) **BRIEFING.**—Not later than 45 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on—

(1) the progress of the Secretary in establishing the cross-functional team; and

(2) the progress the team has made in—

(A) determining the roles and responsibilities of the organizations and elements of the Department with respect to the cross-functional team; and

(B) carrying out the duties under subsection (b).

SEC. 1250. REPORT ON BILATERAL AGREEMENTS SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION.

(a) **REPORT REQUIRED.**—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 adequacy of existing bilateral agreements between the United States and foreign governments that support the existing and planned military posture of the United States in the Indo-Pacific region.

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

(1) An accounting of existing bilateral agreements that support the military posture of the United States in the Indo-Pacific region, by country and type.

(2) An articulation of the need for new bilateral agreements, by country and type, to support a more distributed United States military posture in the Indo-Pacific region, as outlined by the Global Force Posture Review, including agreements necessary—

(A) to establish new cooperative security locations, forward operating locations, and other locations in support of distributed operations; and

(B) to enable exercises and a more rotational force presence.

(3) A description of the relative priority of the agreements articulated under paragraph (2).

(4) Any specific request, financial or otherwise, made by a foreign government or a Federal agency other than the Department of Defense that complicates the completion of such agreements.

(5) A description of Department activities planned for the current and subsequent fiscal year that are intended to contribute to the completion of such agreements.

(6) A description of the manner in which the necessity for such agreements is communicated to, and coordinated with, the Secretary of State.

(7) Any other matter the Secretary of Defense considers relevant.

SEC. 1251. SENSE OF THE SENATE ON SUPPORTING PRIORITIZATION OF THE PEOPLE'S REPUBLIC OF CHINA, THE INDO-PACIFIC REGION, AND TAIWAN.

It is the sense of the Senate that the Senate—

(1) supports the designations by the Department of Defense, as reflected in the 2022 National Defense Strategy and statements by Secretary of Defense Lloyd Austin and other senior Department officials, of—

(A) the People's Republic of China as the Department's pacing challenge;

(B) the Indo-Pacific as the Department's priority theater; and

(C) a Taiwan contingency as the Department's pacing scenario;

(2) underscores the importance of the Department continuing to prioritize the deterrence of aggression by the People's Republic of China, particularly in the form of an invasion of Taiwan by the People's Republic of China, as the Government of the People's Republic of China expands and modernizes the People's Liberation Army; and

(3) strongly urges the Department to manage force allocations across theaters to ensure, consistent with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.), that the United States Armed Forces maintain the ability to deny a fait accompli against Taiwan by the People's Republic of China in order to deter the People's Republic of China from using force to unilaterally change the status quo with Taiwan.

SEC. 1252. SENSE OF CONGRESS ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.

(a) **FINDINGS.**—Congress makes the following findings:

(1) 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.”

(2) The fact sheet accompanying the National Defense Strategy states, “[m]utually-beneficial Alliances and partnerships are an enduring strength for the United States, and are critical to achieving our objectives . . . the Department [of Defense] will incorporate ally and partner perspectives, competencies,

and advantages at every stage of defense planning.”.

(3) Chairman of the Joint Chiefs of Staff General Milley testified on April 7, 2022, that “our alliances and partnerships are our most significant asymmetric advantages and are key to maintaining the international rules-based order that offers the best opportunities for peace and prosperity for America and the globe.”.

(4) Commander of the United States Indo-Pacific Command Admiral Aquilino testified on March 10, 2022, that “a key U.S. asymmetric advantage that our security challenges do not possess is our network of strong alliances and partnerships. Because these relationships are based on shared values and people-to-people ties, they provide significant advantages such as long-term mutual trust, understanding, respect, interoperability, and a common commitment to a free and open Indo-Pacific.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress 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 and the threat of global pandemics, including COVID-19;

(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 asymmetric 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.

SEC. 1253. 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 with respect to which any producer or other person associated with the project—

(1) seeks pre-approval of the content of the project from any entity of the Government of the People's Republic of China or the Chinese Communist Party; or

(2) modifies or deletes in any way the content of the project as a result of any direction from any entity of the Government of the People's Republic of China or the Chinese Communist Party.

Subtitle E—Reports

SEC. 1261. REPORT ON FIFTH FLEET CAPABILITIES UPGRADES.

(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—

(1) capabilities upgrades necessary to enable the Fifth Fleet to address emerging threats in its area of responsibility; and

(2) any costs associated with such upgrades.

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

(1) An assessment of seaborne threats posed by Iran, and groups linked to Iran, to the military forces of United States allies and partners operating in the waters in and around the broader Middle East.

(2) A description of any capabilities upgrades necessary to enable the Fifth Fleet to address such threats.

(3) An estimate of the costs associated with any such upgrades.

(4) A description of any United States plan to deepen cooperation with other member countries of the Combined Maritime Forces at the strategic, policy, and functional levels

for the purpose of addressing such threats, including by—

(A) enhancing coordination on defense planning;

(B) improving intelligence sharing; and

(C) deepening maritime interoperability.

(c) BROADER MIDDLE EAST DEFINED.—In this section, the term “broader Middle East” means—

(1) the land around the southern and eastern shores of the Mediterranean Sea;

(2) the Arabian Peninsula;

(3) Iran; and

(4) North Africa.

Subtitle F—Other Matters

SEC. 1271. PROHIBITION ON PARTICIPATION IN OFFENSIVE MILITARY OPERATIONS AGAINST THE HOUTHIS IN YEMEN.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act shall be made available to provide for Department of Defense participation in offensive operations against the Houthis in Yemen by the coalition led by Saudi Arabia, unless a specific statutory authorization for such use of the United States Armed Forces has been enacted.

(b) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States;

(2) issues the waiver in writing; and

(3) not more than 5 days after issuing the waiver, submits to the Committees on Armed Services of the Senate and the House of Representatives a notification that includes the text of the waiver and a justification for the waiver.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit—

(1) United States counterterrorism cooperation with Saudi Arabia or the United Arab Emirates against al-Qaeda, the Islamic State of Iraq and Syria, or associated forces;

(2) support intended to assist Saudi Arabia, the United Arab Emirates, or other members of the Saudi-led coalition in defending against threats emanating from Yemen to their sovereignty or territorial integrity, the sovereignty or territorial integrity of any other United States partner or ally, or the safety of United States persons or property, including—

(A) threats from ballistic missiles, cruise missiles, or unmanned aerial vehicles; and

(B) explosive boat threats to international maritime traffic;

(3) the provision of humanitarian assistance; or

(4) the preservation of freedom of navigation.

(d) 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 two-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023, 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 United States Armed Forces has been enacted.”.

SEC. 1272. EXTENSION OF AUTHORITY FOR UNITED STATES-ISRAEL COOPERATION TO COUNTER UNMANNED AERIAL SYSTEMS.

Section 1278(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1702; 22 U.S.C. 8606 note) is amended by striking “December 31, 2024” and inserting “December 31, 2026”.

SEC. 1273. EXTENSION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.

Section 1213(a) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended by striking “December 31, 2023” and inserting “December 31, 2024”.

SEC. 1274. MODIFICATION OF SECRETARY OF DEFENSE STRATEGIC COMPETITION INITIATIVE.

(a) **AUTHORITY.**—Subsection (a) of section 1332 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 2007; 10 U.S.C. 301 note) is amended by striking “that advance” and all that follows through the period at the end and inserting “that—

“(1) advance United States national security objectives for strategic competition by supporting Department of Defense efforts to compete below the threshold of armed conflict; or

“(2) support other Federal departments and agencies in advancing United States interests relating to strategic competition.”.

(b) **AUTHORIZED ACTIVITIES AND PROGRAMS.**—Subsection (b) of such section is amended by adding at the end the following new paragraph:

“(5) Other activities or programs of the Department of Defense, including activities to coordinate with or support other Federal departments and agencies, that the Secretary of Defense determines would advance United States national security objectives for strategic competition.”.

SEC. 1275. ASSESSMENT OF CHALLENGES TO IMPLEMENTATION OF THE PARTNERSHIP AMONG AUSTRALIA, THE UNITED KINGDOM, AND THE UNITED STATES.

(a) **IN GENERAL.**—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center for the conduct of an independent assessment of resourcing, policy, and process challenges to implementing the partnership among Australia, the United Kingdom, and United States (commonly known as the “AUKUS partnership”) announced on September 21, 2021.

(b) **MATTERS TO BE CONSIDERED.**—In conducting the assessment required by subsection (a), the federally funded research and development center shall consider the following with respect to each of Australia, the United Kingdom, and the United States:

(1) Potential resourcing and personnel shortfalls.

(2) Information sharing, including foreign disclosure policy and processes.

(3) Statutory, regulatory, and other policies and processes.

(4) Intellectual property, including patents.

(5) Export controls, including technology transfer and protection.

(6) Security protocols and practices, including personnel, operational, physical, facility, cybersecurity, counterintelligence, marking and classifying information, and handling and transmission of classified material.

(7) Any other matter the Secretary considers appropriate.

(c) **RECOMMENDATIONS.**—The federally funded research and development center selected to conduct the assessment under this section

shall include, as part of such assessment, recommendations for improvements to resourcing, policy, and process challenges to implementing the AUKUS partnership.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than January 1, 2024, the Secretary shall submit to the congressional defense committees a report that includes an unaltered copy of such assessment, together with the views of the Secretary on the assessment and on the recommendations included in the assessment pursuant to subsection (c).

(2) **FORM OF REPORT.**—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. COOPERATIVE THREAT REDUCTION FUNDS.

(a) **FUNDING ALLOCATION.**—Of the \$341,598,000 authorized to be appropriated to the Department of Defense for fiscal year 2023 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, \$6,860,000.

(2) For chemical weapons destruction, \$15,000,000.

(3) For global nuclear security, \$18,090,000.

(4) For cooperative biological engagement, \$225,000,000.

(5) For proliferation prevention, \$45,890,000.

(6) For activities designated as Other Assessments/Administrative Costs, \$30,760,000.

(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 2023, 2024, and 2025.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2023 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 2023 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 2023 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 2023 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 2023 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. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) **IN GENERAL.**—Section 5 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting “under the authority of paragraph (3) or” after “Except for acquisitions made”; and

(ii) in the second sentence, by striking “for such acquisition” and inserting “for any acquisition of materials under this Act”; and

(B) by adding at the end the following:

“(3) Using funds appropriated for acquisition of materials under this Act, the National Defense Stockpile Manager may acquire materials determined to be strategic and critical under section 3(a) without regard to the requirement of the first sentence of paragraph (1) if the Stockpile Manager determines there is a shortfall of such materials in the stockpile.”; and

(2) in subsection (c), by striking “to carry out the purposes for which appropriated for a period of two fiscal years, if so provided in the appropriations Acts” and inserting “until expended, unless otherwise provided in appropriations Acts”.

(b) **INCREASE IN QUANTITIES OF MATERIALS TO BE STOCKPILED.**—Section 3(c)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(c)(2)) is amended—

(1) by amending the first sentence to read as follows: “The President shall notify Congress in writing of any increase proposed to be made in the quantity of any material to be stockpiled that involves the acquisition of additional materials for the stockpile.”;

(2) in the second sentence, by striking “the change after the end of the 45-day period” and inserting “the increase after the end of the 30-day period”; and

(3) in the third sentence, by striking “change” and inserting “increase”.

SEC. 1412. BRIEFINGS ON SHORTFALLS IN NATIONAL DEFENSE STOCKPILE.

Section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-5) is amended by adding at the end the following new subsection:

“(f)(1) Not later than March 1 each year, the National Defense Stockpile Manager shall provide to the congressional defense committees a briefing on strategic and critical materials that—

“(A) are determined to be in shortfall in the most recent report on stockpile requirements submitted under subsection (a); and

“(B) the acquisition or disposal of which is included in the annual materials plan for the operation of the stockpile during the next fiscal year submitted under section 11(b).

“(2) Each briefing required by paragraph (1) shall include—

“(A) a description of each material described in that paragraph, including the objective to be achieved if funding is provided, in whole or in part, for the acquisition of the material to remedy the shortfall;

“(B) an estimate of additional amounts required to provide such funding, if any; and

“(C) an assessment of the supply chain for each such material, including any assessment of any relevant risk in any such supply chain.”.

SEC. 1413. AUTHORITY TO ACQUIRE MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) **ACQUISITION AUTHORITY.**—Of the funds appropriated into the National Defense Stockpile Transaction Fund pursuant to the authorization of appropriations under subsection (c), the National Defense Stockpile Manager may use up to \$1,003,500,000 for acquisition of the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(1) Neodymium oxide, praseodymium oxide, and neodymium iron boron (NdFeB) magnet block.

(2) Titanium.

(3) Energetic materials.

(4) Iso-molded graphite.

(5) Grain-oriented electric steel.

(6) Tire cord steel.

(7) Cadmium zinc telluride.

(8) Any additional materials identified as stockpile requirements in the most recent report submitted to Congress under section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5).

(b) **FISCAL YEAR LIMITATION.**—The authority under subsection (a) is available for purchases during fiscal years 2023 through 2032.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the National Defense Stockpile Transaction Fund \$1,003,500,000 for the acquisition of strategic and critical materials under section 6(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e(a)).

(d) **COMPLIANCE WITH STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.**—Any acquisition using funds appropriated pursuant to the authorization of appropriations under subsection (c) shall be carried out in accordance with the provisions of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.).

Subtitle C—Other Matters

SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2023 from the Armed Forces Retirement Home Trust Fund the sum of \$152,360,000 for the operation of the Armed Forces Retirement Home.

SEC. 1422. 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, \$167,600,000 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 trans-

ferred 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).

TITLE XV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1501. ADDITIONAL AUTHORITIES OF CHIEF OF SPACE OPERATIONS.

Section 9082(d) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking “; and” and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

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

“(7) be the force design architect for space systems of the armed forces.”.

SEC. 1502. COMPREHENSIVE STRATEGY FOR THE SPACE FORCE.

(a) **STRATEGIC OBJECTIVES.**—The Secretary of the Air Force and the Chief of Space Operations shall jointly develop strategic objectives required to organize, train, and equip the Space Force, including objectives that emphasize achieving and maintaining—

(1) United States space superiority;

(2) global communications, command and control, and intelligence, surveillance, and reconnaissance for the combatant commands and the respective components of the combatant commands; and

(3) the retention, development, and deployment of Space Force capabilities to meet the full range of joint warfighting space requirements of the combatant commands.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than June 30, 2023, the Secretary and the Chief shall jointly submit to the congressional defense committees a report on the strategic objectives developed under subsection (a).

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of the strategic objectives developed under subsection (a).

(B) A specific and detailed plan for achieving such strategic objectives that includes—

(i) a budget plan;

(ii) a ground-based infrastructure plan;

(iii) a space architecture plan; and

(iv) a systems acquisitions plan.

(C) An identification of units and resources from other Department of Defense organizations, as applicable, required by the Space Force to achieve and implement such strategic objectives efficiently and effectively.

(D) A plan to provide the number of general officer and senior executive service positions required to meet the needs of the Space Force, and a justification for such number.

(3) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(4) **PUBLIC AVAILABILITY.**—Not later than 5 days after the date on which the report is submitted, the Secretary and the Chief shall make the unclassified form of the report available to the public on an internet website of the Department of Defense.

(c) **BRIEFING.**—Not later than 30 days after the date on which the report is submitted, the Secretary and the Chief shall provide a briefing to the congressional defense committees on—

(1) the information contained in the report; and

(2) the plan of the Department of the Air Force to provide the Space Force with the

resources required to achieve the objectives described in the report.

(d) **SPACE SUPERIORITY DEFINED.**—In this section, the term “space superiority” means the degree of control in space of one force over any others that permits the conduct of its operations at a given time and place without prohibitive interference from terrestrial or space-based threats.

SEC. 1503. REVIEW OF SPACE DEVELOPMENT AGENCY EXEMPTION FROM JOINT CAPABILITIES INTEGRATION AND DEVELOPMENT SYSTEM.

(a) **IN GENERAL.**—Not later than March 31, 2023, the Secretary of Defense shall complete a review of the exemption of the Space Development Agency from the Joint Capabilities Integration and Development System.

(b) **RECOMMENDATION.**—Not later than 30 days after the date on which the review under subsection (a) is completed, the Secretary of Defense shall submit to the congressional defense committees a recommendation as to whether such exemption should continue to apply to the Space Development Agency.

(c) **IMPLEMENTATION.**—Not later than 60 days after the date on which the recommendation is submitted under subsection (b), the Secretary of the Air Force and the Director of the Space Development Agency shall implement the recommendation.

SEC. 1504. APPLIED RESEARCH AND EDUCATIONAL ACTIVITIES TO SUPPORT SPACE TECHNOLOGY DEVELOPMENT.

(a) **IN GENERAL.**—The Secretary of the Air Force and the Chief of Space Operations, in coordination with the Chief Technology and Innovation Office of the Space Force, may carry out applied research and educational activities to support space technology development.

(b) **ACTIVITIES.**—Activities carried out under subsection (a) shall support the applied research, development, and demonstration needs of the Space Force, including by addressing and facilitating the advancement of capabilities related to—

(1) space domain awareness;

(2) positioning, navigation, and timing;

(3) communications;

(4) hypersonics;

(5) cybersecurity; and

(6) any other matter the Secretary of the Air Force considers relevant.

(c) **EDUCATION AND TRAINING.**—Activities carried out under subsection (a) shall—

(1) promote education and training for students so as to support the future national security space workforce of the United States; and

(2) explore opportunities for international collaboration.

(d) **TERMINATION.**—The authority provided by this section shall expire on December 31, 2027.

SEC. 1505. CONTINUED REQUIREMENT FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.

In carrying out Phase 2 of the acquisition strategy for the National Security Space Launch program, the Secretary of the Air Force shall ensure that launch services are procured only from launch service providers that use launch vehicles meeting Federal requirements with respect to required payloads to reference orbits.

SEC. 1506. EXTENSION OF ANNUAL REPORT ON SPACE COMMAND AND CONTROL.

Section 1613(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1731) is amended by striking “2025” and inserting “2030”.

SEC. 1507. MODIFICATION OF REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR SEGMENTS OF MAJOR SATELLITE ACQUISITIONS PROGRAMS AND FUNDING FOR SUCH PROGRAMS.

Section 2275(f) of title 10, United States Code, is amended by striking paragraph (3).

SEC. 1508. UPDATE TO PLAN TO MANAGE INTEGRATED TACTICAL WARNING AND ATTACK ASSESSMENT SYSTEM AND MULTI-DOMAIN SENSORS.

(a) **UPDATE REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall update the plan that was developed pursuant to section 1669 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

(b) **COORDINATION WITH OTHER AGENCIES.**—In developing the update required by subsection (a), the Secretary shall—

(1) coordinate with the Secretary of the Army, the Secretary of the Navy, the Director of the Missile Defense Agency, the Director of the National Reconnaissance Office, and the Director of the Space Development Agency; and

(2) solicit comments on the plan, if any, from the Commander of United States Strategic Command, the Commander of United States Northern Command, and the Commander of United States Space Command.

(c) **SUBMITTAL TO CONGRESS.**—Not later than 90 days after the update required by subsection (a) is complete, the Secretary of the Air Force shall submit to the congressional defense committees—

(1) the plan updated pursuant to subsection (a); and

(2) the comments from the Commander of United States Strategic Command, the Commander of United States Northern Command, and the Commander of United States Space Command, if any, solicited under subsection (b)(2).

Subtitle B—Nuclear Forces

SEC. 1511. MATTERS RELATING TO ROLE OF NUCLEAR WEAPONS COUNCIL WITH RESPECT TO BUDGET FOR NUCLEAR WEAPONS PROGRAMS.

(a) **REPEAL OF TERMINATION OF NUCLEAR WEAPONS COUNCIL CERTIFICATION AND REPORTING REQUIREMENT.**—Section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 111 note) is amended by striking paragraph (10).

(b) **MODIFICATION TO RESPONSIBILITIES OF NUCLEAR WEAPONS COUNCIL.**—Section 179(d)(9) of title 10, United States Code, is amended by inserting “, in coordination with the Joint Requirements Oversight Council,” after “capabilities, and”.

(c) **AMENDMENT TO BUDGET AND FUNDING MATTERS FOR NUCLEAR WEAPONS PROGRAMS.**—

(1) **IN GENERAL.**—Section 179(f) of title 10, United States Code, is amended—

(A) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(B) striking the heading and inserting the following:

“**BUDGET AND FUNDING MATTERS.**—(1)(A) The Council shall review each budget request transmitted by the Secretary of Energy to the Council under section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) and make a determination regarding the adequacy of each such request.

“(B) Not later than 30 days after making a determination described in subparagraph (A), the Council shall notify Congress that such a determination has been made.”; and

(C) by striking paragraph (7), as so redesignated, and inserting the following new paragraph (7):

“(7) If a House of Congress adopts a bill authorizing or appropriating funds for the Department of Defense that, as determined by the Council, provides funds in an amount that will result in a delay in the nuclear certification or delivery of F-35A dual-capable aircraft, the Sentinel weapon system, the Columbia class ballistic missile submarine, the Long Range Standoff Weapon, the B-21 Raider long range bomber, a modernized nuclear command, control, and communications system, or other such nuclear weapons delivery or communications systems in development as of January 1, 2022, the Council shall notify the congressional defense committees of the determination.”.

(2) **TRANSFER OF DETERMINATION OF ADEQUACY REQUIREMENT.**—Subparagraph (B) of section 4717(a)(2) of the Atomic Energy Defense Act (50 U.S.C. 2757) is—

(A) transferred to section 179(f) of title 10, United States Code, as amended by paragraph (1);

(B) inserted after paragraph (1)(A) of such section; and

(C) amended—

(i) by moving such subparagraph 4 ems to the left;

(ii) by striking “**DETERMINATION OF ADEQUACY.**—” and all that follows through “(i) **INADEQUATE REQUESTS.**—” and inserting “(i)”;

(iii) in clause (i), by striking “paragraph (1)” and inserting “section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)”;

(iv) in clause (ii)—

(I) by moving such clause 6 ems to the left;

(II) by striking the heading; and

(III) by striking “paragraph (1)” and inserting “section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)”;

(v) in clause (iii)—

(I) by moving such clause 6 ems to the left; and

(II) by striking the heading.

(d) **MODIFICATION OF BUDGET REVIEW BY NUCLEAR WEAPONS COUNCIL.**—Section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) **REVIEW.**—The Council shall review each budget request transmitted to the Council under paragraph (1) in accordance with section 179(f) of title 10, United States Code.”; and

(B) in paragraph (3)(A)—

(i) in the matter preceding clause (i), by striking “paragraph (2)(B)(i)” and inserting “section 179(f)(1)(B)(i) of title 10, United States Code.”; and

(ii) in clause (i), by striking “the description under paragraph (2)(B)(i)” and inserting “that description”;

(2) in subsection (b)—

(A) by striking “**COUNCIL.**—” in the heading and all that follows through “At the time” and inserting “**COUNCIL.**—At the time”; and

(B) by striking paragraph (2).

SEC. 1512. DEVELOPMENT OF RISK MANAGEMENT FRAMEWORK FOR THE UNITED STATES NUCLEAR ENTERPRISE.

(a) **FRAMEWORK.**—Not later than June 1, 2023, the Under Secretary of Defense for Acquisition and Sustainment and the Administrator for Nuclear Security, in coordination with the other members of the Nuclear Weapons Council, shall develop a joint risk management framework—

(1) to periodically identify, analyze, and respond to risks that affect the nuclear enterprise of the United States; and

(2) to report, internally to other members of the Nuclear Weapons Council and externally to relevant stakeholders, such risks and any associated mitigation efforts.

(b) **ELEMENTS.**—The framework required by subsection (a) shall address—

(1) programs to sustain and modernize the nuclear weapons stockpile of the United States;

(2) efforts to sustain and recapitalize infrastructure and facilities of the National Nuclear Security Administration that support programs of the Department of Defense;

(3) programs to sustain and modernize nuclear weapons delivery systems of the Department of Defense; and

(4) programs to sustain and modernize the nuclear command, control, and communications infrastructure of the United States.

(c) **SUBJECT MATTER EXPERTISE.**—The Under Secretary and the Administrator shall draw upon public and private sector resources to inform the development of the framework required by subsection (a), including by leveraging, to the maximum extent possible, the program management expertise within the Defense Acquisition University.

(d) **BRIEFINGS.**—The Under Secretary and the Administrator shall jointly brief the congressional defense committees—

(1) not later than February 1, 2023, on the progress made toward developing the framework required by subsection (a); and

(2) not later than June 30, 2023, on the completed framework.

SEC. 1513. BIENNIAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.

Chapter 24 of title 10, United States Code, is amended by inserting after section 492a the following new section:

“SEC. 492b. BIENNIAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.

“(a) **IN GENERAL.**—On or about May 1 and November 1 of each calendar year, the officials specified in subsection (b) shall brief the Committees on Armed Services of the Senate and the House of Representatives on matters relating to nuclear weapons policies, operations, technology development, and other similar topics as requested by such committees.

“(b) **OFFICIALS SPECIFIED.**—The officials specified in this subsection are the following:

“(1) the Assistant Secretary of Defense for Acquisition.

“(2) the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs.

“(3) the Assistant Secretary of Defense for Space Policy.

“(4) the Deputy Administrator for Defense Programs of the National Nuclear Security Administration.

“(5) the Director for Strategy, Plans, and Policy (J5) of the Joint Staff.

“(6) the Director for Capability and Resource Integration (J8) for the United States Strategic Command.

“(c) **DELEGATION.**—An official specified in subsection (b) may delegate the authority to provide a briefing required by subsection (a) to any employee of such official who is a member of the Senior Executive Service.

“(d) **TERMINATION.**—This section terminates on January 1, 2028.”.

SEC. 1514. PLAN FOR DEVELOPMENT OF REENTRY VEHICLES.

(a) **IN GENERAL.**—The Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Administrator for Nuclear Security and the Under Secretary of Defense for Research and Engineering, shall produce a plan for the development, during the 20 year period beginning on the date of the enactment of this Act, of—

(1) the Mark 21A reentry vehicle for the Air Force;

(2) the Mark 7 reentry vehicle for the Navy; and

(3) any other reentry vehicles for—

(A) the Sentinel intercontinental ballistic missile weapon system;

(B) the Trident II (D5) submarine-launched ballistic missile, or subsequent missile; and

(C) any other long range ballistic or hypersonic strike missile that may rely upon technologies similar to the technologies used in the missiles described in subparagraphs (A) and (B).

(b) ELEMENTS.—The plan required by subsection (a) shall—

(1) with respect to the development of each reentry vehicle described in subsection (a), describe—

(A) timed phases of production for the reentry aeroshell and the planned production and fielding of the reentry vehicle;

(B) the required developmental and operational testing capabilities and capacities, including such capabilities and capacities of the reentry vehicle;

(C) the technology development and manufacturing capabilities that may require use of authorities under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.); and

(D) the industrial base capabilities and capacities, including the availability of sufficient critical materials and staffing to ensure adequate competition between entities developing the reentry vehicle;

(2) provide estimated cost projections for the development of the first operational reentry vehicle and the production of subsequent reentry vehicles to meet Navy and Air Force requirements; and

(3) provide for the coordination with and account for the needs of the development by the Department of Defense of hypersonic systems using materials, staffing, and an industrial base similar to that required for the development of reentry vehicles described in subsection (a).

(c) ASSESSMENTS.—

(1) COST PROJECTIONS.—The Director of the Office of Cost Assessment and Program Evaluation of the Department of Defense and the Director of the Office of Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall jointly conduct an assessment of the costs of the plan required by subsection (a).

(2) TECHNOLOGY AND MANUFACTURING READINESS.—The Under Secretary of Defense for Acquisition and Sustainment shall enter into an agreement with a federally funded research and development center to conduct an assessment of the technology and manufacturing readiness levels with respect to the plan required by subsection (a).

(d) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees the plan required by subsection (a) and the assessments required by subsection (c).

SEC. 1515. INDUSTRIAL BASE MONITORING FOR B-21 AND SENTINEL PROGRAMS.

(a) IN GENERAL.—The Secretary of the Air Force, acting through the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, shall designate a senior official to monitor the combined industrial base supporting the acquisition of B-21 aircraft and Sentinel programs.

(b) REQUIREMENTS FOR MONITORING.—In monitoring the combined industrial base described in subsection (a), the senior official designated under that subsection shall—

(1) appoint individuals to key staff positions;

(2) monitor the acquisition of—

(A) personnel with critical skills;

(B) materials, technologies, and components associated with nuclear weapons systems; and

(C) commodities purchased on a large scale; and

(3) assess whether public and private personnel with critical skills and knowledge, intellectual property on manufacturing processes, and facilities and equipment necessary to design, develop, manufacture, repair, and support a program are available and affordable within the scopes of the B-21 aircraft and Sentinel programs.

(c) ANNUAL REPORT.—Contemporaneously with the submission of the budget of the President pursuant to section 1105(a) of title 31 for a fiscal year, the Secretary shall submit to the congressional defense committees a report with respect to the status of the combined industrial base described in subsection (a).

SEC. 1516. ESTABLISHMENT OF INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE FOR SENTINEL PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Air Force Global Strike Command a directorate to be known as the Sentinel Intercontinental Ballistic Missile Site Activation Task Force (referred to in this section as the “Task Force”).

(2) SITE ACTIVATION TASK FORCE.—The Task Force shall serve as the Site Activation Task Force (as that term is defined in Air Force Instruction 10-503, updated October 14, 2020) for purposes of overseeing the construction of fixed facilities and emplacements and the installation and checkout of supporting subsystems and equipment leading to the deployment and achievement of full operational capability of the LGM-35A Sentinel intercontinental ballistic missile weapon system at each intercontinental ballistic missile wing for use by the Air Force Global Strike Command in support of plans and operations of the United States Strategic Command.

(b) DIRECTOR.—

(1) IN GENERAL.—The Task Force shall be headed by the Director of Intercontinental Ballistic Missile Modernization (referred to in this section as the “Director”).

(2) APPOINTMENT.—

(A) IN GENERAL.—The Secretary of the Air Force shall appoint the Director from among general officers (as defined in section 101(b) of title 10, United States Code) of the Air Force.

(B) QUALIFICATIONS.—In appointing the Director, the Secretary of the Air Force shall give preference to individuals with expertise in large construction projects.

(3) TERM OF OFFICE.—

(A) TERM.—The Director shall be appointed for a term of three years. The Secretary may reappoint the Director for one additional three-year term.

(B) REMOVAL.—The Secretary may remove the Director for cause at any time.

(4) DUTIES OF THE DIRECTOR.—The Director shall—

(A) oversee—

(i) the deployment of the LGM-35A Sentinel intercontinental ballistic missile weapon system; and

(ii) the retirement of the LGM-30G Minuteman III intercontinental ballistic missile weapon system; and

(B) subject to the authority, direction, and control of the Commander of the Air Force Global Strike Command, the Chief of Staff of the Air Force, and the Secretary of the Air Force, prepare, justify, and execute the personnel, operation and maintenance, and construction budgets for such deployment and retirement.

(c) REPORTS.—

(1) REPORT TO SECRETARIES.—Not later than one year after the date of the enactment of this Act, and annually thereafter,

the Director, in consultation with the milestone decision authority (as defined in section 2366a(d) of title 10, United States Code) for the LGM-35A Sentinel intercontinental ballistic missile program, shall submit to the Secretary of the Air Force and the Secretary of Defense a report on the progress of the Air Force in achieving initial and full operational capability for the LGM-35A Sentinel intercontinental ballistic missile weapon system.

(2) REPORT TO CONGRESS.—Not later than 30 days after receiving a report required by paragraph (1), the Secretary of the Air Force and the Secretary of Defense jointly shall transmit the report to the congressional defense committees.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) QUARTERLY BRIEFING.—Not later than one year after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall brief the congressional defense committees with respect to progress made on activities by the Task Force to bring the LGM-35A Sentinel intercontinental ballistic missile weapon system to operational capability at each intercontinental ballistic missile wing.

(d) WEAPON SYSTEM DESIGNATION.—

(1) IN GENERAL.—For purposes of nomenclature and life cycle maintenance, each wing level configuration of the LGM-35A Sentinel intercontinental ballistic missile shall be considered a weapon system.

(2) DEFINITIONS.—In this subsection:

(A) WEAPON SYSTEM.—The term “weapon system” has the meaning given the term in Department of the Air Force Pamphlet 63-128, updated February 3, 2021.

(B) WING LEVEL CONFIGURATION.—The term “wing level configuration” means the complete arrangement of subsystems and equipment of the LGM-35A Sentinel intercontinental ballistic missile required to function as a wing.

(e) TERMINATION.—The Task Force shall terminate not later than 90 days after the Commander of the United States Strategic Command and the Commander of the Air Force Global Strike Command (or the heads of successor agencies of the United States Strategic Command and the Air Force Global Strike Command) jointly declare that the LGM-35A Sentinel intercontinental ballistic missile weapon system has achieved full operational capability.

SEC. 1517. SENSE OF THE SENATE AND BRIEFING ON NUCLEAR COOPERATION BETWEEN THE UNITED STATES AND THE UNITED KINGDOM.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States strategic nuclear deterrent, and the independent strategic nuclear deterrents of the United Kingdom and the French Republic, are the supreme guarantee of the security of the North Atlantic Treaty Organization (commonly referred to as “NATO”) and continue to underwrite peace and security for all members of the NATO alliance;

(2) the security of the NATO alliance also relies upon nuclear sharing arrangements that predate, and are fully consistent with, the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1960 (commonly referred to as the “Nuclear Non-Proliferation Treaty”);

(3) such arrangements provide for the forward deployment of United States nuclear weapons in Europe, along with the supporting capabilities, infrastructure, and dual-capable aircraft dedicated to the delivery of United States nuclear weapons, provided by European NATO allies;

(4) in parallel to the independent commitments of the United States and the United Kingdom to the enduring security of NATO, the nuclear programs of the United States and the United Kingdom have enjoyed significant collaborative benefits as a result of the cooperative relationship formalized in the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, signed at Washington July 3, 1958, and entered into force August 4, 1958, between the United States and the United Kingdom (commonly referred to as the “Mutual Defense Agreement”);

(5) the unique partnership between the United States and the United Kingdom has enhanced sovereign military and scientific capabilities, strengthened bilateral ties, and resulted in the sharing of costs;

(6) as the international security environment deteriorates and potential adversaries expand and enhance their nuclear forces, the extended deterrence commitments of the United Kingdom play an increasingly important role in supporting the security interests of the United States and allies of the United States and the United Kingdom;

(7) additionally, the extension of the nuclear deterrence commitments of the United Kingdom to members of the NATO alliance strengthens collective security while reducing the burden placed on United States nuclear forces to deter potential adversaries and assure allies of the United States;

(8) it is in the national security interest of the United States to support the United Kingdom with respect to the decision of the Government of the United Kingdom to maintain its nuclear forces to deter countries that are “significantly increasing and diversifying their nuclear arsenals” and “investing in novel nuclear technologies and developing new ‘warfighting’ nuclear systems” that could threaten NATO allies, as outlined in the March 2021 report of the Government of the United Kingdom entitled, “Global Britain in a Competitive Age: The Integrated Review of Security, Defence, Development and Foreign Policy”;

(9) as the United States continues to modernize its aging nuclear forces to ensure its ability to continue to field a nuclear deterrent that is safe, secure, and effective, the United Kingdom faces a similar challenge;

(10) bilateral cooperation on such programs as the Trident II D5 weapons system, the common missile compartment for the future Dreadnought and Columbia classes of submarines, and the parallel development of the W93/Mk7 warhead of the United States and the replacement warhead of the United Kingdom, will allow the United States and the United Kingdom to responsibly address challenges within their legacy nuclear forces in a cost-effective manner that—

(A) preserves independent, sovereign control;

(B) is consistent with each country’s obligations under the Nuclear Non-Proliferation Treaty; and

(C) supports nonproliferation objectives; and

(11) continued cooperation between the nuclear programs of United States and the United Kingdom is essential to ensuring that the NATO alliance continues to be supported by credible nuclear forces capable of preserving peace, preventing coercion, and deterring aggression.

(b) BRIEFING.—Not later than March 4, 2023, the Under Secretary of Defense for Acquisition and Sustainment shall brief the Committees on Armed Services of the Senate and the House of Representatives on opportunities to further enhance and strengthen the bilateral partnership between the nuclear enterprises of the United States and the United Kingdom, including potential cooperation in

areas such as advanced manufacturing, microelectronics, supercomputing, and production modernization.

SEC. 1518. LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF REPORTS ON INTERCONTINENTAL BALLISTIC MISSILE FORCE.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Policy, not more than 50 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees the reports and documents required under section 1647 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 2097).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than the date specified in paragraph (2), the Secretary of Defense shall submit to the congressional defense committees—

(A) any covered review completed in 2021 or 2022; and

(B) a report summarizing any policy, programmatic, operational, or budgetary decisions of the Secretary of Defense arising from the results of any covered review completed in 2021 or 2022.

(2) DATE SPECIFIED.—The date specified in this paragraph is the latter of—

(A) the date that is 15 days after the date of the enactment of this Act; or

(B) the date that is 15 days after the President submits to Congress a budget for fiscal year 2023 pursuant to section 1105 of title 31, United States Code.

(3) COVERED REVIEW DEFINED.—In this section, the term “covered review” means any review initiated in 2021 or 2022 by an entity pursuant to an agreement or contract with the Federal Government regarding—

(A) a service life extension program for LGM-30G Minuteman III intercontinental ballistic missiles; or

(B) the future of the intercontinental ballistic missile force.

SEC. 1519. 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 2023 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. 1520. LIMITATION ON USE OF FUNDS FOR B83-1 RETIREMENT AND REPORT ON DEFEATING HARD AND DEEPLY BURIED TARGETS.

(a) LIMITATION ON USE OF FUNDS.—Except as provided in subsection (c), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Department of Defense or the Department of Energy for the purpose of deactivating, dismantling, or retiring the B83-1 nuclear gravity bomb may be obligated or expended until the Secretary of Defense and the Secretary of Energy submit to the Committees on Armed Services of

the Senate and the House of Representatives the report required by subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Energy, acting through the Nuclear Weapons Council established under section 179 of title 10, United States Code, and the Joint Requirements Oversight Council and in consultation with the Director of National Intelligence, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the defeat of hard and deeply buried targets.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a review of Department of Defense requirements for defeating hard and deeply buried targets, including facilities designed for the storage or manufacture of nuclear, chemical, and biological weapons and their precursors;

(B) an evaluation of the sufficiency of current and planned conventional and nuclear military capabilities to satisfy such requirements;

(C) an identification of likely future trajectories in the worldwide use and proliferation of hard and deeply buried targets;

(D) an assessment of the resources, research and development efforts, and capability options needed to ensure that the United States maintains the ability to defeat hard and deeply buried targets and other related requirements; and

(E) a determination of the capability and cost of each resource, effort, and option assessed under subparagraph (D).

(3) ASSESSMENT.—In order to perform the assessment required by paragraph (2)(D), the Secretary of Defense and the Secretary of Energy may conduct any limited research and development that either such Secretary determines is necessary to perform the assessment.

(4) FORM.—The report required under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) EXCEPTION.—The limitation on the use of funds under subsection (a) does not apply to the deactivation, dismantling, or retirement of B83-1 nuclear gravity bombs for the express purpose of supporting sustainment, life extension, or modification programs for other weapons currently in, or planned to become part of, the United States nuclear weapons stockpile.

SEC. 1521. LIMITATION ON USE OF FUNDS FOR NAVAL NUCLEAR FUEL SYSTEMS BASED ON LOW-ENRICHED URANIUM.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2023 for the National Nuclear Security Administration for the purposes 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.

(b) **REPORT REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on activities conducted using amounts made available for fiscal year 2022 for nonproliferation fuels development, including a description of any progress made toward technological or nonproliferation goals as a result of such activities.

SEC. 1522. FURTHER LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF ANALYSIS OF ALTERNATIVES FOR NUCLEAR SEA-LAUNCHED CRUISE MISSILE.

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Policy, not more than 75 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees the analysis and provides to such committees the briefing required by section 1641 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 2092).

SEC. 1523. MODIFICATION OF REPORTS ON NUCLEAR POSTURE REVIEW IMPLEMENTATION.

Section 491(c) of title 10, United States Code is amended—

(1) in the heading, by striking “2010” and inserting “2022”;

(2) in the matter preceding paragraph (1)—
(A) by striking “2012 through 2021” and inserting “2022 through 2031”;

(B) by striking “2010” and inserting “2022”;

(3) by striking paragraph (1) and inserting the following new paragraph (1.):

“(1) ensure that the report required by section 492a of this title is transmitted to Congress, if so required under such section.”.

SEC. 1524. MODIFICATION OF REQUIREMENTS FOR PLUTONIUM PIT PRODUCTION CAPACITY PLAN.

(a) **NOTIFICATION REQUIRED.**—Section 4219(c) of the Atomic Energy Defense Act (50 U.S.C. 2538a(c)) is amended—

(1) by striking “that subsection, by” and inserting the following: “that subsection—”

“(1) by not later than March 5 of such year, the Chairman of the Nuclear Weapons Council shall notify the congressional defense committees whether the Administration has provided the Nuclear Weapons Council with sufficient information to develop the plan required by paragraph (2); and

“(2) by”;

(2) by striking “subsection (a). Such plan” and inserting “subsection (a), which”.

(b) **LIMITATION ON USE OF FUNDS.**—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 75 percent may be obligated or expended until the Chairman of the Nuclear Weapons Council submits to the congressional defense committees a plan required by section 4219(c)(2) of the Atomic Energy Defense Act, as amended by subsection (a).

SEC. 1525. EXTENSION OF REQUIREMENT TO REPORT ON NUCLEAR WEAPONS STOCKPILE.

Section 492a(a)(1) of title 10, United States Code, is amended by striking “2024” and inserting “2029”.

SEC. 1526. EXTENSION OF REQUIREMENT FOR ANNUAL ASSESSMENT OF CYBER RESILIENCY OF NUCLEAR COMMAND AND CONTROL SYSTEM.

Section 499(e) of title 10, United States Code, is amended by striking “December 31, 2027” and inserting “December 31, 2032”.

SEC. 1527. EXTENSION OF REQUIREMENT FOR UNENCUMBERED URANIUM PLAN.

Section 4221(a) of the Atomic Energy Defense Act (50 U.S.C. 2538c(a)) is amended by striking “2026” and inserting “2030”.

SEC. 1528. EXTENSION OF PIT PRODUCTION ANNUAL CERTIFICATION.

Section 3120(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 2294) is amended in the matter preceding paragraph (1) by striking “2025” and inserting “2030”.

SEC. 1529. ELIMINATION OF OBSOLETE REPORTING REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION.

Section 3120 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 2292) is amended—

(1) by striking subsections (b), (c), (d), and (g);

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

(3) in subsection (b), as so redesignated—

(A) in the matter preceding paragraph (1), by striking “2025” and inserting “2029”;

(B) in paragraph (3), by inserting “, as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023” after “subsection (c)(1)”;

(4) in subsection (c), as so redesignated, by striking “subsection (e)” each place it appears and inserting “subsection (b)”.

SEC. 1530. 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) by striking “1043 of the National Defense Authorization Act for Fiscal Year 2012” and inserting “492a of this title”.

Subtitle C—Missile Defense

SEC. 1541. PERSISTENT CYBERSECURITY OPERATIONS FOR BALLISTIC MISSILE DEFENSE SYSTEMS AND NETWORKS.

(a) **PLAN.**—Not later than May 1, 2023, the Director of the Missile Defense Agency, in coordination with the Director for Operational Test and Evaluation, shall develop a plan to conduct persistent cybersecurity operations across all networks and information systems supporting the Ballistic Missile Defense System.

(b) **ELEMENTS.**—The plan required by subsection (a) shall include the following:

(1) An inventory of all networks and information systems that support the Ballistic Missile Defense System.

(2) A strategy—

(A) for coordinating with the applicable Combatant Commands on persistent cybersecurity operations; and

(B) in which the Director for Operational Test and Evaluation monitors and reviews such operations and provides independent assessments of their adequacy and sufficiency.

(3) A plan for how the Missile Defense Agency will respond to cybersecurity testing recommendations made by the Director for Operational Test and Evaluation.

(4) The timeline required to execute the plan.

(c) **BRIEFINGS.**—The Director of the Missile Defense Agency shall provide to the congressional defense committees a briefing—

(1) not later than May 15, 2023, on the plan developed under subsection (a); and

(2) not later than December 30, 2023, on progress made towards implementing such plan.

SEC. 1542. MIDDLE EAST INTEGRATED AIR AND MISSILE DEFENSE.

(a) **IN GENERAL.**—The Secretary of Defense shall seek to cooperate with allies and partners in the Middle East to identify an archi-

tecture and develop an acquisition approach for the countries specified in subsection (b) to implement an integrated air and missile defense capability to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(b) **COUNTRIES SPECIFIED.**—The countries specified in this subsection are as follows:

(1) Countries of the Gulf Cooperation Council.

(2) Iraq.

(3) Israel.

(4) Jordan.

(5) Egypt.

(6) Such other regional allies or partners of the United States as the Secretary may identify.

(c) **STRATEGY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a strategy on cooperation with allies and partners in the Middle East to identify an architecture and develop an acquisition approach for the countries specified in subsection (b) to implement an integrated air and missile defense capability to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(2) **CONTENTS.**—The strategy submitted under paragraph (1) shall include the following:

(A) An assessment of the threat of ballistic and cruise missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran to the countries specified in subsection (b).

(B) A description of current efforts to coordinate indicators and warnings from such attacks with the countries specified in subsection (b).

(C) A description of current systems to defend against attacks in coordination with the countries specified in subsection (b).

(D) An explanation of how an integrated air and missile defense architecture would improve collective security in the region covered by the countries specified in subsection (b).

(E) A description of efforts to engage specified foreign partners in establishing such an architecture.

(F) An identification of elements of the integrated air and missile defense architecture that—

(i) can be acquired and operated by specified foreign partners; and

(ii) can only be provided and operated by members of the Armed Forces.

(G) An identification of any challenges in establishing an integrated air and missile defense architecture with specified foreign partners.

(H) An assessment of progress, and key challenges, in the implementation of the strategy using such metrics identified under paragraph (4).

(I) Recommendations for improvements in the implementation of the strategy based on the metrics identified under paragraph (4).

(J) Such other matters as the Secretary considers relevant.

(3) **PROTECTION OF SENSITIVE INFORMATION.**—Any activity carried out under paragraph (1) shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States.

(4) **METRICS.**—The Secretary shall identify metrics to assess progress in the implementation of the strategy required in paragraph (1).

(5) **FORMAT.**—The strategy submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) **FEASIBILITY STUDY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this act, the Secretary of Defense shall—

(A) complete a study on the feasibility and advisability of establishing a fund for an integrated air and missile defense system to counter the threats from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks for the countries specified in subsection (b) from Iran and groups linked with Iran; and

(B) submit to the congressional defense committees the findings of the Secretary with respect to the study completed under subparagraph (A).

(2) **ASSESSMENT OF CONTRIBUTIONS.**—The study completed under paragraph (1)(A) shall include an assessment of funds that could be contributed by allies of the United States and countries that are partners with the United States.

SEC. 1543. DESIGNATION OF A DEPARTMENT OF DEFENSE INDIVIDUAL RESPONSIBLE FOR MISSILE DEFENSE OF GUAM.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior Department of Defense individual responsible for the missile defense of Guam.

(b) **DUTIES.**—The duties of the individual designated under subsection (a) shall include the following:

(1) Designing the architecture of the missile defense system for defending Guam.

(2) Overseeing development of an integrated missile defense acquisition strategy for the missile defense of Guam.

(3) Ensuring the military service and Defense agency component budgets are appropriate for the strategy described in paragraph (2).

(4) Siting the integrated missile defense system described in paragraph (2).

(5) Overseeing long-term acquisition and sustainment of the missile defense system for Guam.

(6) Such other duties as the Secretary considers appropriate.

(c) **PROGRAM TREATMENT.**—The integrated missile defense system referred to in subsection (b) shall be designated as special interest acquisition category 1D program and shall be managed as consistent with Department of Defense Instruction 5000.85 “Major Capability Acquisition”.

(d) **REPORT.**—Concurrent with the submittal of each budget of the President under section 1105(a) of title 31, United States Code, the individual designated under subsection (a) shall submit to the congressional defense committees a report on the actions taken by the individual to carry out the duties set forth under subsection (b).

(e) **TERMINATION.**—Subsections (a) and (d) shall terminate on the date that is three years after the date on which the individual designated under subsection (a) determines that the integrated missile defense system described in subsection (b)(2) has achieved initial operational capability.

SEC. 1544. MODIFICATION OF PROVISION REQUIRING FUNDING PLAN FOR NEXT GENERATION INTERCEPTORS FOR MISSILE DEFENSE OF UNITED STATES HOMELAND.

Section 1668 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in subsection (a)(2), by striking “at least 20” and inserting “no fewer than 64”;

(2) in subsection (b), by striking “fiscal year 2023” and inserting “fiscal year 2024”;

(3) in subsection (c)—

(A) in the matter before paragraph (1)—

(i) by striking “30 days prior to any” and inserting “90 days prior to implementation of a”; and

(ii) by striking “Director” and inserting “Secretary of Defense”; and

(B) in paragraph (2), by striking “Director” and inserting “Secretary”.

SEC. 1545. BIENNIAL BRIEFING ON MISSILE DEFENSE AND RELATED ACTIVITIES.

(a) **IN GENERAL.**—On or about June 1 and December 1 of each calendar year, the officials specified in subsection (b) shall brief the Committees on Armed Services of the Senate and the House of Representatives on matters relating to missile defense policies, operations, technology development, and other similar topics as requested by such committees.

(b) **OFFICIALS SPECIFIED.**—The officials specified in this subsection are the following:

(1) The Assistant Secretary of Defense for Acquisition.

(2) The Assistant Secretary of Defense for Space Policy.

(3) The Director of the Missile Defense Agency.

(4) The Director for Strategy, Plans, and Policy (J5) of the Joint Staff.

(c) **DELEGATION.**—An official specified in subsection (b) may delegate the authority to provide a briefing required by subsection (a) to any employee of such official who is a member of the Senior Executive Service.

(d) **TERMINATION.**—This section terminates on January 1, 2028.

SEC. 1546. IMPROVING ACQUISITION ACCOUNTABILITY REPORTS ON THE BALISTIC MISSILE DEFENSE SYSTEM.

Section 225 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C), by striking “and flight” and inserting “, flight, and cybersecurity”;;

(B) in paragraph (2), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) how the proposed capability satisfies a capability requirement or performance attribute identified through—

“(i) the missile defense warfighter involvement process, as governed by United States Strategic Command Instruction 538-03 or the document that amends or replaces it; or

“(ii) processes and products approved by the Joint Chiefs of Staff or Joint Requirements Oversight Council;”;

(C) in paragraph (3)—

(i) in subparagraph (C), by striking “; and” and inserting a semicolon;

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

(iii) by adding at the end the following new subparagraph:

“(E) an explanation for why a program joint cost analysis requirements description has not been prepared and approved, and, if a program joint cost analysis requirements description is not applicable, the rationale.”;

(2) in subsection (c)(2)—

(A) in subparagraph (B)(ii)—

(i) in subclause (I)—

(I) by striking “initial” and inserting “original”; and

(II) by striking “; and” and inserting a semicolon;

(ii) in subclause (II), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new subclause:

“(III) the most recent adjusted or revised acquisition baseline for such program element or major subprogram under subsection (d).”; and

(B) by adding at the end the following new subparagraph:

“(C)(i) In this paragraph, the term ‘original acquisition baseline’ means the first acquisition baseline created.

“(ii) An original acquisition baseline has no previous iterations; it has not been adjusted or revised.

“(iii) Any acquisition baselines resulting from adjustments or revisions to the original acquisition baseline shall not be considered the original acquisition baseline for the purposes of reporting under this section.

“(iv) Any acquisition baseline adjusted or revised pursuant to subsection (d) shall not be considered an original acquisition baseline.”;

(3) in subsection (e)—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) by paragraph (2), by striking the period at the end and inserting a semicolon; and

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

“(3) the amount of operations and sustainment costs (dollar value and base year) for which the military department or other Department entity is responsible; and

“(4)(A) a citation to the source (such as a joint cost estimate or one or more military department estimates) that captures the operations and sustainment costs for which a military department or other Department entity is responsible;

“(B) the date the source was prepared; and

“(C) if and when the source was independently verified by the Office for Cost Assessment and Program Evaluation.”;

(4) by adding at the end the following new subsections:

“(f) **TOTAL SYSTEM COSTS.**—(1) The Director shall identify the total system costs for each element that comprises the missile defense system, without regard to funding source or management control (such as the Missile Defense Agency, a military department, or other Department entity), in annual reports submitted under subsection (c).

“(2) The elements referred to in paragraph (1) shall include the following:

“(A) Research and development.

“(B) Procurement.

“(C) Military construction.

“(D) Operations and sustainment.

“(E) Disposal.

“(3) In this subsection, the term ‘total system costs’ means all combined costs from closed, canceled, and active acquisition baselines, as well as any costs shifted to or a part of future efforts without an established acquisition baseline, and any costs under the responsibility of a military department or other Department entity.”.

SEC. 1547. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI CO-OPERATIVE 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 2023 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 2023 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 2023 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 Committee on Foreign Affairs of the House of Representatives.

SEC. 1548. MAKING PERMANENT PROHIBITIONS RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

Section 130h of title 10, United States Code, is amended by striking subsection (e).

SEC. 1549. LIMITATION ON USE OF FUNDS UNTIL MISSILE DEFENSE DESIGNATIONS HAVE BEEN MADE.

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 90 percent may be obligated or expended until the date on which the Secretary notifies the congressional defense committees that designations required by section 1684(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) have been made.

Subtitle D—Other Matters

SEC. 1551. INTEGRATION OF ELECTRONIC WARFARE INTO TIER 1 AND TIER 2 JOINT TRAINING EXERCISES.

(a) IN GENERAL.—During fiscal years 2023 through 2027, the Chairman of the Joint Chiefs of Staff shall require that offensive and defensive electronic warfare capabilities be integrated into Tier 1 and Tier 2 joint training exercises.

(b) REQUIREMENT TO INCLUDE OPPOSING FORCE.—The Chairman shall require exercises conducted under subsection (a) to include an opposing force design based on a current intelligence assessment of the electronic warfare order of battle and capabilities of an adversary.

(c) WAIVER.—The Chairman may waive the requirement under subsection (a) with respect to an exercise if the Chairman determines that—

(1) the exercise does not require—

(A) a demonstration of electronic warfare capabilities; or

(B) a militarily significant threat from electronic warfare attack; or

(2) the integration of offensive and defensive electronic warfare capabilities into the exercise is cost prohibitive or not technically feasible based on the overall goals of the exercise.

(d) BRIEFING REQUIRED.—Concurrent with the submission of the budget of the President to Congress pursuant to section 1105(a) of title 31, United States Code, for fiscal years 2023 through 2027, the Chairman shall provide to the congressional defense committees a briefing on exercises conducted under subsection (a) that includes—

(1) a description of such exercises planned and included in the budget submission for that fiscal year; and

(2) the results of each such exercise conducted in the preceding fiscal year, including—

(A) the extent to which offensive and defensive electronic warfare capabilities were integrated into the exercise;

(B) an evaluation and assessment of the exercise to determine the impact of the adversary on the participants in the exercise, including—

(i) joint lessons learned;

(ii) high interest training issues; and

(iii) high interest training requirements; and

(C) whether offensive and defense electronic warfare capabilities were part of an overall joint fires and, if so, a description of how.

(e) DEFINITIONS.—In this section:

(1) JOINT FIRES.—The term “joint fires” has the meaning of that term as used in the publication of the Joint Staff entitled, “Insights and Best Practices Focus Paper on Integration and Synchronization of Joint Fires”, and dated July 2018.

(2) TIER 1; TIER 2.—The term “Tier 1” and “Tier 2”, with respect to joint training exercises, have the meanings given those terms in the Joint Training Manual for the Armed Forces of the United States (Document No. CJCSM 3500.03E), dated April 20, 2015.

SEC. 1552. RESPONSIBILITIES AND FUNCTIONS RELATING TO ELECTROMAGNETIC SPECTRUM OPERATIONS.

Section 1053(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 113 note), as amended by section 907 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81), is further amended—

(1) by striking paragraphs (1) and (2);

(2) by inserting the following new paragraph (1):

“(1) REPORT REQUIRED.—(A) Not later than March 31, 2023, the Secretary of Defense shall

submit to the congressional defense committees a report on the appropriate alignment of electromagnetic spectrum operations responsibilities and functions.

“(B) CONSIDERATIONS.—In developing the report required by subparagraph (A), the Secretary shall consider the following:

“(i) All appropriate entities that are in effect, including elements of the Joint Staff, the functional and geographic combatant commands, the offices and agencies of the Department of Defense, and other organizations and the establishment of a new entity for electromagnetic spectrum operations within any of the entities currently in effect.

“(ii) Whether electromagnetic spectrum operations organization should have unitary structure or hybrid structure (in which operational and capability development and direction are headed by separate organizations).

“(C) The resources required to fulfill the specified responsibilities and functions.”;

(3) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(4) in the subsection heading, by inserting “REPORTS AND PLANS CONCERNING” before “TRANSFER”.

SEC. 1553. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 1301(i) of title 10, United States Code, is amended by striking “2023” both places it appears and inserting “2026”.

SEC. 1554. DEPARTMENT OF DEFENSE SUPPORT FOR REQUIREMENTS OF THE WHITE HOUSE MILITARY OFFICE.

(a) MEMBERSHIP ON COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.—Section 171a(b) of title 10, United States Code, is amended by—

(1) redesignating paragraph (7) as paragraph (8); and

(2) inserting after paragraph (6) the following new paragraph (7):

“(7) The Director of the White House Military Office.”.

(b) ACQUISITION PORTFOLIO MANAGER.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall designate a senior official to oversee, coordinate, and advocate for the portfolio of Department of Defense acquisitions in support of requirements of the White House Military Office.

(c) ACCESSIBILITY OF INFORMATION.—The programmatic and budgetary information required to assess the efficacy of Department of Defense acquisitions supporting requirements of the White House Military Office shall be provided to the senior official designated under subsection (b) by the following officials:

(1) The Secretary of each military department.

(2) The Under Secretary of Defense for Policy.

(3) The Under Secretary of Defense for Research and Engineering.

(4) The Chairman of the Joint Chiefs of Staff.

(5) The Director of Cost Assessment and Program Evaluation.

(d) ANNUAL BRIEFING.—Not later than 30 days after the date on which the President submits to Congress a budget for each of fiscal years 2024 through 2027 pursuant to section 1105(a) of title 31, United States Code, the Under Secretary of Defense for Acquisition and Sustainment and the Director of the White House Military Office shall jointly brief the congressional defense committees on acquisition programs, plans, and other activities supporting the requirements of the White House Military Office.

TITLE XVI—CYBERSPACE-RELATED MATTERS

Subtitle A—Matters Relating to Cyber Operations and Cyber Forces

SEC. 1601. ANNUAL ASSESSMENTS AND REPORTS ON ASSIGNMENT OF CERTAIN BUDGET CONTROL RESPONSIBILITY TO COMMANDER OF UNITED STATES CYBER COMMAND.

(a) ANNUAL ASSESSMENTS.—

(1) IN GENERAL.—In fiscal year 2023 and not less frequently than once each fiscal year thereafter through fiscal year 2028, the Commander of United States Cyber Command, in coordination with the Principal Cyber Advisor of the Department of Defense, shall assess the implementation of the transition of responsibilities assigned to the Commander by section 1507(a)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81).

(2) ELEMENTS.—Each assessment carried out under paragraph (1) shall include the following:

(A) Assessment of the operational and organizational effect of the transition on the training, equipping, operation, sustainment, and readiness of the Cyber Mission Forces.

(B) Development of a description of the cyber systems, activities, capabilities, resources, and functions that have been transferred from the military departments to control of the Commander and those that have not been transitioned.

(C) Formulation of an opinion by the Commander as to whether the cyber systems, activities, capabilities, resources, and functions that have not been transitioned should be transitioned.

(D) Assessment of the adequacy of resources, authorities, and policies required to implement the transition, including organizational, functional, and personnel matters.

(E) Assessment of reliance on resources, authorities, policies, or personnel external to United States Cyber Command in support of the budget control of the Commander.

(F) Identification of any outstanding areas for transition.

(G) Such other matters as the Commander considers appropriate.

(b) ANNUAL REPORTS.—For each fiscal year in which the Commander conducted an assessment under subsection (a)(1), the Commander shall, not later than 90 days after the end of such fiscal year, 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 findings of the Commander with respect to such assessment.

SEC. 1602. ALIGNMENT OF DEPARTMENT OF DEFENSE CYBER INTERNATIONAL STRATEGY WITH NATIONAL DEFENSE STRATEGY AND DEPARTMENT OF DEFENSE CYBER STRATEGY.

(a) ALIGNMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Policy and in coordination with the Commander of United States Cyber Command, the Director of the Joint Staff J5, and the commanders of geographic combatant commands, undertake efforts to align the Department of Defense cybersecurity cooperation enterprise and the Department's cyberspace operational partnerships with the National Defense Strategy, Department of Defense Cyber Strategy, and the 2019 Department of Defense International Cyberspace Security Cooperation Guidance.

(b) ELEMENTS.—The alignment efforts required by subsection (a) shall include the following efforts within the Department of Defense:

(1) Efforts to build the Department's internal capacity to support international strat-

egy policy engagements with allies and partners.

(2) Efforts to coordinate and align cyberspace operations with foreign partners, including alignment between hunt forward missions and other cyber international strategy activities conducted by the Department, including identification of processes, working groups, and methods to facilitate coordination between geographic combatant commands and United States Cyber Command.

(3) Efforts to deliberately cultivate operational and intelligence-sharing partnerships with key allies and partners to advance the cyberspace operations objectives of the Department.

(4) Efforts to identify key allied and partner networks, infrastructure, and systems that the Joint Force will rely upon for warfighting and to—

(A) support the cybersecurity and cyber defense of those networks, infrastructure, and systems;

(B) build partner capacity to actively defend those networks, infrastructure, and systems;

(C) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems, such as when identified through hunt forward operations; and

(D) leverage United States commercial and military cybersecurity technology and services to harden and defend those networks, infrastructure, and systems.

(5) Efforts to secure United States mission partner environments and networks used to hold United States origin intelligence and information.

(6) Prioritization schemas, funding requirements, and efficacy metrics to drive cyberspace security investments in the tools, technologies, and capacity-building efforts that will have the greatest positive impact on the ability of the Department's resilience and ability to execute its operational plans and achieve integrated deterrence.

(c) ORGANIZATION.—The Under Secretary of Defense for Policy shall lead efforts to implement this section. In doing so, the Under Secretary shall consult with the Secretary of State, the National Cyber Director, the Director of Cybersecurity and Infrastructure Security Agency, and the Director of the Federal Bureau of Investigation, to align plans and programs as appropriate.

(d) ANNUAL BRIEFINGS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each fiscal year until September 30, 2025, the Under Secretary of Defense for Policy shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives annual briefings on the implementation of this section.

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

(A) An overview of efforts undertaken pursuant to this section.

(B) An accounting of all the Department's security cooperation activities germane to cyberspace and changes made pursuant to implementation of this section.

(C) A detailed schedule with target milestones and required expenditures for all planned activities related to the efforts described in subsection (b).

(D) Interim and final metrics for building the cyberspace security cooperation enterprise of the Department.

(E) Identification of such additional funding, authorities, and policies, as the Under Secretary determines may be required.

(F) Such recommendations as the Under Secretary may have for legislative action to

improve the effectiveness of cyberspace security cooperation of the Department with foreign partners and allies.

(e) **ANNUAL REPORT.**—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter until January 1, 2025, the Under Secretary of Defense for Policy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report summarizing the cyber international strategy activities of the Department, including within the cybersecurity cooperation enterprise of the Department and the cyber operational partnerships of the Department.

SEC. 1603. CORRECTING CYBER MISSION FORCE READINESS SHORTFALLS.

(a) **PLAN AND BRIEFING REQUIRED.**—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 shall jointly—

(1) develop a plan to correct readiness shortfalls in the Cyber Mission Forces;

(2) develop recommendations for such legislative action as the Secretary and the Chairman jointly consider appropriate to correct the readiness shortfalls described in paragraph (1); and

(3) provide the congressional defense committees a briefing on the plan developed under paragraph (1) and the recommendations developed under paragraph (2).

(b) **IMPLEMENTATION.**—Not later than 30 days after the date of the briefing provided under paragraph (3) of subsection (a), the Secretary and the Chairman shall commence implementation of the aspects of the plan developed under paragraph (1) of such subsection that are not dependent upon legislative action.

(c) **MATTERS TO BE ADDRESSED.**—In developing the plan, the Secretary and the Chairman shall consider and explicitly address through analysis the following potential courses of action, singly and in combination, to increase the availability of personnel in key work roles:

(1) Determining the correct number of personnel necessary to fill key work roles, including the proper force mix of civilian, military, and contractor personnel, and the means necessary to meet those requirements.

(2) Employing civilians rather than military personnel in key work roles.

(3) Expanding training capacity.

(4) Modifying or creating new training models.

(5) Maximizing use of compensation and incentive authorities, including increasing bonuses and special pays, and alternative compensation mechanisms.

(6) Modifying career paths and service policies to permit consecutive assignments in key work roles without jeopardizing promotion opportunities.

(7) Increasing service commitments following training commensurate with the value of the key work role training.

(8) Standardizing compensation models across the services.

(9) Requiring multiple rotations within the Cyber Mission Forces for key work roles.

(10) Adopting and implementing what are known as “rank in person” policies that enable civilian personnel to be promoted on the basis of skills and abilities demonstrated in a given position.

(d) **KEY WORK ROLES DEFINED.**—In this section, the term “key work roles” means work roles that consist of access development, tool development, and exploitation analysis.

SEC. 1604. CYBERSECURITY COOPERATION TRAINING AT JOINT MILITARY ATTACHE SCHOOL.

(a) **REFINING AND EXPANDING TRAINING.**—Not later than 270 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence and Security shall, in coordination with the Commander of United States Cyber Command and the Under Secretary of Defense for Policy, refine and expand current cybersecurity cooperation training at the Joint Military Attaché School.

(b) **ELEMENTS.**—The cybersecurity cooperation training developed under subsection (a) shall include the following:

(1) An overview of the different purposes of cyberspace engagements with partners and allies, including threat awareness, cybersecurity, mission assurance, and operations.

(2) An overview of the types of cybersecurity cooperation available for partners and allies of the United States, including bilateral and multilateral cyberspace engagements, information and intelligence sharing, training, and exercises.

(3) An overview of the United States Cyber Command cyberspace operations with partners, including an overview of the Hunt Forward mission and process.

(4) Description of roles and responsibilities of United States Cyber Command, the geographic combatant commands, and the Defense Security Cooperation Agency for cybersecurity cooperation within the Department of Defense.

(5) Such other matters as the Under Secretary of Defense for Intelligence and Security, in coordination with the Under Secretary of Defense for Policy and the Commander of United States Cyber Command, consider appropriate.

(c) **REQUIREMENTS.**—The training developed under subsection (a) shall be a required element for all participants in the Attaché Training Program and the Attaché Staff Training Program of the Joint Military Attaché School.

(d) **BRIEFING.**—Not later than 30 days after completing development of the training under subsection (a), the Under Secretary of Defense for Intelligence and Security shall, in coordination with the Commander of United States Cyber Command and the Under Secretary of Defense for Policy, provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the training and the timeline for implementation within the program specified in subsection (c). Such briefing shall also include a plan for future updates and sustainment of the training developed in subsection (a).

SEC. 1605. STRATEGY, FORCE, AND CAPABILITY DEVELOPMENT FOR CYBER EFFECTS AND SECURITY IN SUPPORT OF OPERATIONAL FORCES.

(a) **STRATEGY REQUIRED.**—

(1) **IN GENERAL.**—The Deputy Secretary of Defense shall, in coordination with the Vice Chairman of the Joint Chiefs of Staff and in consultation with the Director of National Intelligence, develop a strategy for converged cyber and electronic warfare conducted by and through deployed military and intelligence assets operating in the radio-frequency domain to provide strategic, operational, and tactical effects in support of combatant commanders.

(2) **MEANS.**—The strategy developed under paragraph (1) shall specify means for supporting the strategy that include apertures and emitters that are space-based, airborne, ground-based, and sea-based.

(3) **TARGETS.**—The strategy developed under paragraph (1) may specify targets of the strategy that include the range of elec-

tronic systems embedded in adversary space-based, airborne, ground-based, and maritime forces.

(4) **ACCESS TO INFORMATION.**—In developing the strategy required by paragraph (1), the Deputy Secretary shall ensure that the strategy development team has access to all relevant programs, activities, and capabilities ongoing within the Department of Defense, including special access programs and other compartmented access programs.

(b) **RECOMMENDATIONS FOR DECONFLICTION AND COORDINATION.**—The Vice Chairman shall, in consultation with the geographic combatant commanders, the Commander of United States Cyber Command, and the Commander of Strategic Command, submit to the Deputy Secretary and the Chairman of the Joint Chiefs of Staff recommendations regarding command and control, deconfliction, and coordination relationships and processes between combatant commanders and the Commander of United States Cyber Command regarding tactical cyber operations and converged cyber and electronic warfare operations conducted prior to and during armed conflict.

(c) **REQUIREMENTS FOR SERVICE RETAINED CYBER FORCES.**—In parallel and in coordination with the development of the strategy under subsection (a), the Deputy Secretary and the Vice Chairman shall develop requirements for service-retained tactical cyber forces for offensive and defensive cyber missions—

(1) to defend deployed information technology and operational technology networks, intelligence systems, command and control nodes, tactical data networks, and weapon platforms and systems;

(2) to conduct offensive actions to achieve effects against adversary weapons systems, platforms, sensor systems, and tactical and operational command and control networks and communications systems; and

(3) to develop the intelligence requirements, strategy, and requisite data flows to support converged cyber and electronic warfare operations.

(d) **CAPABILITY DEVELOPMENT AND TRANSITION PROCESSES.**—The Deputy Secretary shall identify, designate, and create organizational constructs and processes to continuously generate and deliver cyber and converged cyber and electronic warfare capabilities into the Cyber Mission Forces, service-retained cyber forces, and other appropriate platforms and systems that can—

(1) achieve effects against adversary weapons systems, sensor systems, and tactical and operational command and control networks and communications systems; and

(2) enhance the cybersecurity of deployed information technology and operational technology networks, and weapon platforms and systems operating in or from space, air, ground, and maritime domains.

(e) **BRIEFING REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Deputy Secretary shall brief the congressional defense committees and the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) on the status of the implementation of this section.

SEC. 1606. TOTAL FORCE GENERATION FOR THE CYBERSPACE OPERATIONS FORCES.

(a) **STUDY.**—

(1) **IN GENERAL.**—Not later than June 1, 2024, the Secretary of Defense shall complete a study on the responsibilities of the military services for organizing, training, and presenting the total force to United States Cyber Command.

(2) **ELEMENTS.**—The study required by paragraph (1) shall assess the following:

(A) Which military services should organize, train, and equip civilian assets and

military Cyberspace Operations Forces for assignment, allocation, and apportionment to United States Cyber Command.

(B) Sufficiency of the military service accession and training model to provide forces to the Cyberspace Operations Forces, as well as the sufficiency of the accessions and personnel resourcing of the supporting command and control staffs necessary as a component to United States Cyber Command.

(C) The organization of the Cyberspace Operations Forces and whether the total forces or elements of the forces function best as a collection of independent teams or through a different model.

(D) Under-represented work roles or skills within the Cyberspace Operations Forces, including additional work roles or skills required to enable infrastructure management and access generation.

(E) What unique or training-intensive expertise is required for each of these work roles and whether native talents to master unique and training-intensive work roles can be identified and how personnel with those talents can be developed, retained, and employed across the active and reserve components.

(F) The appropriate pay scales, rotation or force management policies, career paths and progression, expertise-based grading, talent management practices, and training for each of those work roles, given expected operational requirements.

(G) Whether a single military service should be responsible for basic, intermediate, and advanced training for the Cyberspace Operations Forces, or at a minimum for the Cyber Mission Force.

(H) The level of training required before an individual should be assigned, allocated, or apportioned to United States Cyber Command.

(I) Whether or how the duties of the Director of the National Security Agency and the duties of Commander of United States Cyber Command, resting with a single individual, enable each respective organization, and whether technical directors and intelligence experts of the National Security Agency should serve rotations in the Cyberspace Operations Forces.

(J) How nonmilitary personnel, such as civilian government employees, contracted experts, commercial partners, and domain or technology-specific experts in industry or the intelligence community can augment or support Cyber Mission Force teams.

(K) What work roles in the Cyberspace Operations Forces can only be filled by military personnel, which work roles can be filled by civilian employees or contractors, and which work roles should be filled partially or fully by civilians due to the need for longevity of service to achieve required skill levels or retention rates.

(L) How specialized cyber experience, developed and maintained in the reserve component, can be more effectively leveraged to support the Cyberspace Operations Forces through innovative force generation models.

(M) Whether the Department of Defense should create a separate service to organize, train, and equip the Cyberspace Operations Forces or at a minimum the Cyber Mission Force.

(N) What resources, including billets, are required to account for any recommended changes.

(O) What resources the Commander of United States Cyber Command should be responsible for with respect to planning, programming, and budgeting as part of the implementation of section 1507 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

(P) Whether the Department of Defense is maximizing partnerships with industry and

other nontraditional sources of expertise in the areas of critical infrastructure protection and information sharing.

(Q) Whether the Defense Readiness Reporting System of the Department of Defense is sufficient to capture Cyberspace Mission Force readiness metrics.

(3) CONSIDERATIONS.—The study required by paragraph (1) shall consider existing models for total force generation practices and programs, as well as nontraditional and creative alternatives.

(b) RECOMMENDATION.—

(1) IN GENERAL.—Not later than June 1, 2024, the Principal Cyber Advisor and the Commander of United States Cyber Command shall, jointly or separately as they consider appropriate, submit to the Secretary of Defense a recommendation or recommendations, respectively, as to the future total force generation model for the Cyberspace Operations Forces.

(2) MATTERS ADDRESSED.—The recommendation or recommendations submitted under paragraph (1) shall address, at a minimum, each of the elements identified in subsection (a)(2).

(c) ESTABLISHMENT OF A NEW OR REVISED MODEL REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2024, the Secretary of Defense shall establish a new or revised total force generation model for the Cyberspace Operations Forces.

(2) ELEMENTS.—In establishing a new total force generation model or revising a total force generation model under paragraph (1), the Secretary shall explicitly determine the following:

(A) Whether the Navy should no longer be responsible for developing and presenting forces to the United States Cyber Command as part of the Cyber Mission Force or Cyberspace Operations Forces, including recommendations for corresponding transfer of responsibilities and associated resources and personnel for the existing and future year programmed Cyberspace Operations Forces or Cyber Mission Force resources.

(B) Whether a single military service should be responsible for organizing, training, and equipping the Cyberspace Operations Forces, or if different services should be responsible for different components of the Cyberspace Operations Forces.

(C) Whether modification of United States Cyber Command enhanced budget control authorities are necessary to further improve total force generation for Cyberspace Operations Forces.

(D) Implications of low service retention rates for critical roles within the Cyberspace Operations Forces, specifically addressing Cyber Mission Force rotations, length of service commitments, repeat tours within the Cyber Mission Force, retention incentives across the entire Cyberspace Operations Forces, and best practices for generating the future force.

(d) IMPLEMENTATION PLAN.—Not later than June 1, 2025, the Secretary shall submit to the congressional defense committees an implementation plan for effecting the total force generation model established or revised under subsection (c).

(e) PROGRESS BRIEFING.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once every 180 days thereafter until receipt of the plan required by subsection (d), the Secretary shall provide the congressional defense committees with a briefing on the progress made in carrying out this section.

(f) ADDITIONAL CONSIDERATIONS.—The Secretary shall ensure that subsections (a) through (c) are carried out with consideration to matters relating to the following:

(1) The cybersecurity service providers, local defenders, and information technology

personnel who own, operate, and defend the information networks of the Department of Defense.

(2) Equipping the Cyberspace Operations Forces to include infrastructure management.

(3) Providing intelligence support to the Cyberspace Operations Forces.

(4) The resources, including billets, needed to account for any recommended changes.

SEC. 1607. MANAGEMENT AND OVERSIGHT OF JOINT CYBER WARFIGHTING ARCHITECTURE.

(a) ESTABLISHMENT OF PROGRAM EXECUTIVE OFFICE.—The Deputy Secretary of Defense shall, in consultation with the Under Secretary of Defense for Acquisition and Sustainment and the Commander of United States Cyber Command, establish a program executive office (in this section referred to as the “Office”) to manage and provide oversight of the implementation and integration of the Joint Cyber Warfighting Architecture (in this section referred to as the “Architecture”) and the components of the Architecture.

(b) INDEPENDENCE OF OFFICE.—

(1) IN GENERAL.—The Deputy Secretary shall establish the Office outside of a military service.

(2) HEAD OF OFFICE.—The Deputy Secretary shall appoint the head of the Office and the head of the Office shall report to the Under Secretary and the Commander.

(c) CHIEF ARCHITECT AND SYSTEMS ENGINEER.—The Deputy Secretary shall ensure that the Office includes a chief architect and a systems engineer to provide the management and oversight described in subsection (a).

(d) APPOINTMENT OF EXPERTS.—The Deputy Secretary shall appoint to the Office personnel from organizations with relevant and high levels of technical and operational expertise, including the following:

(1) The Capabilities Directorate of the National Security Agency.

(2) The Information Innovation Office of the Defense Advanced Research Projects Agency.

(3) The Strategic Capabilities Office.

(4) The Cyber Capabilities Support Office of the Air Force.

(5) The Air Force Research Laboratory.

(6) The Office of Special Projects in the Navy.

(7) The operational units of the Cyber National Mission Force and cyber components of the military services.

(e) BUDGET EXECUTION CONTROL.—The head of the Office shall exercise budget execution control over component programs of the Architecture that are subject to the responsibilities assigned to the Commander by section 1507 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 167b note).

(f) COMPLIANCE WITH DIRECTION.—The program managers of the components of the Architecture shall comply with direction from the head of the Office, without intermediary communications from the Commander or the Under Secretary to the senior acquisition executive of the relevant military service.

(g) COORDINATION.—The Director of the Defense Advanced Research Projects Agency shall coordinate closely with the head of the Office in planning and executing the Constellation program via transactions under section 4021 of title 10, United States Code, between the Agency and the companies executing the components of the Architecture to create an effective framework and pipeline system for transitioning cyber applications for operational use from the Agency and other sources.

(h) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this

Act, the head of the Office and the Director shall jointly provide to the congressional defense committees a briefing on the status of the implementation of this section.

(1) **INDEPENDENT REVIEW.**—

(i) **AGREEMENT.**—Not later than 180 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall enter into an agreement with an appropriate third-party to perform the services covered by this subsection.

(2) **INDEPENDENT REVIEW AND BRIEFING.**—(A) Under an agreement between the Deputy Secretary and an appropriate third-party, the appropriate third-party shall—

(i) carry out an independent review of the Joint Cyberspace Warfight Architecture concept, activities, and programs of record that comprise the Architecture; and

(ii) provide the congressional defense committees a briefing on the findings of the appropriate third-party with respect to the independent review conducted under clause (i).

(B) The independent review conducted under subparagraph (A)(i) shall include an assessment of and recommendations for improving:

(i) The effectiveness of the system integration and systems engineering efforts and governance structures of the Architecture.

(ii) The acquisition model of the activities compromising the Architecture, including recommendations for expanded use of Budget Activity 8 (BA-8) authorities.

(iii) The pipeline for rapidly developing and incorporating new capabilities to respond to the rapidly-evolving cyber threat environment.

(iv) Such other matters as the Deputy Secretary considers appropriate.

(3) **APPROPRIATE THIRD-PARTY.**—For purposes of this subsection, an appropriate third-party is a person who—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has such expertise and objectivity as the Deputy Secretary considers appropriate to carry out the independent review under paragraph (2).

SEC. 1608. STUDY TO DETERMINE THE OPTIMAL STRATEGY FOR STRUCTURING AND MANNING ELEMENTS OF THE JOINT FORCE HEADQUARTERS-CYBER ORGANIZATIONS, JOINT MISSION OPERATIONS CENTERS, AND CYBER OPERATIONS-INTEGRATED PLANNING ELEMENTS.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Principal Cyber Advisor of the Department of Defense shall conduct a study to determine the optimal strategy for structuring and manning elements of the following:

(A) Joint Force Headquarters Cyber Organizations.

(B) Joint Mission Operations Centers.

(C) Cyber Operations-Integrated Planning Elements.

(D) Joint Cyber Centers.

(2) **ELEMENTS.**—The study conducted under paragraph (1) shall include assessment of the following:

(A) Operational effects on the military services if each of the entities listed in subparagraphs (A) through (C) of paragraph (1) are restructured from organizations that are service component organizations to joint organizations.

(B) Organizational effects on the military services if the billets associated with each of the entities listed in subparagraphs (A) through (C) of paragraph (1) are transferred to United States Cyber Command and designated as joint billets for joint qualification purposes.

(C) Operational and organizational effects on the military services, United States

Cyber Command, other combatant commands, and the Joint Staff if the entities listed in subparagraphs (A) through (D) of paragraph (1) are realigned, restructured, or consolidated.

(D) Operational and organizational effects and advisement of standardizing a minimum set of roles and responsibilities of the Joint Cyber Centers, or the equivalent entity, of the combatant commands.

(E) Clarification of the relationship and differentiation between Cyber Operations-Integrated Planning Elements and Joint Cyber Centers of the combatant commands.

(F) A description of mission essential tasks for the entities listed in subparagraphs (A) through (D) of paragraph (1).

(G) A description of cyber activities in geographic and functional combatant command campaign plans and resources aligned to those activities.

(b) **BRIEFINGS.**—Not later than 180 after the date of the enactment of this Act, and not less frequently than once every 120 days until March 31, 2024, the Principal Cyber Advisor shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the status of the study conducted under subsection (a).

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than March 31, 2024, the Principal Cyber Advisor 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).

(2) **CONTENTS.**—The report submitted under paragraph (1) shall contain the following:

(A) The findings of the Principal Cyber Advisor with respect to the study conducted under subsection (a).

(B) Details of the operational and organizational effects assessed under subsection (a)(2).

(C) A plan to carry out the transfer described in subsection (a)(2)(B) and the associated costs, as appropriate.

(D) A plan to realign, restructure, or consolidate the entities listed in subparagraphs (A) through (D) of subsection (a)(1).

(E) Such other matters as the Principal Cyber Advisor considers appropriate.

SEC. 1609. ANNUAL BRIEFING ON RELATIONSHIP BETWEEN NATIONAL SECURITY AGENCY AND UNITED STATES CYBER COMMAND.

(a) **ANNUAL BRIEFINGS REQUIRED.**—Not later than March 1, 2023, and not less frequently than once each year thereafter until March 1, 2028, the Secretary of Defense shall provide the congressional defense committees a briefing on the relationship between the National Security Agency and United States Cyber Command.

(b) **ELEMENTS.**—Each briefing provided under subsection (a) shall include an annual assessment of the following:

(1) The resources, authorities, activities, missions, facilities, and personnel used to conduct the relevant missions at the National Security Agency as well as the cyber offense and defense missions of United States Cyber Command.

(2) The processes used to manage risk, balance tradeoffs, and work with partners to execute operations.

(3) An assessment of the operating environment and the continuous need to balance tradeoffs to meet mission necessity and effectiveness.

(4) An assessment of the operational effects resulting from the relationship between the National Security Agency and United States Cyber Command, including a list of specific operations conducted over the previous year that were enabled by or benefitted from the relationship.

(5) Such other topics as the Director of the National Security Agency and the Commander of United States Cyber Command may consider appropriate.

SEC. 1610. REVIEW OF CERTAIN CYBER OPERATIONS PERSONNEL POLICIES.

(a) **REVIEW REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall require the Secretaries of the military departments and the Commander of United States Cyber Command to complete a review of, and appropriately update, departmental guidance and processes consistent with section 167b(d)(2)(A)(x) of title 10, United States Code, with respect to the authority of the Commander to monitor the promotions of certain cyber operations forces and coordinate with the Secretaries regarding the assignment, retention, training, professional military education, and special and incentive pays of certain cyber operations forces.

(b) **ELEMENTS OF REVIEW.**—The review and updates to departmental guidance and processes required under subsection (a) shall address the respective roles of the military departments and United States Cyber Command with respect to the following:

(1) The recruiting, retention, professional military education, and promotion of certain cyber operations personnel.

(2) The sharing of personnel data between the military departments and United States Cyber Command.

(3) Structures, departmental guidance, and processes developed between the military departments and United States Special Operations Command with respect to the authority of the Commander of United States Special Operations Command described in section 167(e)(2)(J) of title 10, United States Code, that could be used as a model for United States Cyber Command.

(4) Such other matters as the Secretary of Defense determines necessary.

(c) **REPORT REQUIRED.**—Not later than 90 days after the date on which the review and the updates required by subsection (a) are completed, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the Secretaries of the military departments and the Commander of United States Cyber Command with respect to the review and the updates made pursuant to such subsection. Such report shall also include any such recommendations as the Secretary may have for legislative or administrative action.

SEC. 1611. MILITARY CYBERSECURITY COOPERATION WITH KINGDOM OF JORDAN.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Policy, in coordination with the Commander of United States Cyber Command, the Commander of United States Central Command, and the Secretary of State, seek to engage their counterparts within the Ministry of Defence of the Kingdom of Jordan for the purpose of expanding cooperation of military cybersecurity activities.

(b) **COOPERATION EFFORTS.**—The efforts to expand cooperation required by subsection (a) may include the following efforts between the Department of Defense and the Ministry of Defence of the Kingdom of Jordan:

(1) Bilateral cybersecurity training activities and exercises.

(2) Efforts to—

(A) actively defend military networks, infrastructure, and systems;

(B) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems; and

(C) leverage United States commercial and military cybersecurity technology and services to harden and defend those networks, infrastructure, and systems.

(3) Establishment of a regional cybersecurity center.

(c) BRIEFINGS.—

(1) 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 Secretary of State, provide to the appropriate committees of Congress a briefing on the implementation of this section.

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

(A) An overview of efforts undertaken pursuant to this section.

(B) A description of the feasibility and advisability of expanding cooperation with the Ministry of Defence of the Kingdom of Jordan on military cybersecurity.

(C) Identification of any challenges and resources that need to be addressed so as to expand cooperation with the Ministry of Defence of the Kingdom of Jordan on military cybersecurity.

(D) Any other matter the Secretary considers relevant.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, 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.

SEC. 1612. COMMANDER OF THE UNITED STATES CYBER COMMAND.

Section 167b(c) of title 10, United States Code, is amended

(1) by striking “GRADE OF COMMANDER.—The commander” and inserting “COMMANDER OF CYBER COMMAND.—(1)The commander”; and

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

“(2) The commander shall be appointed for a term of four years, and the President may nominate and appoint the commander for one additional 4-year term with the advice and consent of the Senate.”.

SEC. 1613. ASSESSMENT AND REPORT ON SHARING MILITARY CYBER CAPABILITIES WITH FOREIGN OPERATIONAL PARTNERS.

(a) ASSESSMENT REQUIRED.—Not later than April 1, 2023, the Secretary of Defense, with the concurrence of the Secretary of State, shall conduct an assessment on sharing military cyber capabilities of the Armed Forces with foreign partners of the United States for immediate operational use to cause effects on targets or enable collection of information from targets.

(b) ELEMENTS.—The assessment conducted under subsection (a) shall include—

(1) a description of the military requirements of the Department of Defense for rapid sharing of military cyber capabilities with foreign partners of the United States in relevant operational timeframes;

(2) a description of the understanding by the Secretary of Defense and the Secretary of State of the current legal framework governing the sharing of military cyber capabilities of the Department with foreign partners of the United States for operational use by the foreign partner, including prohibitions or restrictions on sharing such military cyber capabilities with foreign partners in relevant operational timeframes, including under—

(A) the War Powers Resolution (50 U.S.C. 1541 et seq.);

(B) an alliance or treaty with a foreign country or countries; and

(C) export control laws or security assistance programs; and

(3) recommendations for legislative action that the Secretary of Defense and the Sec-

retary of State jointly agree are necessary to address gaps or misalignment in authorities that would enhance the sharing of military cyber capabilities of the Department with foreign operational partners of the United States.

(c) REPORT REQUIRED.—Not later than April 1, 2023, the Secretary of Defense, with the concurrence of the Secretary of State, shall provide the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on the assessment conducted under subsection (a).

SEC. 1614. REPORT ON PROGRESS IN IMPLEMENTING PILOT PROGRAM TO ENHANCE CYBERSECURITY AND RESILIENCY OF CRITICAL INFRASTRUCTURE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Homeland Security, submit to Congress a report on the progress made in implementing the 2018 memorandum of understanding that was entered into by the Secretaries pursuant to the authority provided by section 1650(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 711 note prec.).

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A description of the efforts to develop and approve plans of action and milestones for each line of effort in the memorandum of understanding described in subsection (a).

(2) A description of the activities executed pursuant to such memorandum of understanding.

(3) Identification of any impediments that limit the abilities of the Secretaries to fully implement all lines of effort in such memorandum of understanding.

SEC. 1615. PROTECTION OF CRITICAL INFRASTRUCTURE.

(a) IN GENERAL.—In the event that the President determines that there is an active, systematic, and ongoing campaign of attacks in cyberspace by a foreign power against the Government or the critical infrastructure of the United States, the President may authorize the Secretary of Defense, acting through the Commander of the United States Cyber Command, to conduct military cyber activities or operations pursuant to section 394 of title 10, United States Code, in foreign cyberspace to deter, safeguard, or defend against such attacks.

(b) AFFIRMATION OF SCOPE OF CYBER ACTIVITIES OR OPERATIONS.—Congress affirms that the cyber activities or operations referred to in subsection (a), when appropriately authorized, shall be conducted consistent with section 394 of title 10, United States Code.

(c) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this section, the term “critical infrastructure” has the meaning given that term in subsection (e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

Subtitle B—Matters Relating to Department of Defense Cybersecurity and Information Technology

SEC. 1621. BUDGET DISPLAY FOR CRYPTOGRAPHIC MODERNIZATION ACTIVITIES FOR CERTAIN SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) DISPLAY REQUIRED.—Beginning with fiscal year 2024, and for each fiscal year thereafter, the Secretary of Defense shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for that fiscal year (as submitted with the budget of the

President under section 1105(a) of title 31, United States Code) a consolidated cryptographic modernization budget justification display for each Department of Defense system or asset that is protected by cryptography and subject to certification by the National Security Agency (in this section, referred to as “covered items”).

(b) ELEMENTS.—Each display included under subsection (a) for a fiscal year shall include the following:

(1) CRYPTOGRAPHIC MODERNIZATION ACTIVITIES.—(A) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 142 note), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(B) The funding required for the covered fiscal year and for each subsequent fiscal year of the Future Years Defense Program to complete the pending or in progress cryptographic modernization by the required replacement date of each covered item.

(C)(i) A description of deviations between the funding annually required to complete the modernization prior to the required replacement date and the funding requested and planned within the Future Years Defense Program.

(ii) An explanation—

(I) justifying the deviations; and

(II) of whether or how any delays resulting from a deviation shall be overcome to meet the required replacement date.

(D) A description of operational or security risks resulting from each deviation from the modernization schedule required to meet replacement dates, including a current intelligence assessment of adversary progress on exploiting the covered item.

(E) For any covered item that remains in service past its required replacement date, a description of the number of times the covered item has been extended and the circumstances attending each such extension.

(2) MITIGATION ACTIVITIES FOR COVERED ITEMS.—(A) Whether activities to mitigate the risks associated with projected failure to replace a covered item by the required replacement date are planned, in progress, or complete.

(B) The funding required for the covered fiscal year and for each subsequent fiscal year for required mitigation activities to complete any planned, pending, or in progress mitigation activities for a covered item.

(C) A description of the activities planned in the covered fiscal year and each subsequent fiscal year to complete mitigation activities and an explanation of the efficacy of the mitigations.

(c) FORM.—The display required by subsection (a) shall be included in unclassified form, but may include a classified annex.

SEC. 1622. ESTABLISHING PROJECTS FOR DATA MANAGEMENT, ARTIFICIAL INTELLIGENCE, AND DIGITAL SOLUTIONS.

(a) ESTABLISHMENT OF PRIORITY PROJECTS.—The Deputy Secretary of Defense shall—

(1) establish priority enterprise projects for data management, artificial intelligence, and digital solutions for both business efficiency and warfighting capabilities intended to accelerate decision advantage; and

(2) assign responsibilities for execution and funding of the projects established under paragraph (1).

(b) ACTIONS REQUIRED.—To ensure implementation of the priority projects of the Deputy Secretary of Defense under subsection (a), and to instill data science and

technology as a core discipline in the Department of Defense, the Deputy Secretary shall—

(1) hold the heads of Department components accountable for—

(A) making their component's data available for use in common enterprise data sets in accordance with plans developed and approved by the head of the component and the Deputy Secretary;

(B) developing, implementing, and reporting measurable actions to acquire, preserve, and grow the population of government and contractor personnel with expertise in data management, artificial intelligence, and digital solutions;

(C) making their components use data management practices, analytics processes, computing environments, and operational test environments that are made available and specifically approved by the head of the component and the Deputy Secretary;

(D) identifying and reporting on an annual basis for Deputy Secretary approval those ongoing programs and activities and new initiatives within their components to which the component head determines should be applied advanced analytics, digital technology, and artificial intelligence; and

(E) developing and implementing cybersecurity solutions, including red team assessments, to protect artificial intelligence systems, data, development processes, and applications from adversary actions;

(2) require the Chief Digital and Artificial Intelligence Officer and the heads of Department components to develop and report on an actionable plan for the Deputy Secretary to promulgate to reform the technologies, policies, and processes used to support accreditation and authority to operate decisions to enable rapid deployment into operational environments of newly developed government, contractor, and commercial software;

(3) require the Chief Digital and Artificial Intelligence Officer and heads of Department components to define and establish career paths, work roles, and occupational specialties for civilian and military personnel in the fields of data management, artificial intelligence, and digital solutions for the Deputy Secretary's approval; and

(4) establish a Departmental management reform goal for adoption and integration artificial intelligence or machine learning into business and warfighting processes, including the tracking of metrics, milestones, and initiatives to measure the progress of the Department in meeting that goal.

(c) BRIEFINGS REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every six months thereafter until December 31, 2025, the Deputy Secretary shall provide to the congressional defense committees a briefing on directives issued by the Deputy Secretary to implement the requirements of this section and the status of implementation actions.

(d) COMPONENT DEFINED.—In this section, the term “component” means a military department, a combatant command, or a defense agency of the Department of Defense.

SEC. 1623. OPERATIONAL TESTING FOR COMMERCIAL CYBERSECURITY CAPABILITIES.

(a) REQUIREMENT.—Subject to subsection (c), the Secretary of Defense may not operate a commercial cybersecurity capability on a network of the Department of Defense until such capability has received a satisfactory determination from the Director of Operational Test and Evaluation in each of the following areas:

- (1) Operational effectiveness.
- (2) Operational suitability.
- (3) Cyber survivability.

(b) ASSESSMENTS.—In determining whether a commercial cybersecurity capability is satisfactory in each of the areas set forth under subsection (a), the Director of Operational Test and Evaluation shall conduct an assessment that includes consideration of the following:

(1) Threat-realistic operational testing, including representative environments, variation of operational conditions, and inclusion of a realistic opposing force.

(2) The use of Department of Defense Cyber Red Teams, as well as any enabling contract language required to permit threat-representative Red Team assessments.

(3) Collaboration with the personnel using the commercial cybersecurity capability regarding the results of the testing to improve operators' ability to recognize and defend against cyberattacks.

(4) The extent to which additional resources may be needed to remediate any shortfalls in capability to make the commercial cybersecurity capability effective, suitable, and cyber survivable in an operational environment of the Department.

(5) 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 cyber survivability of the commercial cybersecurity capability.

(c) WAIVER.—

(1) IN GENERAL.—An acquisition executive of a military service or a component of the Department may waive the requirement in subsection (a) for a commercial cybersecurity capability for the military service or component of the acquisition executive if the acquisition executive determines that operational necessity does not allow for time to conduct an assessment under subsection (b) in a timeframe to meet the needs of the military service or component.

(2) PERIOD OF WAIVER.—A waiver under paragraph (1) may be issued for a period of up to three years before a new waiver is required, or a waiver is otherwise no longer required.

(d) POLICIES AND REGULATIONS.—Not later than February 1, 2024, the Secretary shall issue such policies and guidance and promulgate such regulations as the Secretary considers necessary to carry out this section.

(e) REPORT.—Not later than January 31, 2025, and not less frequently than once each year thereafter until January 31, 2030, the Director shall include in each annual report required by section 139(h) of title 10, United States Code, the status of the determinations required by subsection (a), including the following:

(1) A summary of such determinations and the associated assessments under subsection (b).

(2) The number and type of test and evaluation events completed in the past year for such assessments, disaggregated by component of the Department, and including resources devoted to each event.

(3) The results from such test and evaluation events, including any resource shortfalls affecting the number of commercial cybersecurity capabilities that could be assessed.

(4) A summary of identified categories of common gaps and shortfalls found during testing.

(5) The extent to which entities responsible for developing and testing commercial cybersecurity capabilities have responded to recommendations made by the Director in an effort to gain favorable determinations.

(6) Any identified lessons learned that would impact training, sustainment, or concepts of operation or employment decisions relating to the assessed commercial cybersecurity capabilities.

(f) DEFINITION.—In this section, the term “commercial cybersecurity capabilities” means either—

(1) commercial products (as defined in section 103 of title 41, United States Code) acquired and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components; or

(2) commercially available off-the-shelf items (as defined in section 104 of title 41, United States Code) acquired and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components.

(g) EFFECTIVE DATE.—This section shall take effect on February 1, 2024.

SEC. 1624. PLAN FOR COMMERCIAL CLOUD TEST AND EVALUATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with commercial industry, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a policy and plan for test and evaluation of the cybersecurity of the clouds of commercial cloud service providers.

(b) CONTENTS.—The policy and plan submitted under subsection (a) shall include the following:

(1) A requirement that all future contracts with cloud service providers include provisions that permit the Department to conduct independent, threat-realistic assessments, including penetration testing, of the commercial cloud infrastructure, including the control plane and virtualization hypervisor.

(2) An explanation as to how the Department intends to proceed on amending existing contracts with cloud service providers to permit the same level of rigorous assessments that will be required for all future contracts.

(3) Identification and description of any proposed tiered test and evaluation requirements aligned with different impact and classification levels.

(c) WAIVER AUTHORITY.—The policy and plan required under subsection (a) may provide an authority to waive any requirements described in subsection (b) conditioned upon the approval of the Chief Information Officer of the Department of Defense and the Director of Operational Test and Evaluation.

SEC. 1625. REPORT ON RECOMMENDATIONS FROM NAVY CIVILIAN CAREER PATH STUDY.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the recommendations made in the report submitted to the congressional defense committees under section 1653(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; relating to improving cyber career paths in the Navy).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) A description of each recommendation described in such subsection that has already been implemented.

(B) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(C) A description of each recommendation described in such subsection that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendation.

(D) For each recommendation under subparagraph (C) that the Secretary determines to implement, the following:

- (i) A timeline for implementation.
 - (ii) A description of any additional resources or authorities required for implementation.
 - (iii) The plan for implementation.
- (E) For each recommendation under subparagraph (C) that the Secretary determines not to implement, a justification for the determination not to implement.

(3) **FORMAT.**—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) **REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.**—

(1) **REVIEW.**—Not later than 180 days after the date of the submittal of the report required by subsection (a)(1), the Comptroller General of the United States shall conduct a review of such report.

(2) **ELEMENTS.**—The review required by paragraph (1) shall include an assessment of the following:

(A) The extent to which the Navy has implemented the recommendations made in the study described in subsection (a)(1).

(B) Additional recommended actions for the Navy to take to improve the readiness and retention of their cyber workforce.

(3) **INTERIM BRIEFING.**—Not later than 90 days after the date of the submittal of the report required by subsection (a)(1), the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary findings of the Comptroller General with respect to the review conducted under paragraph (1).

(4) **FINAL REPORT.**—The Comptroller General shall submit to the congressional defense committees a report on the findings of the Comptroller General with respect to the review conducted under paragraph (1) at such time and in such format as is mutually agreed upon by the committees and the Comptroller General at the time of the briefing under paragraph (3).

SEC. 1626. REVIEW OF DEPARTMENT OF DEFENSE IMPLEMENTATION OF RECOMMENDATIONS FROM DEFENSE SCIENCE BOARD CYBER REPORT.

(a) **REVIEW REQUIRED.**—

(1) **IN GENERAL.**—Not later than March 1, 2023, the Secretary of Defense shall complete a review of the findings and recommendations presented in the June 2018 Defense Science Board report entitled “Cyber as a Strategic Capability”.

(2) **ELEMENTS.**—The review completed under paragraph (1) shall include the following:

(A) Identification of, and description of implementation for, recommendations that have been implemented by the Department of Defense.

(B) Identification of recommendations that have not yet been fully implemented by the Department.

(C) Development of a plan to fully implement the recommendations identified under subparagraph (B).

(D) Identification of the reasons why the recommendations identified under subparagraph (B) were not implemented.

(E) Identification of such legislative or administrative action as the Secretary determines necessary to implement the recommendations identified under subparagraph (B).

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than April 1, 2023, 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 review completed under paragraph (1) of sub-

section (a). In such report, the Secretary shall disclose the matters identified and developed under paragraph (2) of such subsection.

(2) **FORM.**—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1627. REQUIREMENT FOR SOFTWARE BILL OF MATERIALS.

(a) **REQUIREMENT FOR SOFTWARE BILL OF MATERIALS.**—

(1) **IN GENERAL.**—The Secretary of Defense shall amend the Department of Defense Supplement to the Federal Acquisition Regulation to require a software bill of materials (SBOM) for all noncommercial software created for or acquired by the Department of Defense.

(2) **WAIVERS.**—The amendment required by paragraph (1) may provide for waivers that require approval by an official whose appointment is subject to confirmation by the Senate.

(b) **RECOMMENDATIONS TO THE SECRETARY.**—The Chief Information Officer, the Under Secretary of Defense for Acquisition and Sustainment, and the Under Secretary of Defense for Research and Engineering shall jointly submit to the Secretary recommendations regarding the content of the amendment required by subsection (a).

(c) **STUDY REGARDING APPLICATION TO SOFTWARE ALREADY ACQUIRED.**—

(1) **STUDY REQUIRED.**—The Secretary shall conduct a study of the feasibility and advisability of acquiring a software bill of materials for software already acquired by the Department.

(2) **BRIEFING.**—Not later than 270 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the study conducted under paragraph (1) and such recommendations as the Secretary may have with respect to acquiring a software bill of materials for software already acquired by the Department.

(d) **COMMERCIAL SOFTWARE.**—Not later than one year after the date of the enactment of this Act, the Secretary shall, in consultation with industry, develop an approach for commercial software in use by the Department and future acquisitions of commercial software that provides, to the maximum extent practicable, policies and processes for operationalizing software bills of materials to enable the Department to understand promptly the cybersecurity risks to Department capabilities posed by discoveries of vulnerabilities and compromises in commercial and open source software.

(e) **SOLICITATION OF INFORMATION.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a request for information from the public and private sectors regarding technical and procedural options to identify software deployed in the Department to enable risk assessments and patching of security vulnerabilities when such vulnerabilities are discovered in the absence of reliable bills of materials.

(2) **BRIEFING.**—Not later than one year after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the solicitation for information under paragraph (1).

(f) **DEFINITION OF SOFTWARE BILL OF MATERIALS.**—In this section, the term “software bill of materials” means a complete, formally structured list of components, libraries, and modules that are required to build, compile, and link a given piece of software and an identification of the provenance and supply chain relationships between them.

SEC. 1628. ESTABLISHMENT OF SUPPORT CENTER FOR CONSORTIUM OF UNIVERSITIES THAT ADVISE SECRETARY OF DEFENSE ON CYBERSECURITY MATTERS.

Section 1659 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 391 note) is amended by adding at the end the following new subsection:

“(f) **SUPPORT CENTER.**—

“(1) **ESTABLISHMENT.**—The Secretary shall establish a center to provide support to the consortium established under subsection (a).

“(2) **COMPOSITION.**—(A) The center established under paragraph (1) shall be composed of one or two universities, as the Secretary considers appropriate, that—

“(i) have been designated as centers of academic excellence by the Director of the National Security Agency or the Secretary of Homeland Security; and

“(ii) are eligible for access to classified information.

“(B) The Secretary shall publish in the Federal Register the process for selection of universities to serve as the center established under paragraph (1).

“(3) **FUNCTIONS.**—The functions of the center established under paragraph (1) are as follows:

“(A) To promote the consortium established under subsection (a).

“(B) To distribute on behalf of the Department requests for information or assistance to members of the consortium.

“(C) To collect and assemble responses from requests distributed under subparagraph (B).

“(D) To provide additional administrative support for the consortium, as determined by the National Center of Academic Excellence in Cybersecurity Program Management Office.”.

SEC. 1629. ROADMAP AND IMPLEMENTATION PLAN FOR CYBER ADOPTION OF ARTIFICIAL INTELLIGENCE.

(a) **ROADMAP AND IMPLEMENTATION PLAN REQUIRED.**—Not later than 270 days after the date of the enactment of this Act, the Commander of United States Cyber Command and the Chief Information Officer of the Department of Defense, in coordination with the Chief Digital and Artificial Intelligence Officer of the Department, the Director of the Defense Advanced Research Projects Agency, the Director of the National Security Agency, and the Under Secretary of Defense for Research and Engineering, shall jointly develop a five-year roadmap and implementation plan for rapidly adopting and acquiring artificial intelligence systems, applications, and supporting data and data management processes for the Cyberspace Operations Forces of the Department of Defense.

(b) **ELEMENTS.**—The roadmap and implementation plan required by subsection (a) shall include the following:

(1) Identification and prioritization of artificial intelligence systems, applications, data identification, and processing to cyber missions within the Department, and ameliorating threats to, and from, artificial intelligence systems, including—

(A) advancing the cybersecurity of Department systems with artificial intelligence;

(B) uses of artificial intelligence for cyber effects operations;

(C) assessing and mitigating vulnerabilities of artificial intelligence systems supporting cybersecurity and cyber operations to attacks; and

(D) defending against adversary artificial intelligence-based cyber attacks.

(2) A plan to develop, acquire, adopt, and sustain the artificial intelligence systems, applications, data, and processing identified in paragraph (1).

(3) Roles and responsibilities for the following for adopting and acquiring artificial intelligence systems, applications, and data to cyber missions within the Department:

(A) The Commander of United States Cyber Command.

(B) The Commander of Joint-Force Headquarters Department of Defense Information Networks.

(C) The Chief Information Officer of the Department.

(D) The Chief Digital and Artificial Intelligence Officer of the Department.

(E) The Under Secretary of Defense for Research and Engineering.

(F) The Secretaries of the military departments.

(G) The Director of the National Security Agency.

(4) Identification of currently deployed, adopted, and acquired artificial intelligence systems, applications, ongoing prototypes, and data.

(5) Identification of current capability and skill gaps that must be addressed prior to the development and adoption of artificial intelligence applications identified in paragraph (1).

(6) Identification of opportunities to solicit operator utility feedback through inclusion into research and development processes and wargaming or experimentation events by developing a roadmap for such processes and events, as well as a formalized process for capturing and tracking lessons learned from such events to inform the development community.

(7) Identification of long-term technology gaps for fulfilling the Department's cyber warfighter mission to be addressed by research relating to artificial intelligence by the science and technology enterprise within the Department.

(8) Definition of a maturity model describing desired cyber capabilities, agnostic of the enabling technology solutions, including phases in the maturity model or identified milestones and clearly identified areas for collaboration with relevant commercial off the shelf and government off the shelf developers to address requirements supporting capability gaps.

(9) Assessment, in partnership with the Director of the Defense Intelligence Agency, of the threat posed by adversaries' use of artificial intelligence to the cyberspace operations and the security of the networks and artificial intelligence systems of the Department in the next five years, including a net technical assessment of United States and adversary activities to apply artificial intelligence to cyberspace operations, and actions planned to address that threat.

(10) A detailed schedule with target milestones, investments, and required expenditures.

(11) Interim and final metrics of adoption of artificial intelligence for each activity identified in the roadmap.

(12) Identification of such additional funding, authorities, and policies as the Commander of United States Cyber Command and the Chief Information Officer jointly determine may be required.

(13) Such other topics as the Commander and the Chief Information Officer jointly consider appropriate.

(c) BRIEFING.—Not later than 30 days after the date on which the Commander and the Chief Information Officer complete development of the roadmap and implementation plan required in subsection (a), the Commander and the Chief Information Officer shall provide the congressional defense committees a classified briefing on the roadmap and implementation plan.

SEC. 1630. DEMONSTRATION PROGRAM FOR CYBER AND INFORMATION TECHNOLOGY BUDGET DATA ANALYTICS.

(a) DEMONSTRATION PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than February 1, 2024, the Chief Information Officer of the Department of Defense shall, in coordination with the Chief Digital and Artificial Intelligence Officer, complete a pilot program to demonstrate the application of data analytics to the fiscal year 2024 cyber and information technology budget data of a military service.

(2) COORDINATION WITH MILITARY SERVICES.—In carrying out the demonstration program required by subsection (a), the Chief Information Officer shall, in coordination with the Secretary of the Air Force, the Secretary of the Army, and the Secretary of the Navy, select a military service for participation in the demonstration program.

(b) ELEMENTS.—The demonstration program shall include—

(1) efforts to determine, execute, and validate in an auditable manner data curation activities for the cyber and information technology budget of a military service;

(2) efforts to improve transparency in cyber and information technology budget information to identify cybersecurity efforts funded out of noncyber information technology lines, including qualitative techniques such as semantic analysis or natural language processing techniques;

(3) metrics developed to assess the effectiveness of the demonstration program;

(4) a cost tradeoff analysis of implementing data analytics across the all of the cyber and information technology budgets of the Department of Defense;

(5) effort to utilize data analytics to make budget trade-offs; and

(6) efforts to incorporate data analytics into the congressional budget submission process.

(c) BRIEFING.—

(1) INITIAL BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Chief Information Officer shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a brief on the plans and status of the Chief Information Officer with respect to the demonstration program required by subsection (a).

(2) FINAL BRIEFING.—(A) Not later than March 1, 2024, the Chief Information Officer shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the results and findings of the Chief Information Officer with respect to the pilot program required by subsection (a).

(B) The briefing required by subparagraph (A) shall include the following:

(i) Recommendations for expansion of the demonstration program to the entire cyber and information technology budget of the Department.

(ii) Plans for incorporating data analytics into the congressional budget submission process for the cyber and information technology budget of the Department.

SEC. 1631. LIMITATION ON AVAILABILITY OF FUNDS FOR OPERATION AND MAINTENANCE FOR OFFICE OF SECRETARY OF DEFENSE UNTIL FRAMEWORK TO ENHANCE CYBERSECURITY OF UNITED STATES DEFENSE INDUSTRIAL BASE IS COMPLETED.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the framework required by section 1648 of the

National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2224 note) is completed and submitted to the congressional defense committees.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 30 days after the date of the submittal of the framework in accordance with subsection (a), the Secretary of Defense shall provide the congressional defense committees with a briefing on such framework.

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

(A) An overview of the framework submitted in accordance with subsection (a).

(B) Identification of such pilot programs as the Secretary considers may be required to improve the cybersecurity of the defense industrial base.

(C) Implementation timelines and identification of costs.

(D) Such recommendations as the Secretary may have for legislative action to improve the cybersecurity of the defense industrial base.

SEC. 1632. ASSESSMENTS OF WEAPONS SYSTEMS VULNERABILITIES TO RADIO-FREQUENCY ENABLED CYBER ATTACKS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that the activities required by and conducted pursuant to section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1118), section 1637 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 221 note), and the amendments made by section 1712 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4087) include regular assessments of the vulnerabilities to and risks presented by radio-frequency enabled cyber attacks with respect to the operational technology embedded in weapons systems, aircraft, ships, ground vehicles, space systems, sensors, and datalink networks of the Department of Defense.

(b) ELEMENTS.—The assessments required under subsection (a) with respect to vulnerabilities and risks described in such subsection shall include—

(1) identification of such vulnerabilities and risks;

(2) ranking of vulnerability, severity, and priority;

(3) development and selection of options, with associated costs and schedule, to correct such vulnerabilities, including installation of intrusion detection capabilities; and

(4) development of integrated risk-based plans to implement the corrective actions selected.

(c) DEVELOPMENT OF CORRECTIVE ACTIONS.—In developing corrective actions under subsection (b)(3), the assessments required under subsection (a) shall address requirements for deployed members of the Armed Forces to analyze data collected on the weapons systems and respond to attacks.

(d) INTELLIGENCE INFORMED ASSESSMENTS.—The assessments required under subsection (a) shall be informed by intelligence, if available, and technical judgment regarding potential threats to embedded operational technology during operations of the Armed Forces.

(e) COORDINATION.—

(1) COORDINATION AND INTEGRATION OF ACTIVITIES.—The assessments required under subsection (a) shall be fully coordinated and integrated with activities described in such subsection.

(2) COORDINATION OF ORGANIZATIONS.—The Secretary shall ensure that the organizations conducting the assessments under subsection (a) in the military departments, the United States Special Operations Command,

and the Defense Agencies coordinate with each other and share best practices, vulnerability analyses, and technical solutions.

(f) BRIEFINGS.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees briefings from the organizations specified under subsection (e)(2), as appropriate, on the activities and plans required under this section.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2023”.

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 con-

struction 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, 2025; or
- (2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2026.

(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, 2025; or
- (2) the date of the enactment of an Act authorizing funds for fiscal year 2026 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, 2022; 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	\$96,000,000
Alaska	Fort Wainwright	\$99,000,000
Colorado	Fort Carson	\$14,200,000
Hawaii	Fort Shafter	\$33,000,000
	Schofield Barracks	\$111,000,000
	Tripler Army Medical Center	\$27,000,000
Louisiana	Fort Polk	\$32,000,000
Mississippi	Engineer Research and Development Center	\$20,000,000
North Carolina	Fort Bragg	\$34,000,000
Pennsylvania	Letterkenny Army Depot	\$38,000,000
Texas	Corpus Christi Army Depot	\$103,000,000
	Fort Bliss	\$15,000,000
Washington	Joint Base Lewis-McChord	\$49,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construc-

tion 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	East Camp Grafenwoehr	\$168,000,000
Japan	Kadena Air Force Base	\$99,000,000
Kwajalein	Kwajalein Atoll	\$69,000,000

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 hous-

ing 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	Units	Amount
Germany	Baumholder	Family Housing Replacement Construction ..	\$77,000,000
Italy	Vicenza	Family Housing New Construction	\$95,000,000

(b) 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 \$17,339,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after Sep-

tember 30, 2022, 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 AND MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) KUNSAN AIR BASE, KOREA .—

(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 contained in the table in section 2101(b) of that Act (131 Stat. 1819) for Kunsan Air Base, Korea, shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) MODIFICATION.—In the case of the authorization contained in the table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1819) for Kunsan Air Base, Korea, for construction of an unmanned aerial vehicle hangar at the installation, the Secretary of the Army may construct the hangar at Camp Humphries, Korea, and may remove primary scope associated with the relocation of the Air Defense Artillery (ADA) Battalion facilities, to include the ground based missile defense equipment area, fighting positions, missile resupply area ADA, ready building or command post, battery command post area, safety shelter, and guard booth.

(b) KWAJALEIN ATOILL, KWAJALEIN.—
(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 author-

ization contained in the table in section 2102 of that Act (131 Stat. 1820) for Kwajalein Atoll, Kwajalein, shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) MODIFICATION.—Section 2879(a)(1)(A) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1874) is amended by striking “at least 26 family housing units” and inserting “not more than 26 family housing units”.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT CAMP TANGO, KOREA.

In the case of the authorization contained in the table in section 2101(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (division B of Public Law 115-232; 132 Stat. 2242) for Camp Tango,

Korea, for construction of a command and control facility at the installation, the Secretary of the Army may increase scope for a dedicated, enclosed egress pathway out of the underground facility to facilitate safe escape in case of fire.

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 or Territory	Installation or Location	Amount
California	Marine Corps Air Ground Combat Center Twentynine Palms	\$120,382,000
	Marine Corps Base Camp Pendleton	\$117,310,000
	Marine Corps Recruit Depot San Diego	\$83,200,000
	Naval Air Station Lemoore	\$201,261,000
	Naval Base San Diego	\$132,700,000
	Naval Base Point Loma Annex	\$56,450,000
Connecticut	Naval Surface Warfare Center Corona Division	\$15,000,000
	Naval Submarine Base New London	\$15,514,000
Florida	Naval Air Station Jacksonville	\$86,232,000
	Naval Air Station Whiting Field	\$199,289,000
	Naval Surface Warfare Center Carderock Division	\$2,073,000
	Naval Submarine Base Kings Bay	\$279,171,000
Georgia	Marine Corps Base Camp Blaz	\$330,589,000
Guam	Joint Base Pearl Harbor-Hickam	\$3,754,192,000
Hawaii	Marine Corps Base Kaneohe Bay	\$87,900,000
Maryland	Naval Surface Warfare Center Indian Head Division	\$8,039,000
Michigan	Marine Forces Reserve Battle Creek	\$24,300,000
Nevada	Naval Air Station Fallon	\$146,165,000
North Carolina	Marine Corps Air Station Cherry Point	\$38,415,000
	Marine Corps Air Station New River	\$210,600,000
	Marine Corps Base Camp Lejeune	\$47,475,000
	Naval Surface Warfare Center Philadelphia Division	\$86,610,000
Pennsylvania	Marine Corps Recruit Depot Parris Island	\$75,900,000
South Carolina	Naval Station Norfolk	\$16,863,000
Virginia	Naval Surface Warfare Center Dahlgren Division	\$2,503,000
Washington	Naval Air Station Whidbey Island	\$105,561,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construc-

tion 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
Australia	Royal Australian Air Force Base Darwin	\$258,831,000
Djibouti	Camp Lemonnier	\$106,700,000
Japan	Kadena Air Base	\$195,400,000
Spain	Naval Station Rota	\$76,300,000

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 hous-

ing 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

Territory	Installation or Location	Units	Amount
Guam	NAVSUPPACT Andersen	Replace Andersen Housing PH IV	\$86,390,000
	NAVSUPPACT Andersen	Replace Andersen Housing PH V	\$93,259,000
	NAVSUPPACT Andersen	Replace Andersen Housing PH VI	\$68,985,000

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of

title 10, United States Code, and using amounts appropriated pursuant to the au-

thorization 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 \$74,540,000.

(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 \$14,123,000.

SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family hous-

ing 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 2018 PROJECT AT JOINT REGION MARIANAS, GUAM.

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 contained in the table in section 2201(a) of that Act (131 Stat. 1822) at Joint Region Marianas, Guam, for Navy-Commercial Tie-in

Hardening, as specified in the funding table in section 4601 of that Act (131 Stat. 2001), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

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
Alabama	Maxwell Air Force Base	\$15,000,000
Alaska	Clear Space Force Station	\$68,000,000
	Joint Base Elmendorf-Richardson	\$5,200,000
Arizona	Davis-Monthan Air Force Base	\$7,500,000
California	Travis Air Force Base	\$7,500,000
	Vandenberg Space Force Base	\$89,000,000
Hawaii	Air Force Research Laboratory - Maui Experimental Site #1	\$89,000,000
Illinois	Scott Air Force Base	\$19,893,000
New York	Air Force Research Laboratory - Rome Research Site	\$4,200,000
Ohio	Wright Patterson Air Force Base	\$29,000,000
Oklahoma	Tinker Air Force Base	\$247,600,000
South Carolina	Shaw Air Force Base	\$10,000,000
South Dakota	Ellsworth Air Force Base	\$328,000,000
Tennessee	Arnold Air Force Base	\$38,000,000
Texas	Joint Base San Antonio-Randolph	\$29,000,000
Utah	Hill Air Force Base	\$84,000,000
Washington	Fairchild Air Force Base	\$8,000,000
Wyoming	F.E. Warren Air Force Base	\$186,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construc-

tion 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 con-

struction 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
Hungary	Pápa Air Base	\$71,000,000
Iceland	Naval Air Station Keflavik	\$94,000,000
Italy	Aviano Air Base	\$46,500,000
Japan	Kadena Air Base	\$307,000,000
Jordan	Muwaffaq Salti Air Base	\$50,000,000
Norway	Rygge Air Station	\$8,200,000
Spain	Moron Air Base	\$29,000,000
United Kingdom	Royal Air Force Molesworth	\$421,000,000

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 \$233,858,000.

(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 \$17,730,000.

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, 2022, 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 2018 PROJECTS.

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION.—

(1) IN GENERAL.—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 2301(a) of that Act (131 Stat. 1825), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, 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
Texas	Joint Base San Antonio	BMT Classrooms/Dining	\$38,000,000
	Joint Base San Antonio	Camp Bullis Dining Facility	\$18,500,000
Wyoming	F. E. Warren Air Force Base	Consolidated Helo/TRF Ops/AMU and Alert Fac.	\$62,000,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—
(1) IN GENERAL.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1817), the author-

izations set forth in the table in paragraph (2), as provided in section 2903 of that Act (131 Stat. 1876), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an

Act authorizing funds for military construction for fiscal year 2024, 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	Keckskemet Air Base	ERI: Airfield Upgrades	\$12,900,000
	Keckskemet Air Base	ERI: Construct Parallel Taxiway	\$30,000,000
	Keckskemet 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
	Sliač Airport	ERI: Airfield Upgrades	\$22,000,000

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECTS AT TYNDALL AIR FORCE BASE, FLORIDA.

In the case of the authorization contained in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116-92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—
(1) for construction of Lodging Facilities Phases 1-2, as specified in the funding table in section 4603 of that Act (133 Stat. 2103) and modified by subsection (a)(7) of section 2306 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116-283; 134 Stat. 4302), the Secretary of the Air Force may construct an emergency backup generator;
(2) for construction of Dorm Complex Phases 1-2, as specified in such funding table and modified by subsection (a)(8) of such section 2306, the Secretary of the Air Force may construct two emergency backup generators;
(3) for construction of Site Development, Utilities & Demo Phase 2, as specified in such funding table and modified by subsection (a)(6) of such section 2306, the Secretary of the Air Force may construct—

- (A) up to 6,248 lineal meters of storm water utilities;
 - (B) up to 55,775 square meters of roads;
 - (C) up to 4,334 lineal meters of gas pipeline; and
 - (D) up to 28,958 linear meters of electrical;
- (4) for construction of Tyndall AFB Gate Complex, as specified in such funding table and modified by subsection (a)(9) of such section 2306, the Secretary of the Air Force may construct up to 55,694 square meters of roadway with serpentines; and
(5) for construction of Deployment Center/Flight Line Dining/AAFES, as specified in such funding table and modified by subsection (a)(11) of such section 2306, the Secretary of the Air Force may construct up to 164 square meters of AAFES (Shoppette).

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECT AT HILL AIR FORCE BASE, UTAH.

In the case of the authorization contained in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116-283; 134 Stat. 4299) for Hill Air Force Base, Utah, for con-

struction of GBSD Organic Software Sustainment Center, as specified in the funding table in section 4601 of such Act (134 Stat. 4502), the Secretary of the Air Force may construct—
(1) up to 7,526 square meters of surface parking lot in lieu of constructing a 13,434 square meters vehicle parking garage; and
(2) up to 402 square meters of storage igloo.

**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	\$151,000,000
California	Naval Base Coronado	\$75,712,000
Florida	Hurlburt Field	\$9,100,000
North Carolina	Fort Bragg	\$34,470,000
Texas	Joint Base San Antonio	\$58,600,000
Virginia	Dam Neck	\$26,600,000
	Pentagon	\$18,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construc-

tion 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
Germany	Baumholder	\$149,023,000
Japan	Yokota Air Base	\$72,154,000

SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization 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 or Territory	Installation or Location	Amount
Alabama	Missile and Space Intelligence Center, Redstone Arsenal	\$10,700,000
California	Marine Corps Mountain Warfare Training Center	\$25,560,000
	Naval Base Ventura County	\$13,360,000
Florida	Naval Air Station Jacksonville	\$2,400,000
	Patrick Space Force Base	\$15,700,000
Georgia	Fort Stewart-Hunter Army Airfield	\$25,400,000
	Naval Submarine Base Kings Bay	\$11,200,000
Guam	Naval Base Guam	\$34,360,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$25,000,000
Kansas	Fort Riley	\$25,780,000
Maryland	National Security Agency-Washington, Fort Meade	\$23,310,000
Texas	Fort Hood	\$31,500,000
	U.S. Army Reserve Center, Conroe	\$9,600,000
Virginia	National Geospatial-Intelligence Agency Campus East, Fort Belvoir	\$1,100,000
	Naval Support Activity Hampton Roads	\$22,400,000

(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
Djibouti	Camp Lemonnier	\$24,000,000
Japan	Kadena Air Base	\$780,000
Kuwait	Camp Arifjan	\$26,850,000

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, 2022, 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 Authoriza-

tion 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 2401(b) of that Act (131 Stat. 1829), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, 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	USCG Station; Punta Borinquen	Ramey Unit School Replacement	\$61,071,000

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, 2022, 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

Country	Installation or Location	Project	Amount
Army	Camp Humphreys	Quartermaster Laundry/Dry Cleaner Facility	\$24,000,000
Army	Camp Humphreys	MILVAN CONNEX Storage Yard	\$20,000,000
Navy	Camp Mujuk	Replace Ordnance Storage Magazines	\$150,000,000
Navy	Fleet Activities Chinhae	Water Treatment Plant Relocation	\$6,000,000
Air Force	Gimhae Air Base	Refueling Vehicle Shop	\$8,800,000
Air Force	Osan Air Base	Combined Air and Space Operations Intelligence Center	\$306,000,000
Air Force	Osan Air Base	Upgrade Electrical Distribution West, Phase 3	\$235,000,000

SEC. 2512. REPEAL OF AUTHORIZED APPROACH TO CONSTRUCTION PROJECT AT CAMP HUMPHREYS, REPUBLIC OF KOREA.

Section 2511 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117-81; 135 Stat. 2177) is amended—

(1) in subsection (a), by striking “(a) AUTHORITY TO ACCEPT PROJECTS.—Pursuant to” and inserting “Pursuant to”; and

(2) by striking subsection (b).

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 fund-

ing 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 or Territory	Location	Amount
Alaska	Joint Base Elmendorf-Richardson	\$63,000,000
Arkansas	Camp Robinson	\$9,500,000
Delaware	New Castle	\$16,000,000
Florida	Gainesville	\$21,000,000
.....	Palm Coast	\$12,000,000
Hawaii	Kapolei	\$29,000,000
Indiana	Atlanta	\$20,000,000
Iowa	West Des Moines	\$15,000,000
Minnesota	New Ulm	\$17,000,000
Nevada	Reno	\$18,000,000
New York	Troy	\$17,000,000
North Carolina	McLeansville	\$15,000,000
Oregon	Camp Umatilla	\$14,243,000
Puerto Rico	Arroyo	\$28,602,000
.....	Camp Santiago	\$161,337,000
.....	San Juan	\$64,000,000
West Virginia	Buckhannon	\$14,000,000
Wyoming	Camp Guernsey	\$19,500,000
.....	Sheridan	\$14,800,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 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:

State or Territory	Location	Amount
California	Camp Pendleton	\$13,000,000
Florida	Perrine	\$46,000,000
Ohio	Wright-Patterson Air Force Base	\$16,000,000
Puerto Rico	Fort Buchanan	\$24,000,000
Washington	Yakima	\$22,000,000
Wisconsin	Fort McCoy	\$64,000,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 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
Hawaii	Marine Corps Base Kaneohe Bay	\$102,600,000
Virginia	Marine Forces Reserve Dam Neck Virginia Beach	\$10,400,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 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	Birmingham International Airport	\$7,500,000
Arizona	Montgomery Regional Airport	\$9,200,000
.....	Morris Air National Guard Base	\$12,000,000
.....	Tucson International Airport	\$10,000,000
Florida	Jacksonville International Airport	\$22,200,000
Indiana	Fort Wayne International Airport	\$12,800,000
Tennessee	McGhee-Tyson Airport	\$23,800,000
Rhode Island	Quonset State Airport	\$35,000,000
West Virginia	McLaughlin Air National Guard Base	\$10,000,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 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	\$8,000,000
Mississippi	Keesler Air Force Base	\$10,000,000
Oklahoma	Tinker Air Force Base	\$12,500,000
Virginia	Langley Air Force Base	\$10,500,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, 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 acquisi-

tion of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. 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 author-

izations set forth in the table in subsection (b), as provided in section 2604 of that Act (131 Stat. 1836), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army National Guard: Outside the United States

State	Installation or Location	Project	Original Authorized Amount
Indiana	Hulman Regional Airport	Construct Small Arms Range	\$8,000,000
South Dakota	Joe Foss Field	Aircraft Maintenance Shops	\$12,000,000
Wisconsin	Dane County Regional/Airport
.....	Truax Field	Construct Small Arms Range	\$8,000,000

SEC. 2608. CORRECTIONS TO AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2022 PROJECTS.

The table in section 2601 of the Military Construction Authorization Act Fiscal Year 2022 (division B of Public law 117–81; 135 Stat. 2178) is amended—

(1) in the item relating to Redstone Arsenal, Alabama, by striking “Redstone Arsenal” and inserting “Huntsville”;

(2) in the item relating to Jerome National Guard Armory, Idaho, by striking “National Guard Armory”;

(3) in the item relating to Nickell Memorial Armory Topeka, Kansas, by striking “Nickell Memorial Armory”;

(4) in the item relating to Lake Charles National Guard Readiness Center, Louisiana, by striking “National Guard Readiness Center”;

(5) in the item relating to Camp Grayling, Michigan, by striking “Camp”;

(6) in the item relating to Butte Military Entrance Testing Site, Montana, by striking “Military Entrance Testing Site”;

(7) in the item relating to Mead Army National Guard Readiness Center, Nebraska, by striking “Army National Guard Readiness Center” and inserting “Training Site”;

(8) in the item relating to Dickinson National Guard Armory, North Dakota, by striking “National Guard Armory”;

(9) in the item relating to Bennington National Guard Armory, Vermont, by striking “National Guard Armory”; and

(10) in the item relating to Camp Ethan Allen Training Site, Vermont, by striking “Camp Ethan Allen Training Site” and inserting “Ethan Allen Air Force Base TS”.

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, 2022, 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 amended by section 2711 of the Military Construction Au-

thorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140), 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.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. MODIFICATION OF COST THRESHOLDS FOR AUTHORITY OF DEPARTMENT OF DEFENSE TO ACQUIRE LOW-COST INTERESTS IN LAND.

Section 2663(c) of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking “\$750,000” and inserting “\$6,000,000”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated by paragraph (3), by striking “unless the total cost is not more than \$750,000, in the case of an acquisition under paragraph (1), or \$1,500,000, in the case of an acquisition under

paragraph (2)” and inserting “unless the total cost is not more than \$6,000,000”.

SEC. 2802. CLARIFICATION OF EXCEPTIONS TO LIMITATIONS ON COST VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

Subparagraph (D) of section 2853(c)(1) of title 10, United States Code, is amended to read as follows:

“(D) The Secretary concerned may not use the authority provided by subparagraph (A) to waive the cost limitation applicable to a military construction project with a total authorized cost greater than \$500,000,000 or a military family housing project with a total authorized cost greater than \$500,000,000 if that waiver would increase the project cost by more than 50 percent of the total authorized cost of the project.”.

SEC. 2803. ELIMINATION OF SUNSET OF AUTHORITY TO CONDUCT UNSPECIFIED MINOR MILITARY CONSTRUCTION FOR LAB REVITALIZATION.

Section 2805(d) of title 10, United States Code, is amended by striking paragraph (5).

SEC. 2804. REQUIREMENT FOR INCLUSION OF DEPARTMENT OF DEFENSE FORMS 1391 WITH ANNUAL BUDGET SUBMISSION BY PRESIDENT.

Concurrently 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, the President shall include each Department of Defense Form 1391, or successor similar form, for a military construction project to be carried out during that fiscal year.

SEC. 2805. DETERMINATION AND NOTIFICATION RELATING TO EXECUTIVE ORDERS THAT IMPACT COST AND SCOPE OF WORK OF MILITARY CONSTRUCTION PROJECTS.

(a) DETERMINATION AND UPDATE OF FORM 1391.—Not later than 30 days after the date on which an Executive order is signed by the President, the Secretary concerned shall—

(1) determine whether the Executive order would cause a cost or scope of work variation for a military construction project under the jurisdiction of the Secretary concerned; and

(2) update the Department of Defense Form 1391 for each military construction project under the jurisdiction of the Secretary concerned that would be impacted by such cost or scope of work variation that has not been submitted to Congress for consideration, including—

(A) projects for the next fiscal year; and

(B) projects covered by the future-years defense program submitted under section 221 of title 10, United States Code.

(b) NOTIFICATION TO CONGRESS.—Not later than 10 days after determining under subsection (a)(1) that an Executive order would cause a cost or scope of work variation for a military construction project, the Secretary concerned shall submit to the congressional defense committees a report indicating all military construction projects under the jurisdiction of the Secretary concerned with respect to which costs would increase due to the Executive order.

(c) CERTIFICATION.—Before the submission to Congress of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code, each Secretary concerned shall certify to Congress that each Department of Defense Form 1391 provided to Congress for that fiscal year for a military construction project has been updated with any cost or scope of work variation specified in subsection (a)(1) caused by an Executive order signed during the four-year period preceding such certification, including an indication of any cost increases for such project

that is directly attributable to such Executive order.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term “Secretary concerned” has the meaning given that term in section 101 of title 10, United States Code.

SEC. 2806. EXTENSION OF AUTHORIZATION OF DEPOT WORKING CAPITAL FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION.

Section 2208(u)(4) of title 10, United States Code, is amended by striking “September 30, 2023”, and inserting “September 30, 2025”.

SEC. 2807. TEMPORARY INCREASE OF AMOUNTS IN CONNECTION WITH AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION.

For the period beginning on the date of the enactment of this Act and ending on December 1, 2025, section 2805 of title 10, United States Code, shall be applied and administered—

(1) in subsection (a)(2), by substituting “\$9,000,000” for “\$6,000,000”;

(2) in subsection (c), by substituting “\$4,000,000” for “\$2,000,000”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by substituting “\$9,000,000” for “\$6,000,000”; and

(ii) in subparagraph (B), by substituting “\$9,000,000” for “\$6,000,000”; and

(B) in paragraph (2), by substituting “\$9,000,000” for “\$6,000,000”; and

(4) in subsection (f)(1), by substituting “\$14,000,000” for “\$10,000,000”.

SEC. 2808. ELECTRICAL CHARGING CAPABILITY CONSTRUCTION REQUIREMENTS RELATING TO PARKING FOR FEDERAL GOVERNMENT MOTOR VEHICLES.

(a) IN GENERAL.—If the Secretary concerned develops plans for a project to construct any facility that includes or will include parking for covered motor vehicles, the Secretary concerned shall include in any Department of Defense Form 1391, or successor form, submitted to Congress for that project—

(1) the provision of electric vehicle charging capability at the facility adequate to provide electrical charging, concurrently, for not less than 15 percent of all covered motor vehicles planned to be parked at the facility;

(2) the inclusion of the cost of constructing such capability in the overall cost of the project; and

(3) an analysis of whether a parking structure or lot will be the primary charging area for covered motor vehicles or if another area, such as public works or the motor pool, will be the primary charging area.

(b) DEFINITIONS.—In this section:

(1) COVERED MOTOR VEHICLE.—The term “covered motor vehicle” means a Federal Government motor vehicle, including a motor vehicle leased by the Federal Government.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of a military department with respect to facilities under the jurisdiction of that Secretary; and

(B) the Secretary of Defense with respect to matters concerning the Defense Agencies and facilities of a reserve component owned by a State rather than the United States.

SEC. 2809. USE OF INTEGRATED PROJECT DELIVERY CONTRACTS.

(a) IN GENERAL.—In fiscal year 2023, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each enter into at least one integrated project delivery contract for the delivery of a military construction project.

(b) INTEGRATED PROJECT DELIVERY CONTRACT DEFINED.—In this section, the term “integrated project delivery contract” means a contract, including a multi-party contract, that—

(1) includes at least the owner, builder, and architect engineer; and

(2) shares the risks and rewards among all parties to the contract.

SEC. 2810. EXPANSION OF PILOT PROGRAM ON INCREASED USE OF SUSTAINABLE BUILDING MATERIALS IN MILITARY CONSTRUCTION TO INCLUDE LOCATIONS THROUGHOUT THE UNITED STATES.

Section 2861(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2802 note) is amended, in the matter preceding subparagraph (A), by striking “continental”.

Subtitle B—Military Housing

SEC. 2821. SPECIFICATION OF ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT AS CHIEF HOUSING OFFICER.

Subsection (a) of section 2851a of title 10, United States Code, is amended to read as follows:

“(a) IN GENERAL.—The Assistant Secretary of Defense for Energy, Installations, and Environment shall serve as the Chief Housing Officer, who shall oversee family housing and military unaccompanied housing under the jurisdiction of the Department of Defense or acquired or constructed under subchapter IV of this chapter (in this section referred to as ‘covered housing units’).”.

SEC. 2822. DEPARTMENT OF DEFENSE MILITARY HOUSING READINESS COUNCIL.

(a) IN GENERAL.—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 an active component member of each of the Army, Navy, Air Force, Marine Corps, and Space Force, not fewer than two of which shall be the spouse of an enlisted component member.

“(D) One individual appointed by the Secretary of Defense among representatives of the International Code Council.

“(E) One individual appointed by the Secretary of Defense among representatives of the Institute of Inspection Cleaning and Restoration Certification.

“(F) One individual appointed by the Chair of the Committee on Armed Services of the Senate who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

“(G) One individual appointed by the Ranking Member of the Committee on Armed Services of the Senate who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

“(H) One individual appointed by the Chair of the Committee on Armed Services of the House of Representatives who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

“(I) One individual appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

“(2) TERMS.—The term on the Council of the members specified under subparagraphs (B) through (H) 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.

“(c) MEETINGS.—The Council shall meet not less often than four 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 with and effective implementation by the Department of statutory 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 of Defense, and other support services among policymakers, service providers, and targeted beneficiaries.

“(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;

“(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 chapter is amended by inserting after the item relating to section 1781c the following new item:

“1781d. Department of Defense Military Housing Readiness Council.”

SEC. 2823. MANDATORY DISCLOSURE OF POTENTIAL PRESENCE OF MOLD AND HEALTH EFFECTS OF MYCOTOXINS BEFORE A LEASE IS SIGNED FOR PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subchapter V of chapter 169 of title 10, United States Code, is amended by inserting after section 2890 the following new section:

“§2890a. Disclosure of potential presence of mold and health effects of mycotoxins

“(a) IN GENERAL.—The Secretary of Defense shall develop a mold disclosure document, which shall be provided by each landlord to a prospective tenant of a housing unit owned or managed by such landlord.

“(b) ELEMENTS OF DOCUMENT.—The mold disclosure document developed under subsection (a) shall include the following:

“(1) A notification that mold could be present in the housing unit.

“(2) An instruction that any tenant that discovers mold in the housing unit should notify the landlord not later than 48 hours after discovering mold.

“(3) Information regarding the human health effects of mycotoxins.”

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by inserting after the item relating to section 2890 the following new item:

“2890a. Disclosure of potential presence of mold and health effects of mycotoxins.”

SEC. 2824. IMPLEMENTATION OF RECOMMENDATIONS FROM AUDIT OF MEDICAL CONDITIONS OF RESIDENTS IN PRIVATIZED MILITARY HOUSING.

Not later than March 1, 2023, the Secretary of Defense shall implement the recommendations contained in the report of the Inspector General of the Department of Defense dated April 1, 2022, and entitled, “Audit of Medical

Conditions of Residents in Privatized Military Housing” (DODIG–2022–078).

Subtitle C—Land Conveyances

SEC. 2841. CONVEYANCE, JOINT BASE CHARLESTON, SOUTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force (in this section referred to as the “Secretary”) may convey to the City of North Charleston, South Carolina (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 26 acres known as the Old Navy Yard at Joint Base Charleston, South Carolina, for the purpose of permitting the City to use the property for economic development.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the City shall pay to the United States an amount equal to not less than the fair market value, as determined by the Secretary, based on an appraisal of the property to be conveyed under such subsection, which may consist of cash payment, in-kind consideration as described under paragraph (3), or a combination thereof.

(2) SUFFICIENCY OF CONSIDERATION.—

(A) IN GENERAL.—Consideration paid to the Secretary under paragraph (1) must be sufficient, as determined by the Secretary, to provide replacement space for, and for the relocation of, any personnel, furniture, fixtures, equipment, and personal property of any kind belonging to any military department located upon the property to be conveyed under subsection (a).

(B) COMPLETION PRIOR TO CONVEYANCE.—Any cash consideration must be paid in full and any in-kind consideration must be complete, useable, and delivered to the satisfaction of the Secretary at or prior to the conveyance under subsection (a).

(3) IN-KIND CONSIDERATION.—In-kind consideration paid by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure with proximity to Joint Base Charleston Weapons Station (South Annex) and located on Joint Base Charleston, that the Secretary considers acceptable.

(4) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash consideration received by the United States under paragraph (1) shall be deposited in the special account in the Treasury under subparagraph (A) of section 572(b)(5) of title 40, United States Code, and shall be available in accordance with subparagraph (B)(ii) of such section.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—

(A) IN GENERAL.—The Secretary may require the City to cover all costs 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 survey costs, appraisal costs, costs related to environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND OF AMOUNTS.—If amounts paid by the City to the Secretary in advance exceed 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.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the

conveyance or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and to the same conditions and limitations, as amounts in such fund or account.

(d) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) **CONDITION OF CONVEYANCE.**—The conveyance under subsection (a) shall be subject to all valid existing rights and the City shall accept the property (and any improvements thereon) in its condition at the time of the conveyance (commonly known as a conveyance “as is”).

(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.

(g) **OLD NAVY YARD DEFINED.**—In this section, the term “Old Navy Yard” includes the facilities used by the Naval Information Warfare Center Atlantic, including buildings 1602, 1603, 1639, 1648, and such other facilities, infrastructure, and land along or near the Cooper River waterfront at Joint Base Charleston as the Secretary considers appropriate.

Subtitle D—Other Matters

SEC. 2861. INTEGRATED MASTER INFRASTRUCTURE PLAN TO SUPPORT DEFENSE OF GUAM.

(a) **UPDATE OF PLAN AND REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the heads of such Federal agencies as the Secretary considers pertinent—

(1) update the plan detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the nonmilitary utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces, required by section 2822 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66), to reflect current and future plans for the introduction of additional military and supporting nonmilitary capabilities on the island; and

(2) submit to the congressional defense committees a report on the updates made under paragraph (1).

(b) **MATTERS INCLUDED.**—In preparing the update required by subsection (a)(1), the Secretary shall ensure that, at a minimum, the resulting updated plan addresses:

(1) necessary improvements to the existing civilian electrical power grid and electric power generation capabilities to ensure that the expected increase in Department of Defense power requirements can be satisfied without adversely affecting the general population;

(2) opportunities for increasing energy resilience for Department of Defense facilities and reducing expected demands on civilian resources;

(3) expediting the ability to remove unexploded ordnance during construction;

(4) required enhancements to potable water supplies and sewer systems to sustain expected increases in Department of Defense employees, military, supporting personnel, and dependents;

(5) needed civilian roadway rehabilitation efforts and enhancements to support increased traffic and heavy equipment movements;

(6) advisable commercial airport and seaport rehabilitation and capacity expansion

projects that could improve logistical effectiveness and efficiency;

(7) expanded public safety infrastructure needs to provide adequate fire and police services for expected increases in Department of Defense employees, military, supporting personnel, and dependents;

(8) projected timelines for completion and anticipated phasing for projects; and

(9) other topics the Secretary deems appropriate to include.

(c) **FORM.**—The report submitted under subsection (a)(2) shall be submitted in unclassified form, but may include a classified annex.

SEC. 2862. REPEAL OF REQUIREMENT FOR INTER-AGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2835 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 10 U.S.C. 2687 note) is repealed.

SEC. 2863. TEMPORARY AUTHORITY FOR ACCEPTANCE AND USE OF FUNDS FOR CERTAIN CONSTRUCTION PROJECTS IN THE REPUBLIC OF KOREA.

Section 2863 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1899) is amended—

(1) in the section heading, by striking “MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND” and inserting “IN”;

(2) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by striking “cash”; and

(B) in subparagraph (B), by inserting “and construction” after “The design”;

(3) in subsection (b), by striking “Contributions” and inserting “Cash contributions”; and

(4) by amending subsection (e) to read as follows:

“(e) **METHOD OF CONTRIBUTION.**—Contributions may be accepted under subsection (a) in any of the following forms:

“(1) Irrevocable letter of credit issued by a financial institution acceptable to the Treasurer of the United States.

“(2) Drawing rights on a commercial bank account established and funded by the Republic of Korea, which account is blocked such that funds deposited cannot be withdrawn except by or with the approval of the United States.

“(3) Cash, which shall be deposited into the account established under subsection (b).”.

SEC. 2864. MODIFICATION OF QUITCLAIM DEED BETWEEN THE UNITED STATES AND THE CITY OF CLINTON, OKLAHOMA.

(a) **IN GENERAL.**—The Secretary of Defense shall abrogate and release the City of Clinton, Oklahoma, or any subsequent grantee, from the conditions specified in subsection (b) for the land specified in subsection (d).

(b) **CONDITIONS SPECIFIED.**—The conditions specified in this subsection are the following:

(1) That during any national emergency declared by the President or Congress, the Department of Defense shall have the right to make exclusive or nonexclusive use and have exclusive or nonexclusive control and possession, without charge, of the airport located on the land specified in subsection (d), or of such portion thereof as the President may desire.

(2) That the Department of Defense shall be responsible for the entire cost of maintaining such part of the airport as it may use exclusively, or over which it may have exclusive possession or control, during the period of such use, possession, or control, and shall be obligated to contribute a reasonable share, commensurate with the use made by it, of the cost of maintenance of such property as it may use nonexclusively or over which it may have nonexclusive control and possession.

(3) That the Department of Defense shall pay a fair rental for its use, control, or possession, exclusively or nonexclusively, of any improvements to the airport made without aid from the Department.

(c) **PAYMENT OF COSTS.**—The City of Clinton, Oklahoma, or any subsequent grantee, shall pay all costs related to any survey, legal description, contract modification, or deed modification necessary to carry out subsection (a).

(d) **LAND SPECIFIED.**—The land specified in this subsection—

(1) is the land owned or maintained by the Department of Defense that is—

(A) adjacent to the City of Clinton Spaceport covered within the quitclaim deed dated January 27, 1949, between the United States and the City of Clinton, Oklahoma;

(B) east of the Clinton Sherman Airport with—

(i) northern boundary of Sooner Drive between 7th Street and 2nd Street;

(ii) southern boundary of East 1160 Road extending from 2nd Street past Little Elk Creek;

(iii) western boundary running parallel to 2nd Street; and

(iv) western boundary extending past Little Elk Creek to Woodland Street; and

(C) encompassing the Greens Burns Flat Golf Course; and

(2) does not include—

(A) the Clinton Sherman Airport or runway; or

(B) any land west of 2nd Street adjacent to the Oklahoma Space Industry Development Authority maintenance building or its surrounding support west of 2nd Street.

SEC. 2865. PROHIBITION ON JOINT USE OF HOMESTEAD AIR RESERVE BASE WITH CIVIL AVIATION.

On or before September 30, 2026, the Secretary of the Air Force may not enter into an agreement that would provide for or permit the joint use of Homestead Air Reserve Base, Homestead, Florida, by the Air Force and civil aircraft.

SEC. 2866. INCLUSION OF INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS IN DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391(d) of title 10, United States Code, is amended—

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

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

“(3) In selecting community infrastructure projects to receive assistance under this subsection, the Secretary shall consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1985).”.

SEC. 2867. PROCUREMENT OF ELECTRIC, ZERO EMISSION, ADVANCED-BIOFUEL-POWERED, OR HYDROGEN-POWERED VEHICLES FOR THE DEPARTMENT OF DEFENSE.

(a) **PROCUREMENT REQUIREMENT.**—

(1) **IN GENERAL.**—Section 2922g of title 10, United States Code, is amended to read as follows:

“§ 2922g. Procurement of electric, zero emission, advanced-biofuel-powered, or hydrogen-powered vehicles

“(a) **REQUIREMENT.**—Except as provided in subsection (b), all covered nontactical vehicles purchased or leased by or for the use of the Department of Defense shall be—

“(1) an electric or zero emission vehicle that uses a charging connector type (or other means to transmit electricity to the vehicle) that meets applicable industry accepted standards for interoperability and safety;

“(2) an advanced-biofuel-powered vehicle; or

“(3) a hydrogen-powered vehicle.

“(b) RELATION TO OTHER VEHICLE TECHNOLOGIES THAT REDUCE CONSUMPTION OF FOSSIL FUELS.—Notwithstanding the requirement under subsection (a), the Secretary of Defense may authorize the purchase or lease of covered nontactical vehicles that are not described in such subsection if the Secretary determines, on a case by case basis, that—

“(1) the technology used in the vehicles to be purchased or leased reduces the consumption of fossil fuels compared to vehicles that use conventional internal combustion technology;

“(2) the purchase or lease of such vehicles is consistent with the energy performance goals and plan of the Department of Defense required by section 2911 of this title; and

“(3) the purchase or lease of vehicles described in subsection (a) is impracticable under the circumstances.

“(c) WAIVER.—

“(1) IN GENERAL.—The Secretary of Defense may waive the requirement under subsection (a).

“(2) NONDELEGATION.—The Secretary of Defense may not delegate the waiver authority under paragraph (1).

“(d) DEFINITIONS.—In this section:

“(1) ADVANCED-BIOFUEL-POWERED VEHICLE.—The term ‘advanced-biofuel-powered vehicle’ includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101(3)(A)).

“(2) COVERED NONTACTICAL VEHICLE.—The term ‘covered nontactical vehicle’ means any vehicle—

“(A) that is not a tactical vehicle designed for use in combat; and

“(B) that is purchased or leased by the Department of Defense pursuant to a contract entered into, renewed, modified, or amended on or after October 1, 2030.

“(3) HYDROGEN-POWERED VEHICLE.—The term ‘hydrogen-powered vehicle’ means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 173 of such title is amended by striking the item relating to section 2922g and inserting the following new item:

“2922g. Procurement of electric, zero emission, advanced-biofuel-powered, or hydrogen-powered vehicles.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2030.

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 2023 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 23-D-516, Energetic Materials Characterization Facility, Los Alamos Na-

tional Laboratory, Los Alamos, New Mexico, \$19,000,000.

Project 23-D-517, Electrical Power Capacity Upgrade, Los Alamos National Laboratory, Los Alamos, New Mexico, \$24,000,000.

Project 23-D-518, Plutonium Modernization Operations and Waste Management Office Building, Los Alamos National Laboratory, Los Alamos, New Mexico, \$48,500,000.

Project 23-D-519, Special Materials Facility, Y-12 National Security Complex, Oak Ridge, Tennessee, \$49,500,000.

Project 23-D-533, Component Test Complex Project, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, \$57,420,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 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 23-D-402, Calcine Construction, Idaho National Laboratory, Idaho Falls, Idaho, \$10,000,000.

Project 23-D-403 200 West Area Tank Farms Risk Management Project, Hanford Site, Richland, Washington, \$4,408,000.

Project 23-D-404, 181D Export Water System Reconfiguration and Upgrade, Hanford Site, Richland, Washington, \$6,770,000

Project 23-D-405, 181B Export Water System Reconfiguration and Upgrade, Hanford Site, Richland, Washington, \$480,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 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 2023 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. WORKFORCE ENHANCEMENT FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) FIXED-TERM APPOINTMENT FOR ADMINISTRATOR FOR NUCLEAR SECURITY.—

(1) IN GENERAL.—Section 202(c) of the Department of Energy Organization Act (42 U.S.C. 7132(c)) is amended—

(A) in paragraph (1)—

(i) by inserting “(A)” after “(1)”;

(ii) by striking “shall be appointed” and all that follows through “Code.” and inserting the following: “shall—

“(i) be appointed by the President, by and with the advice and consent of the Senate; and

“(ii) serve—

“(I) except as provided in subclause (II), for a term of not more than 5 years; or

“(II) until a successor is appointed, by and with the advice and consent of the Senate.”; and

(iii) by adding at the end the following:

“(B) A person appointed to serve as the Under Secretary for Nuclear Security may continue to serve in that position after the expiration of the person’s term under subparagraph (A)(ii) until a successor is appointed, by and with the advice and consent of the Senate.”;

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Under Secretary for Nuclear Security shall be compensated at the rate provided for at level III of the Executive Schedule under section 5314 of title 5, United States Code.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) apply with respect to an individual appointed to serve as the Under Secretary for Nuclear Security on or after January 20, 2023.

(b) REPEAL OF CAP ON FULL-TIME EQUIVALENT EMPLOYEES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.—

(1) IN GENERAL.—Section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241A.

SEC. 3112. ACCELERATION OF DEPLETED URANIUM MANUFACTURING PROCESSES.

(a) ACCELERATION OF MANUFACTURING.—The Administrator for Nuclear Security shall require the nuclear security enterprise to accelerate the modernization of manufacturing processes for depleted uranium so that the nuclear security enterprise—

(1) by not later than 2026—

(A) demonstrates bulk cold hearth melting of depleted uranium to replace existing technologies; and

(B) manufactures, on a repeatable and ongoing basis, war reserve depleted uranium components using net shape casting; and

(2) by not later than 2028, produces bulk depleted uranium using cold hearth melting on an operational basis for war reserve components.

(b) OPERATION OF MANUFACTURING FACILITY.—

(1) ACQUISITION OF FACILITY.—By not later than 2026, the Administrator shall demonstrate, if possible through the use of leased real estate options, a production facility for manufacturing depleted uranium components outside the current perimeter security fencing of the Y-12 National Security Complex, Oak Ridge, Tennessee.

(2) OPERATION.—The Administrator shall ensure that, by not later than 2029, the facility acquired under paragraph (1) conducts routine operations for the manufacture of war reserve components.

(c) CONVERSION OF DEPLETED URANIUM HEXAFLUORIDE TO DEPLETED URANIUM TETRAFLUORIDE.—The Administrator shall ensure that the nuclear security enterprise—

(1) by not later than 2026, demonstrates the conversion of depleted uranium hexafluoride to depleted uranium tetrafluoride;

(2) by not later than 2028, converts depleted uranium hexafluoride to depleted uranium tetrafluoride on an operational basis; and

(3) by not later than 2030, has available high purity depleted uranium for the production of war reserve components.

(d) BRIEFING.—Not later than March 31, 2023, and annually thereafter through 2030, the Administrator shall brief the congressional defense committees on—

(1) progress made in carrying out subsections (a), (b), and (c);

(2) the cost of activities conducted under such subsections during the preceding fiscal year; and

(3) the ability of the nuclear security enterprise to convert depleted uranium fluoride hexafluoride to depleted uranium tetrafluoride.

(e) NUCLEAR SECURITY ENTERPRISE DEFINED.—In this section, the term “nuclear security enterprise” has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

SEC. 3113. CERTIFICATION OF COMPLETION OF MILESTONES WITH RESPECT TO PLUTONIUM PIT AGING.

(a) **IN GENERAL.**—The National Nuclear Security Administration shall complete the milestones on plutonium pit aging identified in the report entitled “Research Program Plan for Plutonium and Pit Aging”, published by the Administration in September 2021.

(b) **ANNUAL ASSESSMENT.**—The Administrator for Nuclear Security shall seek to enter into an arrangement with the private scientific advisory group known as JASON to conduct, annually through 2030, an assessment of the progress achieved toward completing the milestones described in subsection (a).

(c) **BRIEFING OF CONGRESSIONAL DEFENSE COMMITTEES.**—Not later than 1 year after the date of the enactment of this Act, and annually thereafter until 2030, the Administrator shall brief the congressional defense committees on—

(1) the progress achieved toward completing the milestones described in subsection (a); and

(2) the results of the assessment described in subsection (b).

(d) **CERTIFICATION OF COMPLETION OF MILESTONES.**—

(1) **IN GENERAL.**—Not later than October 1, 2031, the Administrator shall certify to the congressional defense committees whether the milestones described in subsection (a) have been achieved.

(2) **JUSTIFICATION FOR INCOMPLETE MILESTONES.**—If the milestones described in subsection (a) have not been achieved, the Administrator shall submit to the congressional defense committees, concurrently with the certification required by paragraph (1), a report—

(A) describing the reasons such milestones have not been achieved;

(B) including, if the Administrator determines the Administration will not be able to meet one of such milestones, an explanation for that determination; and

(C) specifying new dates for the completion of the milestones the Administrator anticipates the Administration will meet.

SEC. 3114. ASSISTANCE BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO THE AIR FORCE FOR THE DEVELOPMENT OF THE MARK 21A FUSE.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the Secretary of the Air Force under which the Administrator shall provide assistance to the Air Force in developing a fuse for the Mark 21A reentry vehicle to support the W87-1 warhead over the projected lifetime of the warhead, including by—

(1) acting as an external reviewer of the Mark 21A fuse, including by reviewing—

(A) the design of the fuse;

(B) the quality of manufacturing and parts; and

(C) the life availability of components;

(2) advising and supporting the Air Force on strategies to mitigate technical and schedule fuse risks; and

(3) otherwise ensuring the expertise of the National Nuclear Security Administration in fuse and warhead design and manufacturing is available to support successful development and sustainment of the fuse over its lifetime.

(b) **BUDGET REQUEST.**—The Administrator shall include, in the budget justification materials submitted to Congress in support of the budget of the Department of Energy for fiscal year 2024 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a request for

amounts sufficient to ensure that the assistance provided to the Air Force under the agreement required by subsection (a) does not negatively affect ongoing nuclear modernization programs of the Administration.

(c) **NUCLEAR WEAPONS COUNCIL REVIEW.**—The Nuclear Weapons Council established under section 179 of title 10, United States Code, shall review the agreement required by subsection (a) and ensure that assistance provided under such agreement aligns with ongoing programs of record between the Department of Defense and the Administration.

(d) **TRANSMITTAL OF AGREEMENT.**—Not later than 120 days after the date of the enactment of this Act, the Nuclear Weapons Council shall transmit to the congressional defense committee the agreement required by subsection (a) and any comments that the Council considers appropriate.

SEC. 3115. EXTENSION OF DEADLINE FOR TRANSFER OF PARCELS OF LAND TO BE CONVEYED TO LOS ALAMOS COUNTY, NEW MEXICO.

(a) **ENVIRONMENTAL RESTORATION.**—If the Secretary of Energy, under any authority granted by law, determines that a covered parcel of land requires environmental restoration or remediation, the Secretary shall, to the maximum extent practicable, complete the environmental restoration or remediation of the covered parcel of land not later than September 30, 2032, and otherwise in compliance with such authority.

(b) **CONVEYANCE OR TRANSFER.**—If the Secretary, under any authority granted by law, determines that environmental restoration or remediation cannot reasonably be expected to be completed with respect to a covered parcel of land by September 30, 2032, the Secretary may not convey or transfer the covered parcel of land.

(c) **COVERED PARCEL OF LAND DEFINED.**—The term “covered parcel of land” means a parcel of land—

(1) under the jurisdiction or administrative control of the Secretary of Energy;

(2) located at or in the vicinity of Los Alamos National Laboratory, Los Alamos, New Mexico; and

(3) that the Secretary identified, in a report submitted to the congressional defense committees before the date of the enactment of this Act, as suitable for conveyance or transfer to Los Alamos County.

SEC. 3116. USE OF ALTERNATIVE TECHNOLOGIES TO ELIMINATE PROLIFERATION THREATS AT VULNERABLE SITES.

Section 4306B of the Atomic Energy Defense Act (50 U.S.C. 2569) is amended—

(1) in subsection (c)(1)(M)(ii), by inserting “(including through the use of alternative technologies)” after “convert”; and

(2) in subsection (g), by adding at the end the following new paragraph:

“(7) The term ‘alternative technologies’ means technologies, such as accelerator-based equipment, that do not use radiological materials.”.

SEC. 3117. UPDATE TO PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NON-OPERATIONAL DEFENSE NUCLEAR FACILITIES.

Section 4423 of the Atomic Energy Defense Act (50 U.S.C. 2603) is amended—

(1) by striking “even-numbered” each place it appears and inserting “odd-numbered”; and

(2) by striking “2016” each place it appears and inserting “2023”;

(3) in subsection (c)—

(A) by striking “2019” and inserting “2025”; and

(B) by striking “determines—” and all that follows and inserting “determines are non-operational as of September 30, 2022.”;

(4) in subsection (d)(4), by striking “2018” and inserting “2024”; and

(5) in subsection (e), by striking “2026” and inserting “2031”.

Subtitle C—Budget and Financial Management Matters

SEC. 3121. MODIFICATION OF COST BASELINES FOR CERTAIN PROJECTS.

Section 4713(a) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)) is amended—

(1) in paragraph (2)(D), by striking “\$750,000,000” and inserting “\$960,000,000 (in base fiscal year 2022 dollars)”;

(2) in paragraph (3)(A)(i), by striking “\$50,000,000” and inserting “\$65,000,000 (in base fiscal year 2022 dollars)”;

(3) in paragraph (4)(A)(i), by striking “\$50,000,000” and inserting “\$65,000,000 (in base fiscal year 2022 dollars)”.

SEC. 3122. UNAVAILABILITY FOR OVERHEAD COSTS OF AMOUNTS SPECIFIED FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—Section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792) is amended by adding at the end the following new subsection:

“(c) **LIMITATION ON USE OF FUNDS FOR OVERHEAD.**—A national security laboratory may not use funds made available under section 4811(c) to cover the costs of general and administrative overhead for the laboratory.”.

(b) **REPEAL OF PILOT PROGRAM.**—Section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 50 U.S.C. 2791 note) is repealed.

SEC. 3123. PURCHASE OF REAL PROPERTY OPTIONS.

(a) **IN GENERAL.**—Subtitle E of the National Nuclear Security Administration Act (50 U.S.C. 2461 et seq.) is amended by adding at the end the following new section:

“SEC. 3265. USE OF FUNDS FOR THE PURCHASE OF OPTIONS TO PURCHASE OR LEASE REAL PROPERTY.

“(a) **IN GENERAL.**—Subject to the limitation in subsection (b), funds authorized to be appropriated for the Administration for the purchase of real property may be expended to purchase options for the purchase or lease of real property.

“(b) **LIMITATION ON PRICE OF OPTIONS.**—The price of any option purchased pursuant to subsection (a) may not exceed the minor construction threshold (as defined in section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741)).

“(c) **NOTICE.**—Not later than 14 days after the date an option is purchased pursuant to subsection (a), the Administrator for Nuclear Security shall submit to the congressional defense committees—

“(1) a notification of such purchase; and

“(2) a summary of the rationale for such purchase.”.

(b) **CLERICAL AMENDMENT.**—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 3264 the following new item:

“Sec. 3265. Use of funds for the purchase of options to purchase or lease real property.”.

SEC. 3124. DETERMINATION OF STANDARDIZED INDIRECT COST ELEMENTS.

(a) **IN GENERAL.**—Not later than March 31, 2025, the Deputy Chief Financial Officer of the Department of Energy shall, in consultation with the Administrator for Nuclear Security and the Director of the Office of Science, determine standardized indirect cost elements to be reported by contractors to the Administrator.

(b) **REPORT.**—Not later than 90 days after the date that the determination required by subsection (a) is made, the Deputy Chief Financial Officer shall, in coordination with the Administrator and the Director, submit to the congressional defense committees a

report describing the standardized indirect cost elements determined under subsection (a) and a plan to require contractors to report, beginning in fiscal year 2026, such standardized indirect cost elements to the Administrator.

(c) **STANDARDIZED INDIRECT COST ELEMENTS DEFINED.**—In this section, the term “standardized indirect cost elements” means the categories of indirect costs incurred by management and operating contractors that receive funds to perform work for the National Nuclear Security Administration.

SEC. 3125. ADJUSTMENT OF MINOR CONSTRUCTION THRESHOLD.

Section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741) is amended—

(1) in paragraph (1), by inserting “DOE NATIONAL SECURITY AUTHORIZATION.—” before “The”; and

(2) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) **MINOR CONSTRUCTION THRESHOLD.**—The term ‘minor construction threshold’ means \$25,000,000 (in base fiscal year 2021 dollars).”.

SEC. 3126. REQUIREMENTS FOR SPECIFIC REQUEST FOR NEW OR MODIFIED NUCLEAR WEAPONS.

Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(1) in subsection (a)(1), by inserting “beyond phase 1 or phase 6.1 (as the case may be) of the nuclear weapon acquisition process” after “modified nuclear weapon”; and

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

“(b) **BUDGET REQUEST FORMAT.**—In a request for funds under subsection (a), the Secretary shall include a dedicated line item for each activity described in subsection (a)(2) for a new nuclear weapon or modified nuclear weapon that is in phase 2 or higher or phase 6.2 or higher (as the case may be) of the nuclear weapon acquisition process.”.

SEC. 3127. LIMITATION ON USE OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY ADVANCED MANUFACTURING DEVELOPMENT.

(a) **IN GENERAL.**—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the National Nuclear Security Administration for advanced manufacturing development, the Administrator for Nuclear Security may authorize an amount, not to exceed 5 percent of such funds, to be used by the director of a nuclear weapons production facility to engage in research, development, and demonstration activities in order to maintain and enhance the engineering and manufacturing capabilities at such facility.

(b) **NUCLEAR WEAPONS PRODUCTION FACILITY DEFINED.**—In this section, the term “nuclear weapons production facility” means any of the following:

- (1) The Kansas City National Security Campus, Kansas City, Missouri, and any related satellite location.
- (2) The Y-12 National Security Complex, Oak Ridge, Tennessee.
- (3) The Pantex Plant, Amarillo, Texas.
- (4) The Savannah River Site, Aiken, South Carolina.
- (5) The Nevada National Security Site, North Las Vegas, Nevada.

Subtitle D—Other Matters

SEC. 3131. REPEAL OF OBSOLETE PROVISIONS OF THE ATOMIC ENERGY DEFENSE ACT AND OTHER PROVISIONS.

(a) **REPEAL OF PROVISIONS OF THE ATOMIC ENERGY DEFENSE ACT.**—

(1) **IN GENERAL.**—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended—

(A) in title XLII—

(i) in subtitle A, by striking section 4215; and

(ii) in subtitle B, by striking section 4235; and

(B) in title XLIV—

(i) in subtitle A, by striking section 4403;

(ii) in subtitle C, by striking sections 4444, 4445, and 4446; and

(iii) in subtitle D, by striking section 4454.

(2) **CLERICAL AMENDMENT.**—The table of contents for the Atomic Energy Defense Act is amended by striking the items relating to sections 4215, 4235, 4403, 4444, 4445, 4446, and 4454.

(b) **REPEAL OF OTHER PROVISIONS.**—

(1) **AUTHORITY TO USE INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM FUNDS OUTSIDE THE FORMER SOVIET UNION.**—Section 3124 of the National Defense Authorization Act for Fiscal Year 2004 (50 U.S.C. 2568) is repealed.

(2) **SILK ROAD INITIATIVE; NUCLEAR NON-PROLIFERATION FELLOWSHIPS.**—Sections 3133 and 3134 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2570, 2571) are repealed.

(3) **REQUIREMENT FOR RESEARCH AND DEVELOPMENT PLAN AND REPORT WITH RESPECT TO NUCLEAR FORENSICS CAPABILITIES.**—Section 3114 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (50 U.S.C. 2574) is repealed.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2023, \$41,401,400 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.).

SEC. 3202. DELEGATION OF AUTHORITY TO CHAIRPERSON OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Section 311 of the Atomic Energy Act of 1954 (42 U.S.C. 2286) is amended by striking subsection (e) and inserting the following new subsection (e):

“(e) **QUORUM.**—

“(1) **IN GENERAL.**—Three members of the Board shall constitute a quorum, but a lesser number may hold hearings.

“(2) **DELEGATION OF AUTHORITY.**—

“(A) **IN GENERAL.**—Upon a loss of quorum due to vacancy or incapacity of a member of the Board, the authorities of the Board under sections 312, 313, 315, and 316 shall be delegated to the Chairperson.

“(B) **TERMINATION OF DELEGATION.**—Any delegation of authority under subparagraph (A) shall terminate upon re-establishment of a quorum.

“(C) **LIMITATIONS ON DELEGATED AUTHORITY.**—If any authority of the Board has been delegated to the Chairperson under subparagraph (A) and a member is serving on the Board with the Chairperson, the Chairperson—

“(i) shall consult with such member before exercising such delegated authority; and

“(ii) may initiate an investigation or issue a recommendation to the Secretary of Energy only with the approval of such member.

“(D) **NOTIFICATION.**—The Board shall notify the congressional defense committees not later than 30 days before any date on which—

“(i) the Board delegates any authority under subparagraph (A);

“(ii) the Chairperson exercises such authority; or

“(iii) the Chairperson initiates an investigation or issues a recommendation to the Secretary of Energy.”.

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 mis-

sion 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 reimburse-

ment 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.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
5	SMALL UNMANNED AIRCRAFT SYSTEMS	10,598	10,598
	ROTARY		
7	AH-64 APACHE BLOCK IIIA REMAN	524,661	524,661
8	AH-64 APACHE BLOCK IIIA REMAN	169,218	169,218
10	UH-60 BLACKHAWK M MODEL (MYP)	650,406	650,406
11	UH-60 BLACKHAWK M MODEL (MYP)	68,147	68,147
12	UH-60 BLACK HAWK L AND V MODELS	178,658	178,658
13	CH-47 HELICOPTER	169,149	169,149
14	CH-47 HELICOPTER	18,749	18,749
	MODIFICATION OF AIRCRAFT		
16	MQ-1 PAYLOAD	57,700	57,700
18	GRAY EAGLE MODS2	13,038	13,038
19	MULTI SENSOR ABN RECON	21,380	26,580
	SOUTHCOM hyperspectral imagery sensors		[5,200]
20	AH-64 MODS	85,840	85,840
21	CH-47 CARGO HELICOPTER MODS (MYP)	11,215	11,215
24	EMARSS SEMA MODS	1,591	1,591
26	UTILITY HELICOPTER MODS	21,346	21,346
27	NETWORK AND MISSION PLAN	44,526	44,526
28	COMMS, NAV SURVEILLANCE	72,387	72,387
30	AVIATION ASSURED PNT	71,130	71,130
31	GATM ROLLUP	14,683	14,683
	GROUND SUPPORT AVIONICS		
34	AIRCRAFT SURVIVABILITY EQUIPMENT	167,927	167,927
35	SURVIVABILITY CM	6,622	6,622
36	CMWS	107,112	107,112
37	COMMON INFRARED COUNTERMEASURES (CIRCM)	288,209	288,209
	OTHER SUPPORT		
39	COMMON GROUND EQUIPMENT	20,823	20,823
40	AIRCREW INTEGRATED SYSTEMS	25,773	25,773
41	AIR TRAFFIC CONTROL	27,492	27,492
42	LAUNCHER, 2.75 ROCKET	1,275	1,275
	UNDISTRIBUTED	0	90,141
	Inflation effects		[90,141]
	TOTAL AIRCRAFT PROCUREMENT, ARMY	2,849,655	2,944,996
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	4,260	4,260
2	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	9,200	9,200
3	M-SHORAD—PROCUREMENT	135,747	135,747
4	MSE MISSILE	1,037,093	1,037,093
5	PRECISION STRIKE MISSILE (PRSM)	213,172	213,172
6	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	18,924	18,924
	AIR-TO-SURFACE MISSILE SYSTEM		
7	HELLFIRE SYS SUMMARY	111,294	411,294
	Production increase		[300,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
8	JOINT AIR-TO-GROUND MSLs (JAGM)	216,030	312,030
	Capacity expansion		[36,000]
	Production increase		[60,000]
10	LONG-RANGE HYPERSONIC WEAPON	249,285	249,285
	ANTI-TANK/ASSAULT MISSILE SYS		
11	JAVELIN (AAWS-M) SYSTEM SUMMARY	162,968	362,968
	Production increase		[200,000]
12	TOW 2 SYSTEM SUMMARY	105,423	105,423
13	GUIDED MLRS ROCKET (GMLRS)	785,028	1,035,528
	Production increase		[250,500]
14	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	4,354	4,354
15	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	155,705	265,705
	Capacity expansion—launchers		[10,000]
	Production increase—launchers		[100,000]
16	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	37,937	37,937
	MODIFICATIONS		
17	PATRIOT MODS	253,689	253,689
18	ATACMS MODS	0	100,000
	Production increase		[100,000]
20	ITAS/TOW MODS	5,154	5,154
21	MLRS MODS	218,359	218,359
22	HIMARS MODIFICATIONS	20,468	20,468
25	STINGER	0	200,000
	Blk 1 refurb missiles		[200,000]
	SPARES AND REPAIR PARTS		
23	SPARES AND REPAIR PARTS	6,508	106,508
	Long-lead energetics for munitions production		[100,000]
	SUPPORT EQUIPMENT & FACILITIES		
24	AIR DEFENSE TARGETS	11,317	11,317
	UNDISTRIBUTED	0	117,940
	Inflation effects		[117,940]
	TOTAL MISSILE PROCUREMENT, ARMY	3,761,915	5,236,355
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	ARMORED MULTI PURPOSE VEHICLE (AMPV)	380,677	380,677
2	ASSAULT BREACHER VEHICLE (ABV)	3,852	3,852
3	MOBILE PROTECTED FIREPOWER	356,708	356,708
	MODIFICATION OF TRACKED COMBAT VEHICLES		
4	STRYKER UPGRADE	671,271	671,271
5	BRADLEY PROGRAM (MOD)	279,531	279,531
6	M109 FOV MODIFICATIONS	3,028	3,028
7	PALADIN INTEGRATED MANAGEMENT (PIM)	493,003	688,003
	Program increase		[195,000]
8	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	138,759	138,759
12	JOINT ASSAULT BRIDGE	36,990	36,990
14	ABRAMS UPGRADE PROGRAM	656,340	948,940
	Army UFR—Additional Abrams		[292,600]
	WEAPONS & OTHER COMBAT VEHICLES		
17	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	26,627	26,627
18	MORTAR SYSTEMS	8,516	8,516
19	LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS)	48,301	48,301
20	XM320 GRENADE LAUNCHER MODULE (GLM)	11,703	11,703
21	PRECISION SNIPER RIFLE	6,436	6,436
24	NEXT GENERATION SQUAD WEAPON	221,293	221,293
	MOD OF WEAPONS AND OTHER COMBAT VEH		
28	M777 MODS	3,374	3,374
33	M119 MODIFICATIONS	2,263	2,263
	SUPPORT EQUIPMENT & FACILITIES		
36	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	2,138	2,138
37	PRODUCTION BASE SUPPORT (WOCV-WTCV)	225,220	225,220
	UNDISTRIBUTED	0	100,659
	Inflation effects		[100,659]
	TOTAL PROCUREMENT OF W&TCV, ARMY	3,576,030	4,164,289
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	59,447	59,447
2	CTG, 7.62MM, ALL TYPES	90,019	90,019
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	128,662	128,662
4	CTG, HANDGUN, ALL TYPES	317	317
5	CTG, .50 CAL, ALL TYPES	35,849	35,849
6	CTG, 20MM, ALL TYPES	11,761	11,761
7	CTG, 25MM, ALL TYPES	10,270	10,270
8	CTG, 30MM, ALL TYPES	143,045	143,045
9	CTG, 40MM, ALL TYPES	85,213	85,213
	MORTAR AMMUNITION		
10	60MM MORTAR, ALL TYPES	33,338	33,338

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
11	81MM MORTAR, ALL TYPES	56,577	56,577
12	120MM MORTAR, ALL TYPES	127,168	127,168
	TANK AMMUNITION		
13	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	296,943	296,943
	ARTILLERY AMMUNITION		
14	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	7,647	7,647
15	ARTILLERY PROJECTILE, 155MM, ALL TYPES	182,455	182,455
17	PRECISION ARTILLERY MUNITIONS	166,334	166,334
18	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL MINES	143,763	143,763
19	MINES & CLEARING CHARGES, ALL TYPES	80,920	80,920
20	CLOSE TERRAIN SHAPING OBSTACLE	53,579	53,579
	ROCKETS		
21	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	18,159	18,159
22	ROCKET, HYDRA 70, ALL TYPES	171,697	171,697
	OTHER AMMUNITION		
23	CAD/PAD, ALL TYPES	7,643	7,643
24	DEMOLITION MUNITIONS, ALL TYPES	29,796	29,796
25	GRENADES, ALL TYPES	36,251	36,251
26	SIGNALS, ALL TYPES	13,852	13,852
27	SIMULATORS, ALL TYPES	9,350	9,350
	MISCELLANEOUS		
29	AMMO COMPONENTS, ALL TYPES	3,823	3,823
30	ITEMS LESS THAN \$5 MILLION (AMMO)	19,921	19,921
31	AMMUNITION PECULIAR EQUIPMENT	13,001	13,001
32	FIRST DESTINATION TRANSPORTATION (AMMO)	17,528	17,528
33	CLOSEOUT LIABILITIES	101	101
	PRODUCTION BASE SUPPORT		
34	INDUSTRIAL FACILITIES	499,613	499,613
35	CONVENTIONAL MUNITIONS DEMILITARIZATION	80,970	80,970
36	ARMS INITIATIVE	4,039	4,039
	UNDISTRIBUTED	0	78,556
	Inflation effects		[78,556]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,639,051	2,717,607
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
2	SEMITRAILERS, FLATBED:	23,021	23,021
3	SEMITRAILERS, TANKERS	21,869	21,869
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	6,121	6,121
5	GROUND MOBILITY VEHICLES (GMV)	34,316	34,316
7	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	703,110	703,110
9	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	74,086	74,086
10	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	23,772	23,772
11	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	39,950	39,950
12	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	96,112	96,112
13	PLS ESP	54,674	54,674
16	MODIFICATION OF IN SVC EQUIP	31,819	82,277
	Army UFR—Anti-Lock Brake System/Electronic Stability Control retrofit kits		[50,458]
	NON-TACTICAL VEHICLES		
17	PASSENGER CARRYING VEHICLES	1,286	1,286
18	NONTACTICAL VEHICLES, OTHER	15,059	15,059
	COMM—JOINT COMMUNICATIONS		
19	SIGNAL MODERNIZATION PROGRAM	179,853	179,853
20	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	382,007	382,007
22	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	4,066	4,066
23	JCSE EQUIPMENT (USRDECOM)	5,505	5,505
	COMM—SATELLITE COMMUNICATIONS		
26	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	107,228	107,228
27	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	119,259	119,259
28	SHF TERM	23,173	23,173
29	ASSURED POSITIONING, NAVIGATION AND TIMING	184,911	184,911
30	EHF SATELLITE COMMUNICATION	5,853	5,853
31	SMART-T (SPACE)	4,916	4,916
32	GLOBAL BRDCST SVC—GBS	3,179	3,179
	COMM—C3 SYSTEM		
34	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,287	94,287
	COMM—COMBAT COMMUNICATIONS		
35	HANDHELD MANPACK SMALL FORM FIT (HMS)	728,366	728,366
37	ARMY LINK 16 SYSTEMS	47,581	47,581
39	UNIFIED COMMAND SUITE	20,178	20,178
40	COTS COMMUNICATIONS EQUIPMENT	320,595	320,595
41	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	7,621	7,621
42	ARMY COMMUNICATIONS & ELECTRONICS	59,705	59,705
	COMM—INTELLIGENCE COMM		
43	CI AUTOMATION ARCHITECTURE-INTEL	13,891	13,891
45	MULTI-DOMAIN INTELLIGENCE	20,637	20,637
	INFORMATION SECURITY		
46	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	1,019	1,019
47	COMMUNICATIONS SECURITY (COMSEC)	125,692	125,692

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(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
49	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,796	1,796
51	BIOMETRIC ENABLING CAPABILITY (BEC)	816	816
52	ARCYBER DEFENSIVE CYBER OPERATIONS	18,239	18,239
	COMM—LONG HAUL COMMUNICATIONS		
54	BASE SUPPORT COMMUNICATIONS	10,262	11,512
	AFRICOM UFR—force protection		[1,250]
	COMM—BASE COMMUNICATIONS		
55	INFORMATION SYSTEMS	116,522	116,522
56	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	5,036	5,036
59	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	214,806	214,806
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
62	TITAN	84,821	0
	Realignment of funds		[–84,821]
63	JTT/CIBS-M	2,352	2,352
64	TERRESTRIAL LAYER SYSTEMS (TLS)	88,915	50,915
	Realignment of funds		[–38,000]
66	DCGS-A-INTEL	76,771	96,451
	TITAN Realignment of funds		[19,680]
67	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL	349	349
68	TROJAN	20,562	20,562
69	MOD OF IN-SVC EQUIP (INTEL SPT)	30,424	39,724
	INDOPACOM UFR—SIGINT upgrades		[9,300]
70	BIOMETRIC TACTICAL COLLECTION DEVICES	2,269	2,269
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
73	AIR VIGILANCE (AV)	5,688	5,688
74	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	3,060	3,060
76	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,519	19,519
77	CI MODERNIZATION	437	437
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
78	SENTINEL MODS	166,736	166,736
79	NIGHT VISION DEVICES	424,253	499,253
	Army UFR—Enhanced Night Vision Goggle-Binocular		[75,000]
80	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	11,357	11,357
82	FAMILY OF WEAPON SIGHTS (FWS)	202,258	202,258
83	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	5,116	5,116
84	FORWARD LOOKING INFRARED (IFLIR)	37,914	37,914
85	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	326,364	631,964
	AFRICOM UFR—C-UAS		[61,600]
	Army UFR—Coyote C-sUAS		[244,000]
86	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	186,515	186,515
87	JOINT EFFECTS TARGETING SYSTEM (JETS)	10,304	10,304
88	COMPUTER BALLISTICS: LHMBC XM32	3,038	3,038
89	MORTAR FIRE CONTROL SYSTEM	4,879	4,879
90	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	4,370	4,370
91	COUNTERFIRE RADARS	162,208	283,808
	Army UFR—AN/TPQ-53 Radar for ARNG		[121,600]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
92	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....	60,455	60,455
93	FIRE SUPPORT C2 FAMILY	9,676	9,676
94	AIR & MSL DEFENSE PLANNING & CONTROL SYS	72,619	72,619
95	IAMD BATTLE COMMAND SYSTEM	438,967	438,967
96	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,586	4,586
97	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	37,199	37,199
98	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	4,102	4,102
99	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	6,926	6,926
101	MOD OF IN-SVC EQUIPMENT (ENFIRE)	4,076	4,076
	ELECT EQUIP—AUTOMATION		
102	ARMY TRAINING MODERNIZATION	8,033	8,033
103	AUTOMATED DATA PROCESSING EQUIP	96,554	106,554
	AFRICOM UFR—cyber network resiliency		[10,000]
104	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	43,767	43,767
105	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	97	97
106	HIGH PERF COMPUTING MOD PGM (HPCMP)	73,655	73,655
107	CONTRACT WRITING SYSTEM	17,701	17,701
108	CSS COMMUNICATIONS	88,141	88,141
	ELECT EQUIP—SUPPORT		
111	BCT EMERGING TECHNOLOGIES	12,853	12,853
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	1,596	1,596
	CHEMICAL DEFENSIVE EQUIPMENT		
113	BASE DEFENSE SYSTEMS (BDS)	47,960	47,960
114	CBRN DEFENSE	56,129	56,129
	BRIDGING EQUIPMENT		
116	TACTICAL BRIDGING	13,785	13,785
118	BRIDGE SUPPLEMENTAL SET	6,774	6,774
119	COMMON BRIDGE TRANSPORTER (CBT) RECAP	10,379	10,379
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
124	ROBOTICS AND APPLIQUE SYSTEMS	52,340	52,340
	COMBAT SERVICE SUPPORT EQUIPMENT		
127	HEATERS AND ECU'S	7,672	7,672
129	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,691	4,691
130	GROUND SOLDIER SYSTEM	124,953	124,953

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Line	Item	FY 2023 Request	Senate Authorized
131	MOBILE SOLDIER POWER	15,933	15,933
134	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	42,444	42,444
136	ITEMS LESS THAN \$5M (ENG SPT)	4,155	4,155
	PETROLEUM EQUIPMENT		
137	QUALITY SURVEILLANCE EQUIPMENT	2,845	2,845
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	26,433	26,433
	MEDICAL EQUIPMENT		
139	COMBAT SUPPORT MEDICAL	75,606	75,606
	MAINTENANCE EQUIPMENT		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	3,936	3,936
	CONSTRUCTION EQUIPMENT		
147	ALL TERRAIN CRANES	31,341	31,341
149	FAMILY OF DIVER SUPPORT EQUIPMENT	3,256	3,256
150	CONST EQUIP ESP	9,104	9,104
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
151	ARMY WATERCRAFT ESP	47,889	62,033
	Watercraft Modernization Service Life Extension Program (SLEP)		[14,144]
152	MANEUVER SUPPORT VESSEL (MSV)	104,676	104,676
153	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	10,131	10,131
	GENERATORS		
154	GENERATORS AND ASSOCIATED EQUIP	54,400	54,400
155	TACTICAL ELECTRIC POWER RECAPITALIZATION	8,293	8,293
	MATERIAL HANDLING EQUIPMENT		
156	FAMILY OF FORKLIFTS	8,819	8,819
	TRAINING EQUIPMENT		
157	COMBAT TRAINING CENTERS SUPPORT	48,046	48,046
158	TRAINING DEVICES, NONSYSTEM	201,966	201,966
159	SYNTHETIC TRAINING ENVIRONMENT (STE)	255,670	255,670
160	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,546	9,546
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
162	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,514	36,514
164	TEST EQUIPMENT MODERNIZATION (TEMOD)	32,734	32,734
	OTHER SUPPORT EQUIPMENT		
166	PHYSICAL SECURITY SYSTEMS (OPA3)	102,556	116,706
	AFRICOM UFR—force protection		[14,150]
167	BASE LEVEL COMMON EQUIPMENT	31,417	31,417
168	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	24,047	24,047
169	BUILDING, PRE-FAB, RELOCATABLE	32,151	32,151
170	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	84,779	84,779
	OPA2		
172	INITIAL SPARES—C&E	10,463	10,463
	UNDISTRIBUTED	0	291,568
	Inflation effects		[291,568]
	TOTAL OTHER PROCUREMENT, ARMY	8,457,509	9,247,438
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	F/A-18E/F (FIGHTER) HORNET	90,865	90,865
2	JOINT STRIKE FIGHTER CV	1,663,515	1,663,515
3	JOINT STRIKE FIGHTER CV	387,596	387,596
4	JSF STOVL	1,909,635	1,909,635
5	JSF STOVL	200,118	200,118
6	CH-53K (HEAVY LIFT)	1,669,986	1,919,986
	USMC UFR—additional aircraft		[250,000]
7	CH-53K (HEAVY LIFT)	357,824	357,824
8	V-22 (MEDIUM LIFT)	31,795	31,795
11	P-8A POSEIDON	41,521	41,521
12	E-2D ADV HAWKEYE	842,401	842,401
	TRAINER AIRCRAFT		
14	MULTI-ENGINE TRAINING SYSTEM (METS)	123,217	123,217
15	ADVANCED HELICOPTER TRAINING SYSTEM	119,816	119,816
	OTHER AIRCRAFT		
15	UC-12W CARGO AIRCRAFT	0	55,600
	USMC UFR—Additional UC-12W cargo aircraft		[55,600]
16	KC-130J	439,501	692,001
	USMC UFR—Replacement aircraft		[252,500]
17	KC-130J	29,122	29,122
19	MQ-4 TRITON	587,820	587,820
20	MQ-4 TRITON	75,235	75,235
22	STUASL0 UAV	2,703	2,703
23	MQ-25	696,713	696,713
24	MQ-25	51,463	51,463
25	MARINE GROUP 5 UAS	103,882	143,882
	USMC UFR—MQ-9 MSAT		[20,000]
	USMC UFR—MQ-9 SETSS		[20,000]
	MODIFICATION OF AIRCRAFT		
27	F-18 A-D UNIQUE	141,514	141,514
28	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	572,681	572,681
29	MARINE GROUP 5 UAS SERIES	86,116	86,116
30	AEA SYSTEMS	25,058	25,058

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Line	Item	FY 2023 Request	Senate Authorized
31	AV-8 SERIES	26,657	26,657
32	INFRARED SEARCH AND TRACK (IRST)	144,699	144,699
33	ADVERSARY	105,188	105,188
34	F-18 SERIES	480,663	480,663
35	H-53 SERIES	40,151	40,151
36	MH-60 SERIES	126,238	126,238
37	H-1 SERIES	122,498	122,498
38	EP-3 SERIES	8,492	8,492
39	E-2 SERIES	188,897	188,897
40	TRAINER A/C SERIES	9,568	9,568
42	C-130 SERIES	132,170	132,170
43	FEWSG	695	695
44	CARGO/TRANSPORT A/C SERIES	10,902	10,902
45	E-6 SERIES	129,049	129,049
46	EXECUTIVE HELICOPTERS SERIES	55,265	55,265
47	T-45 SERIES	201,670	201,670
48	POWER PLANT CHANGES	24,685	24,685
49	JPATS SERIES	19,780	19,780
50	AVIATION LIFE SUPPORT MODS	1,143	1,143
51	COMMON ECM EQUIPMENT	129,722	129,722
52	COMMON AVIONICS CHANGES	136,883	136,883
53	COMMON DEFENSIVE WEAPON SYSTEM	6,373	6,373
54	ID SYSTEMS	3,828	3,828
55	P-8 SERIES	249,342	249,342
56	MAGTF EW FOR AVIATION	24,684	24,684
57	MQ-8 SERIES	9,846	9,846
58	V-22 (TILT/ROTOR ACFT) OSPREY	207,621	207,621
59	NEXT GENERATION JAMMER (NGJ)	401,563	401,563
60	F-35 STOVL SERIES	216,356	216,356
61	F-35 CV SERIES	208,336	208,336
62	QRC	47,864	47,864
63	MQ-4 SERIES	94,738	94,738
64	RQ-21 SERIES	6,576	6,576
	AIRCRAFT SPARES AND REPAIR PARTS		
68	SPARES AND REPAIR PARTS	1,872,417	2,295,517
	Navy UFR—aviation outfitting spares in support of carrier airwings		[292,700]
	USMC UFR—aircraft initial and replenishment spares		[104,300]
	USMC UFR—KC-130J spares		[15,400]
	USMC UFR—UC-12W(ER) Beechcraft King Air 350ER initial spares		[10,700]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
69	COMMON GROUND EQUIPMENT	542,214	542,214
70	AIRCRAFT INDUSTRIAL FACILITIES	101,559	101,559
71	WAR CONSUMABLES	40,316	40,316
72	OTHER PRODUCTION CHARGES	46,403	46,403
73	SPECIAL SUPPORT EQUIPMENT	423,280	522,280
	USMC UFR classified issue		[99,000]
	UNDISTRIBUTED	0	491,186
	Inflation effects		[491,186]
	TOTAL AIRCRAFT PROCUREMENT, NAVY	16,848,428	18,459,814
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,125,164	1,125,164
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	7,767	7,767
	STRATEGIC MISSILES		
3	TOMAHAWK	160,190	160,190
	TACTICAL MISSILES		
4	AMRAAM	335,900	335,900
5	SIDEWINDER	63,288	89,188
	Navy UFR—additional AIM-9X		[25,900]
6	STANDARD MISSILE	489,123	739,123
	Capacity expansion—dual-source energetics		[50,000]
	Capacity expansion—test/tooling equipment		[200,000]
8	JASSM	58,481	58,481
9	SMALL DIAMETER BOMB II	108,317	108,317
10	RAM	92,131	92,131
11	JOINT AIR GROUND MISSILE (JAGM)	78,395	78,395
12	HELLFIRE	6,603	6,603
13	AERIAL TARGETS	183,222	183,222
14	DRONES AND DECOYS	62,930	62,930
15	OTHER MISSILE SUPPORT	3,524	3,524
16	LRASM	226,022	339,122
	Capacity expansion		[35,000]
	Navy UFR—capacity increase		[33,100]
	Production increase		[45,000]
17	NAVAL STRIKE MISSILE (NSM)	59,034	59,034
	MODIFICATION OF MISSILES		
18	TOMAHAWK MODS	435,308	435,308
19	ESSM	282,035	282,035

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Line	Item	FY 2023 Request	Senate Authorized
20	AARGM	131,275	171,275
	Production increase		[40,000]
21	STANDARD MISSILES MODS	71,198	71,198
	SUPPORT EQUIPMENT & FACILITIES		
22	WEAPONS INDUSTRIAL FACILITIES	1,976	26,976
	Hypersonic test facility		[25,000]
	ORDNANCE SUPPORT EQUIPMENT		
25	ORDNANCE SUPPORT EQUIPMENT	40,793	40,793
	TORPEDOES AND RELATED EQUIP		
26	SSTD	3,789	3,789
27	MK-48 TORPEDO	151,128	200,128
	Navy UFR—additional MK 48 procurement		[49,000]
28	ASW TARGETS	14,403	14,403
	MOD OF TORPEDOES AND RELATED EQUIP		
29	MK-54 TORPEDO MODS	106,772	232,172
	Mk54 LWT program increase		[125,400]
30	MK-48 TORPEDO ADCAP MODS	18,502	18,502
31	MARITIME MINES	9,282	245,332
	Hammerhead		[225,000]
	Mk68		[11,050]
	SUPPORT EQUIPMENT		
32	TORPEDO SUPPORT EQUIPMENT	87,044	87,044
33	ASW RANGE SUPPORT	3,965	3,965
	DESTINATION TRANSPORTATION		
34	FIRST DESTINATION TRANSPORTATION	5,315	5,315
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	13,859	13,859
	MODIFICATION OF GUNS AND GUN MOUNTS		
36	CIWS MODS	2,655	2,655
37	COAST GUARD WEAPONS	34,259	34,259
38	GUN MOUNT MODS	81,725	81,725
39	LCS MODULE WEAPONS	4,580	4,580
40	AIRBORNE MINE NEUTRALIZATION SYSTEMS	8,710	8,710
	SPARES AND REPAIR PARTS		
42	SPARES AND REPAIR PARTS	170,041	170,041
	UNDISTRIBUTED	0	129,375
	Inflation effects		[129,375]
	TOTAL WEAPONS PROCUREMENT, NAVY	4,738,705	5,732,530
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	47,198	47,198
2	JDAM	76,688	76,688
3	AIRBORNE ROCKETS, ALL TYPES	70,005	70,005
4	MACHINE GUN AMMUNITION	20,586	20,586
5	PRACTICE BOMBS	51,109	51,109
6	CARTRIDGES & CART ACTUATED DEVICES	72,534	72,534
7	AIR EXPENDABLE COUNTERMEASURES	114,475	114,475
8	JATOS	7,096	7,096
9	5 INCH/54 GUN AMMUNITION	30,018	30,018
10	INTERMEDIATE CALIBER GUN AMMUNITION	40,089	40,089
11	OTHER SHIP GUN AMMUNITION	42,707	189,707
	Goalkeeper long lead procurement		[147,000]
12	SMALL ARMS & LANDING PARTY AMMO	49,023	49,023
13	PYROTECHNIC AND DEMOLITION	9,480	9,480
14	AMMUNITION LESS THAN \$5 MILLION	1,622	1,622
	MARINE CORPS AMMUNITION		
15	MORTARS	71,214	71,214
16	DIRECT SUPPORT MUNITIONS	65,169	65,169
17	INFANTRY WEAPONS AMMUNITION	225,271	225,271
18	COMBAT SUPPORT MUNITIONS	19,691	19,691
19	AMMO MODERNIZATION	17,327	17,327
20	ARTILLERY MUNITIONS	15,514	15,514
21	ITEMS LESS THAN \$5 MILLION	5,476	5,476
	UNDISTRIBUTED	0	33,521
	Inflation effects		[33,521]
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	1,052,292	1,232,813
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	3,079,223	3,079,223
2	OHIO REPLACEMENT SUBMARINE	2,778,553	2,778,553
	OTHER WARSHIPS		
3	CARRIER REPLACEMENT PROGRAM	1,481,530	1,481,530
4	CVN-81	1,052,024	1,052,024
5	VIRGINIA CLASS SUBMARINE	4,534,184	4,534,184
6	VIRGINIA CLASS SUBMARINE	2,025,651	2,025,651
8	CVN REFUELING OVERHAULS	618,295	618,295

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Line	Item	FY 2023 Request	Senate Authorized
9	DDG 1000	72,976	72,976
10	DDG-51	4,376,537	4,376,537
11	DDG-51	618,352	868,352
	Surface combatant supplier development		[250,000]
13	FFG-FRIGATE	1,085,224	1,158,624
	Navy UFR—wholeness for FFG-62 procurement		[73,400]
14	FFG-FRIGATE	74,949	74,949
	AMPHIBIOUS SHIPS		
15	LPD FLIGHT II	1,673,000	1,673,000
16	LPD FLIGHT II	0	250,000
	USMC UFR—Advance procurement for LPD-33		[250,000]
20	LHA REPLACEMENT	1,085,470	1,085,470
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
22	TAO FLEET OILER	794,719	794,719
24	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	95,915	95,915
27	OUTFITTING	707,412	707,412
28	SHIP TO SHORE CONNECTOR	190,433	190,433
29	SERVICE CRAFT	68,274	91,274
	Auxiliary personnel lighters barracks craft		[23,000]
30	LCAC SLEP	36,301	36,301
31	AUXILIARY VESSELS (USED SEALIFT)	140,686	140,686
32	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,328,146	1,328,146
	UNDISTRIBUTED	0	839,239
	Inflation effects		[839,239]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	27,917,854	29,353,493
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	SURFACE POWER EQUIPMENT	46,478	46,478
	GENERATORS		
2	SURFACE COMBATANT HM&E	84,615	84,615
	NAVIGATION EQUIPMENT		
3	OTHER NAVIGATION EQUIPMENT	98,079	98,079
	OTHER SHIPBOARD EQUIPMENT		
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	266,300	266,300
5	DDG MOD	770,341	770,341
6	FIREFIGHTING EQUIPMENT	19,687	19,687
7	COMMAND AND CONTROL SWITCHBOARD	2,406	2,406
8	LHA/LHD MIDLIFE	38,200	38,200
9	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	20,028	20,028
10	POLLUTION CONTROL EQUIPMENT	17,682	17,682
11	SUBMARINE SUPPORT EQUIPMENT	117,799	117,799
12	VIRGINIA CLASS SUPPORT EQUIPMENT	32,300	32,300
13	LCS CLASS SUPPORT EQUIPMENT	15,238	15,238
14	SUBMARINE BATTERIES	24,137	24,137
15	LPD CLASS SUPPORT EQUIPMENT	54,496	54,496
16	DDG 1000 CLASS SUPPORT EQUIPMENT	314,333	314,333
17	STRATEGIC PLATFORM SUPPORT EQUIP	13,504	13,504
18	DSSP EQUIPMENT	3,660	3,660
19	CG MODERNIZATION	59,054	59,054
20	LCAC	17,452	17,452
21	UNDERWATER EOD EQUIPMENT	35,417	35,417
22	ITEMS LESS THAN \$5 MILLION	60,812	60,812
23	CHEMICAL WARFARE DETECTORS	3,202	3,202
	REACTOR PLANT EQUIPMENT		
25	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,242,532	1,242,532
26	REACTOR POWER UNITS	4,690	4,690
27	REACTOR COMPONENTS	408,989	408,989
	OCEAN ENGINEERING		
28	DIVING AND SALVAGE EQUIPMENT	11,773	11,773
	SMALL BOATS		
29	STANDARD BOATS	57,262	57,262
	PRODUCTION FACILITIES EQUIPMENT		
30	OPERATING FORCES IPE	174,743	174,743
	OTHER SHIP SUPPORT		
31	LCS COMMON MISSION MODULES EQUIPMENT	57,313	57,313
32	LCS MCM MISSION MODULES	94,987	94,987
33	LCS ASW MISSION MODULES	3,594	3,594
34	LCS SUW MISSION MODULES	5,100	5,100
35	LCS IN-SERVICE MODERNIZATION	76,526	76,526
36	SMALL & MEDIUM UUV	49,763	89,763
	Hammerhead		[40,000]
	SHIP SONARS		
37	SPQ-9B RADAR	12,063	12,063
38	AN/SQQ-89 SURF ASW COMBAT SYSTEM	141,591	141,591
39	SSN ACOUSTIC EQUIPMENT	446,653	446,653
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,424	17,424
	ASW ELECTRONIC EQUIPMENT		
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	31,708	31,708
42	SSTD	14,325	14,325

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Line	Item	FY 2023 Request	Senate Authorized
43	FIXED SURVEILLANCE SYSTEM	266,228	266,228
44	SURTASS	25,030	46,130
	Navy UFR—SURTASS array for INDOPACOM		[21,100]
	ELECTRONIC WARFARE EQUIPMENT		
45	AN/SLQ-32	292,417	292,417
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT	311,210	316,910
	Navy UFR—Counter-C5ISR&T		[5,700]
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	2,487	2,487
	OTHER SHIP ELECTRONIC EQUIPMENT		
48	COOPERATIVE ENGAGEMENT CAPABILITY	34,500	34,500
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	19,038	19,038
50	ATDLS	73,675	73,675
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,435	3,435
52	MINESWEEPING SYSTEM REPLACEMENT	16,336	16,336
54	NAVSTAR GPS RECEIVERS (SPACE)	30,439	30,439
55	AMERICAN FORCES RADIO AND TV SERVICE	2,724	2,724
56	STRATEGIC PLATFORM SUPPORT EQUIP	6,266	6,266
	AVIATION ELECTRONIC EQUIPMENT		
57	ASHORE ATC EQUIPMENT	89,396	89,396
58	AFLOAT ATC EQUIPMENT	86,732	86,732
59	ID SYSTEMS	59,226	59,226
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	8,186	8,186
61	NAVAL MISSION PLANNING SYSTEMS	26,778	26,778
	OTHER SHORE ELECTRONIC EQUIPMENT		
62	MARITIME INTEGRATED BROADCAST SYSTEM	3,520	3,520
63	TACTICAL/MOBILE C4I SYSTEMS	31,840	31,840
64	DCGS-N	15,606	15,606
65	CANES	402,550	402,550
66	RADIAC	9,062	9,062
67	CANES-INTELL	48,665	48,665
68	GPETE	23,479	23,479
69	MASF	11,792	11,792
70	INTEG COMBAT SYSTEM TEST FACILITY	6,053	6,053
71	EMI CONTROL INSTRUMENTATION	4,219	4,219
72	ITEMS LESS THAN \$5 MILLION	102,846	161,346
	Next-generation surface search radar		[58,500]
	SHIPBOARD COMMUNICATIONS		
73	SHIPBOARD TACTICAL COMMUNICATIONS	36,941	36,941
74	SHIP COMMUNICATIONS AUTOMATION	101,691	101,691
75	COMMUNICATIONS ITEMS UNDER \$5M	55,290	55,290
	SUBMARINE COMMUNICATIONS		
76	SUBMARINE BROADCAST SUPPORT	91,150	91,150
77	SUBMARINE COMMUNICATION EQUIPMENT	74,569	74,569
	SATELLITE COMMUNICATIONS		
78	SATELLITE COMMUNICATIONS SYSTEMS	39,827	39,827
79	NAVY MULTIBAND TERMINAL (NMT)	24,586	24,586
	SHORE COMMUNICATIONS		
80	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,699	4,699
	CRYPTOGRAPHIC EQUIPMENT		
81	INFO SYSTEMS SECURITY PROGRAM (ISSP)	156,034	156,034
82	MIO INTEL EXPLOITATION TEAM	1,055	1,055
	CRYPTOLOGIC EQUIPMENT		
83	CRYPTOLOGIC COMMUNICATIONS EQUIP	18,832	20,332
	INDOPACOM UFR—SIGINT upgrades		[1,500]
	OTHER ELECTRONIC SUPPORT		
92	COAST GUARD EQUIPMENT	68,556	68,556
	SONOBUOYS		
94	SONOBUOYS—ALL TYPES	291,670	331,670
	Sonobuoys		[40,000]
	AIRCRAFT SUPPORT EQUIPMENT		
95	MINOTAUR	5,247	5,247
96	WEAPONS RANGE SUPPORT EQUIPMENT	106,209	106,209
97	AIRCRAFT SUPPORT EQUIPMENT	275,461	275,461
98	ADVANCED ARRESTING GEAR (AAG)	22,717	22,717
99	ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM (EMALS)	18,594	18,594
100	METEOROLOGICAL EQUIPMENT	15,175	15,175
101	LEGACY AIRBORNE MCM	4,689	4,689
102	LAMPS EQUIPMENT	1,610	1,610
103	AVIATION SUPPORT EQUIPMENT	86,409	86,409
104	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	136,647	136,647
	SHIP GUN SYSTEM EQUIPMENT		
105	SHIP GUN SYSTEMS EQUIPMENT	5,902	5,902
	SHIP MISSILE SYSTEMS EQUIPMENT		
106	HARPOON SUPPORT EQUIPMENT	217	217
107	SHIP MISSILE SUPPORT EQUIPMENT	286,788	286,788
108	TOMAHAWK SUPPORT EQUIPMENT	95,856	95,856
	FBM SUPPORT EQUIPMENT		
109	STRATEGIC MISSILE SYSTEMS EQUIP	279,430	279,430
	ASW SUPPORT EQUIPMENT		
110	SSN COMBAT CONTROL SYSTEMS	128,874	128,874
111	ASW SUPPORT EQUIPMENT	26,920	26,920

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	OTHER ORDNANCE SUPPORT EQUIPMENT		
112	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	17,048	17,048
113	ITEMS LESS THAN \$5 MILLION	5,938	5,938
	OTHER EXPENDABLE ORDNANCE		
114	ANTI-SHIP MISSILE DECOY SYSTEM	86,264	86,264
115	SUBMARINE TRAINING DEVICE MODS	80,591	80,591
116	SURFACE TRAINING EQUIPMENT	198,695	198,695
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
117	PASSENGER CARRYING VEHICLES	4,799	4,799
118	GENERAL PURPOSE TRUCKS	2,542	2,542
119	CONSTRUCTION & MAINTENANCE EQUIP	50,619	50,619
120	FIRE FIGHTING EQUIPMENT	16,305	16,305
121	TACTICAL VEHICLES	28,586	28,586
122	POLLUTION CONTROL EQUIPMENT	2,840	2,840
123	ITEMS LESS THAN \$5 MILLION	64,311	64,311
124	PHYSICAL SECURITY VEHICLES	1,263	1,263
	SUPPLY SUPPORT EQUIPMENT		
125	SUPPLY EQUIPMENT	32,338	32,338
126	FIRST DESTINATION TRANSPORTATION	6,255	6,255
127	SPECIAL PURPOSE SUPPLY SYSTEMS	613,039	613,039
	TRAINING DEVICES		
128	TRAINING SUPPORT EQUIPMENT	1,285	1,285
129	TRAINING AND EDUCATION EQUIPMENT	44,618	44,618
	COMMAND SUPPORT EQUIPMENT		
130	COMMAND SUPPORT EQUIPMENT	55,728	55,728
131	MEDICAL SUPPORT EQUIPMENT	5,325	5,325
133	NAVAL MIP SUPPORT EQUIPMENT	6,077	6,077
134	OPERATING FORCES SUPPORT EQUIPMENT	16,252	16,252
135	C4ISR EQUIPMENT	6,497	6,497
136	ENVIRONMENTAL SUPPORT EQUIPMENT	36,592	36,592
137	PHYSICAL SECURITY EQUIPMENT	118,598	118,598
138	ENTERPRISE INFORMATION TECHNOLOGY	29,407	29,407
	OTHER		
142	NEXT GENERATION ENTERPRISE SERVICE	201,314	201,314
143	CYBERSPACE ACTIVITIES	5,018	5,018
144	CYBER MISSION FORCES	17,115	17,115
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	17,295	17,295
	SPARES AND REPAIR PARTS		
145	SPARES AND REPAIR PARTS	532,313	703,713
	Navy UFR—Maritime spares outfitting		[171,400]
	UNDISTRIBUTED	0	369,826
	Inflation effects		[369,826]
	TOTAL OTHER PROCUREMENT, NAVY	11,746,503	12,454,529
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	5,653	5,653
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	536,678	536,678
3	LAV PIP	57,099	57,099
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	1,782	1,782
5	ARTILLERY WEAPONS SYSTEM	143,808	143,808
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	11,118	11,118
	GUIDED MISSILES		
7	TOMAHAWK	42,958	42,958
8	NAVAL STRIKE MISSILE (NSM)	174,369	349,369
	Production increase		[175,000]
9	GROUND BASED AIR DEFENSE	173,801	173,801
10	ANTI-ARMOR MISSILE-JAVELIN	18,495	18,495
11	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,419	21,419
12	ANTI-ARMOR MISSILE-TOW	663	663
13	GUIDED MLRS ROCKET (GMLRS)	7,605	7,605
	COMMAND AND CONTROL SYSTEMS		
14	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	30,292	30,292
	REPAIR AND TEST EQUIPMENT		
15	REPAIR AND TEST EQUIPMENT	58,024	58,024
	OTHER SUPPORT (TEL)		
16	MODIFICATION KITS	293	293
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
17	ITEMS UNDER \$5 MILLION (COMM & ELEC)	83,345	83,345
18	AIR OPERATIONS C2 SYSTEMS	11,048	11,048
	RADAR + EQUIPMENT (NON-TEL)		
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	61,943	517,943
	USMC UFR—AN/TPS-80 G/ATOR radar		[456,000]
	INTELL/COMM EQUIPMENT (NON-TEL)		
20	GCSS-MC	1,663	1,663
21	FIRE SUPPORT SYSTEM	48,322	48,322
22	INTELLIGENCE SUPPORT EQUIPMENT	182,894	182,894
24	UNMANNED AIR SYSTEMS (INTEL)	47,595	47,595

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25	DCGS-MC	47,998	47,998
26	UAS PAYLOADS	8,619	8,619
	OTHER SUPPORT (NON-TEL)		
29	MARINE CORPS ENTERPRISE NETWORK (MCEN)	276,763	276,763
30	COMMON COMPUTER RESOURCES	40,096	40,096
31	COMMAND POST SYSTEMS	58,314	58,314
32	RADIO SYSTEMS	612,450	612,450
33	COMM SWITCHING & CONTROL SYSTEMS	51,976	51,976
34	COMM & ELEC INFRASTRUCTURE SUPPORT	26,029	26,029
35	CYBERSPACE ACTIVITIES	17,759	17,759
36	CYBER MISSION FORCES	4,036	4,036
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	3,884	3,884
	ADMINISTRATIVE VEHICLES		
39	COMMERCIAL CARGO VEHICLES	35,179	35,179
	TACTICAL VEHICLES		
40	MOTOR TRANSPORT MODIFICATIONS	17,807	17,807
41	JOINT LIGHT TACTICAL VEHICLE	222,257	222,257
43	TRAILERS	2,721	2,721
	ENGINEER AND OTHER EQUIPMENT		
45	TACTICAL FUEL SYSTEMS	7,854	7,854
46	POWER EQUIPMENT ASSORTED	5,841	5,841
47	AMPHIBIOUS SUPPORT EQUIPMENT	38,120	38,120
48	EOD SYSTEMS	201,047	201,047
	MATERIALS HANDLING EQUIPMENT		
49	PHYSICAL SECURITY EQUIPMENT	69,967	69,967
	GENERAL PROPERTY		
50	FIELD MEDICAL EQUIPMENT	21,780	21,780
51	TRAINING DEVICES	86,272	86,272
52	FAMILY OF CONSTRUCTION EQUIPMENT	27,605	27,605
53	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	15,033	15,033
	OTHER SUPPORT		
54	ITEMS LESS THAN \$5 MILLION	26,433	26,433
	SPARES AND REPAIR PARTS		
55	SPARES AND REPAIR PARTS	34,799	34,799
	UNDISTRIBUTED	0	123,755
	Inflation effects		[123,755]
	TOTAL PROCUREMENT, MARINE CORPS	3,681,506	4,436,261
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
1	B-21 RAIDER	1,498,431	1,498,431
2	B-21 RAIDER	288,165	288,165
	TACTICAL FORCES		
3	F-35	3,320,757	4,293,757
	Air Force UFR—additional F-35A aircraft		[858,000]
	Realignment of funds from line 4		[115,000]
4	F-35	594,886	479,886
	Realignment of funds to line 3		[-115,000]
5	F-15EX	2,422,348	2,422,348
6	F-15EX	264,000	264,000
	TACTICAL AIRLIFT		
7	KC-46A MDAP	2,684,503	2,684,503
	OTHER AIRLIFT		
8	C-130J	75,293	75,293
9	MC-130J	40,351	40,351
	UPT TRAINERS		
11	ADVANCED TRAINER REPLACEMENT T-X	10,507	10,507
	HELICOPTERS		
12	MH-139A	156,192	256,192
	Additional aircraft		[100,000]
13	COMBAT RESCUE HELICOPTER	707,018	1,057,018
	Additional aircraft		[350,000]
	MISSION SUPPORT AIRCRAFT		
15	CIVIL AIR PATROL A/C	2,952	2,952
	OTHER AIRCRAFT		
16	TARGET DRONES	128,906	128,906
17	COMPASS CALL	0	553,700
	Air Force UFR—EC-37B aircraft		[553,700]
18	E-11 BACN/HAG	67,260	66,847
	Realignment of funds		[-413]
19	MQ-9	17,039	17,039
21	AGILITY PRIME PROCUREMENT	3,612	3,612
	STRATEGIC AIRCRAFT		
22	B-2A	106,752	106,752
23	B-1B	36,313	36,313
24	B-52	127,854	120,909
	Realignment of funds for B-52 Crypto Mod upgrade spares		[-4,293]
	Realignment of funds for B-52 VLF/LF spares		[-2,652]
25	LARGE AIRCRAFT INFRARED COUNTERMEASURES	25,286	25,286

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TACTICAL AIRCRAFT			
26	A-10	83,972	83,972
27	E-11 BACN/HAG	10,309	10,309
28	F-15	194,379	194,379
29	F-16	700,455	708,600
	Crypto Mods—F-16 Pre Blk		[8,145]
30	F-22A	764,222	764,222
31	F-35 MODIFICATIONS	414,382	414,382
32	F-15 EPAW	259,837	259,837
34	KC-46A MDAP	467	467
AIRLIFT AIRCRAFT			
35	C-5	46,027	15,673
	Realignment of funds		[-18,000]
	Realignment of funds to line 64		[-12,354]
36	C-17A	152,009	157,509
	Air Force realignment of funds		[5,500]
37	C-32A	4,068	4,068
38	C-37A	6,062	6,062
TRAINER AIRCRAFT			
39	GLIDER MODS	149	149
40	T-6	6,215	6,215
41	T-1	6,262	6,262
42	T-38	111,668	120,868
	T-38A ejection seat upgrades		[9,200]
OTHER AIRCRAFT			
44	U-2 MODS	81,650	81,650
45	KC-10A (ATCA)	3,443	3,443
46	C-21	2,024	2,024
47	VC-25A MOD	2,146	2,146
48	C-40	2,197	2,197
49	C-130	114,268	138,468
	Air Force realignment of funds		[17,500]
	Crypto Mods—C-130H		[6,700]
50	C-130J MODS	112,299	112,299
51	C-135	149,023	195,123
	Air Force realignment of funds		[19,500]
	Crypto Mods—KC-135		[20,700]
	Crypto Mods—KC-135 (ROBE B-kits)		[5,900]
52	COMPASS CALL	16,630	337,230
	Air Force UFR—EC-37B group A & B kits and spare components		[320,600]
53	RC-135	212,828	252,828
	INDOPACOM UFR—SIGINT upgrades		[600]
	RC-135 navigation upgrades		[39,400]
54	E-3	54,247	54,247
55	E-4	5,973	5,973
56	E-8	16,610	16,610
59	H-1	1,757	1,757
60	H-60	10,820	10,820
61	COMBAT RESCUE HELICOPTER MODIFICATION	3,083	3,083
62	RQ-4 MODS	1,286	1,286
63	HC/MC-130 MODIFICATIONS	138,956	121,094
	Crypto Mods—AC-130J		[2,138]
	Realignment of funds		[-20,000]
64	OTHER AIRCRAFT	29,029	41,796
	Realignment of funds		[12,767]
65	MQ-9 MODS	64,370	64,370
67	SENIOR LEADER C3, SYSTEM—AIRCRAFT	24,784	24,784
68	CV-22 MODS	153,026	153,026
AIRCRAFT SPARES AND REPAIR PARTS			
69	INITIAL SPARES/REPAIR PARTS	623,661	762,106
	Air Force UFR—EC-37B spare components		[9,400]
	Air Force UFR—EC-37B spare engines		[94,800]
	RC-135 spares		[27,300]
	Realignment of funds for B-52 Crypto Mod upgrade spares		[4,293]
	Realignment of funds for B-52 VLF/LF spares		[2,652]
COMMON SUPPORT EQUIPMENT			
70	AIRCRAFT REPLACEMENT SUPPORT EQUIP	138,935	138,935
POST PRODUCTION SUPPORT			
71	B-2A	1,802	1,802
72	B-2B	36,325	36,325
73	B-52	5,883	5,883
74	F-15	2,764	2,764
75	F-16	5,102	5,102
77	MQ9 POST PROD	7,069	7,069
78	RQ-4 POST PRODUCTION CHARGES	40,845	40,845
82	C-5 POST PRODUCTION SUPPORT	0	18,000
	Realignment of funds		[18,000]
83	HC/MC-130J POST PRODUCTION SUPPORT	0	20,000
	Realignment of funds		[20,000]
INDUSTRIAL PREPAREDNESS			
79	INDUSTRIAL RESPONSIVENESS	19,128	19,128
WAR CONSUMABLES			

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80	WAR CONSUMABLES	31,165	31,165
	OTHER PRODUCTION CHARGES		
81	OTHER PRODUCTION CHARGES	1,047,300	1,047,300
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	18,092	81,092
	Air Force UFR—F-35A classified item		[63,000]
	UNDISTRIBUTED	0	633,490
	Inflation effects		[633,490]
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	18,517,428	21,663,001
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	57,476	57,476
	STRATEGIC		
	TACTICAL		
4	LONG RANGE STAND-OFF WEAPON	31,454	31,454
5	REPLAC EQUIP & WAR CONSUMABLES	30,510	30,510
6	AGM-183A AIR-LAUNCHED RAPID RESPONSE WEAPON	46,566	0
	Realignment of funds		[-46,566]
7	JOINT AIR-SURFACE STANDOFF MISSILE	784,971	869,971
	Capacity expansion		[85,000]
8	LRASM0	114,025	114,025
9	SIDEWINDER (AIM-9X)	111,855	317,855
	Production increase		[206,000]
10	AMRAAM	320,056	459,056
	Production increase		[139,000]
11	PREDATOR HELLFIRE MISSILE	1,040	1,040
12	SMALL DIAMETER BOMB	46,475	46,475
13	SMALL DIAMETER BOMB II	279,006	452,006
	Air Force UFR—additional small diameter bomb II		[173,000]
14	STAND-IN ATTACK WEAPON (SIAW)	77,975	77,975
	INDUSTRIAL FACILITIES		
15	INDUSTR'L PREPAREDNS/POL PREVENTION	868	868
	CLASS IV		
18	ICBM FUZE MOD	99,691	99,691
19	ICBM FUZE MOD	37,673	37,673
20	MM III MODIFICATIONS	68,193	68,193
22	AIR LAUNCH CRUISE MISSILE (ALCM)	33,778	33,778
	MISSILE SPARES AND REPAIR PARTS		
23	MSL SPRS/REPAIR PARTS (INITIAL)	15,354	15,354
24	MSL SPRS/REPAIR PARTS (REPLEN)	62,978	62,978
	SPECIAL PROGRAMS		
28	SPECIAL UPDATE PROGRAMS	36,933	36,933
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	705,540	705,540
	UNDISTRIBUTED	0	61,064
	Inflation effects		[61,064]
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,962,417	3,579,915
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	22,190	22,190
	CARTRIDGES		
2	CARTRIDGES	124,164	124,164
	BOMBS		
4	GENERAL PURPOSE BOMBS	162,800	162,800
5	MASSIVE ORDNANCE PENETRATOR (MOP)	19,743	19,743
6	JOINT DIRECT ATTACK MUNITION	251,956	251,956
	OTHER ITEMS		
8	CAD/PAD	50,473	50,473
9	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,343	6,343
10	SPARES AND REPAIR PARTS	573	573
12	FIRST DESTINATION TRANSPORTATION	1,903	1,903
13	ITEMS LESS THAN \$5,000,000	5,014	5,014
	FLARES		
14	EXPENDABLE COUNTERMEASURES	120,548	120,548
	FUZES		
15	FUZES	121,528	121,528
	SMALL ARMS		
16	SMALL ARMS	16,395	16,395
	UNDISTRIBUTED	0	23,395
	Inflation effects		[23,395]
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	903,630	927,025
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		

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(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
2	AF SATELLITE COMM SYSTEM	51,414	51,414
3	COUNTERSPACE SYSTEMS	62,691	62,691
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	26,394	26,394
5	WIDEBAND GAFILLER SATELLITES (SPACE)	21,982	21,982
6	GENERAL INFORMATION TECH—SPACE	5,424	5,424
7	GPSIII FOLLOW ON	657,562	657,562
8	GPS III SPACE SEGMENT	103,340	103,340
9	GLOBAL POSITIONING (SPACE)	950	950
10	HERITAGE TRANSITION	21,896	21,896
11	SPACEBORNE EQUIP (COMSEC)	29,587	51,187
	Crypto Mods—National Security Space Systems		[21,600]
12	MILSATCOM	29,333	29,333
13	SBIR HIGH (SPACE)	148,666	148,666
14	SPECIAL SPACE ACTIVITIES	817,484	817,484
15	MOBILE USER OBJECTIVE SYSTEM	46,833	46,833
16	NATIONAL SECURITY SPACE LAUNCH	1,056,133	1,056,133
17	NUDET DETECTION SYSTEM	7,062	7,062
18	PTES HUB	42,464	42,464
19	ROCKET SYSTEMS LAUNCH PROGRAM	39,145	39,145
20	SPACE DEVELOPMENT AGENCY LAUNCH	314,288	714,288
	Realignment of funds		[200,000]
	Space Force UFR—accelerate resilient missile warning/missile tracking		[200,000]
22	SPACE MODS	73,957	73,957
23	SPACELIFT RANGE SYSTEM SPACE	71,712	71,712
	SPARES		
24	SPARES AND REPAIR PARTS	1,352	1,352
	UNDISTRIBUTED	0	106,161
	Inflation effects		[106,161]
	TOTAL PROCUREMENT, SPACE FORCE	3,629,669	4,157,430
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	2,446	2,446
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	1,125	1,125
3	CAP VEHICLES	999	999
4	CARGO AND UTILITY VEHICLES	35,220	35,220
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	60,461	60,461
6	SECURITY AND TACTICAL VEHICLES	382	382
7	SPECIAL PURPOSE VEHICLES	49,623	49,623
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	11,231	11,231
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	12,559	12,559
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	6,409	6,409
11	BASE MAINTENANCE SUPPORT VEHICLES	72,012	72,012
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	96,851	96,851
14	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM	467,901	467,901
	INTELLIGENCE PROGRAMS		
15	INTERNATIONAL INTEL TECH & ARCHITECTURES	7,043	7,043
16	INTELLIGENCE TRAINING EQUIPMENT	2,424	2,424
17	INTELLIGENCE COMM EQUIPMENT	25,308	25,308
	ELECTRONICS PROGRAMS		
18	AIR TRAFFIC CONTROL & LANDING SYS	65,531	65,531
19	BATTLE CONTROL SYSTEM—FIXED	1,597	1,597
20	THEATER AIR CONTROL SYS IMPROVEMEN	9,611	9,611
21	3D EXPEDITIONARY LONG-RANGE RADAR	174,640	174,640
22	WEATHER OBSERVATION FORECAST	20,658	20,658
23	STRATEGIC COMMAND AND CONTROL	93,351	86,220
	Worldwide Joint Strategic Communications realignment of funds		[-7,131]
24	CHEYENNE MOUNTAIN COMPLEX	6,118	6,118
25	MISSION PLANNING SYSTEMS	13,947	13,947
	SPCL COMM-ELECTRONICS PROJECTS		
28	GENERAL INFORMATION TECHNOLOGY	101,517	101,517
29	AF GLOBAL COMMAND & CONTROL SYS	2,487	2,487
30	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	32,807	32,807
31	MOBILITY COMMAND AND CONTROL	10,210	10,210
35	COMBAT TRAINING RANGES	134,213	134,213
36	MINIMUM ESSENTIAL EMERGENCY COMM N	66,294	66,294
37	WIDE AREA SURVEILLANCE (WAS)	29,518	29,518
38	C3 COUNTERMEASURES	55,324	55,324
40	GCSS-AF FOS	786	786
42	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	248	248
43	THEATER BATTLE MGT C2 SYSTEM	275	275
44	AIR & SPACE OPERATIONS CENTER (AOC)	2,611	2,611
	AIR FORCE COMMUNICATIONS		
46	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	29,791	29,791

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
47	AFNET	83,320	83,320
48	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,199	5,199
49	USCENTCOM	11,896	11,896
50	USSTRATCOM	4,619	4,619
	ORGANIZATION AND BASE		
51	TACTICAL C-E EQUIPMENT	120,050	120,050
52	RADIO EQUIPMENT	14,053	14,053
54	BASE COMM INFRASTRUCTURE	91,313	96,363
	NORTHCOM UFR—Long range radar sites digitilization upgrades		[5,050]
	MODIFICATIONS		
55	COMM ELECT MODS	167,419	167,419
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	89,484	89,484
	PERSONAL SAFETY & RESCUE EQUIP		
56	PERSONAL SAFETY AND RESCUE EQUIPMENT	92,995	92,995
	DEPOT PLANT+MTRLS HANDLING EQ		
57	POWER CONDITIONING EQUIPMENT	12,199	12,199
58	MECHANIZED MATERIAL HANDLING EQUIP	9,326	9,326
	BASE SUPPORT EQUIPMENT		
59	BASE PROCURED EQUIPMENT	52,890	52,890
60	ENGINEERING AND EOD EQUIPMENT	231,552	231,552
61	MOBILITY EQUIPMENT	28,758	28,758
62	FUELS SUPPORT EQUIPMENT (FSE)	21,740	21,740
	SPECIAL SUPPORT PROJECTS		
65	DARP RC135	28,153	28,153
66	DCGS-AF	217,713	217,713
70	SPECIAL UPDATE PROGRAM	978,499	978,499
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	21,702,225	21,727,225
	Classified issue		[25,000]
	SPARES AND REPAIR PARTS		
71	SPARES AND REPAIR PARTS (CYBER)	1,007	1,007
72	SPARES AND REPAIR PARTS	23,175	23,175
	UNDISTRIBUTED	0	189,283
	Inflation effects		[189,283]
	TOTAL OTHER PROCUREMENT, AIR FORCE	25,691,113	25,903,315
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCSA		
1	MAJOR EQUIPMENT	2,346	2,346
	MAJOR EQUIPMENT, DHRA		
3	PERSONNEL ADMINISTRATION	4,522	4,522
	MAJOR EQUIPMENT, DISA		
11	INFORMATION SYSTEMS SECURITY	24,044	24,044
12	TELEPORT PROGRAM	50,475	50,475
13	JOINT FORCES HEADQUARTERS—DODIN	674	674
14	ITEMS LESS THAN \$5 MILLION	46,614	46,614
15	DEFENSE INFORMATION SYSTEM NETWORK	87,345	87,345
16	WHITE HOUSE COMMUNICATION AGENCY	130,145	130,145
17	SENIOR LEADERSHIP ENTERPRISE	47,864	47,864
18	JOINT REGIONAL SECURITY STACKS (JRSS)	17,135	17,135
19	JOINT SERVICE PROVIDER	86,183	86,183
20	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,756	42,756
	MAJOR EQUIPMENT, DLA		
22	MAJOR EQUIPMENT	24,501	24,501
	MAJOR EQUIPMENT, DMACT		
23	MAJOR EQUIPMENT	11,117	11,117
	MAJOR EQUIPMENT, DODEA		
24	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	2,048	2,048
	MAJOR EQUIPMENT, DPAA		
25	MAJOR EQUIPMENT, DPAA	513	513
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
27	VEHICLES	139	139
28	OTHER MAJOR EQUIPMENT	14,296	14,296
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
30	THAAD	74,994	74,994
31	GROUND BASED MIDCOURSE	11,300	11,300
32	AEGIS BMD	402,235	402,235
34	BMDs AN/TPY-2 RADARS	4,606	4,606
35	SM-3 IAS	337,975	652,975
	Capacity expansion—test equipment		[63,000]
	Production increase		[252,000]
36	ARROW 3 UPPER TIER SYSTEMS	80,000	80,000
37	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	40,000	40,000
38	DEFENSE OF GUAM PROCUREMENT	26,514	26,514
39	AEGIS ASHORE PHASE III	30,056	30,056
40	IRON DOME	80,000	80,000
41	AEGIS BMD HARDWARE AND SOFTWARE	78,181	78,181
	MAJOR EQUIPMENT, NSA		
47	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,738	6,738

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	MAJOR EQUIPMENT, OSD		
50	MAJOR EQUIPMENT, OSD	64,291	94,291
	Project Spectrum		[30,000]
	MAJOR EQUIPMENT, TJS		
52	MAJOR EQUIPMENT, TJS	3,900	3,900
	MAJOR EQUIPMENT, WHS		
54	MAJOR EQUIPMENT, WHS	310	310
	CLASSIFIED PROGRAMS		
99	CLASSIFIED PROGRAMS	681,894	681,894
	AVIATION PROGRAMS		
55	ARMED OVERWATCH/TARGETING	246,000	246,000
56	MANNED ISR	5,000	5,000
57	MC-12	3,344	3,344
59	ROTARY WING UPGRADES AND SUSTAINMENT	214,575	214,575
60	UNMANNED ISR	41,749	41,749
61	NON-STANDARD AVIATION	7,156	7,156
62	U-28	4,589	4,589
63	MH-47 CHINOOK	133,144	133,144
64	CV-22 MODIFICATION	75,629	75,629
65	MQ-9 UNMANNED AERIAL VEHICLE	9,000	9,000
66	PRECISION STRIKE PACKAGE	57,450	57,450
67	AC/MC-130J	225,569	225,569
68	C-130 MODIFICATIONS	11,945	11,945
	SHIPBUILDING		
69	UNDERWATER SYSTEMS	45,631	45,631
	AMMUNITION PROGRAMS		
70	ORDNANCE ITEMS <\$5M	151,233	154,933
	Maritime scalable effects		[3,700]
	OTHER PROCUREMENT PROGRAMS		
71	INTELLIGENCE SYSTEMS	175,616	175,616
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,214	2,214
73	OTHER ITEMS <\$5M	98,096	98,096
74	COMBATANT CRAFT SYSTEMS	85,566	80,166
	Maritime Precision Engagement realignment of funds		[-5,400]
75	SPECIAL PROGRAMS	20,042	20,042
76	TACTICAL VEHICLES	51,605	51,605
77	WARRIOR SYSTEMS <\$5M	306,846	306,846
78	COMBAT MISSION REQUIREMENTS	4,991	4,991
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE	18,723	18,723
81	OPERATIONAL ENHANCEMENTS	347,473	347,473
	CBDP		
82	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	199,439	199,439
83	CB PROTECTION & HAZARD MITIGATION	187,164	187,164
	UNDISTRIBUTED	0	149,308
	Inflation effects		[149,308]
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,245,500	5,738,108
	DEFENSE PRODUCTION ACT PURCHASES		
1	DEFENSE PRODUCTION ACT PURCHASES	0	30,097
	Inflation effects		[30,097]
	TOTAL DEFENSE PRODUCTION ACT PURCHASES	0	30,097
	TOTAL PROCUREMENT	144,219,205	157,919,016

**TITLE XLII—RESEARCH, DEVELOPMENT,
TEST, AND EVALUATION**

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601102A	DEFENSE RESEARCH SCIENCES	279,328	319,328
		Basic research increase		[30,000]
		Counter-UAS technologies		[5,000]
		Data exchange system for a secure digital engineering environment		[5,000]
2	0601103A	UNIVERSITY RESEARCH INITIATIVES	70,775	70,775
3	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	100,909	100,909
4	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,355	5,355
5	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH	10,456	10,456
		SUBTOTAL BASIC RESEARCH	466,823	506,823
		APPLIED RESEARCH		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
6	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RESEARCH	9,534	9,534
8	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	6,192	6,192
9	0602141A	LETHALITY TECHNOLOGY	87,717	87,717
10	0602142A	ARMY APPLIED RESEARCH	27,833	27,833
11	0602143A	SOLDIER LETHALITY TECHNOLOGY	103,839	108,839
		Future Force Requirements Experimentation program		[5,000]
12	0602144A	GROUND TECHNOLOGY	52,848	59,848
		Earthen structures soil enhancement		[2,000]
		High temperature polymeric materials		[5,000]
13	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	174,090	174,090
14	0602146A	NETWORK C3I TECHNOLOGY	64,115	64,115
15	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	43,029	43,029
16	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	69,348	69,348
17	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	27,016	32,016
		Counter-Unmanned Aerial Systems applied research		[5,000]
18	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES	16,454	16,454
19	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	27,399	27,399
20	0602182A	C3I APPLIED RESEARCH	27,892	27,892
21	0602183A	AIR PLATFORM APPLIED RESEARCH	41,588	41,588
22	0602184A	SOLDIER APPLIED RESEARCH	15,716	15,716
23	0602213A	C3I APPLIED CYBER	13,605	18,605
		Indo-Pacific Command technical workforce development		[5,000]
24	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	21,919	21,919
25	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	19,649	19,649
26	0602787A	MEDICAL TECHNOLOGY	33,976	33,976
		SUBTOTAL APPLIED RESEARCH	883,759	905,759
ADVANCED TECHNOLOGY DEVELOPMENT				
27	0603002A	MEDICAL ADVANCED TECHNOLOGY	5,207	5,207
28	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	15,598	15,598
29	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	20,900	20,900
30	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES	6,395	6,395
31	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	45,463	45,463
32	0603042A	C3I ADVANCED TECHNOLOGY	12,716	12,716
33	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	17,946	17,946
34	0603044A	SOLDIER ADVANCED TECHNOLOGY	479	479
36	0603116A	LETHALITY ADVANCED TECHNOLOGY	9,796	9,796
37	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	134,874	134,874
38	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	100,935	100,935
39	0603119A	GROUND ADVANCED TECHNOLOGY	32,546	37,546
		Graphene-enabled technologies for ground combat operations		[5,000]
40	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	21,486	21,486
41	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	56,853	56,853
42	0603457A	C3I CYBER ADVANCED DEVELOPMENT	41,354	41,354
43	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	251,964	251,964
44	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY	193,242	208,242
		Autonomous ground vehicle cybersecurity		[5,000]
		Combat vehicle hybrid-electric transmissions		[7,000]
		Multi-Service Electro-Optical Signature code modernization		[3,000]
45	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	125,565	140,565
		Next-generation contaminant analysis and detection tools		[5,000]
		PNT situational awareness tools and techniques		[10,000]
46	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	100,830	133,340
		Extended Range Artillery Munition Suite		[5,000]
		Precision Strike Missile Inc 4		[27,510]
47	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	177,836	177,836
48	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	11,147	11,147
49	0603920A	HUMANITARIAN DEMINING	8,933	8,933
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,392,065	1,459,575
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
50	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	12,001	12,001
51	0603308A	ARMY SPACE SYSTEMS INTEGRATION	17,945	17,945
53	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	64,001	64,001
54	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	64,669	64,669
55	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	49,944	49,944
56	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	4,060	4,060
57	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	72,314	72,314
58	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	18,048	18,048
59	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	31,249	31,249
60	0603790A	NATO RESEARCH AND DEVELOPMENT	3,805	3,805
61	0603801A	AVIATION—ADV DEV	1,162,344	1,185,344
		Future Long Range Assault Aircraft (FLRAA)		[23,000]
62	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	9,638	9,638
63	0603807A	MEDICAL SYSTEMS—ADV DEV	598	598
64	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	25,971	27,971
		Anthropomorphic body armor		[2,000]
65	0604017A	ROBOTICS DEVELOPMENT	26,594	26,594
66	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	220,820	220,820
67	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING	106,000	106,000
69	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	35,509	35,509
70	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	49,932	49,932

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
71	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV	863	863
72	0604100A	ANALYSIS OF ALTERNATIVES	10,659	10,659
73	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	1,425	1,425
74	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	95,719	95,719
75	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	382,147	382,147
76	0604115A	TECHNOLOGY MATURATION INITIATIVES	269,756	269,756
77	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	225,147	225,147
78	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	198,111	198,111
79	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	43,797	43,797
80	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	166,452	166,452
81	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	15,840	15,840
82	0604135A	STRATEGIC MID-RANGE FIRES	404,291	404,291
83	0604182A	HYPERSONICS	173,168	173,168
84	0604403A	FUTURE INTERCEPTOR	8,179	8,179
85	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT	35,110	35,110
86	0604541A	UNIFIED NETWORK TRANSPORT	36,966	36,966
89	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	55,677	55,677
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,098,749	4,123,749
		SYSTEM DEVELOPMENT & DEMONSTRATION		
90	0604201A	AIRCRAFT AVIONICS	3,335	3,335
91	0604270A	ELECTRONIC WARFARE DEVELOPMENT	4,243	4,243
92	0604601A	INFANTRY SUPPORT WEAPONS	66,529	66,529
93	0604604A	MEDIUM TACTICAL VEHICLES	22,163	22,163
94	0604611A	JAVELIN	7,870	7,870
95	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	50,924	50,924
96	0604633A	AIR TRAFFIC CONTROL	2,623	2,623
97	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	115,986	115,986
99	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	71,287	71,287
100	0604710A	NIGHT VISION SYSTEMS—ENG DEV	62,679	62,679
101	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,566	1,566
102	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	18,600	18,600
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	39,541	41,541
		Machine learning for Army integrated fires		[2,000]
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	29,570	29,570
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	5,178	5,178
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	8,189	8,189
109	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	21,228	21,228
110	0604802A	WEAPONS AND MUNITIONS—ENG DEV	263,778	263,778
111	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	41,669	41,669
112	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	40,038	40,038
113	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	5,513	5,513
114	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	12,150	12,150
115	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	111,690	134,690
		Red team automation/ zero-trust capabilities		[23,000]
116	0604820A	RADAR DEVELOPMENT	71,259	71,259
117	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	10,402	10,402
119	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	11,425	11,425
120	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	109,702	119,702
		Low detectable, optically-triggered active protection system		[10,000]
121	0604854A	ARTILLERY SYSTEMS—EMD	23,106	23,106
122	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	124,475	109,475
		Army contract writing system		[-15,000]
123	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	67,564	67,564
125	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	17,950	17,950
126	0605031A	JOINT TACTICAL NETWORK (JTN)	30,169	30,169
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	11,523	11,523
130	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	33,029	33,029
131	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	4,497	4,497
132	0605047A	CONTRACT WRITING SYSTEM	23,487	23,487
133	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	19,123	19,123
134	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	131,093	131,093
135	0605053A	GROUND ROBOTICS	26,809	26,809
136	0605054A	EMERGING TECHNOLOGY INITIATIVES	185,311	217,311
		Palletized high energy laser		[32,000]
137	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC)	11,091	11,091
138	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	22,439	22,439
140	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	58,087	138,987
		Family of Integrated Targeting Cells (FITC) TITAN		[30,000]
		TITAN realignment of funds		[50,900]
141	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	119,516	143,616
		CYBERCOM UFR—Joint cyberspace warfighting architecture		[24,100]
142	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	6,530	6,530
143	0605224A	MULTI-DOMAIN INTELLIGENCE	19,911	19,911
145	0605231A	PRECISION STRIKE MISSILE (PRSM)	259,506	259,506
146	0605232A	HYPERSONICS EMD	633,499	633,499
147	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	13,647	13,647
148	0605235A	STRATEGIC MID-RANGE CAPABILITY	5,016	5,016
149	0605236A	INTEGRATED TACTICAL COMMUNICATIONS	12,447	12,447
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	2,366	2,366
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	265,288	267,288

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
152	0605531A	Kill chain automation		[2,000]
153	0605625A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION	14,892	14,892
154	0605766A	MANNED GROUND VEHICLE	589,762	589,762
155	0605812A	NATIONAL CAPABILITIES INTEGRATION (MIP)	17,030	17,030
		JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	9,376	9,376
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	2,959	2,959
157	0303032A	TROJAN—RH12	3,761	3,761
160	0304270A	ELECTRONIC WARFARE DEVELOPMENT	56,938	99,838
		INDOPACOM UFR—SIGINT upgrades		[4,900]
		Realignment of funds		[38,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	4,031,334	4,233,234
		MANAGEMENT SUPPORT		
161	0604256A	THREAT SIMULATOR DEVELOPMENT	18,437	28,437
		TECCE Scholarship Pathfinder program		[10,000]
162	0604258A	TARGET SYSTEMS DEVELOPMENT	19,132	19,132
163	0604759A	MAJOR T&E INVESTMENT	107,706	107,706
164	0605103A	RAND ARROYO CENTER	35,542	35,542
165	0605301A	ARMY KWAJALEIN ATOLL	309,005	309,005
166	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	87,122	87,122
168	0605601A	ARMY TEST RANGES AND FACILITIES	401,643	401,643
169	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	37,962	37,962
170	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,500	36,500
171	0605606A	AIRCRAFT CERTIFICATION	2,777	2,777
172	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,958	6,958
173	0605706A	MATERIEL SYSTEMS ANALYSIS	22,037	22,037
174	0605709A	EXPLOITATION OF FOREIGN ITEMS	6,186	6,186
175	0605712A	SUPPORT OF OPERATIONAL TESTING	70,718	70,718
176	0605716A	ARMY EVALUATION CENTER	67,058	67,058
177	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	6,097	6,097
178	0605801A	PROGRAMWIDE ACTIVITIES	89,793	89,793
179	0605803A	TECHNICAL INFORMATION ACTIVITIES	28,752	28,752
180	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	48,316	48,316
181	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,912	1,912
182	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	53,271	53,271
183	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	90,088	90,088
184	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,424	1,424
186	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	5,816	5,816
		SUBTOTAL MANAGEMENT SUPPORT	1,554,252	1,564,252
		OPERATIONAL SYSTEMS DEVELOPMENT		
188	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,463	18,463
189	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	9,284	9,284
190	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	11,674	11,674
193	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	52,513	52,513
194	0607139A	IMPROVED TURBINE ENGINE PROGRAM	228,036	228,036
195	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT	11,312	11,312
196	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	512	512
197	0607145A	APACHE FUTURE DEVELOPMENT	10,074	10,074
198	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM	62,559	62,559
199	0607150A	INTEL CYBER DEVELOPMENT	13,343	33,343
		Offensive cyber capabilities		[20,000]
200	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	26,131	26,131
201	0607313A	ELECTRONIC WARFARE DEVELOPMENT	6,432	6,432
202	0607665A	FAMILY OF BIOMETRICS	1,114	1,114
203	0607865A	PATRIOT PRODUCT IMPROVEMENT	152,312	152,312
204	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs)	19,329	19,329
205	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	192,310	192,310
206	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	136,680	136,680
208	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	148	148
209	0203758A	DIGITIZATION	2,100	2,100
210	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	3,109	63,109
		Army UFR—Next gen Stinger missile replacement		[60,000]
211	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	9,027	9,027
212	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV	793	793
213	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	20,180	20,180
214	0208053A	JOINT TACTICAL GROUND SYSTEM	8,813	8,813
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	17,209	17,209
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	27,100	27,100
219	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,321	18,321
222	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	9,926	9,926
223	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	4,500	4,500
224	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	17,165	17,165
227	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	91,270	91,270
9999	9999999999	CLASSIFIED PROGRAMS	6,664	6,664
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,188,403	1,268,403
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT	94,888	94,888
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	94,888	94,888

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
UNDISTRIBUTED				
999	99999999	UNDISTRIBUTED	0	395,627
		Inflation effects		[395,627]
		SUBTOTAL UNDISTRIBUTED	0	395,627
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	13,710,273	14,552,310
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
BASIC RESEARCH				
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	90,076	99,876
		All-digital arrays for long-distance applications		[9,800]
3	0601153N	DEFENSE RESEARCH SCIENCES	499,116	529,116
		Basic research increase		[30,000]
		SUBTOTAL BASIC RESEARCH	589,192	628,992
APPLIED RESEARCH				
4	0602114N	POWER PROJECTION APPLIED RESEARCH	22,953	22,953
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	133,426	156,926
		Cavitation erosion prevention		[5,000]
		Energy resilience research collaboration		[3,000]
		Relative positioning of autonomous platforms		[5,000]
		Workforce and technology for Navy power and energy systems		[10,500]
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	53,467	53,467
7	0602235N	COMMON PICTURE APPLIED RESEARCH	51,911	51,911
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	70,957	70,957
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	92,444	92,444
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	74,622	74,622
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,700	6,700
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	58,111	65,111
		Dual-modality research vessels		[2,000]
		Submarine and undersea vehicle research and workforce partnerships		[5,000]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	173,641	173,641
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	31,649	31,649
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	120,637	146,237
		Navy UFR—Alternative CONOPS Goalkeeper		[25,600]
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES	81,296	81,296
		SUBTOTAL APPLIED RESEARCH	971,814	1,027,914
ADVANCED TECHNOLOGY DEVELOPMENT				
17	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	16,933	16,933
18	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,253	8,253
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	280,285	330,285
		Low-cost attritable aircraft technology		[50,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	14,048	14,048
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	251,267	251,267
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,704	60,704
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,999	4,999
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	83,137	83,137
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	2,007	2,007
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT	144,122	205,422
		Navy UFR—Alternative CONOPS Goalkeeper		[61,300]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	865,755	977,055
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
27	0603128N	UNMANNED AERIAL SYSTEM	96,883	96,883
28	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV)	146,840	146,840
29	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	39,737	39,737
30	0603216N	AVIATION SURVIVABILITY	17,434	17,434
31	0603239N	NAVAL CONSTRUCTION FORCES	1,706	1,706
33	0603254N	ASW SYSTEMS DEVELOPMENT	15,986	15,986
34	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,562	3,562
35	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	18,628	59,328
		Navy UFR—Alternative CONOPS Goalkeeper		[40,700]
36	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	87,825	87,825
37	0603506N	SURFACE SHIP TORPEDO DEFENSE	473	473
38	0603512N	CARRIER SYSTEMS DEVELOPMENT	11,567	11,567
39	0603525N	PILOT FISH	672,461	672,461
40	0603527N	RETRACT LARCH	7,483	7,483
41	0603536N	RETRACT JUNIPER	239,336	239,336
42	0603542N	RADIOLOGICAL CONTROL	772	772
43	0603553N	SURFACE ASW	1,180	1,180
44	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	105,703	105,703
45	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,917	10,917
46	0603563N	SHIP CONCEPT ADVANCED DESIGN	82,205	82,205
47	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	75,327	75,327
48	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	227,400	227,400
49	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	176,600	188,200
		Silicon carbide power modules		[11,600]
50	0603576N	CHALK EAGLE	91,584	91,584
51	0603581N	LITTORAL COMBAT SHIP (LCS)	96,444	96,444
52	0603582N	COMBAT SYSTEM INTEGRATION	18,236	18,236
53	0603595N	OHIO REPLACEMENT	335,981	350,981

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
		Rapid realization of composites for wet submarine application		[15,000]
54	0603596N	LCS MISSION MODULES	41,533	41,533
55	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	9,773	9,773
56	0603599N	FRIGATE DEVELOPMENT	118,626	118,626
57	0603609N	CONVENTIONAL MUNITIONS	9,286	9,286
58	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	111,431	111,431
59	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	36,496	36,496
60	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	6,193	6,193
61	0603721N	ENVIRONMENTAL PROTECTION	21,647	21,647
62	0603724N	NAVY ENERGY PROGRAM	60,320	60,320
63	0603725N	FACILITIES IMPROVEMENT	5,664	5,664
64	0603734N	CHALK CORAL	833,634	833,634
65	0603739N	NAVY LOGISTIC PRODUCTIVITY	899	899
66	0603746N	RETRACT MAPLE	363,973	363,973
67	0603748N	LINK PLUMERIA	1,038,661	1,038,661
68	0603751N	RETRACT ELM	83,445	83,445
69	0603764M	LINK EVERGREEN	313,761	313,761
70	0603790N	NATO RESEARCH AND DEVELOPMENT	8,041	8,041
71	0603795N	LAND ATTACK TECHNOLOGY	358	358
72	0603851M	JOINT NON-LETHAL WEAPONS TESTING	30,533	30,533
73	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	18,628	18,628
74	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	65,080	65,080
75	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	40,069	40,069
76	0604027N	DIGITAL WARFARE OFFICE	165,753	165,753
77	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	106,347	106,347
78	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	60,697	60,697
79	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION.	57,000	57,000
80	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	0	100,000
		Program continuation		[100,000]
81	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	116,498	116,498
82	0604126N	LITTORAL AIRBORNE MCM	47,389	47,389
83	0604127N	SURFACE MINE COUNTERMEASURES	12,959	12,959
84	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	15,028	15,028
85	0604289M	NEXT GENERATION LOGISTICS	2,342	2,342
86	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	5,103	5,103
87	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	62,927	62,927
88	0604454N	LX (R)	26,630	26,630
89	0604536N	ADVANCED UNDERSEA PROTOTYPING	116,880	154,280
		Mk68		[37,400]
90	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	7,438	7,438
91	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	84,734	84,734
92	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT ...	10,229	10,229
93	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	124,204	244,304
		Navy UFR—Hypersonic OASuW Inc 2		[67,100]
		Navy UFR—LRASM range improvement		[53,000]
94	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS))	104,000	104,000
95	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES	181,620	181,620
96	0605514M	GROUND BASED ANTI-SHIP MISSILE	43,090	43,090
97	0605516M	LONG RANGE FIRES	36,693	36,693
98	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	1,205,041	1,205,041
99	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,856	9,856
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	1,735	1,735
101	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	796	796
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	8,405,310	8,730,110
		SYSTEM DEVELOPMENT & DEMONSTRATION		
102	0603208N	TRAINING SYSTEM AIRCRAFT	15,128	15,128
103	0604038N	MARITIME TARGETING CELL	39,600	129,600
		Family of Integrated Targeting Cells (FITC)		[90,000]
104	0604212N	OTHER HELO DEVELOPMENT	66,010	66,010
105	0604214M	AV-8B AIRCRAFT—ENG DEV	9,205	9,205
106	0604215N	STANDARDS DEVELOPMENT	3,766	3,766
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	44,684	44,684
108	0604221N	P-3 MODERNIZATION PROGRAM	343	343
109	0604230N	WARFARE SUPPORT SYSTEM	12,337	12,337
110	0604231N	COMMAND AND CONTROL SYSTEMS	143,575	143,575
111	0604234N	ADVANCED HAWKEYE	502,956	502,956
112	0604245M	H-1 UPGRADES	43,759	43,759
113	0604261N	ACOUSTIC SEARCH SENSORS	50,231	50,231
114	0604262N	V-22A	125,233	125,233
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	43,282	43,282
116	0604269N	EA-18	116,589	116,589
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	141,138	141,138
118	0604273M	EXECUTIVE HELO DEVELOPMENT	45,645	45,645
119	0604274N	NEXT GENERATION JAMMER (NGJ)	54,679	54,679
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRES-NAVY)	329,787	329,787
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	301,737	301,737
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	347,233	347,233
124	0604329N	SMALL DIAMETER BOMB (SDB)	42,881	42,881
125	0604366N	STANDARD MISSILE IMPROVEMENTS	319,943	319,943
126	0604373N	AIRBORNE MCM	10,882	10,882
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	45,892	60,892

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
128	0604419N	Stratospheric balloon research		[15,000]
		ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	0	13,000
		Program increase		[13,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS	81,254	81,254
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION	93,501	93,501
131	0604504N	AIR CONTROL	39,138	39,138
132	0604512N	SHIPBOARD AVIATION SYSTEMS	11,759	11,759
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,160	11,160
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	87,459	87,459
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	151	151
136	0604558N	NEW DESIGN SSN	307,585	496,485
		Advanced undersea capability development		[188,900]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	58,741	58,741
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	60,791	60,791
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,177	4,177
140	0604601N	MINE DEVELOPMENT	60,793	127,593
		Hammerhead		[47,500]
		Indian Head explosives research		[5,000]
		Mk68		[4,300]
		Navy UFR—Quickstrike-powered offensive mines		[10,000]
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	142,000	142,000
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,618	8,618
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV	45,025	45,025
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,454	7,454
145	0604727N	JOINT STANDOFF WEAPON SYSTEMS	758	758
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	159,426	159,426
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	71,818	71,818
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	92,687	122,087
		Navy UFR—Counter-C5ISR&T		[29,400]
149	0604761N	INTELLIGENCE ENGINEERING	23,742	23,742
150	0604771N	MEDICAL DEVELOPMENT	3,178	3,178
151	0604777N	NAVIGATION/ID SYSTEM	53,209	53,209
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	611	611
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	234	234
154	0604850N	SSN(X)	143,949	143,949
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	11,361	11,361
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	290,353	280,353
		Cyber supply chain risk management		[5,000]
		Electronic procurement system program reduction		[-15,000]
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	7,271	7,271
158	0605180N	TACAMO MODERNIZATION	554,193	554,193
159	0605212M	CH-53K RDTE	220,240	220,240
160	0605215N	MISSION PLANNING	71,107	71,107
161	0605217N	COMMON AVIONICS	77,960	77,960
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	2,886	2,886
163	0605327N	T-AO 205 CLASS	220	220
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	265,646	265,646
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	371	371
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	37,939	37,939
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	161,697	161,697
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION	94,569	94,569
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION	2,856	2,856
170	0204202N	DDG-1000	197,436	197,436
171	0301377N	COUNTERING ADVANCED CONVENTIONAL WEAPONS (CACW)	12,341	12,341
175	0304785N	ISR & INFO OPERATIONS	135,366	135,366
176	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	37,038	37,038
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,606,583	6,999,683
MANAGEMENT SUPPORT				
177	0604256N	THREAT SIMULATOR DEVELOPMENT	29,430	29,430
178	0604258N	TARGET SYSTEMS DEVELOPMENT	13,708	13,708
179	0604759N	MAJOR T&E INVESTMENT	95,316	95,316
180	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,286	3,286
181	0605154N	CENTER FOR NAVAL ANALYSES	40,624	40,624
183	0605804N	TECHNICAL INFORMATION SERVICES	987	987
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	105,152	105,152
185	0605856N	STRATEGIC TECHNICAL SUPPORT	3,787	3,787
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	173,352	173,352
187	0605864N	TEST AND EVALUATION SUPPORT	468,281	468,281
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	27,808	27,808
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	27,175	27,175
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	7,186	7,186
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	39,744	39,744
192	0605898N	MANAGEMENT HQ—R&D	40,648	40,648
193	0606355N	WARFARE INNOVATION MANAGEMENT	52,060	52,060
194	0305327N	INSIDER THREAT	2,315	2,315
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES)	1,811	1,811
		SUBTOTAL MANAGEMENT SUPPORT	1,132,670	1,132,670
OPERATIONAL SYSTEMS DEVELOPMENT				
198	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS	65,735	65,735

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201	0604840M	F-35 C2D2	525,338	525,338
202	0604840N	F-35 C2D2	491,513	491,513
203	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS	48,663	48,663
204	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	156,121	156,121
205	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	284,502	284,502
206	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	50,939	50,939
207	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	81,237	81,237
208	0101402N	NAVY STRATEGIC COMMUNICATIONS	49,424	49,424
209	0204136N	F/A-18 SQUADRONS	238,974	238,974
210	0204228N	SURFACE SUPPORT	12,197	12,197
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	132,719	157,719
		Submarine Launched Cruise Missile—Nuclear (SLCM-N) research		[25,000]
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM	68,417	82,917
		Navy UFR—IUSS DSS DWA rapid operational development		[14,500]
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	1,188	1,188
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	1,789	1,789
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	61,422	85,422
		USMC UFR—AN/TPS-80 G/ATOR radar traffic control R&D		[24,000]
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	70,339	70,339
217	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	47,436	47,436
218	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	90,779	90,779
219	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	28,999	28,999
220	0205632N	MK-48 ADCAP	155,868	155,868
221	0205633N	AVIATION IMPROVEMENTS	130,450	130,450
222	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	121,439	121,439
223	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	114,305	119,305
		USMC UFR—COSMOS		[5,000]
224	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	14,865	14,865
225	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	100,536	100,536
226	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	26,522	26,522
227	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	51,976	51,976
228	0206629M	AMPHIBIOUS ASSAULT VEHICLE	8,246	8,246
229	0207161N	TACTICAL AIM MISSILES	29,236	29,236
230	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	30,898	30,898
231	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,609	3,609
236	0303138N	AFLOAT NETWORKS	45,693	45,693
237	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,752	33,752
238	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	8,415	8,415
239	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	10,576	10,576
240	0305205N	UAS INTEGRATION AND INTEROPERABILITY	18,373	18,373
241	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	45,705	45,705
242	0305220N	MQ-4C TRITON	13,893	13,893
244	0305232M	RQ-11 UAV	1,234	1,234
245	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	3,761	3,761
247	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	56,261	56,261
248	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,780	11,780
		Autonomous MPA		[2,000]
249	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	36,505	36,505
250	0305421N	RQ-4 MODERNIZATION	163,277	163,277
251	0307577N	INTELLIGENCE MISSION DATA (IMD)	851	851
252	0308601N	MODELING AND SIMULATION SUPPORT	9,437	9,437
253	0702207N	DEPOT MAINTENANCE (NON-IF)	26,248	26,248
254	0708730N	MARITIME TECHNOLOGY (MARITECH)	2,133	2,133
9999	9999999999	CLASSIFIED PROGRAMS	1,701,811	1,701,811
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	5,483,386	5,553,886
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
256	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM	12,810	12,810
257	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM	11,198	11,198
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	24,008	24,008
		UNDISTRIBUTED		
999	999999999	UNDISTRIBUTED	0	409,201
		Inflation effects		[409,201]
		SUBTOTAL UNDISTRIBUTED	0	409,201
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	24,078,718	25,483,519
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	375,325	405,325
		Basic research increase		[30,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	171,192	171,192
		SUBTOTAL BASIC RESEARCH	546,517	576,517
		APPLIED RESEARCH		
4	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	88,672	88,672
5	0602102F	MATERIALS	134,795	139,795
		High energy synchotron X-ray research		[5,000]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	159,453	159,453
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	135,771	135,771
8	0602203F	AEROSPACE PROPULSION	172,861	172,861

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9	0602204F	AEROSPACE SENSORS	192,733	262,733
		National network for microelectronics research and development activities		[70,000]
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES	8,856	8,856
12	0602602F	CONVENTIONAL MUNITIONS	137,303	142,303
		Convergence Lab Center activities		[5,000]
13	0602605F	DIRECTED ENERGY TECHNOLOGY	109,302	100,947
		Realignment of funds		[-8,355]
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	166,041	166,041
		SUBTOTAL APPLIED RESEARCH	1,305,787	1,377,432
		ADVANCED TECHNOLOGY DEVELOPMENT		
16	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	152,559	102,559
		Program reduction		[-50,000]
17	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	29,116	34,116
		Metals Affordability Initiative		[5,000]
18	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	10,695	10,695
19	0603203F	ADVANCED AEROSPACE SENSORS	36,997	36,997
20	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	54,727	66,220
		Realignment of funds		[-8,507]
		Unmanned semi-autonomous adversary aircraft		[20,000]
21	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	64,254	72,761
		Realignment of funds		[8,507]
22	0603270F	ELECTRONIC COMBAT TECHNOLOGY	33,380	33,380
23	0603273F	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS	39,431	39,431
26	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	20,652	20,652
27	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	187,374	187,374
28	0603605F	ADVANCED WEAPONS TECHNOLOGY	98,503	98,503
29	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	47,759	47,759
30	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	51,824	51,824
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	827,271	802,271
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
31	0603036F	MODULAR ADVANCED MISSILE	125,688	125,688
32	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	6,101	6,101
33	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	17,318	17,318
34	0603790F	NATO RESEARCH AND DEVELOPMENT	4,295	4,295
35	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	46,432	46,432
36	0604001F	NC3 ADVANCED CONCEPTS	5,098	5,098
38	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	231,408	231,408
39	0604004F	ADVANCED ENGINE DEVELOPMENT	353,658	353,658
40	0604006F	DEPT OF THE AIR FORCE TECH ARCHITECTURE	66,615	66,615
41	0604015F	LONG RANGE STRIKE—BOMBER	3,253,584	3,253,584
42	0604032F	DIRECTED ENERGY PROTOTYPING	4,269	4,269
43	0604033F	HYPERSONICS PROTOTYPING	431,868	161,547
		Realignment of funds		[-316,887]
		Realignment of funds from MPAF line 6		[46,566]
44	0604183F	HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM)	144,891	461,778
		Realignment of funds		[316,887]
45	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	12,010	12,010
46	0604257F	ADVANCED TECHNOLOGY AND SENSORS	13,311	13,311
47	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER	203,213	203,213
48	0604317F	TECHNOLOGY TRANSFER	16,759	16,759
49	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	106,826	141,826
		CENTCOM UFR—HDBTDS program		[35,000]
50	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	44,526	69,526
		Program increase		[25,000]
51	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS)	51,758	51,758
52	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	27,586	27,586
53	0604858F	TECH TRANSITION PROGRAM	649,545	603,545
		Air Force operational energy increase		[10,000]
		Hybrid autonomous maritime expeditionary logistics		[2,000]
		Realignment of funds to APAF		[-42,500]
		Realignment of funds to line 54		[-15,500]
54	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE	0	15,500
		Realignment of funds		[15,500]
56	0207110F	NEXT GENERATION AIR DOMINANCE	1,657,733	1,657,733
57	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS	51,747	51,747
58	0207420F	COMBAT IDENTIFICATION	1,866	1,866
59	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	14,490	14,490
60	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	52,498	52,498
61	0208030F	WAR RESERVE MATERIEL—AMMUNITION	10,288	10,288
64	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	37,460	37,460
65	0305601F	MISSION PARTNER ENVIRONMENTS	17,378	17,378
66	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT	234,576	365,276
		AI systems and applications for CYBERCOM		[50,000]
		CYBERCOM UFR—Cyber mission force operational support		[31,000]
		CYBERCOM UFR—Joint cyberspace warfighting architecture		[20,900]
		Hunt forward operations		[28,800]
67	0306415F	ENABLED CYBER ACTIVITIES	16,728	16,728
70	0808737F	CVV INTEGRATED PREVENTION	9,315	9,315
71	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	14,050	14,050
72	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT	10,350	10,350

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		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	7,945,238	8,152,004
		SYSTEM DEVELOPMENT & DEMONSTRATION		
73	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	9,879	9,879
74	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	176,824	176,824
75	0604222F	NUCLEAR WEAPONS SUPPORT	64,425	64,425
76	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,222	2,222
77	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	133,117	133,117
78	0604287F	PHYSICAL SECURITY EQUIPMENT	8,493	8,493
79	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	5,279	5,279
80	0604604F	SUBMUNITIONS	3,273	3,273
81	0604617F	AGILE COMBAT SUPPORT	14,252	14,252
83	0604706F	LIFE SUPPORT SYSTEMS	47,442	47,442
84	0604735F	COMBAT TRAINING RANGES	91,284	91,284
86	0604932F	LONG RANGE STANDOFF WEAPON	928,850	928,850
87	0604933F	ICBM FUZE MODERNIZATION	98,376	98,376
88	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,222	2,222
89	0605056F	OPEN ARCHITECTURE MANAGEMENT	38,222	38,222
90	0605223F	ADVANCED PILOT TRAINING	37,121	37,121
91	0605229F	HH-60W	58,974	58,974
92	0605238F	GROUND BASED STRATEGIC DETERRENT EMD	3,614,290	3,614,290
94	0207171F	F-15 EPAWSS	67,956	67,956
95	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY	27,881	27,881
96	0207328F	STAND IN ATTACK WEAPON	283,152	283,152
97	0207701F	FULL COMBAT MISSION TRAINING	3,028	3,028
102	0401221F	KC-46A TANKER SQUADRONS	197,510	197,510
103	0401319F	VC-25B	492,932	492,932
104	0701212F	AUTOMATED TEST SYSTEMS	16,664	16,664
105	0804772F	TRAINING DEVELOPMENTS	15,138	15,138
107	1206442F	NEXT GENERATION OPIR	148	148
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,438,954	6,438,954
		MANAGEMENT SUPPORT		
108	0604256F	THREAT SIMULATOR DEVELOPMENT	21,067	21,067
109	0604759F	MAJOR T&E INVESTMENT	44,714	201,314
		Air Force UFR—Gulf instrumentation for hypersonics testing		[55,200]
		Air Force UFR—Quick reaction test capability for hypersonics testing		[14,700]
		Air Force UFR—VKF wind tunnel improvements for hypersonics testing		[56,700]
		Major Range and Test Facility Base improvements		[30,000]
110	0605101F	RAND PROJECT AIR FORCE	37,921	37,921
111	0605502F	SMALL BUSINESS INNOVATION RESEARCH	86	86
112	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,926	13,926
113	0605807F	TEST AND EVALUATION SUPPORT	826,854	841,854
		Air Force UFR—EDW/Eglin hypersonics testing		[10,000]
		Air Force UFR—VKF wind tunnel throughput for hypersonics testing		[5,000]
115	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	255,995	283,995
		Realignment of funds		[28,000]
116	0605828F	ACQ WORKFORCE- GLOBAL REACH	457,589	457,589
117	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	459,223	473,423
		Realignment of funds		[14,200]
118	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT	3,696	3,696
119	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	229,610	253,610
		Realignment of funds		[24,000]
120	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	92,648	67,361
		Realignment of funds		[-25,287]
121	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	241,226	236,382
		Realignment of funds		[-4,844]
122	0605898F	MANAGEMENT HQ—R&D	4,347	5,624
		Realignment of funds		[1,277]
123	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	77,820	133,420
		Air Force UFR—Quick reaction test capability for hypersonics testing		[7,500]
		Air Force UFR—VKF wind tunnel improvements for hypersonics testing		[48,100]
124	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	31,561	31,561
125	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	101,844	101,844
126	0606398F	MANAGEMENT HQ—T&E	6,285	6,285
127	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	556	556
128	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM	15,559	35,559
		NEC acceleration for hardened NC3		[10,500]
		Next-generation Nuclear Command, Control, and Communications architecture		[5,000]
		Nuclear Command, Control, and Communications assessment		[4,500]
129	0308602F	ENTREPRISE INFORMATION SERVICES (EIS)	83,231	83,231
130	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	24,306	24,306
131	0804731F	GENERAL SKILL TRAINING	871	871
134	1001004F	INTERNATIONAL ACTIVITIES	2,593	2,593
		SUBTOTAL MANAGEMENT SUPPORT	3,033,528	3,318,074
		OPERATIONAL SYSTEMS DEVELOPMENT		
136	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	18,037	18,037
138	0604617F	AGILE COMBAT SUPPORT	8,199	8,199
139	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	156	156
140	0604840F	F-35 C2D2	1,014,708	1,014,708
141	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	37,901	37,901

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142	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	50,066	50,066
143	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	80,338	80,338
144	0605278F	HC/MC-130 RECAP RDT&E	47,994	51,870
		Crypto Mods—AC-130J		[3,876]
145	0606018F	NC3 INTEGRATION	23,559	23,559
147	0101113F	B-52 SQUADRONS	770,313	775,313
		Crypto Mods—B-52		[5,000]
148	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	571	571
149	0101126F	B-1B SQUADRONS	13,144	17,644
		Crypto Mods—B-1B		[4,500]
150	0101127F	B-2 SQUADRONS	111,990	111,990
151	0101213F	MINUTEMAN SQUADRONS	69,650	69,650
152	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	22,725	22,725
153	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK	3,180	3,180
154	0101328F	ICBM REENTRY VEHICLES	118,616	118,616
156	0102110F	UH-1N REPLACEMENT PROGRAM	17,922	17,922
157	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	451	451
158	0102412F	NORTH WARNING SYSTEM (NWS)	76,910	76,910
159	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	12,210	12,210
160	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	14,483	14,483
161	0205219F	MQ-9 UAV	98,499	98,499
162	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	1,747	1,747
163	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	23,195	23,195
164	0207131F	A-10 SQUADRONS	72,393	72,393
165	0207133F	F-16 SQUADRONS	244,696	251,414
		Crypto Mods—F-16 Post Blk		[1,968]
		Crypto Mods—F-16 Pre Blk		[4,750]
166	0207134F	F-15E SQUADRONS	213,272	213,272
167	0207136F	MANNED DESTRUCTIVE SUPPRESSION	16,695	16,695
168	0207138F	F-22A SQUADRONS	559,709	559,709
169	0207142F	F-35 SQUADRONS	70,730	70,730
170	0207146F	F-15EX	83,830	83,830
171	0207161F	TACTICAL AIM MISSILES	34,536	34,536
172	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	52,704	52,704
173	0207227F	COMBAT RESCUE—PARARESCUE	863	863
174	0207247F	AF TENCAP	23,309	23,309
175	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	12,722	12,722
176	0207253F	COMPASS CALL	49,054	49,054
177	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	116,087	116,087
178	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	117,198	129,198
		INDOPACOM UFR—JASSM software update		[12,000]
179	0207327F	SMALL DIAMETER BOMB (SDB)	27,713	130,713
		Air Force UFR—SDB II refresh and development		[103,000]
181	0207412F	CONTROL AND REPORTING CENTER (CRC)	6,615	6,615
182	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	239,658	540,658
		E-7 acceleration		[301,000]
183	0207418F	AFSPECWAR—TACP	5,982	5,982
185	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	23,504	23,504
186	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	5,851	5,851
187	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)	15,990	15,990
188	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,315	10,315
189	0207452F	DCAPES	8,049	8,049
190	0207521F	AIR FORCE CALIBRATION PROGRAMS	2,123	2,123
192	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	2,039	2,039
193	0207590F	SEEK EAGLE	32,853	32,853
194	0207601F	USAF MODELING AND SIMULATION	19,341	19,341
195	0207605F	WARGAMING AND SIMULATION CENTERS	7,004	7,004
197	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,628	4,628
198	0208006F	MISSION PLANNING SYSTEMS	99,214	99,214
199	0208007F	TACTICAL DECEPTION	17,074	17,074
200	0208064F	OPERATIONAL HQ—CYBER	2,347	2,347
201	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	76,592	76,592
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	8,367	26,167
		Enterprise Logging and Cyber Situational Awareness Refinery (ELICSAR)		[17,800]
203	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	80,740	75,740
		Centropy program reduction		[–5,000]
204	0208099F	UNIFIED PLATFORM (UP)	107,548	107,548
208	0208288F	INTEL DATA APPLICATIONS	1,065	1,065
209	0301025F	GEOBASE	2,928	2,928
211	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	8,972	8,972
218	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARE- NESS	3,069	3,069
219	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	25,701	26,401
		Crypto Mods—E-4B		[700]
220	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	41,171	41,171
221	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	70,582	70,582
224	0303260F	JOINT MILITARY DECEPTION INITIATIVE	2,588	2,588
226	0304260F	AIRBORNE SIGINT ENTERPRISE	108,528	108,528
227	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,542	4,542
230	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES	8,097	8,097
231	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,751	1,751
232	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	13,138	13,138

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
233	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,895	4,895
234	0305103F	CYBER SECURITY INITIATIVE	91	91
235	0305111F	WEATHER SERVICE	11,716	11,716
236	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	8,511	8,511
237	0305116F	AERIAL TARGETS	1,365	1,365
240	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	223	223
241	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	8,328	8,328
243	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	22,123	22,123
244	0305202F	DRAGON U-2	20,170	20,170
245	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	55,048	55,048
246	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,590	14,590
247	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	26,901	26,901
248	0305220F	RQ-4 UAV	68,801	68,801
249	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	17,564	17,564
250	0305238F	NATO AGS	826	826
251	0305240F	SUPPORT TO DCGS ENTERPRISE	28,774	28,774
252	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	15,036	15,036
253	0305881F	RAPID CYBER ACQUISITION	3,739	3,739
254	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,702	2,702
255	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,332	6,332
256	0401115F	C-130 AIRLIFT SQUADRON	407	407
257	0401119F	C-5 AIRLIFT SQUADRONS (IF)	6,100	6,100
258	0401130F	C-17 AIRCRAFT (IF)	25,387	25,387
259	0401132F	C-130J PROGRAM	11,060	13,660
		Crypto Mods—C-130J		[2,600]
260	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	2,909	2,909
261	0401218F	KC-135S	12,955	17,755
		Crypto Mods—KC-135		[4,800]
262	0401318F	CV-22	10,121	11,171
		Crypto Mods—CV-22		[1,050]
263	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,297	6,297
264	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	19,892	19,892
265	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	5,271	5,271
267	0804743F	OTHER FLIGHT TRAINING	2,214	2,214
269	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,164	2,164
270	0901218F	CIVILIAN COMPENSATION PROGRAM	4,098	4,098
271	0901220F	PERSONNEL ADMINISTRATION	3,191	3,191
272	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	899	899
273	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	5,421	5,421
276	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	13,766	13,766
9999	9999999999	CLASSIFIED PROGRAMS	17,240,641	17,340,641
		Electromagnetic spectrum technology for spectrum sharing, EW protection, and offensive EW capabilities.		[85,000]
		RCO Family of Integrated Targeting Cells (FITC) integration		[15,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	23,090,569	23,648,613
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
278	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYSTEM—SOFTWARE PILOT PROGRAM.	100,167	100,167
279	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM	177,827	177,827
280	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO.	136,202	136,202
281	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	37,346	0
		Realignment of funds		[-37,346]
282	0308605F	AIR FORCE DEFENSIVE CYBER SYSTEMS (AFDCS)—SOFTWARE PILOT PROGRAM	240,926	240,926
283	0308606F	ALL DOMAIN COMMON PLATFORM (ADCP)—SOFTWARE PILOT PROGRAM	190,112	190,112
284	0308607F	AIR FORCE WEATHER PROGRAMS—SOFTWARE PILOT PROGRAM	58,063	58,063
285	0308608F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)—SOFTWARE PILOT PROGRAM.	5,794	5,794
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	946,437	909,091
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	1,000,847
		Inflation effects		[1,000,847]
		SUBTOTAL UNDISTRIBUTED	0	1,000,847
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	44,134,301	46,223,803
		RDTE, SPACE FORCE		
		APPLIED RESEARCH		
2	1206601SF	SPACE TECHNOLOGY	243,737	256,092
		Advanced hybrid rocket engine development		[4,000]
		Realignment of funds		[8,355]
		SUBTOTAL APPLIED RESEARCH	243,737	256,092
		ADVANCED TECHNOLOGY DEVELOPMENT		
3	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT	460,820	460,820
4	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	103,395	106,168
		Realignment of funds		[2,773]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	564,215	566,988
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
5	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH	816	816
6	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	382,594	382,594
7	1203622SF	SPACE WARFIGHTING ANALYSIS	44,791	44,791
8	1203710SF	EO/IR WEATHER SYSTEMS	96,519	96,519
10	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	986,822	986,822
12	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	230,621	233,621
		Digitization of PARCS radar for space domain awareness		[3,000]
13	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	106,252	134,252
		DARPA Blackjack RF payload		[28,000]
14	1206438SF	SPACE CONTROL TECHNOLOGY	57,953	57,953
16	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	59,169	59,169
17	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	121,069	121,069
18	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	294,828	294,828
19	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	565,597	565,597
20	1206857SF	SPACE RAPID CAPABILITIES OFFICE	45,427	45,427
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	2,992,458	3,023,458
		SYSTEM DEVELOPMENT & DEMONSTRATION		
21	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	325,927	325,927
22	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	49,628	49,628
23	1206421SF	COUNTERSPACE SYSTEMS	21,848	21,848
24	1206422SF	WEATHER SYSTEM FOLLOW-ON	48,870	48,870
25	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	105,140	105,140
26	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	11,701	11,701
27	1206432SF	POLAR MILSATCOM (SPACE)	67,465	67,465
28	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE)	48,438	48,438
29	1206440SF	NEXT-GEN OPIR—GROUND	0	612,529
		Realignment of funds		[612,529]
30	1206442SF	NEXT GENERATION OPIR	3,479,459	253,801
		Realignment of funds to line 29		[-612,529]
		Realignment of funds to line 31		[-1,713,933]
		Realignment of funds to line 32		[-899,196]
31	1206443SF	NEXT-GEN OPIR—GEO	0	1,713,933
		Realignment of funds		[1,713,933]
32	1206444SF	NEXT-GEN OPIR—POLAR	0	899,196
		Realignment of funds		[899,196]
33	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	23,513	23,513
34	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO)	499,840	525,637
		Realignment of funds		[25,797]
35	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO)	139,131	303,930
		Realignment of funds		[164,799]
36	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT	390,596	0
		Realignment of funds		[-200,000]
		Realignment of funds to line 34		[-25,797]
		Realignment of funds to line 35		[-164,799]
37	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	124,103	124,103
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	5,335,659	5,135,659
		MANAGEMENT SUPPORT		
39	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	21,453	21,453
40	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	253,716	253,716
41	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	13,962	13,962
42	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	2,773	0
		Realignment of funds		[-2,773]
43	1206759SF	MAJOR T&E INVESTMENT—SPACE	89,751	89,751
44	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,922	17,922
46	1206864SF	SPACE TEST PROGRAM (STP)	25,366	25,366
		SUBTOTAL MANAGEMENT SUPPORT	424,943	422,170
		OPERATIONAL SYSTEM DEVELOPMENT		
48	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	5,321	5,321
49	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	128,243	128,243
50	1203040SF	DCO-SPACE	28,162	28,162
51	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	165,892	165,892
52	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	42,199	42,199
53	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	2,062	2,062
54	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,157	4,157
55	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	38,103	38,103
56	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,658	11,658
57	1203265SF	GPS III SPACE SEGMENT	1,626	1,626
58	1203330SF	SPACE SUPERIORITY ISR	29,128	29,128
59	1203620SF	NATIONAL SPACE DEFENSE CENTER	2,856	2,856
60	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	18,615	23,615
		Upgrades for Perimeter Acquisition Radar Attack Characterization System (PARCS)		[5,000]
61	1203906SF	NCMC—TW/AA SYSTEM	7,274	7,274
62	1203913SF	NUDET DETECTION SYSTEM (SPACE)	80,429	80,429
63	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	80,903	80,903
64	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	359,720	359,720
68	1206770SF	ENTERPRISE GROUND SERVICES	123,601	123,601
9999	9999999999	CLASSIFIED PROGRAMS	4,973,358	5,607,858
		INDOPACOM UFR—Operationalize near-term space control		[308,000]
		Space Force UFR—Classified program		[326,500]

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		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	6,103,307	6,742,807
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
70	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM	155,053	155,053
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	155,053	155,053
		UNDISTRIBUTED		
999	999999999	UNDISTRIBUTED	0	539,491
		Inflation effects		[539,491]
		SUBTOTAL UNDISTRIBUTED	0	539,491
		TOTAL RDTE, SPACE FORCE	15,819,372	16,841,718
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	11,584	11,584
2	0601101E	DEFENSE RESEARCH SCIENCES	401,870	401,870
3	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	16,257	16,257
4	0601110D8Z	BASIC RESEARCH INITIATIVES	62,386	87,386
		Defense established program to stimulate competitive research (DEPSCoR)		[25,000]
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	80,874	80,874
6	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	132,347	132,347
7	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	33,288	63,288
		Program increase for STEM programs		[30,000]
8	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	34,734	34,734
		SUBTOTAL BASIC RESEARCH	773,340	828,340
		APPLIED RESEARCH		
10	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	18,961	18,961
11	0602115E	BIOMEDICAL TECHNOLOGY	106,958	106,958
12	0602128D8Z	PROMOTION AND PROTECTION STRATEGIES	3,275	3,275
14	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	20,634	60,634
		Open radio access networks for next generation wireless experimentation		[40,000]
15	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,159	48,159
		Superconducting microelectronics		[2,000]
16	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	67,666	67,666
17	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	388,270	513,270
		AI/autonomy to cybersecurity and cyberspace operations challenges		[30,000]
		National Security Commission on AI recommendations		[75,000]
		Underexplored systems for utility-scale quantum computing		[20,000]
18	0602383E	BIOLOGICAL WARFARE DEFENSE	23,059	23,059
19	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	256,197	256,197
20	0602668D8Z	CYBER SECURITY RESEARCH	17,264	42,264
		Cyber consortium seedling funding		[25,000]
21	0602675D8Z	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY	4,000	4,000
22	0602702E	TACTICAL TECHNOLOGY	221,883	221,883
23	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	352,976	355,276
		ReVector		[2,300]
24	0602716E	ELECTRONICS TECHNOLOGY	557,745	557,745
25	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH	192,162	192,162
26	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	11,030	11,030
27	0602890D8Z	HIGH ENERGY LASER RESEARCH	48,587	48,587
28	1160401BB	SOF TECHNOLOGY DEVELOPMENT	49,174	49,174
		SUBTOTAL APPLIED RESEARCH	2,386,000	2,580,300
		ADVANCED TECHNOLOGY DEVELOPMENT		
29	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	34,065	34,065
30	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,919	4,919
31	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	72,614	72,614
32	0603133D8Z	FOREIGN COMPARATIVE TESTING	26,802	26,802
34	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT	395,721	395,721
35	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	6,505	6,505
36	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	16,737	16,737
37	0603180C	ADVANCED RESEARCH	22,023	22,023
38	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION	52,156	52,156
39	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,898	18,898
40	0603286E	ADVANCED AEROSPACE SYSTEMS	253,135	253,135
41	0603287E	SPACE PROGRAMS AND TECHNOLOGY	81,888	81,888
42	0603288D8Z	ANALYTIC ASSESSMENTS	24,052	24,052
43	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	53,890	53,890
46	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	141,561	146,561
		Optical reconnaissance sensors		[5,000]
47	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	42,925	57,925
		National Security Innovation Capital program increase		[15,000]
48	0603375D8Z	TECHNOLOGY INNOVATION	109,535	114,535
		Emerging biotechnologies		[5,000]
49	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	238,407	238,407
50	0603527D8Z	RETRACT LARCH	79,493	79,493
51	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	19,218	19,218
52	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	114,100	194,100
		LVC testbed application development		[80,000]

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
53	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	3,168	3,168
54	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	256,142	299,142
		Artificial intelligence for predictive maintenance		[3,000]
		BioMADE		[30,000]
		Internet of things and operational technology asset identification and management		[5,000]
		Large scale advanced manufacturing		[5,000]
55	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	46,166	46,166
56	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	13,663	13,663
57	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	58,411	58,411
58	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	139,833	139,833
59	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,411	2,411
60	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	250,917	250,917
61	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	305,050	315,050
		DARPA LogX advanced supply chain mapping		[10,000]
62	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	678,562	838,562
		Assault Breaker II		[120,000]
		DARPA network-centric warfare technology		[20,000]
		Non-kinetic/cyber modeling and simulation		[20,000]
63	0603767E	SENSOR TECHNOLOGY	314,502	314,502
64	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	201	201
65	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	13,417	13,417
66	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	111,149	111,149
67	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	315,090	315,090
68	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	22,028	22,028
69	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	180,170	190,170
		Program increase for tristructural-isotropic fuel		[10,000]
72	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	118,877	118,877
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	4,638,401	4,966,401
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
74	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	41,507	41,507
75	0603600D8Z	WALKOFF	133,795	133,795
76	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	84,638	89,638
		Sustainable Technology Evaluation and Demonstration program		[5,000]
77	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	190,216	190,216
78	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	667,524	667,524
79	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	291,364	291,364
80	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	231,134	231,134
81	0603890C	BMD ENABLING PROGRAMS	591,847	642,717
		NORTHCOM UFR—Cruise Missile Defense-Homeland kill chain demonstration upgrades		[50,870]
82	0603891C	SPECIAL PROGRAMS—MDA	316,977	316,977
83	0603892C	AEGIS BMD	600,072	600,072
84	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	589,374	589,374
85	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	50,269	50,269
86	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	49,367	49,367
87	0603906C	REGARDING TRENCH	12,146	12,146
88	0603907C	SEA BASED X-BAND RADAR (SBX)	164,668	164,668
89	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
90	0603914C	BALLISTIC MISSILE DEFENSE TEST	367,824	367,824
91	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	559,513	559,513
92	0603923D8Z	COALITION WARFARE	11,154	11,154
93	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G)	249,591	379,591
		5G experimentation, transition, and ORAN activities		[130,000]
94	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,166	3,166
95	0604102C	GUAM DEFENSE DEVELOPMENT	397,936	397,936
96	0604115C	TECHNOLOGY MATURATION INITIATIVES	0	10,000
		Diode-Pumped Alkali Laser (DPAL) development		[5,000]
		Hypersonic targets		[5,000]
97	0604124D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP	33,950	33,950
99	0604181C	HYPERSONIC DEFENSE	225,477	517,977
		MDA UFR—Glide phase defense weapons systems		[292,500]
100	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,145,358	1,309,858
		INDOPACOM UFR—Sea Urchin powered quickstrike mines		[30,000]
		INDOPACOM UFR—SIGINT upgrades		[9,500]
		SCO SAP Project A		[125,000]
101	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	647,226	647,226
102	0604331D8Z	RAPID PROTOTYPING PROGRAM	179,189	229,189
		Counter-C5ISR activities		[20,000]
		International cooperation for hypersonics		[30,000]
103	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	24,402	24,402
104	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	2,691	2,691
105	0604551BR	CATAULT	7,130	7,130
106	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T	45,779	45,779
108	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,229	3,229
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	40,699	90,699
		JADC2 experimentation		[50,000]
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	75,120	75,120
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	1,833,357	1,833,357
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	69,762	69,762
113	0604878C	AEGIS BMD TEST	182,776	182,776

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114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	88,326	88,326
115	0604880C	LAND-BASED SM-3 (LBSM3)	27,678	27,678
116	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	84,075	84,075
117	0202057C	SAFETY PROGRAM MANAGEMENT	2,417	2,417
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,664	2,664
120	0305103C	CYBER SECURITY INITIATIVE	1,165	1,165
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	129,957	129,957
276	0604795D8Z	ACCELERATE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT). Realignment of funds	0	100,000
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	10,756,509	11,609,379
		SYSTEM DEVELOPMENT & DEMONSTRATION		
124	0604123D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—DEM/VAL ACTIVITIES.	273,340	273,340
125	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	6,482	6,482
127	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	312,148	312,148
128	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	9,120	9,120
129	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT	14,403	14,403
130	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	1,244	1,244
131	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	6,191	6,191
132	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	10,145	10,145
133	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	5,938	5,938
136	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	23,171	23,171
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS)	14,093	14,093
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	6,949	6,949
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	302,963	302,963
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,758	3,758
141	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	8,121	8,121
142	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION	16,048	16,048
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	1,014,114	1,014,114
		MANAGEMENT SUPPORT		
143	0603829J	JOINT CAPABILITY EXPERIMENTATION	12,452	12,452
144	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	8,902	8,902
145	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	6,610	6,610
146	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	819,358	819,358
147	0604942D8Z	ASSESSMENTS AND EVALUATIONS	4,607	4,607
148	0605001E	MISSION SUPPORT	86,869	86,869
149	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	126,079	126,079
150	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	53,278	53,278
152	0605142D8Z	SYSTEMS ENGINEERING	39,009	29,009
		Program reduction		[-10,000]
153	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,716	5,716
154	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	15,379	15,379
155	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,449	9,449
156	0605200D8Z	GENERAL SUPPORT TO OUSD(INTELLIGENCE AND SECURITY)	6,112	6,112
157	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	124,475	124,475
165	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,820	3,820
166	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	35,414	35,414
167	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	56,114	66,114
		Key technology area assessments and engineering efforts		[10,000]
168	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	63,184	63,184
169	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	23,757	23,757
170	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	26,652	26,652
171	0605898E	MANAGEMENT HQ—R&D	14,636	14,636
172	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	3,518	3,518
173	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	15,244	15,244
174	0606114D8Z	ANALYSIS WORKING GROUP (AWG) SUPPORT	4,700	4,700
175	0606135D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO) ACTIVITIES	13,132	13,132
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,323	3,323
177	0606300D8Z	DEFENSE SCIENCE BOARD	2,532	2,532
179	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY	32,306	32,306
180	0606853BR	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	12,354	12,354
181	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,034	3,034
182	0204571J	JOINT STAFF ANALYTICAL SUPPORT	4,332	4,332
183	0208045K	C4I INTEROPERABILITY	69,698	69,698
189	0305172K	COMBINED ADVANCED APPLICATIONS	16,171	16,171
191	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,072	3,072
192	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	37,852	37,852
193	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI)	716	716
194	0901598C	MANAGEMENT HQ—MDA	25,259	25,259
195	0903235K	JOINT SERVICE PROVIDER (JSP)	3,141	3,141
9999	9999999999	CLASSIFIED PROGRAMS	37,841	37,841
		SUBTOTAL MANAGEMENT SUPPORT	1,830,097	1,830,097
		OPERATIONAL SYSTEMS DEVELOPMENT		
200	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	588,094	588,094
201	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	15,427	15,427
202	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,317	8,317

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203	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	68,030	68,030
209	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	19,145	19,145
210	0303126K	LONG-HAUL COMMUNICATIONS—DCS	13,195	13,195
211	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	5,746	5,746
212	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	92,018	92,018
213	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	43,135	63,135
		NSA CAE Cybersecurity Workforce pilot program		[20,000]
214	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	593,831	593,831
215	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	7,005	7,005
216	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	10,020	10,020
217	0303153K	DEFENSE SPECTRUM ORGANIZATION	19,708	19,708
221	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY	5,197	5,197
226	0305104D8Z	DEFENSE INDUSTRIAL BASE (DIB) CYBER SECURITY INITIATIVE	10,000	10,000
229	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	450	450
230	0305133V	INDUSTRIAL SECURITY ACTIVITIES	1,800	1,800
233	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	4,622	4,622
234	0305172D8Z	COMBINED ADVANCED APPLICATIONS	49,380	49,380
237	0305186D8Z	POLICY R&D PROGRAMS	6,214	6,214
238	0305199D8Z	NET CENTRICITY	17,917	17,917
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,095	6,095
246	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS	4,575	4,575
247	0305251K	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,497	2,497
248	0305327V	INSIDER THREAT	9,403	9,403
249	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	1,864	1,864
257	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,620	1,620
258	0708012S	PACIFIC DISASTER CENTERS	1,875	1,875
259	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	3,264	3,264
261	1105219BB	MQ-9 UAV	14,000	19,900
		MQ-9 Unmanned Aerial Vehicle realignment of funds		[5,900]
263	1160403BB	AVIATION SYSTEMS	179,499	179,499
264	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	75,136	75,136
265	1160408BB	OPERATIONAL ENHANCEMENTS	142,900	151,510
		SOCOM UFR—Switchblade shipboard safety cert		[8,610]
266	1160431BB	WARRIOR SYSTEMS	129,133	141,463
		Maritime scalable effects		[2,400]
		SOCOM UFR—Ground organic precision strike systems		[9,930]
267	1160432BB	SPECIAL PROGRAMS	518	518
268	1160434BB	UNMANNED ISR	3,354	3,354
269	1160480BB	SOF TACTICAL VEHICLES	13,594	13,594
270	1160483BB	MARITIME SYSTEMS	82,645	118,045
		Dry combat submersible next		[30,000]
		Maritime Precision Engagement realignment of funds		[5,400]
272	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	7,583	7,583
273	1203610K	TELEPORT PROGRAM	1,270	1,270
9999	9999999999	CLASSIFIED PROGRAMS	7,854,604	7,866,104
		Indications and warning—DIA		[10,000]
		INDOPACOM UFR—JWICS modernization		[1,500]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	10,114,680	10,208,420
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
274	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM ...	132,524	132,524
275	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	17,123	17,123
276	0608775D8Z	ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT).	100,000	0
		Realignment of funds		[-100,000]
277	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	34,987	34,987
282	0308609V	NATIONAL INDUSTRIAL SECURITY SYSTEMS (NISS)—SOFTWARE PILOT PROGRAM	14,749	14,749
9999	9999999999	CLASSIFIED PROGRAMS	265,028	265,028
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	564,411	464,411
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	849,931
		Inflation effects		[849,931]
		SUBTOTAL UNDISTRIBUTED	0	849,931
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	32,077,552	34,351,393
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	119,529	129,529
		DOT&E acquisition and employment of AI/autonomy technologies for red teaming		[10,000]
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	99,947	99,947
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	57,718	57,718
		SUBTOTAL MANAGEMENT SUPPORT	277,194	287,194
		UNDISTRIBUTED		
999	99999999	UNDISTRIBUTED	0	9,485
		Inflation effects		[9,485]
		SUBTOTAL UNDISTRIBUTED	0	9,485
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	277,194	296,679

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	TOTAL RDT&E		130,097,410	137,749,422

**TITLE XLIII—OPERATION AND
MAINTENANCE**

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	4,506,811	4,506,811
020	MODULAR SUPPORT BRIGADES	177,136	177,136
030	ECHELONS ABOVE BRIGADE	894,629	894,629
040	THEATER LEVEL ASSETS	2,570,949	2,575,949
	Increase for Army Caisson platoon facility improvements		[5,000]
050	LAND FORCES OPERATIONS SUPPORT	1,184,230	1,184,230
060	AVIATION ASSETS	2,220,817	2,220,817
070	FORCE READINESS OPERATIONS SUPPORT	7,366,299	7,510,498
	Army UFR—Arctic OCIE for Alaska bases, Fort Drum, Fort Carson		[65,050]
	Army UFR—female/small stature body armor		[66,750]
	Army UFR—initial issue of Extended Cold Weather Clothing System Layer 1 and 2		[8,999]
	INDOPACOM UFR—SIGINT upgrades		[3,400]
080	LAND FORCES SYSTEMS READINESS	483,683	483,683
090	LAND FORCES DEPOT MAINTENANCE	1,399,173	1,399,173
100	MEDICAL READINESS	897,522	897,522
110	BASE OPERATIONS SUPPORT	9,330,325	9,330,325
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,666,658	5,223,498
	Increase for Army Caisson platoon facility improvements		[17,900]
	Increase for FSRM to 100%		[538,940]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	284,483	284,483
140	ADDITIONAL ACTIVITIES	450,348	450,348
160	RESET	383,360	383,360
170	US AFRICA COMMAND	385,685	433,635
	AFRICOM combatant command support		[10,000]
	AFRICOM UFR—COMSATCOM		[16,750]
	AFRICOM UFR—counter-UAS		[8,500]
	AFRICOM UFR—force protection		[8,100]
	AFRICOM UFR—intelligence, surveillance, and reconnaissance		[4,600]
180	US EUROPEAN COMMAND	359,602	359,602
190	US SOUTHERN COMMAND	204,336	208,436
	SOUTHCOM enhanced domain awareness		[4,100]
200	US FORCES KOREA	67,756	67,756
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	495,066	495,066
220	CYBERSPACE ACTIVITIES—CYBERSECURITY	673,701	673,701
230	JOINT CYBER MISSION FORCES	178,033	178,033
	SUBTOTAL OPERATING FORCES	39,180,602	39,938,691
	MOBILIZATION		
240	STRATEGIC MOBILITY	434,423	538,423
	INDOPACOM UFR—Theater campaigning		[104,000]
250	ARMY PREPOSITIONED STOCKS	378,494	378,494
260	INDUSTRIAL PREPAREDNESS	4,001	4,001
	SUBTOTAL MOBILIZATION	816,918	920,918
	TRAINING AND RECRUITING		
270	OFFICER ACQUISITION	173,439	173,439
280	RECRUIT TRAINING	78,826	78,826
290	ONE STATION UNIT TRAINING	128,117	128,117
300	SENIOR RESERVE OFFICERS TRAINING CORPS	554,992	554,992
310	SPECIALIZED SKILL TRAINING	1,115,045	1,115,045
320	FLIGHT TRAINING	1,396,392	1,396,392
330	PROFESSIONAL DEVELOPMENT EDUCATION	221,960	221,960
340	TRAINING SUPPORT	717,318	717,318
350	RECRUITING AND ADVERTISING	691,053	691,053
360	EXAMINING	192,832	192,832
370	OFF-DUTY AND VOLUNTARY EDUCATION	235,340	235,340
380	CIVILIAN EDUCATION AND TRAINING	251,378	251,378
390	JUNIOR RESERVE OFFICER TRAINING CORPS	196,088	196,088
	SUBTOTAL TRAINING AND RECRUITING	5,952,780	5,952,780
	ADMIN & SRVWIDE ACTIVITIES		
410	SERVICEWIDE TRANSPORTATION	662,083	662,083
420	CENTRAL SUPPLY ACTIVITIES	822,018	822,018
430	LOGISTIC SUPPORT ACTIVITIES	806,861	806,861
440	AMMUNITION MANAGEMENT	483,187	483,187
450	ADMINISTRATION	486,154	486,154
460	SERVICEWIDE COMMUNICATIONS	1,871,173	1,871,173

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
470	MANPOWER MANAGEMENT	344,668	344,668
480	OTHER PERSONNEL SUPPORT	811,999	811,999
490	OTHER SERVICE SUPPORT	2,267,280	2,267,280
500	ARMY CLAIMS ACTIVITIES	191,912	191,912
510	REAL ESTATE MANAGEMENT	288,942	288,942
520	FINANCIAL MANAGEMENT AND AUDIT READINESS	410,983	410,983
530	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	38,714	38,714
540	INTERNATIONAL MILITARY HEADQUARTERS	532,377	532,377
550	MISC. SUPPORT OF OTHER NATIONS	35,709	35,709
9999	CLASSIFIED PROGRAMS	2,113,196	2,358,096
	AFRICOM UFR—intelligence, surveillance, and reconnaissance		[214,800]
	SOUTHCOM UFR—high altitude balloon		[10,200]
	SOUTHCOM UFR—intelligence, surveillance, and reconnaissance		[19,900]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	12,167,256	12,412,156
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	966,592
	Foreign currency fluctuations		[-208,000]
	Inflation effects		[1,198,692]
	Unobligated balances		[-24,100]
	SUBTOTAL UNDISTRIBUTED	0	966,592
	TOTAL OPERATION & MAINTENANCE, ARMY	58,117,556	60,191,137
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	14,404	14,404
020	ECHELONS ABOVE BRIGADE	662,104	662,104
030	THEATER LEVEL ASSETS	133,599	133,599
040	LAND FORCES OPERATIONS SUPPORT	646,693	646,693
050	AVIATION ASSETS	128,883	128,883
060	FORCE READINESS OPERATIONS SUPPORT	409,994	409,994
070	LAND FORCES SYSTEMS READINESS	90,595	90,595
080	LAND FORCES DEPOT MAINTENANCE	44,453	44,453
090	BASE OPERATIONS SUPPORT	567,170	567,170
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	358,772	405,192
	Increase for FSRM to 100%		[46,420]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,112	22,112
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,929	2,929
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,382	7,382
	SUBTOTAL OPERATING FORCES	3,089,090	3,135,510
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	18,994	18,994
150	ADMINISTRATION	20,670	20,670
160	SERVICEWIDE COMMUNICATIONS	31,652	31,652
170	MANPOWER MANAGEMENT	6,852	6,852
180	RECRUITING AND ADVERTISING	61,246	61,246
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	139,414	139,414
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	51,338
	Foreign currency fluctuations		[-10,900]
	Inflation effects		[62,738]
	Unobligated balances		[-500]
	SUBTOTAL UNDISTRIBUTED	0	51,338
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,228,504	3,326,262
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	964,237	964,237
020	MODULAR SUPPORT BRIGADES	214,191	214,191
030	ECHELONS ABOVE BRIGADE	820,752	820,752
040	THEATER LEVEL ASSETS	97,184	97,184
050	LAND FORCES OPERATIONS SUPPORT	54,595	54,595
060	AVIATION ASSETS	1,169,826	1,169,826
070	FORCE READINESS OPERATIONS SUPPORT	722,788	722,788
080	LAND FORCES SYSTEMS READINESS	46,580	46,580
090	LAND FORCES DEPOT MAINTENANCE	259,765	259,765
100	BASE OPERATIONS SUPPORT	1,151,215	1,151,215
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,053,996	1,184,385
	Increase for FSRM to 100%		[130,389]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,148,286	1,148,286
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	8,715	8,715
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	8,307	8,307
	SUBTOTAL OPERATING FORCES	7,720,437	7,850,826
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	6,961	6,961
160	ADMINISTRATION	73,641	73,641
170	SERVICEWIDE COMMUNICATIONS	100,389	100,389

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
180	MANPOWER MANAGEMENT	9,231	9,231
190	OTHER PERSONNEL SUPPORT	243,491	243,491
200	REAL ESTATE MANAGEMENT	3,087	3,087
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	436,800	436,800
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	108,898
	Foreign currency fluctuations		[-29,000]
	Inflation effects		[157,698]
	Unobligated balances		[-19,800]
	SUBTOTAL UNDISTRIBUTED	0	108,898
	TOTAL OPERATION & MAINTENANCE, ARNG	8,157,237	8,396,524
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	358,015	358,015
020	SYRIA	183,677	183,677
030	UNDISTRIBUTED	0	15,413
	Inflation effects		[15,413]
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	541,692	557,105
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	541,692	557,105
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	7,334,452	7,334,452
020	FLEET AIR TRAINING	2,793,739	2,793,739
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	65,248	65,248
040	AIR OPERATIONS AND SAFETY SUPPORT	214,767	214,767
050	AIR SYSTEMS SUPPORT	1,075,365	1,075,365
060	AIRCRAFT DEPOT MAINTENANCE	1,751,737	1,751,737
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	70,319	70,319
080	AVIATION LOGISTICS	1,679,193	1,679,193
090	MISSION AND OTHER SHIP OPERATIONS	6,454,952	6,822,752
	LSD-42, LSD-44, LSD-46, LSD-48, CG-69, T-ESD-1, T-ESD-2, LCS-11, -13, -15, -17, -19 restoral		[153,000]
	Navy UFR—ship maintenance in support of INDOPACOM training and exercises		[175,000]
	Navy UFR—USNS Arctic (T-AOE-8) Gas Turbine Main Engines Replacement		[39,800]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,183,237	1,183,237
110	SHIP DEPOT MAINTENANCE	10,038,261	10,343,061
	LSD-42, LSD-44, LSD-46, LSD-48, CG-69, T-ESD-1, T-ESD-2, LCS-11, -13, -15, -17, -19 restoral		[115,800]
	Navy UFR—ship depot maintenance		[189,000]
120	SHIP DEPOT OPERATIONS SUPPORT	2,422,095	2,868,495
	LSD-42, LSD-44, LSD-46, LSD-48, CG-69, T-ESD-1, T-ESD-2, LCS-11, -13, -15, -17, -19 restoral		[446,400]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,632,824	1,633,324
	INDOPACOM UFR—SIGINT upgrades		[500]
140	SPACE SYSTEMS AND SURVEILLANCE	339,103	339,103
150	WARFARE TACTICS	881,999	881,999
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	444,150	444,150
170	COMBAT SUPPORT FORCES	2,274,710	2,381,310
	INDOPACOM UFR—Theater campaigning		[100,000]
	Marine mammal system continuation		[6,600]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	194,346	194,346
190	CYBER MISSION FORCES	101,049	101,049
200	COMBATANT COMMANDERS CORE OPERATIONS	65,893	76,193
	INDOPACOM UFR—Asia Pacific Regional Initiative		[10,300]
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	282,742	400,554
	INDOPACOM UFR—Critical manpower positions		[412]
	INDOPACOM UFR—Fusion centers		[3,300]
	INDOPACOM UFR—JEMSO		[5,400]
	INDOPACOM UFR—Mission partner environment		[5,300]
	INDOPACOM UFR—Pacific Movement Coordination Center		[2,400]
	INDOPACOM UFR—PMTEC		[19,000]
	INDOPACOM UFR—Stormbreaker		[22,000]
	INDOPACOM UFR—Theater campaigning		[50,000]
	JADC2 JFHQ		[10,000]
230	CYBERSPACE ACTIVITIES	477,540	505,540
	Energy Resilience Readiness Exercises		[2,000]
	MOSAICS		[26,000]
240	FLEET BALLISTIC MISSILE	1,664,076	1,664,076
250	WEAPONS MAINTENANCE	1,495,783	1,518,983
	Mk68		[200]
	Navy UFR—SM-6 expansion of combat usable asset inventory		[23,000]
260	OTHER WEAPON SYSTEMS SUPPORT	649,371	649,371
270	ENTERPRISE INFORMATION	1,647,834	1,647,834
280	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,549,311	3,984,311
	Increase for FSRM to 100%		[435,000]
290	BASE OPERATING SUPPORT	5,503,088	5,503,088
	SUBTOTAL OPERATING FORCES	56,287,184	58,127,596
	MOBILIZATION		
300	SHIP PREPOSITIONING AND SURGE	467,648	563,348

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	Navy UFR—Maritime Prepositioning Force (MPF) Maintenance Requirements		[95,700]
310	READY RESERVE FORCE	683,932	683,932
320	SHIP ACTIVATIONS/INACTIVATIONS	364,096	364,096
330	EXPEDITIONARY HEALTH SERVICES SYSTEMS	133,780	133,780
340	COAST GUARD SUPPORT	21,196	21,196
	SUBTOTAL MOBILIZATION	1,670,652	1,766,352
	TRAINING AND RECRUITING		
350	OFFICER ACQUISITION	190,578	190,578
360	RECRUIT TRAINING	14,679	14,679
370	RESERVE OFFICERS TRAINING CORPS	170,845	170,845
380	SPECIALIZED SKILL TRAINING	1,133,889	1,133,889
390	PROFESSIONAL DEVELOPMENT EDUCATION	334,844	334,844
400	TRAINING SUPPORT	356,670	356,670
410	RECRUITING AND ADVERTISING	204,498	229,798
	Navy UFR—Recruiting Command marketing and advertising		[25,300]
420	OFF-DUTY AND VOLUNTARY EDUCATION	89,971	89,971
430	CIVILIAN EDUCATION AND TRAINING	69,798	69,798
440	JUNIOR ROTC	55,194	55,194
	SUBTOTAL TRAINING AND RECRUITING	2,620,966	2,646,266
	ADMIN & SRVWD ACTIVITIES		
450	ADMINISTRATION	1,349,966	1,349,966
460	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	227,772	227,772
470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	667,627	667,627
480	MEDICAL ACTIVITIES	284,962	284,962
490	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	62,824	62,824
500	SERVICEWIDE TRANSPORTATION	207,501	207,501
520	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	554,265	554,565
	INDOPACOM UFR—planning and design		[300]
530	ACQUISITION, LOGISTICS, AND OVERSIGHT	798,473	798,473
540	INVESTIGATIVE AND SECURITY SERVICES	791,059	791,059
9999	CLASSIFIED PROGRAMS	628,700	628,700
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,573,149	5,573,449
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	1,096,824
	Foreign currency fluctuations		[–263,300]
	Inflation effects		[1,431,524]
	Unobligated balances		[–71,400]
	SUBTOTAL UNDISTRIBUTED	0	1,096,824
	TOTAL OPERATION & MAINTENANCE, NAVY	66,151,951	69,210,487
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,740,491	1,818,491
	INDOPACOM UFR—Theater campaigning		[78,000]
020	FIELD LOGISTICS	1,699,425	1,699,425
030	DEPOT MAINTENANCE	221,886	221,886
040	MARITIME PREPOSITIONING	139,518	139,518
050	CYBER MISSION FORCES	94,199	94,199
060	CYBERSPACE ACTIVITIES	194,904	194,904
070	SUSTAINMENT, RESTORATION & MODERNIZATION	1,292,219	1,851,265
	Increase for FSRM to 100%		[559,046]
080	BASE OPERATING SUPPORT	2,699,487	2,700,487
	Energy Resilience Readiness Exercises		[1,000]
	SUBTOTAL OPERATING FORCES	8,082,129	8,720,175
	TRAINING AND RECRUITING		
090	RECRUIT TRAINING	23,217	23,217
100	OFFICER ACQUISITION	1,268	1,268
110	SPECIALIZED SKILL TRAINING	118,638	118,638
120	PROFESSIONAL DEVELOPMENT EDUCATION	64,626	64,626
130	TRAINING SUPPORT	523,603	523,603
140	RECRUITING AND ADVERTISING	225,759	225,759
150	OFF-DUTY AND VOLUNTARY EDUCATION	51,882	51,882
160	JUNIOR ROTC	27,660	27,660
	SUBTOTAL TRAINING AND RECRUITING	1,036,653	1,036,653
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE TRANSPORTATION	78,542	78,542
180	ADMINISTRATION	401,030	401,030
9999	CLASSIFIED PROGRAMS	62,590	62,590
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	542,162	542,162
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	168,819
	Foreign currency fluctuations		[–33,800]
	Inflation effects		[222,019]
	Unobligated balances		[–19,400]
	SUBTOTAL UNDISTRIBUTED	0	168,819

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	9,660,944	10,467,809
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	669,533	669,533
020	INTERMEDIATE MAINTENANCE	11,134	11,134
030	AIRCRAFT DEPOT MAINTENANCE	164,892	164,892
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	494	494
050	AVIATION LOGISTICS	25,843	25,843
060	COMBAT COMMUNICATIONS	20,135	20,135
070	COMBAT SUPPORT FORCES	131,104	131,104
080	CYBERSPACE ACTIVITIES	289	289
090	ENTERPRISE INFORMATION	27,189	27,189
100	SUSTAINMENT, RESTORATION AND MODERNIZATION	44,784	69,784
	Increase for FSRM to 100%		[25,000]
110	BASE OPERATING SUPPORT	116,374	116,374
	SUBTOTAL OPERATING FORCES	1,211,771	1,236,771
	ADMIN & SRVWD ACTIVITIES		
120	ADMINISTRATION	1,986	1,986
130	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,550	12,550
140	ACQUISITION AND PROGRAM MANAGEMENT	1,993	1,993
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	16,529	16,529
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	22,392
	Foreign currency fluctuations		[-3,900]
	Inflation effects		[29,192]
	Unobligated balances		[-2,900]
	SUBTOTAL UNDISTRIBUTED	0	22,392
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,228,300	1,275,692
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	109,045	109,045
020	DEPOT MAINTENANCE	19,361	19,361
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	45,430	49,811
	Increase for FSRM to 100%		[4,381]
040	BASE OPERATING SUPPORT	118,364	118,364
	SUBTOTAL OPERATING FORCES	292,200	296,581
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	12,033	12,033
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	12,033	12,033
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	1,595
	Foreign currency fluctuations		[-3,900]
	Inflation effects		[7,995]
	Unobligated balances		[-2,500]
	SUBTOTAL UNDISTRIBUTED	0	1,595
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	304,233	310,209
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	936,731	996,731
	Realignment of funds		[60,000]
020	COMBAT ENHANCEMENT FORCES	2,657,865	2,597,865
	Realignment of funds		[-60,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,467,518	1,467,518
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	4,341,794	4,612,994
	Air Force UFR—Weapon system sustainment		[271,200]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,091,088	4,641,488
	Increase for FSRM to 100%		[550,400]
060	CYBERSPACE SUSTAINMENT	130,754	213,054
	Air Force UFR—Weapon system sustainment		[82,300]
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	8,782,940	8,931,340
	Air Force UFR—Weapon system sustainment		[148,400]
080	FLYING HOUR PROGRAM	5,871,718	6,260,718
	Air Force UFR—readiness spare packages		[389,000]
090	BASE SUPPORT	10,638,741	10,638,741
100	GLOBAL C3I AND EARLY WARNING	1,035,043	1,042,174
	Worldwide Joint Strategic Communications realignment of funds		[7,131]
110	OTHER COMBAT OPS SPT PROGRAMS	1,436,329	1,436,329
120	CYBERSPACE ACTIVITIES	716,931	716,931
140	LAUNCH FACILITIES	690	690
160	US NORTHCOM/NORAD	197,210	227,010
	U.S. Northern Command Information Dominance Enabling Capability		[29,800]
170	US STRATCOM	503,419	503,419

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
180	US CYBERCOM	436,807	595,407
	CYBERCOM UFR—Cyber mission force operational support		[136,900]
	CYBERCOM UFR—Joint cyberspace warfighting architecture		[11,400]
	Hunt Forward operations		[15,300]
	Realignment of funds		[–5,000]
190	US CENTCOM	331,162	321,162
	Office of Security Cooperation—Iraq reduction		[–10,000]
200	US SOCOM	27,318	27,318
220	CENTCOM CYBERSPACE SUSTAINMENT	1,367	1,367
230	USSPACECOM	329,543	403,543
	SPACECOM UFR—CSOF fit-out		[28,600]
	SPACECOM UFR—National Space Defense Center interim facility		[8,500]
	SPACECOM UFR—Service shortfalls in support of JTF-SD		[36,900]
240	JOINT CYBER MISSION FORCE PROGRAMS	186,759	191,759
	Realignment of funds		[5,000]
9999	CLASSIFIED PROGRAMS	1,705,801	1,705,801
	SUBTOTAL OPERATING FORCES	45,827,528	47,533,359
	MOBILIZATION		
250	AIRLIFT OPERATIONS	2,780,616	2,780,616
260	MOBILIZATION PREPAREDNESS	721,172	721,172
	SUBTOTAL MOBILIZATION	3,501,788	3,501,788
	TRAINING AND RECRUITING		
270	OFFICER ACQUISITION	189,721	189,721
280	RECRUIT TRAINING	26,684	26,684
290	RESERVE OFFICERS TRAINING CORPS (ROTC)	135,515	135,515
300	SPECIALIZED SKILL TRAINING	541,511	541,511
310	FLIGHT TRAINING	779,625	779,625
320	PROFESSIONAL DEVELOPMENT EDUCATION	313,556	313,556
330	TRAINING SUPPORT	171,087	171,087
340	RECRUITING AND ADVERTISING	197,956	197,956
350	EXAMINING	8,282	8,282
360	OFF-DUTY AND VOLUNTARY EDUCATION	254,907	254,907
370	CIVILIAN EDUCATION AND TRAINING	355,375	355,375
380	JUNIOR ROTC	69,964	69,964
	SUBTOTAL TRAINING AND RECRUITING	3,044,183	3,044,183
	ADMIN & SRVWD ACTIVITIES		
390	LOGISTICS OPERATIONS	1,058,129	1,091,862
	Realignment of funds		[33,733]
400	TECHNICAL SUPPORT ACTIVITIES	139,428	139,428
410	ADMINISTRATION	1,283,066	1,249,333
	Realignment of funds		[–33,733]
420	SERVICEWIDE COMMUNICATIONS	33,222	33,222
430	OTHER SERVICEWIDE ACTIVITIES	1,790,985	1,790,985
440	CIVIL AIR PATROL	30,526	30,526
460	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	42,558	42,558
480	INTERNATIONAL SUPPORT	102,065	102,065
9999	CLASSIFIED PROGRAMS	1,427,764	1,427,764
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,907,743	5,907,743
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	843,829
	Foreign currency fluctuations		[–208,500]
	Inflation effects		[1,254,129]
	Unobligated balances		[–201,800]
	SUBTOTAL UNDISTRIBUTED	0	843,829
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	58,281,242	60,830,902
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	472,484	472,484
020	SPACE LAUNCH OPERATIONS	187,832	187,832
030	SPACE OPERATIONS	695,228	695,228
040	EDUCATION & TRAINING	153,135	153,135
060	DEPOT MAINTENANCE	285,863	306,263
	Space Force UFR—Weapons systems sustainment		[20,400]
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	235,253	317,453
	Increase for FSRM to 100%		[38,400]
	NORTHCOM UFR—Cheyenne Mountain Complex		[43,800]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,358,565	1,450,365
	Space Force UFR—Weapons systems sustainment		[91,800]
090	SPACE OPERATIONS -BOS	144,937	150,437
	NORTHCOM UFR—Cheyenne Mountain Complex		[5,500]
9999	CLASSIFIED PROGRAMS	272,941	272,941
	SUBTOTAL OPERATING FORCES	3,806,238	4,006,138
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
100	ADMINISTRATION	228,420	228,420
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	228,420	228,420

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	66,020
	Foreign currency fluctuations		[-14,100]
	Inflation effects		[112,020]
	Unobligated balances		[-31,900]
	SUBTOTAL UNDISTRIBUTED	0	66,020
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	4,034,658	4,300,578
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,743,908	1,759,608
	Air Force UFR—readiness spare packages		[15,700]
020	MISSION SUPPORT OPERATIONS	193,568	193,568
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	493,664	507,764
	Air Force UFR—Weapon system sustainment		[14,100]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	133,782	151,282
	Increase for FSRM to 100%		[17,500]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	341,724	341,724
060	BASE SUPPORT	522,195	522,195
070	CYBERSPACE ACTIVITIES	1,706	1,706
	SUBTOTAL OPERATING FORCES	3,430,547	3,477,847
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	102,038	102,038
090	RECRUITING AND ADVERTISING	9,057	9,057
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	14,896	14,896
110	OTHER PERS SUPPORT (DISABILITY COMP)	7,544	7,544
120	AUDIOVISUAL	462	462
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	133,997	133,997
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	25,565
	Foreign currency fluctuations		[-12,500]
	Inflation effects		[65,065]
	Unobligated balances		[-27,000]
	SUBTOTAL UNDISTRIBUTED	0	25,565
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,564,544	3,637,409
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,301,784	2,412,584
	Air Force UFR—readiness spare packages		[110,800]
020	MISSION SUPPORT OPERATIONS	587,793	587,793
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,193,699	1,256,499
	Air Force UFR—Weapon system sustainment		[62,800]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	437,042	493,142
	Increase for FSRM to 100%		[56,100]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,284,264	1,284,264
060	BASE SUPPORT	967,169	967,169
070	CYBERSPACE SUSTAINMENT	12,661	12,661
080	CYBERSPACE ACTIVITIES	15,886	15,886
	SUBTOTAL OPERATING FORCES	6,800,298	7,029,998
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	52,075	52,075
100	RECRUITING AND ADVERTISING	48,306	48,306
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	100,381	100,381
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	107,863
	Foreign currency fluctuations		[-24,300]
	Inflation effects		[149,563]
	Unobligated balances		[-17,400]
	SUBTOTAL UNDISTRIBUTED	0	107,863
	TOTAL OPERATION & MAINTENANCE, ANG	6,900,679	7,238,242
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	445,366	445,566
	Civilian Harm Mitigation and Response Action Plan Implementation		[10,000]
	Unobligated balances		[-9,800]
020	JOINT CHIEFS OF STAFF—CYBER	9,887	9,887
030	JOINT CHIEFS OF STAFF—JTEEP	679,336	679,336
040	OFFICE OF THE SECRETARY OF DEFENSE—MISO	246,259	273,759
	INDOPACOM UFR—Information operations		[27,500]
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,056,291	2,056,291
060	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	39,178	39,178
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,513,025	1,513,025

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
080	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,207,842	1,232,242
	Combatant Craft Medium refurbishment		[4,300]
	MQ-9 Unmanned Aerial Vehicle realignment of funds		[-5,900]
	SOCOM UFR—ADVANA expansion		[8,000]
	SOCOM UFR—Data stewardship program		[18,000]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	196,271	196,271
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,299,309	1,299,309
110	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,314,770	3,319,770
	Special Operations support to irregular warfare		[5,000]
	SUBTOTAL OPERATING FORCES	11,007,534	11,064,634
	TRAINING AND RECRUITING		
120	DEFENSE ACQUISITION UNIVERSITY	176,454	176,454
130	JOINT CHIEFS OF STAFF	101,492	101,492
140	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DEVELOPMENT EDUCATION	35,279	35,279
	SUBTOTAL TRAINING AND RECRUITING	313,225	313,225
	ADMIN & SRVWIDE ACTIVITIES		
150	CIVIL MILITARY PROGRAMS	139,656	154,656
	STARBASE		[15,000]
170	DEFENSE CONTRACT AUDIT AGENCY	646,072	643,472
	Unobligated balances		[-2,600]
180	DEFENSE CONTRACT AUDIT AGENCY—CYBER	4,107	4,107
190	DEFENSE CONTRACT MANAGEMENT AGENCY	1,506,300	1,490,800
	Unobligated balances		[-15,500]
200	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	29,127	29,127
210	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	983,133	1,001,533
	Increase for beneficial ownership assessment program		[18,400]
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	10,245	10,245
240	DEFENSE HUMAN RESOURCES ACTIVITY	935,241	935,241
250	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	26,113	26,113
260	DEFENSE INFORMATION SYSTEMS AGENCY	2,266,729	2,233,529
	Unobligated balances		[-33,200]
270	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	643,643	643,643
300	DEFENSE LEGAL SERVICES AGENCY	233,687	233,687
310	DEFENSE LOGISTICS AGENCY	429,060	422,560
	Unobligated balances		[-6,500]
320	DEFENSE MEDIA ACTIVITY	243,631	243,631
330	DEFENSE PERSONNEL ACCOUNTING AGENCY	150,021	150,021
340	DEFENSE SECURITY COOPERATION AGENCY	2,445,669	2,357,959
	Civilian harm mitigation institutional capacity building		[1,000]
	INDOPACOM UFR—security cooperation		[35,790]
	International Security Cooperation—AFRICOM		[20,000]
	International Security Cooperation—NORTHCOM		[6,000]
	International Security Cooperation—SOUTHCOM		[20,000]
	Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program		[5,000]
	SOUTHCOM UFR—Regional Andean Ridge capability for Maritime Domain Awareness		[33,000]
	SOUTHCOM UFR—Regional CENTAM capability to counter transboundary threats		[91,500]
	Transfer to Ukraine Security Assistance Initiative		[-300,000]
350	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	40,063	40,063
360	DEFENSE THREAT REDUCTION AGENCY	941,763	941,763
380	DEFENSE THREAT REDUCTION AGENCY—CYBER	56,052	56,052
390	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,276,276	3,361,276
	Impact Aid		[50,000]
	Impact Aid—base closures, force structure changes, force relocations		[15,000]
	Impact Aid—severe disabilities		[20,000]
400	MISSILE DEFENSE AGENCY	541,787	541,787
430	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION	108,697	108,697
440	OFFICE OF THE SECRETARY OF DEFENSE	2,239,072	2,349,372
	Anomalous Health Incidents		[10,000]
	Bien Hoa dioxin cleanup		[15,000]
	CDC nationwide human health assessment		[20,000]
	Civilian Harm Mitigation and Response Action Plan Implementation		[10,000]
	Defense Environmental International Cooperation Program		[7,000]
	Demonstration of component content management systems		[2,000]
	Readiness and Environmental Protection Integration		[5,300]
	Secretary of Defense Strategic Competition Initiative		[20,000]
	Special Education Inclusion Coordinators pilot program		[20,000]
	U.S. Telecommunications Training Institute support		[1,000]
450	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	55,255	55,255
470	WASHINGTON HEADQUARTERS SERVICES	369,943	369,943
9999	CLASSIFIED PROGRAMS	18,764,415	18,787,015
	CYBERCOM UFR—Intel support to cyberspace operations		[12,100]
	INDOPACOM UFR—JWICS modernization		[10,500]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	37,085,757	37,191,547
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	48,406,516	50,107,628
	UNDISTRIBUTED		
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
998	UNDISTRIBUTED	0	738,222
	Increase for FY22 Legislative Commissions		[17,650]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	Inflation effects		[765,972]
	Program reduction—USSOCOM		[−45,400]
	SUBTOTAL UNDISTRIBUTED	0	738,222
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	16,003	16,003
020	UNDISTRIBUTED	0	184
	Inflation effects		[184]
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF	16,003	16,187
	TOTAL MISCELLANEOUS APPROPRIATIONS	16,003	16,187
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	112,800	137,800
	Program increase		[25,000]
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	112,800	137,800
	TOTAL MISCELLANEOUS APPROPRIATIONS	112,800	137,800
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	341,598	341,598
010	UNDISTRIBUTED	0	12,796
	Inflation effects		[12,796]
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	341,598	354,394
	TOTAL MISCELLANEOUS APPROPRIATIONS	341,598	354,394
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	53,791	53,791
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	53,791	53,791
	TOTAL MISCELLANEOUS APPROPRIATIONS	53,791	53,791
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	196,244	196,244
050	UNDISTRIBUTED	0	5,584
	Inflation effects		[5,584]
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	196,244	201,828
	TOTAL MISCELLANEOUS APPROPRIATIONS	196,244	201,828
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	359,348	359,348
060	UNDISTRIBUTED	0	10,225
	Inflation effects		[10,225]
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	359,348	369,573
	TOTAL MISCELLANEOUS APPROPRIATIONS	359,348	369,573
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	314,474	314,474
070	UNDISTRIBUTED	0	8,949
	Inflation effects		[8,949]
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	314,474	323,423
	TOTAL MISCELLANEOUS APPROPRIATIONS	314,474	323,423
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,924	8,924
080	UNDISTRIBUTED	0	254
	Inflation effects		[254]
	SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE	8,924	9,178
	TOTAL MISCELLANEOUS APPROPRIATIONS	8,924	9,178
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	227,262	227,262
090	UNDISTRIBUTED	0	6,466
	Inflation effects		[6,466]
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	227,262	233,728
	TOTAL MISCELLANEOUS APPROPRIATIONS	227,262	233,728

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
UKRAINE SECURITY ASSISTANCE INITIATIVE			
010	UKRAINE SECURITY ASSISTANCE INITIATIVE	0	800,000
	Program increase		[500,000]
	Transfer from Defense Security Cooperation Agency		[300,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE INITIATIVE	0	800,000
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	0	1,701,112
RED HILL RECOVERY FUND			
RED HILL RECOVERY FUND			
010	RED HILL RECOVERY FUND	1,000,000	1,000,000
	SUBTOTAL RED HILL RECOVERY FUND	1,000,000	1,000,000
	TOTAL RED HILL RECOVERY FUND	1,000,000	1,000,000
SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE OPERATIONS SUPPORT			
100	SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS, DEFENSE	10,377	10,673
	Inflation effects		[296]
	SUBTOTAL OPERATIONS SUPPORT	10,377	10,673
	TOTAL SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE	10,377	10,673
	TOTAL OPERATION & MAINTENANCE	271,218,877	284,261,671

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

	Item	FY 2023 Request	Senate Authorized
MILITARY PERSONNEL			
MILITARY PERSONNEL APPROPRIATIONS			
	MILITARY PERSONNEL APPROPRIATIONS	164,139,628	170,015,728
	Additional special incentive pays		100,000
	Air Force end strength—E-10 Sentry AWACS and medical billets		234,000
	Home leave demonstration program		10,000
	LSD-42, CG-69, T-ESD-1, T-ESD-2 and LCS-11, -13, -15, -17, -19 restoral		116,500
	LSD-44, LSD-46, LSD-48 restoral		58,900
	Navy end strength—improve fleet manning		924,000
	Undistributed—compensation inflation effects		5,000,000
	Unobligated balances		[-567,300]
	SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	164,139,628	170,015,728
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS			
	MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	9,743,704	9,743,704
	SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	9,743,704	9,743,704
	TOTAL MILITARY PERSONNEL	173,883,332	179,759,432

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
WORKING CAPITAL FUND			
WORKING CAPITAL FUND, ARMY			
1	INDUSTRIAL OPERATIONS	28,448	28,448
2	SUPPLY MANAGEMENT—ARMY	1,489	1,489
	SUBTOTAL WORKING CAPITAL FUND, ARMY	29,937	29,937
WORKING CAPITAL FUND, AIR FORCE			
2	SUPPLIES AND MATERIALS	80,448	80,448
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	80,448	80,448
NATIONAL DEFENSE STOCKPILE TRANSACTION FUND			
1	ACQUISITION, UPGRADE, AND RELOCATION	253,500	1,003,500
	Program increase		[750,000]
	SUBTOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND	253,500	1,003,500
WORKING CAPITAL FUND, DEFENSE-WIDE			
1	DEFENSE AUTOMATION & PRODUCTION SERVICES	2	2
3	ENERGY MANAGEMENT—DEF	8,300	8,300

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	8,302	8,302
	WORKING CAPITAL FUND, DECA		
2	WORKING CAPITAL FUND, DECA	1,211,208	1,225,333
	Inflation effects		[14,125]
	SUBTOTAL WORKING CAPITAL FUND, DECA	1,211,208	1,225,333
	TOTAL WORKING CAPITAL FUND	1,583,395	2,347,520
	CHEM AGENTS & MUNITIONS DESTRUCTION OPERATION & MAINTENANCE		
1	CHEM DEMILITARIZATION—O&M	84,612	84,612
	SUBTOTAL OPERATION & MAINTENANCE	84,612	84,612
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	CHEM DEMILITARIZATION—RDT&E	975,206	975,206
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	975,206	975,206
	PROCUREMENT		
3	UNDISTRIBUTED	0	28,929
	Inflation effects		[28,929]
	SUBTOTAL PROCUREMENT	0	28,929
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	1,059,818	1,088,747
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF DRUG INTRDCTN		
1	COUNTER-NARCOTICS SUPPORT	619,474	635,716
	Counter-narcotics support NORTHCOM		[8,000]
	INDOPACOM UFR—JIATF-W		[8,242]
	SUBTOTAL DRUG INTRDCTN	619,474	635,716
	DRUG DEMAND REDUCTION PROGRAM		
2	DRUG DEMAND REDUCTION PROGRAM	130,060	130,060
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	130,060	130,060
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
3	NATIONAL GUARD COUNTER-DRUG PROGRAM	100,316	100,316
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	100,316	100,316
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
4	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,878	5,878
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,878	5,878
5	UNDISTRIBUTED	0	18,898
	Inflation effects		[18,898]
	SUBTOTAL DRUG INTRDCTN	0	18,898
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	855,728	890,868
	OFFICE OF THE INSPECTOR GENERAL OFFICE OF THE INSPECTOR GENERAL		
1	OPERATION AND MAINTENANCE	474,650	474,650
2	OPERATION AND MAINTENANCE	1,321	1,321
3	RDT&E	1,864	1,864
4	PROCUREMENT	1,524	1,524
5	UNDISTRIBUTED	0	4,932
	Inflation effects		[4,932]
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	475,971	475,971
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	1,864	1,864
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	1,524	1,524
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	0	4,932
	TOTAL OFFICE OF THE INSPECTOR GENERAL	479,359	484,291
	DEFENSE HEALTH PROGRAM OPERATION & MAINTENANCE		
1	IN-HOUSE CARE	9,906,943	9,926,943
	Anomalous Health Incidents		[20,000]
2	PRIVATE SECTOR CARE	18,455,209	18,455,209
3	CONSOLIDATED HEALTH SUPPORT	1,916,366	1,916,366
4	INFORMATION MANAGEMENT	2,251,151	2,251,151
5	MANAGEMENT ACTIVITIES	338,678	338,678
6	EDUCATION AND TRAINING	334,845	334,845
7	BASE OPERATIONS/COMMUNICATIONS	2,111,558	2,126,558
	National Disaster Medical System pilot program		[15,000]
	SUBTOTAL OPERATION & MAINTENANCE	35,314,750	35,349,750
	RDT&E		
10	R&D ADVANCED DEVELOPMENT	320,862	320,862
11	R&D DEMONSTRATION/VALIDATION	166,960	166,960
12	R&D ENGINEERING DEVELOPMENT	103,970	103,970

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
12	R&D MANAGEMENT AND SUPPORT	85,186	85,186
14	R&D CAPABILITIES ENHANCEMENT	17,971	17,971
8	R&D RESEARCH	39,568	39,568
9	R&D EXPLORATORY DEVELOPMENT	175,477	175,477
	SUBTOTAL RDT&E	909,994	909,994
	PROCUREMENT		
15	PROC INITIAL OUTFITTING	21,625	21,625
16	PROC REPLACEMENT & MODERNIZATION	234,157	234,157
17	PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	1,467	1,467
18	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	72,601	72,601
19	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	240,224	240,224
	SUBTOTAL PROCUREMENT	570,074	570,074
	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
20	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	137,356	137,356
	SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	137,356	137,356
	TOTAL DEFENSE HEALTH PROGRAM	36,932,174	36,967,174
	TOTAL OTHER AUTHORIZATIONS	40,910,474	41,778,600

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
ARMY				
	Alabama			
Army	Redstone Arsenal	Physics Lab	0	44,000
Army	Redstone Arsenal	Storage Consolidation	0	52,000
	Alaska			
Army	Fort Wainwright	Physical Fitness Facility	0	50,000
	Arizona			
Army	Yuma Proving Ground	Cost to Complete: Ready Building	0	6,500
	Bulgaria			
Army	Novo Selo Training Area	Cost to Complete: EDI- Ammunition Holding Area	0	3,640
	Colorado			
Army	Fort Carson	Fire Station	14,200	14,200
	Florida			
Army	Camp Bull Simons	Child Development Center (P&D)	0	4,750
	Georgia			
Army	Fort Gillem	Cost to Complete: Forensic Laboratory	0	24,700
	Germany			
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplx1 (Brks/Veh Maint)	104,000	14,000
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplx2 (Ops/Veh Maint)	64,000	64,000
	Hawaii			
Army	Fort Shafter	Water System Upgrade	0	33,000
Army	Schofield Barracks	Company Operations Facilities	0	111,000
	Japan			
Army	Kadena Air Force Base	Vehicle Maintenance Shop	0	99,000
	Kentucky			
Army	Fort Campbell	Cost to Complete: Vehicle Maintenance Shop	0	13,650
	Kwajalein			
Army	Kwajalein Atoll	Medical Clinic	69,000	69,000
	Louisiana			
Army	Fort Polk	Child Development Center	32,000	32,000
Army	Fort Polk	Cost to Complete: Child Development Center	0	9,000
Army	Fort Polk	Cost to Complete: Information System Facility	0	35,360
Army	Fort Polk	Cost to Complete: Joint Operations Center	0	61,000
	Maryland			
Army	Fort Meade	Cost to Complete: Cantonment Area Roads	0	17,550
	Mississippi			
Army	Engineer Research and Development Center	Lab and Test Building	0	20,000
	New York			
Army	Fort Drum	Physical Fitness Testing Facility (P&D)	0	5,300
Army	United States Military Academy	Engineering Center	39,800	39,800
	North Carolina			
Army	Fort Bragg	Fort Bragg Schools Modernization (P&D)	0	7,500
Army	Fort Bragg	Multipurpose Training Range	34,000	34,000
	Oklahoma			
Army	Fort Sill	Cost to Complete: Advance Individual Training Complex, Phase 2.	0	85,800
Army	McAlester Army Ammunition Plant	Cost to Complete: Ammunition Demolition Shop	0	39,000
	Pennsylvania			

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Account	State/Country and Installation			Project Title	FY 2023 Request	Senate Authorized
Army	Letterkenny Army Depot			Shipping and Receiving Building	38,000	38,000
	Texas					
Army	Corpus Christi Army Depot			Powertrain Facility (Engine Assembly)	103,000	55,000
Army	Fort Bliss			Fire Station	15,000	15,000
	Washington					
Army	Joint Base Lewis-McChord			Barracks	49,000	49,000
	Worldwide Unspecified					
Army	Unspecified	Worldwide	Loca-	Unaccompanied Barracks Planning and Design	0	15,930
	tions					
Army	Unspecified	Worldwide	Loca-	Host Nation Support	26,000	26,000
	tions					
Army	Unspecified	Worldwide	Loca-	Planning & Design	167,151	167,151
	tions					
Army	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction	90,414	90,414
	tions					
Army	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects	0	227,570
	tions					
Army	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects	0	111,300
	tions					
Army	Unspecified	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	142,116
	tions					
Subtotal Military Construction, Army					845,565	1,927,231
NAVY						
	Australia					
Navy	Royal Australian Air Force Base			PDI: Aircraft Parking Apron (INC)	72,446	72,446
	Darwin					
	California					
Navy	Marine Corps Air Ground Com-			Range Simulation Training & Operations Fac.	120,382	10,382
	bat Center Twentynine Palms					
Navy	Marine Corps Base Camp Pen-			Basilone Road Realignment	85,210	85,210
	dleton					
Navy	Marine Corps Base Camp Pen-			Child Development Center	0	32,100
	dleton					
Navy	Marine Corps Recruit Depot San			Recruit Barracks	0	83,200
	Diego					
Navy	Naval Air Station Lemoore			F-35C Aircraft Maint. Hangar & Airfield Pave	201,261	41,261
Navy	Naval Base Point Loma Annex			Child Development Center	56,450	56,450
Navy	Naval Base San Diego			Floating Dry Dock Mooring Facility	0	9,000
Navy	Naval Base San Diego			Pier 6 Replacement (INC)	15,565	15,565
Navy	Naval Surface Warfare Center			Data Science Analytics and Innovation (P&D)	0	2,845
	Corona Division					
Navy	Naval Surface Warfare Center			Performance Assessment Communications Laboratory	0	15,000
	Corona Division					
	Connecticut					
Navy	Naval Submarine Base New Lon-			Relocate Underwater Electromagnetic Measure	15,514	15,514
	don					
	Djibouti					
Navy	Camp Lemonnier			Electrical Power Plant	0	12,000
	Florida					
Navy	Naval Air Station Jacksonville			Engine Test Cells Modifications	86,232	86,232
Navy	Naval Air Station Whiting Field			AHTS Aircraft Flight Simulator Facility	57,789	57,789
Navy	Naval Air Station Whiting Field			Advanced Helicopter Training System Hangar	0	141,500
Navy	Naval Surface Warfare Center			SFOMF Storage Laboratory	0	2,073
	Carderock Division					
	Georgia					
Navy	Naval	Submarine	Base Kings	Nuclear Regional Maintenance Facility	213,796	13,796
	Bay					
Navy	Naval	Submarine	Base Kings	Trident Training Fac. Columbia Trainer Expan	65,375	65,375
	Bay					
	Guam					
Navy	Marine Corps Base Camp Blaz			PDI: 9th Eng Supp Battalion Equip & Main Fac	131,590	41,590
Navy	Marine Corps Base Camp Blaz			PDI: 9th Engineer Support Battalion Ops. Fac	35,188	35,188
Navy	Marine Corps Base Camp Blaz			PDI: Brown Tree Snake Exclusion Barrier South	14,497	14,497
Navy	Marine Corps Base Camp Blaz			PDI: Ground Combat Element Inf Btn 1 & 2 Fac	149,314	69,314
	Hawaii					
Navy	Joint Base Pearl Harbor-Hickam			Dry Dock 3 Replacement (INC)	621,185	421,185
Navy	Joint Base Pearl Harbor-Hickam			Missile Magazines	0	10,000
Navy	Joint Base Pearl Harbor-Hickam			Waterfront Production Facility (P&D)	0	40,000
Navy	Marine Corps Base Kaneohe Bay			Bachelor Enlisted Quarters	0	57,900
	Idaho					
Navy	Naval	Surface Warfare	Center	ARD Range Craft Berthing Facility (P&D)	0	707
	Carderock	Division				
	Japan					
Navy	Kadena Air Base			PDI: Marine Corps Bachelor Enlisted Quarters	94,100	14,100
Navy	Kadena Air Base			PDI: Marine Corps Barracks Complex	101,300	31,300
	Maine					
Navy	Portsmouth Naval Shipyard			Multi-Mission Drydock #1 Extension (INC)	503,282	503,282
	Maryland					
Navy	Naval	Surface Warfare	Center	Ship Systems Integration and Design Facility (P&D)	0	2,651
	Carderock	Division				

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Navy	Naval Surface Warfare Center	Combustion Laboratory	0	6,000
Navy	Indian Head Division			
Navy	Naval Surface Warfare Center	Contained Burn Facility (P&D)	0	5,651
Navy	Indian Head Division			
Navy	Naval Surface Warfare Center	EOD Explosive Testing Range 2 Expansion at SN, Building 2107.	0	2,039
Navy	Indian Head Division			
Navy	Nevada			
Navy	Naval Air Station Fallon	F-35C Aircraft Maintenance Hangar	97,865	30,865
Navy	Naval Air Station Fallon	Fallon Range Training Complex Land Acquisition Phase 2	0	48,300
Navy	North Carolina			
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar (INC)	106,000	11,000
Navy	Marine Corps Air Station Cherry Point	CH-53K Gearbox Repair and Test Facility	38,415	38,415
Navy	Marine Corps Air Station Cherry Point	F-35 Flightline Util Modernization Ph 2 (INC)	58,000	58,000
Navy	Marine Corps Air Station New River	Three Module Type II Hangar	0	21,000
Navy	Marine Corps Base Camp Lejeune	Regional Communications Station, Hadnot Point	47,475	47,475
Navy	Pennsylvania			
Navy	Naval Surface Warfare Center	Machinery Control Developmental Center	0	86,610
Navy	Philadelphia Division			
Navy	South Carolina			
Navy	Marine Corps Recruit Depot	Recruit Barracks	0	37,600
Navy	Parris Island			
Navy	Marine Corps Recruit Depot	Recruit Barracks	0	38,300
Navy	Parris Island			
Navy	Spain			
Navy	Naval Station Rota	EDI: Missile Magazines	0	76,300
Navy	Virginia			
Navy	Naval Surface Warfare Center	Upgrade Electrical Substation 1	0	2,503
Navy	Dahlgren Division			
Navy	Naval Surface Warfare Center	Weapons Integration and Test Campus (P&D)	0	1,237
Navy	Dahlgren Division			
Navy	Naval Station Norfolk	Submarine Logistics Support Facilities	16,863	16,863
Navy	Naval Station Norfolk	Submarine Pier 3 (INC)	155,000	125,000
Navy	Portsmouth Naval Shipyard	Dry Dock Saltwater System for CVN-78 (INC)	47,718	47,718
Navy	Washington			
Navy	Naval Air Station Whidbey Island	E/A-18G Aircraft Flt. Read. Squad. Train. Fac	37,461	37,461
Navy	Naval Air Station Whidbey Island	P-8A Aircraft Airfield Pavements Improvements	0	68,100
Navy	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design (Navy)	0	63,400
Navy	Unspecified Worldwide Locations	Planning & Design (SIOP)	0	75,000
Navy	Unspecified Worldwide Locations	Planning & Design (USMC)	0	37,800
Navy	Unspecified Worldwide Locations	Planning & Design (INDOPACOM)	0	31,170
Navy	Unspecified Worldwide Locations	MCON Planning and Funds	397,124	397,124
Navy	Unspecified Worldwide Locations	Unspecified Minor Military Construction	109,994	109,994
Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	456,210
Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (P&D)	0	28,550
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D)	0	16,680
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC)	0	9,900
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	172,690
Navy	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	225,537
Subtotal Military Construction, Navy			3,752,391	4,489,944
AIR FORCE				
Air Force	Alabama			
Air Force	Maxwell Air Force Base	Commercial Vehicle Inspection Gate	0	15,000
Air Force	Alaska			
Air Force	Clear Air Force Station	LRDR Dormitory	68,000	68,000
Air Force	Joint Base Elmendorf-Richardson	Extend Runway 16/34 (INC)	100,000	100,000
Air Force	Joint Base Elmendorf-Richardson	PFAS: Contaminated Soil Removal	0	5,200
Air Force	Arizona			
Air Force	Luke Air Force Base	Child Development Center (P&D)	0	4,750

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Air Force	Davis-Monthan Air Force Base	Combat Rescue Helicopter Simulator	0	7,500
Air Force	California Air Force Test Center—Edwards Air Force Base	Munitions Igloo—East (P&D)	0	650
Air Force	Travis Air Force Base	KC-46A ADAL B179, Simulator Facility	0	7,500
Air Force	Vandenberg Air Force Base	GBSD Consolidated Maintenance Facility	89,000	89,000
Air Force	Florida Tyndall Air Force Base	Cost to Complete—Natural Disaster Recovery	0	66,000
Air Force	Air Force Research Laboratory—Eglin Air Force Base	Shock and Applied Impact Laboratory (SAIL) (P&D)	0	530
Air Force	Hawaii Air Force Research Laboratory—Maui Experimental Site #1	Secure Integration Support Lab w/ Land Acquisition	0	89,000
Air Force	Hungary Pápa Air Base	EDI: DABS-FEV Storage	71,000	71,000
Air Force	Iceland Naval Air Station Keflavik	EDI: DABS-FEV Storage	94,000	30,000
Air Force	Illinois Scott Air Force Base	Child Development Center	0	19,893
Air Force	Italy Aviano Air Base	Combat Rescue Helicopter Simulator Facility	15,500	15,500
Air Force	Aviano Air Base	EDI: RADR Storage Facility	31,000	31,000
Air Force	Japan Kadena Air Base	Helicopter Rescue Ops Maintenance Hangar (INC)	71,000	71,000
Air Force	Kadena Air Base	PDI: Theater A/C Corrosion Control Ctr (INC)	77,000	77,000
Air Force	Yokota Air Base	Cost to Complete: PDI: C-130J Corrosion Control Hangar	0	10,000
Air Force	Jordan Muwaffaq Salti Air Base	Bulk Petroleum/Oil/Lubricants Storage	32,000	32,000
Air Force	Muwaffaq Salti Air Base	Fuel Cell and Phase Maintenance Hangars	18,000	18,000
Air Force	Louisiana Barksdale Air Force Base	Weapons Generation Facility (INC)	125,000	125,000
Air Force	Mariana Islands Tinian	PDI: Airfield Development Phase 1 (INC)	58,000	58,000
Air Force	Tinian	PDI: Fuel Tanks w/Pipeline & Hydrant Sys, INC	92,000	92,000
Air Force	Tinian	PDI: Parking Apron (INC)	41,000	41,000
Air Force	Maryland Joint Base Andrews	Cost to Complete: PAR Relocate Haz Cargo Pad and EOD Range.	0	28,200
Air Force	Massachusetts Hanscom Air Force Base	MIT-Lincoln Lab (West Lab CSL/MIF), INC	30,200	30,200
Air Force	Nebraska Offutt Air Force Base	Cost to Complete—Natural Disaster Recovery	0	235,000
Air Force	New Mexico Holloman Air Force Base	High Speed Test Track (P&D)	0	15,000
Air Force	New York Air Force Research Laboratory—Rome Research Site	HF Antennas, Newport and Stockbridge Test Annexes	0	4,200
Air Force	Norway Rygge Air Station	EDI: Base Perimeter Security Fence	8,200	8,200
Air Force	Ohio Wright Patterson Air Force Base	Child Development Center/School Age Center	0	29,000
Air Force	Oklahoma Tinker Air Force Base	E-7 Operations Center (P&D)	0	15,000
Air Force	Tinker Air Force Base	Facility and Land Acquisition (MROTC)	30,000	30,000
Air Force	Tinker Air Force Base	KC-46A 1-Bay Depot Corrosion Control Hangar	0	40,000
Air Force	Tinker Air Force Base	KC-46A 2-Bay Program Depot Maintenance Hangar	0	90,000
Air Force	Tinker Air Force Base	KC-46A 3-Bay Depot Maintenance Hangar (INC)	49,000	49,000
Air Force	Tinker Air Force Base	KC-46A Fuel POL Infrastructure	13,600	13,600
Air Force	South Carolina Shaw Air Force Base	RAPCON Facility	10,000	10,000
Air Force	South Dakota Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility (INC)	91,000	31,000
Air Force	Ellsworth Air Force Base	B-21 Radio Frequency Facility	77,000	77,000
Air Force	Ellsworth Air Force Base	B-21 Weapons Generation Facility (INC)	50,000	50,000
Air Force	Spain Morón Air Base	EDI: RADR Storage Facility	29,000	29,000
Air Force	Tennessee Arnold Air Force Base	ARC Heater Test Facility Dragon Fire	38,000	38,000
Air Force	Texas Joint Base San Antonio-Lackland	Cost to Complete: BMT Recruit Dormitory 8	0	5,400
Air Force	Joint Base San Antonio-Randolph	Child Development Center	0	29,000
Air Force	Joint Base San Antonio	BMT Recruit Dormitory 7 (INC)	90,000	0
Air Force	United Kingdom Royal Air Force Lakenheath	Cost to Complete: F-35 PGM Facility	0	3,100
Air Force	Royal Air Force Molesworth	Cost to Complete: Joint Intelligence Analysis Complex Consolidation, PH3.	0	13,000
Air Force	Royal Air Force Molesworth	Joint Intelligence Analysis Complex	0	421,000
Air Force	Utah Hill Air Force Base	GBSD Organic Software Sustain Ctr (INC)	95,000	95,000

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Air Force	Hill Air Force Base	GBSD Technology and Collaboration Center	84,000	84,000
	Washington			
Air Force	Fairchild Air Force Base	ADAL KC-135 Flight Simulator	0	8,000
Air Force	Fairchild Air Force Base	Cost to Complete: Consolidate TFI Base Operations	0	7,300
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Planning & Design	135,794	135,794
Air Force	Various Worldwide Locations	Unspecified Minor Military Construction	66,162	66,162
	Wyoming			
Air Force	F.E. Warren Air Force Base	Cost to Complete: Weapons Storage Facility	0	26,000
Air Force	F.E. Warren Air Force Base	Military Working Dog Kennel	0	10,000
Air Force	F.E. Warren Air Force Base	GBSD Integrated Command Center Wing A	95,000	60,800
Air Force	F.E. Warren Air Force Base	GBSD Land Acquisition	34,000	34,000
Air Force	F.E. Warren Air Force Base	GBSD Missile Handling Complex Wing A	47,000	47,000
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects	0	237,700
Air Force	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects	0	323,400
Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund	0	174,840
Subtotal Military Construction, Air Force			2,055,456	3,748,419
DEFENSE-WIDE				
	Alabama			
Defense-Wide	Redstone Arsenal	MSIC Advanced Analysis Facility Phase 2 (INC)	0	15,000
Defense-Wide	Redstone Arsenal (Missile and Space Intelligence Center)	Backup Power Generation	0	10,700
	California			
Defense-Wide	Naval Base Coronado	SOF Operations Support Facility	75,712	75,712
Defense-Wide	Marine Corps Mountain Warfare Training Center Bridgeport	Microgrid and Backup Power	0	25,560
Defense-Wide	Naval Base Ventura County, Point Mugu	Ground Mounted Solar Photovoltaic System	0	13,360
	Djibouti			
Defense-Wide	Camp Lemonnier	Enhanced Energy Security and Control Systems	0	24,000
	Florida			
Defense-Wide	Hurlburt Field	SOF Human Performance Training Center	9,100	9,100
Defense-Wide	Naval Air Station Jacksonville	Facility Energy Operations Center Renovation	0	2,400
Defense-Wide	Patrick Space Force Base	Underground Electric Distribution System	0	8,400
Defense-Wide	Patrick Space Force Base	Water Distribution Loop	0	7,300
	Georgia			
Defense-Wide	Fort Stewart-Hunter Army Airfield	Power Generation and Microgrid	0	25,400
Defense-Wide	Naval Submarine Base Kings Bay	SCADA Modernization	0	11,200
	Germany			
Defense-Wide	Baumholder	Baumholder Elementary School	71,000	71,000
Defense-Wide	Baumholder	SOF Battalion Annex	22,468	22,468
Defense-Wide	Baumholder	SOF Communications Annex	9,885	9,885
Defense-Wide	Baumholder	SOF Operations Annex	23,768	23,768
Defense-Wide	Baumholder	SOF Support Annex	21,902	21,902
Defense-Wide	Rhine Ordnance Barracks	Medical Center Replacement (INC 10)	299,790	24,790
Defense-Wide	Wiesbaden	Clay Kaserne Elementary School	60,000	60,000
	Guam			
Defense-Wide	Naval Base Guam	Electrical Distribution System	0	34,360
	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam	Primary Electrical Distribution	0	25,000
	Japan			
Defense-Wide	Fleet Activities Yokosuka	Kinnick High School (INC)	20,000	20,000
Defense-Wide	Iwakuni	PDI: Bulk Storage Tanks PH 1	85,000	85,000
Defense-Wide	Kadena Air Base	Lighting Upgrades	0	780
Defense-Wide	Yokota Air Base	PDI: Bulk Storage Tanks PH I (INC)	44,000	44,000
Defense-Wide	Yokota Air Base	PDI: Operations and Warehouse Facilities	72,154	72,154
	Kansas			
Defense-Wide	Fort Riley	Power Generation and Microgrid	0	25,780
	Kuwait			
Defense-Wide	Camp Arifjan	Power Generation and Microgrid	0	26,850
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration (INC 6)	75,500	75,500
Defense-Wide	Fort Meade	NSAW Mission Ops and Records Center (INC)	140,000	80,000
Defense-Wide	Fort Meade	NSAW Recap Building 4 (INC)	378,000	318,000
Defense-Wide	Fort Meade	Reclaimed Water Infrastructure Expansion	0	23,310
	North Carolina			
Defense-Wide	Fort Bragg	SOF Operations Building	18,870	18,870
Defense-Wide	Fort Bragg	SOF Supply Support Activity	15,600	15,600
	Texas			
Defense-Wide	Fort Hood	Power Generation and Microgrid	0	31,500
Defense-Wide	Joint Base San Antonio	Ambulatory Care Center Replacement (Dental)	58,600	58,600
Defense-Wide	U.S. Army Reserve Center, Conroe	Power Generation and Microgrid	0	9,600

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Account	State/Country and Installation			Project Title	FY 2023 Request	Senate Authorized
Defense-Wide	Virginia					
Defense-Wide	Dam Neck			SOF Operations Building Addition	26,600	26,600
Defense-Wide	Naval Support Activity Hampton Roads			Backup Power Generation	0	3,400
Defense-Wide	Naval Support Activity Hampton Roads			Primary Distribution Substation	0	19,000
Defense-Wide	NCE Springfield, Ft Belvoir			Chilled Water Redundancy	0	1,100
Defense-Wide	Pentagon			Commercial Vehicle Inspection Facility	18,000	18,000
Defense-Wide	Worldwide Unspecified					
Defense-Wide	Unspecified	Worldwide	Loca-	Energy Resilience and Conserv. Invest. Prog.	329,000	0
Defense-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction (Defense-Wide)	3,000	3,000
Defense-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction (DHA)	15,000	15,000
Defense-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction (DLA)	31,702	31,702
Defense-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction (DODEA)	8,000	8,000
Defense-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction (INDOPACOM)	0	16,130
Defense-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction (NSA)	6,000	6,000
Defense-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction (SOCOM)	36,726	36,726
Defense-Wide	Unspecified	Worldwide	Loca-	Exercise Related Minor Construction (TJS)	18,644	18,644
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (Defense-Wide)	26,689	26,689
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (ERCIP)	224,250	224,250
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (DHA)	33,227	33,227
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (DLA)	30,000	30,000
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (DODEA)	20,086	20,086
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (MDA)	47,063	47,063
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (NSA)	9,618	9,618
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (SOCOM)	26,978	26,978
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (TJS)	2,360	2,360
Defense-Wide	Unspecified	Worldwide	Loca-	Planning & Design (WHS)	2,106	2,106
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (DHA)	0	39,570
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (DIA)	0	30,600
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (DLA)	0	22,000
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (DODEA)	0	42,650
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (NSA)	0	9,200
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (OSD)	0	81,070
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (SOCOM)	0	79,390
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (WHS)	0	10,110
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (DHA)	0	11,720
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (DLA)	0	17,000
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (DODEA)	0	29,200
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (OSD)	0	65,800
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (SOCOM)	0	59,210
Defense-Wide	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (WHS)	0	3,600
Defense-Wide	Unspecified	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	181,426
Subtotal Military Construction, Defense-Wide					2,416,398	2,735,074
ARMY NATIONAL GUARD						
	Alaska					

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Account	State/Country and Installation			Project Title	FY 2023 Request	Senate Authorized
Army National Guard	Joint Base Elmendorf-Richardson			Aircraft Maintenance Hangar	0	63,000
Army National Guard	Arkansas Camp Robinson			Automated Multipurpose Machine Gun Range	0	9,500
Army National Guard	Delaware River Road Training Site			National Guard Readiness Center	16,000	16,000
Army National Guard	Florida Gainesville			National Guard Readiness Center	0	21,000
Army National Guard	Palm Coast Flagler Rc Fms 9			National Guard Vehicle Maintenance Shop	12,000	12,000
Army National Guard	Hawaii Kalaeloa			National Guard Readiness Center Addition	29,000	29,000
Army National Guard	Indiana Atlanta Readiness Center			National Guard Readiness Center	20,000	20,000
Army National Guard	Iowa West Des Moines Armory			National Guard Readiness Center	15,000	15,000
Army National Guard	Michigan Grayling Airfield			National Guard Readiness Center	16,000	16,000
Army National Guard	Minnesota New Ulm Armory and Fms			National Guard Readiness Center	17,000	17,000
Army National Guard	Nevada Harry Reid Training Center			National Guard Readiness Center Add/Alt	18,000	18,000
Army National Guard	New York Glenmore Rd Armory/Fms 17			National Guard Vehicle Maintenance Shop	17,000	17,000
Army National Guard	Lexington Armory			National Guard Readiness Center Addition/ Alteration (P&D)	0	3,580
Army National Guard	North Carolina Mcleansville Camp Burton Road			National Guard Vehicle Maintenance Shop	15,000	15,000
Army National Guard	Oregon Camp Umatilla			Collective Training Unaccompanied Housing	0	14,243
Army National Guard	Puerto Rico Camp Santiago Joint Maneuver Training Center			Engineering/Housing Maintenance Shops (DPW)	14,500	14,500
Army National Guard	Tennessee Smyrna Volunteer Training Site			Army Aviation Support Facility and Readiness Center (P&D)	0	780
Army National Guard	Vermont Bennington			National Guard Readiness Center	14,800	0
Army National Guard	West Virginia Buckhannon Brushy Fork			National Guard Readiness Center Add/Alt	14,000	14,000
Army National Guard	Wyoming Camp Guernsey			Aviation Operations and Fire Rescue Building	0	19,500
Army National Guard	Ts NG Sheridan			National Guard Vehicle Maintenance Shop	14,800	14,800
Army National Guard	Worldwide Unspecified					
Army National Guard	Unspecified	Worldwide	Locations	Planning & Design	28,245	32,745
Army National Guard	Unspecified	Worldwide	Locations	Unspecified Minor Military Construction	35,933	61,333
Army National Guard	Unspecified	Worldwide	Locations	Cost to Complete: FY22 Inflation Effects	0	54,610
Army National Guard	Unspecified	Worldwide	Locations	Cost to Complete: FY23 Inflation Effects (P&D)	0	8,470
Army National Guard	Unspecified	Worldwide	Locations	Cost to Complete: FY23 Inflation Effects (UMMC)	0	15,210
Army National Guard	Unspecified	Worldwide	Locations	Cost to Complete: FY23 Inflation Effects	0	65,200
Army National Guard	Unspecified	Worldwide	Locations	Inflation & Market Adjustment Fund	0	48,459
Subtotal Military Construction, Army National Guard					297,278	635,930
ARMY RESERVE						
Army Reserve	California Camp Pendleton			Area Maintenance Support Activity	0	13,000
Army Reserve	Florida Perrine			Army Reserve Center/AMSA	46,000	46,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation				Project Title	FY 2023 Request	Senate Authorized
Army Reserve	Massachusetts						
	Fort Devens				Cost to Complete: Multi-Purpose Machine Gun Range	0	3,000
Army Reserve	Michigan						
	Southfield				Cost to Complete: Area Maintenance Shop	0	1,600
Army Reserve	North Carolina						
	Asheville				Cost to Complete: Army Reserve Center	0	2,000
Army Reserve	Ohio						
	Wright-Patterson Base	Air	Force		Area Maintenance Support Activity	0	16,000
Army Reserve	Wright-Patterson Base	Air	Force		Cost to Complete: Army Reserve Center	0	2,000
Army Reserve	Puerto Rico						
	Fort Buchanan				Army Reserve Center	24,000	24,000
Army Reserve	Washington						
	Yakima				Equipment Concentration Site Warehouse	0	22,000
Army Reserve	Wisconsin						
	Fort McCoy				Transient Training Enlisted Barracks	0	38,000
Army Reserve	Fort McCoy				Transient Training Officer Barracks	0	26,000
Army Reserve	Worldwide Unspecified						
	Unspecified tions	Worldwide	Loca-		Barracks Planning and Design	0	3,000
Army Reserve	Unspecified tions	Worldwide	Loca-		Planning and Design	0	20,000
Army Reserve	Unspecified tions	Worldwide	Loca-		Unspecified Minor Construction	0	25,000
Army Reserve	Unspecified tions	Worldwide	Loca-		Planning & Design	9,829	9,829
Army Reserve	Unspecified tions	Worldwide	Loca-		Unspecified Minor Military Construction	20,049	20,049
Army Reserve	Unspecified tions	Worldwide	Loca-		Cost to Complete: FY22 Inflation Effects	0	70,000
Army Reserve	Unspecified tions	Worldwide	Loca-		Cost to Complete: FY23 Inflation Effects (P&D)	0	2,950
Army Reserve	Unspecified tions	Worldwide	Loca-		Cost to Complete: FY23 Inflation Effects (UMMC)	0	6,000
Army Reserve	Unspecified tions	Worldwide	Loca-		Cost to Complete: FY23 Inflation Effects	0	21,000
Army Reserve	Unspecified tions	Worldwide	Loca-		Inflation & Market Adjustment Fund	0	27,842
Subtotal Military Construction, Army Reserve						99,878	399,270
NAVY RESERVE & MARINE CORPS RESERVE							
Navy Reserve & Marine Corps Reserve	Hawaii						
	Marine Corps Base Kaneohe Bay				C-40 Aircraft Maintenance Hangar	0	7,000
Navy Reserve & Marine Corps Reserve	Michigan						
	Marine Forces Reserve Battle Creek				Organic Supply Facilities	0	24,300
Navy Reserve & Marine Corps Reserve	Virginia						
	Marine Forces Reserve Dam Neck Virginia Beach				G/ATOR Support Facilities	0	10,400
Navy Reserve & Marine Corps Reserve	Worldwide Unspecified						
	Unspecified tions	Worldwide	Loca-		MCNR Unspecified Minor Construction	27,747	27,747
Navy Reserve & Marine Corps Reserve	Unspecified tions	Worldwide	Loca-		USMCR Planning & Design	2,590	2,590
Navy Reserve & Marine Corps Reserve	Unspecified tions	Worldwide	Loca-		Cost to Complete: FY22 Inflation Effects (P&D)	0	250
Navy Reserve & Marine Corps Reserve	Unspecified tions	Worldwide	Loca-		Cost to Complete: FY22 Inflation Effects	0	7,850
Navy Reserve & Marine Corps Reserve	Unspecified tions	Worldwide	Loca-		Cost to Complete: FY23 Inflation Effects (P&D)	0	110

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation				Project Title	FY 2023 Request	Senate Authorized
Navy Reserve & Marine Corps Reserve	Unspecified tions	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (UMMC)		0	2,500
Navy Reserve & Marine Corps Reserve	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund		0	25,863
Subtotal Military Construction, Navy Reserve & Marine Corps Reserve						30,337	108,610
AIR NATIONAL GUARD							
Air National Guard	Alabama Birmingham	International	Air-port	Security and Services Training Facility		7,500	7,500
Air National Guard	Montgomery	Regional Airport		F-35 Weapons Load Crew Training		0	9,200
Air National Guard	Arizona Morris Air National Guard Base			Base Entry Complex		0	12,000
Air National Guard	Tucson	International Airport		Land Acquisition		10,000	10,000
Air National Guard	Florida Jacksonville	International	Air-port	F-35 Construct Flight Simulator Facility		22,200	22,200
Air National Guard	Indiana Fort Wayne	International	Air-port	Munitions Maintenance & Storage Complex		12,800	12,800
Air National Guard	Missouri Jefferson Barracks Station	Air Guard		Consolidated Air Operations Group (157th Air Operations Group) (P&D).		0	2,100
Air National Guard	Rhode Island Quonset State Airport			Consolidated Headquarters Medical & Dining Facility		0	35,000
Air National Guard	Tennessee McGhee Tyson Airport			KC-135 Maintenance Shops		23,800	23,800
Air National Guard	West Virginia Mclaughlin Air National Guard Base	Air National Guard		C-130J Apron Expansion		0	10,000
Air National Guard	Unspecified tions	Worldwide	Loca-	Planning & Design		28,412	28,412
Air National Guard	Unspecified tions	Worldwide	Loca-	Unspecified Minor Military Construction		44,171	44,171
Air National Guard	Unspecified tions	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects		0	72,400
Air National Guard	Unspecified tions	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects		0	17,700
Air National Guard	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund		0	54,236
Subtotal Military Construction, Air National Guard						148,883	361,519
AIR FORCE RESERVE							
Air Force Reserve	Arizona Davis-Monthan Air Force Base			610th CACS Command & Control Facility		0	8,000
Air Force Reserve	Massachusetts Westover Air Reserve Base			Taxiway Golf Extension (P&D)		0	1,900
Air Force Reserve	Mississippi Keesler Air Force Base			Aeromedical Evacuation Training Facility		0	10,000
Air Force Reserve	Oklahoma Tinker Air Force Base			10th Flight Test Squadron Facility		0	12,500
Air Force Reserve	Virginia Langley Air Force Base			Intelligence Group Facility		0	10,500
Air Force Reserve	Worldwide Unspecified tions	Worldwide	Loca-	Planning & Design		11,773	11,773
Air Force Reserve	Unspecified tions	Worldwide	Loca-	Unspecified Minor Military Construction		11,850	11,850
Air Force Reserve	Unspecified tions	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects		0	11,800
Air Force Reserve	Unspecified tions	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects		0	4,500
Air Force Reserve	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund		0	26,611

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation				Project Title	FY 2023 Request	Senate Authorized
Subtotal Military Construction, Air Force Reserve						23,623	109,434
NATO SECURITY INVESTMENT PROGRAM							
Worldwide Unspecified							
NATO	NATO Security Investment Program			NATO Security Investment Program	210,139	210,139	
NATO	NATO Security Investment Program			Inflation & Market Adjustment Fund	0	5,980	
Subtotal NATO Security Investment Program						210,139	216,119
TOTAL MILITARY CONSTRUCTION						9,879,948	14,731,550
FAMILY HOUSING							
FAMILY HOUSING CONSTRUCTION, ARMY							
Germany							
Fam Hsg Con, Army	Baumholder			Cost to Complete: Family Housing New Construction	0	121,822	
Fam Hsg Con, Army	Baumholder			Family Housing Improvements	0	20,000	
Fam Hsg Con, Army	Baumholder			Family Housing Replacement Construction	57,000	57,000	
Fam Hsg Con, Army	Vilseck			Cost to Complete: Family Housing New Construction	0	13,000	
Italy							
Fam Hsg Con, Army	Vicenza			Family Housing New Construction	95,000	40,000	
Fam Hsg Con, Army	Vicenza			Cost to Complete: Family Housing New Construction	0	51,540	
Fam Hsg Con, Army	Kwajalein Atoll			Cost to Complete: Family Housing Replacement	0	47,060	
Worldwide Unspecified							
Fam Hsg Con, Army	Unspecified tions	Worldwide	Loca-	Family Housing P&D	17,339	17,339	
Fam Hsg Con, Army	Unspecified tions	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects	0	24,290	
Fam Hsg Con, Army	Unspecified tions	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (P&D)	0	5,200	
Fam Hsg Con, Army	Unspecified tions	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects	0	49,200	
Fam Hsg Con, Army	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	4,819	
Subtotal Family Housing Construction, Army						169,339	451,270
FAMILY HOUSING O&M, ARMY							
Worldwide Unspecified							
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Furnishings	22,911	22,911	
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Housing Privatization Support	65,740	65,740	
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Leasing	127,499	127,499	
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Maintenance	117,555	117,555	
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Management	45,718	45,718	
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Miscellaneous	559	559	
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Services	9,580	9,580	
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Utilities	46,849	46,849	
Fam Hsg O&M, Army	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	12,103	
Subtotal Family Housing Operation And Maintenance, Army						436,411	448,514
FAMILY HOUSING CONSTRUCTION, NAVY & MARINE CORPS							
District of Columbia							
Fam Hsg Con, Navy & Marine Corps	United States Headquarters			Marine Corps Design	7,043	7,043	
Fam Hsg Con, Navy & Marine Corps	United States Headquarters			Marine Corps Improvements	74,540	74,540	
Guam							
Fam Hsg Con, Navy & Marine Corps	Naval Support Activity Andersen			Replace Andersen Housing PH IV	86,390	86,390	

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation				Project Title	FY 2023 Request	Senate Authorized
Fam Hsg Con, Navy & Marine Corps	Naval	Support	Activity	Ander- sen	Replace Andersen Housing PH V	93,259	93,259
Fam Hsg Con, Navy & Marine Corps	Naval	Support	Activity	Ander- sen	Replace Andersen Housing PH VI	68,985	68,985
Fam Hsg Con, Navy & Marine Corps	Worldwide	Unspecified	Worldwide	Loca-	USMC DPRI/Guam Planning & Design	7,080	7,080
Fam Hsg Con, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Cost to Complete: FY22 Inflation Effects	0	240
Fam Hsg Con, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Inflation & Market Adjustment Fund	0	9,597
Subtotal Family Housing Construction, Navy & Marine Corps						337,297	347,134
FAMILY HOUSING O&M, NAVY & MARINE CORPS							
Fam Hsg O&M, Navy & Marine Corps	Worldwide	Unspecified	Worldwide	Loca-	Furnishings	16,182	16,182
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Housing Privatization Support	61,605	61,605
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Leasing	66,333	66,333
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Maintenance	105,470	105,470
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Management	59,312	59,312
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Miscellaneous	411	411
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Services	16,494	16,494
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Utilities	42,417	42,417
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Inflation & Market Adjustment Fund	0	8,664
Subtotal Family Housing Operation & Maintenance, Navy & Marine Corps						368,224	376,888
FAMILY HOUSING CONSTRUCTION, AIR FORCE							
Fam Hsg Con, Air Force	Delaware	Dover Air Force Base			MHPI Restructure	25,492	25,492
Fam Hsg Con, Air Force	Florida	Tyndall Air Force Base			AETC Restructuring	150,685	150,685
Fam Hsg Con, Air Force	Illinois	Scott Air Force Base			MHPI Restructure	52,003	52,003
Fam Hsg Con, Air Force	Japan	Kadena Air Base			Family Housing North Terrance Improvement, Phase 2 (4 Units).	0	3,800
Fam Hsg Con, Air Force	Maryland	Andrews Air Force Base			MHPI Equity Contribution CMSSF House	1,878	1,878
Fam Hsg Con, Air Force	Worldwide	Unspecified	Worldwide	Loca-	Planning & Design	2,730	17,730
Fam Hsg Con, Air Force	Unspecified	Worldwide	Loca-		Inflation & Market Adjustment Fund	0	6,444

(In Thousands of Dollars)					FY 2023 Request	Senate Authorized
Account	State/Country and Installation			Project Title		
Subtotal Family Housing Construction, Air Force					232,788	258,032
FAMILY HOUSING O&M, AIR FORCE						
	Worldwide Unspecified					
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Furnishings	27,379	27,379
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Housing Privatization	33,517	33,517
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Leasing	7,882	7,882
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Maintenance	150,375	150,375
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Management	77,042	77,042
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Miscellaneous	2,240	2,240
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Services	10,570	10,570
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Utilities	46,217	46,217
Fam Hsg O&M, Air Force	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	8,306
Subtotal Family Housing Operation And Maintenance, Air Force					355,222	363,528
FAMILY HOUSING O&M, DEFENSE-WIDE						
	Worldwide Unspecified					
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	Furnishings (DIA)	656	656
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	Furnishings (NSA)	87	87
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	Leasing (DIA)	31,849	31,849
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	Leasing (NSA)	13,306	13,306
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	Maintenance (NSA)	34	34
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	Utilities (DIA)	4,166	4,166
Fam Hsg O&M, Defense-Wide	Unspecified tions	Worldwide	Loca-	Utilities (NSA)	15	15
Subtotal Family Housing Operation And Maintenance, Defense-Wide					50,113	50,113
FAMILY HOUSING IMPROVEMENT FUND						
	Worldwide Unspecified					
Family Housing Improvement Fund	Unspecified tions	Worldwide	Loca-	Administrative Expenses—FHIF	6,442	6,442
Family Housing Improvement Fund	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	184
Subtotal Family Housing Improvement Fund					6,442	6,626
UNACCOMPANIED HOUSING IMPROVEMENT FUND						
	Worldwide Unspecified					
Unaccompanied Housing Improvement Fund	Unspecified tions	Worldwide	Loca-	Administrative Expenses—UHIF	494	494
Subtotal Unaccompanied Housing Improvement Fund					494	494
TOTAL FAMILY HOUSING					1,956,330	2,302,599
DEFENSE BASE REALIGNMENT AND CLOSURE						

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)						
Account	State/Country and Installation			Project Title	FY 2023 Request	Senate Authorized
BASE REALIGNMENT AND CLOSURE, ARMY						
BRAC, Army	Worldwide Unspecified	Worldwide	Loca-	Base Realignment and Closure	67,706	67,706
BRAC, Army	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	1,927
Subtotal Base Realignment and Closure—Army					67,706	69,633
BASE REALIGNMENT AND CLOSURE, NAVY						
BRAC, Navy	Worldwide Unspecified	Worldwide	Loca-	Base Realignment and Closure	106,664	106,664
BRAC, Navy	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	2,767
Subtotal Base Realignment and Closure—Navy					106,664	109,431
BASE REALIGNMENT AND CLOSURE, AIR FORCE						
BRAC, Air Force	Worldwide Unspecified	Worldwide	Loca-	Base Realignment and Closure	107,311	107,311
BRAC, Air Force	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	3,053
Subtotal Base Realignment and Closure—Air Force					107,311	110,364
BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE						
BRAC, De-fense-Wide	Worldwide Unspecified	Worldwide	Loca-	Int-4: DLA Activities	3,006	3,006
BRAC, De-fense-Wide	Unspecified tions	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	85
Subtotal Base Realignment and Closure—Defense-Wide					3,006	3,091
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE					284,687	292,519
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC					12,120,965	17,326,668

**TITLE XLVII—DEPARTMENT OF ENERGY
NATIONAL SECURITY PROGRAMS**
SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)						
Program					FY 2023 Request	Senate Authorized
Discretionary Summary by Appropriation						
Energy Programs						
Nuclear Energy					156,600	156,600
Atomic Energy Defense Activities						
National Nuclear Security Administration:						
Weapons Activities					16,486,298	17,090,298
Defense Nuclear Nonproliferation					2,346,257	2,331,257
Naval Reactors					2,081,445	2,081,445
Federal Salaries and Expenses					496,400	496,400
Total, National Nuclear Security Administration					21,410,400	21,999,400
Defense Environmental Cleanup					6,914,532	6,538,532
Other Defense Activities					978,351	978,351
Total, Atomic Energy Defense Activities					29,303,283	29,516,283
Total, Discretionary Funding					29,459,883	29,672,883
Nuclear Energy						
Safeguards and security					156,600	156,600
Total, Nuclear Energy					156,600	156,600
Weapons Activities						
Stockpile major modernization						
B61 Life extension program					672,019	672,019
W88 Alteration program					162,057	162,057
W80-4 Life extension program					1,122,451	1,122,451
W80-4 ALT SLCM					0	20,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Program increase		(20,000)
W87-1 Modification Program	680,127	680,127
W93	240,509	240,509
Subtotal, Stockpile major modernization	2,877,163	2,897,163
Stockpile sustainment	1,321,139	1,321,139
Weapons dismantlement and disposition	50,966	50,966
Production operations	630,894	630,894
Nuclear enterprise assurance	48,911	48,911
Total, Stockpile management	4,929,073	4,949,073
Production Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	767,412	767,412
21-D-512, Plutonium Pit Production Project, LANL	588,234	588,234
15-D-302, TA-55 Reinvestments Project, Phase 3, LANL	30,002	30,002
07-D-220-04, Transuranic Liquid Waste Facility, LANL	24,759	24,759
04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL	162,012	162,012
Subtotal, Los Alamos Plutonium Modernization	1,572,419	1,572,419
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	58,300	58,300
21-D-511, Savannah River Plutonium Processing Facility, SRS	700,000	1,200,000
Program increase—glovebox long lead procurement		(200,000)
Program increase—long lead items		(100,000)
Program increase—demolition of MOX building		(165,000)
Program increase—site prep		(35,000)
Subtotal, Savannah River Plutonium Modernization	758,300	1,258,300
Enterprise Plutonium Support	88,993	88,993
Total, Plutonium Modernization	2,419,712	2,919,712
High Explosives & Energetics		
High Explosives & Energetics	101,380	101,380
23-D-516, Energetic Materials Characterization Facility, LANL	19,000	19,000
21-D-510, HE Synthesis, Formulation, and Production, PX	108,000	108,000
15-D-301, HE Science & Engineering Facility, PX	20,000	20,000
Subtotal, High Explosives & Energetics	248,380	248,380
Total, Primary Capability Modernization	2,668,092	3,168,092
Secondary Capability Modernization		
Secondary Capability Modernization	536,363	544,363
Program increase—calciner		(8,000)
18-D-690, Lithium Processing Facility, Y-12	216,886	216,886
06-D-141, Uranium Processing Facility, Y-12	362,000	362,000
Total, Secondary Capability Modernization	1,115,249	1,123,249
Tritium and Domestic Uranium Enrichment		
Tritium and Domestic Uranium Enrichment	506,649	506,649
18-D-650, Tritium Finishing Facility, SRS	73,300	73,300
Total, Tritium and Domestic Uranium Enrichment	579,949	579,949
Non-Nuclear Capability Modernization	123,084	123,084
Capability Based Investments	154,220	154,220
Total, Production Modernization	4,640,594	5,148,594
Stockpile research, technology, and engineering		
Assessment Science		
Assessment Science	801,668	801,668
14-D-640, U1a Complex Enhancements Project, NNSS	53,130	53,130
Total, Assessment Science	854,798	854,798
Engineering and integrated assessments	366,455	366,455
Inertial confinement fusion	544,095	584,095
Program increase		(40,000)
Advanced simulation and computing	742,646	752,646
Program increase		(10,000)
Weapon technology and manufacturing maturation	286,165	286,165
Academic programs	100,499	100,499
Total, Stockpile research, technology, and engineering	2,894,658	2,944,658
Infrastructure and operations		
Operating		
Operations of facilities	1,038,000	1,046,000
Program increase		(8,000)
Safety and Environmental Operations	162,000	162,000
Maintenance and Repair of Facilities	680,000	690,000
Program increase		(10,000)
Recapitalization		
Infrastructure and Safety	561,663	561,663
Subtotal, Recapitalization	561,663	561,663
Total, Operating	2,441,663	2,459,663
Mission enabling construction		
22-D-514 Digital Infrastructure Capability Expansion	67,300	67,300
22-D-517 Electrical Power Capacity Upgrade, LANL	24,000	24,000
22-D-518 Plutonium Modernization Ops & Waste Mngmt Office Bldg, LANL	48,500	48,500
23-D-519, Special Material Facility, Y-12	49,500	49,500
Total, Mission enabling construction	189,300	189,300
Total, Infrastructure and operations	2,630,963	2,648,963

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Secure transportation asset		
Operations and equipment	214,367	214,367
Program direction	130,070	130,070
Total, Secure transportation asset	344,437	344,437
Defense nuclear security		
Operations and maintenance	878,363	878,363
Construction:		
17-D-710, West end protected area reduction project, Y-12	3,928	11,928
Program increase		(8,000)
Subtotal, Construction	3,928	11,928
Total, Defense nuclear security	882,291	890,291
Information technology and cybersecurity	445,654	445,654
Legacy contractor pensions	114,632	114,632
Total, Weapons Activities	16,882,302	17,486,302
Adjustments		
Use of prior year balances	-396,004	-396,004
Total, Adjustments	-396,004	-396,004
Total, Weapons Activities	16,486,298	17,090,298
Defense Nuclear Nonproliferation		
Material management and minimization		
Conversion (formerly HEU Reactor Conversion)	153,260	153,260
Nuclear material removal	41,600	41,600
Material disposition	256,025	256,025
Total, Material management & minimization	450,885	450,885
Global material security		
International nuclear security	81,155	81,155
Radiological security	244,827	244,827
Nuclear smuggling detection and deterrence	178,095	178,095
Total, Global material security	504,077	504,077
Nonproliferation and arms control	207,656	207,656
Defense nuclear nonproliferation R&D		
Proliferation detection	287,283	287,283
Nonproliferation stewardship program	109,343	109,343
Nuclear detonation detection	279,205	279,205
Forensics R&D	44,414	44,414
Total, Defense Nuclear Nonproliferation R&D	720,245	720,245
Nonproliferation construction		
18-D-150 Surplus Plutonium Disposition Project, SRS	71,764	71,764
Total, Nonproliferation construction	71,764	71,764
NNSA Bioassurance Program	20,000	5,000
Program reduction		(-15,000)
Legacy contractor pensions	55,708	55,708
Nuclear counterterrorism and incident response program		
Emergency Operations	29,896	29,896
Counterterrorism and Counterproliferation	409,074	409,074
Total, Nuclear counterterrorism and incident response program	438,970	438,970
Subtotal, Defense Nuclear Nonproliferation	2,469,305	2,454,305
Adjustments		
Use of prior year balances	-123,048	-123,048
Total, Adjustments	-123,048	-123,048
Total, Defense Nuclear Nonproliferation	2,346,257	2,331,257
Naval Reactors		
Naval reactors development	798,590	798,590
Columbia-Class reactor systems development	53,900	53,900
S8G Prototype refueling	20,000	20,000
Naval reactors operations and infrastructure	695,165	695,165
Program direction	58,525	58,525
Construction:		
22-D-533 BL Component Test Complex	57,420	57,420
14-D-901, Spent Fuel Handling Recapitalization Project, NRF	397,845	397,845
Total, Construction	455,265	455,265
Total, Naval Reactors	2,081,445	2,081,445
Federal Salaries and Expenses		
Program direction	513,200	513,200
Use of prior year balances	-16,800	-16,800
Total, Federal Salaries and Expenses	496,400	496,400
TOTAL, National Nuclear Security Administration	21,510,796	21,999,400
Defense Environmental Cleanup		
Closure sites administration	4,067	4,067
Richland		
River corridor and other cleanup operations	135,000	135,000
Central plateau remediation	650,240	650,240

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Richland community and regulatory support	10,013	10,013
18-D-404 Modification of Waste Encapsulation and Storage Facility	3,100	3,100
22-D-401 L-888, 400 Area Fire Station	3,100	3,100
22-D-402 L-897, 200 Area Water Treatment Facility	8,900	8,900
23-D-404 181D Export Water System Reconfiguration and Upgrade	6,770	6,770
23-D-405 181B Export Water System Reconfiguration and Upgrade	480	480
Total, Richland	817,603	817,603
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	462,700	462,700
Rad liquid tank waste stabilization and disposition	801,100	811,100
Program increase		(10,000)
Construction		
23-D-403 Hanford 200 West Area Tank Farms Risk Management Project	4,408	4,408
01-D-16D, High-level waste facility	316,200	316,200
01-D-16E, Pretreatment Facility	20,000	20,000
Subtotal, Construction	340,608	340,608
Total, Office of River Protection	1,604,408	1,614,408
Idaho National Laboratory:		
Idaho cleanup and waste disposition	350,658	350,658
Idaho community and regulatory support	2,705	2,705
Construction		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility	8,000	8,000
22-D-404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project	8,000	8,000
22-D-402 Calcine Construction	10,000	10,000
Subtotal, Construction	26,000	26,000
Total, Idaho National Laboratory	379,363	379,363
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,842	1,842
LLNL Excess Facilities D&D	12,004	22,004
Program increase		(10,000)
Separations Processing Research Unit	15,300	15,300
Nevada Test Site	62,652	62,652
Sandia National Laboratory	4,003	4,003
Los Alamos National Laboratory	286,316	286,316
Los Alamos Excess Facilities D&D	40,519	40,519
Total, NNSA sites and Nevada off-sites	422,636	432,636
Oak Ridge Reservation:		
OR Nuclear Facility D&D	334,221	339,221
Program increase		(5,000)
U233 Disposition Program	47,628	47,628
OR cleanup and waste disposition	62,000	62,000
Construction		
17-D-401 On-site waste disposal facility	35,000	35,000
Subtotal, Construction	35,000	35,000
OR community & regulatory support	5,300	5,300
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	487,149	492,149
Savannah River Site:		
Savannah River risk management operations	416,317	416,317
Savannah River legacy pensions	132,294	132,294
Savannah River community and regulatory support	12,137	12,137
Savannah River National Laboratory O&M	41,000	41,000
Construction:		
20-D-401 Saltstone Disposal Unit #10, 11, 12	37,668	37,668
19-D-701 SR Security systems replacement	5,000	5,000
18-D-402 Saltstone Disposal Unit #8, 9	49,832	49,832
8-D-402 Emergency Operations Center Replacement, SR	25,568	25,568
Subtotal, Construction	118,068	118,068
Radioactive liquid tank waste stabilization	851,660	861,660
Program increase		(10,000)
Total, Savannah River Site	1,571,476	1,581,476
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	371,943	371,943
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	59,073	59,073
15-D-412 Exhaust shaft, WIPP	25,000	25,000
Program increase		6,000
Total, Construction	84,073	84,073
Total, Waste Isolation Pilot Plant	456,016	456,016
Program direction—Defense Environmental Cleanup	317,002	317,002
Program support—Defense Environmental Cleanup	103,239	103,239
Safeguards and Security—Defense Environmental Cleanup	309,573	309,573
Technology development and deployment	25,000	25,000
Federal contribution to the Uranium Enrichment D&D Fund	417,000	0
Program reduction		(-417,000)

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Subtotal, Defense Environmental Cleanup	6,914,532	6,532,532
TOTAL, Defense Environmental Cleanup	6,914,532	6,532,532
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	138,854	138,854
Program direction	76,685	76,685
Total, Environment, health, safety and security	215,539	215,539
Office of Enterprise Assessments		
Enterprise assessments	27,486	27,486
Program direction	57,941	57,941
Total, Office of Enterprise Assessments	85,427	85,427
Specialized security activities	306,067	306,067
Legacy Management		
Legacy Management Activities—Defense	174,163	174,163
Program Direction	21,983	21,983
Total, Legacy Management	196,146	196,146
Defense-related administrative support	170,695	170,695
Office of hearings and appeals	4,477	4,477
Subtotal, Other defense activities	978,351	978,351
Total, Other Defense Activities	978,351	978,351

AUTHORITY FOR COMMITTEES TO MEET

Mr. PADILLA. Mr. President, I have six 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 Thursday, September 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 9 a.m., to conduct an executive business meeting.

RETURN OF PAPERS REQUEST—S. 1198

Mr. SCHUMER. I ask unanimous consent that the Secretary of the Senate be authorized to request the House of Representatives to return the papers on S. 1198; further, upon receipt of the bill from the House, the Senate's actions on September 8, 2022, with respect to S. 1198, be vitiated; that the Senate then proceed to the immediate consideration of S. 1198; that the committee-reported substitute be withdrawn, the Tester substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed, and the motions to reconsider be considered made and laid upon the table, all without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING SEPTEMBER 11, 2022, AS A "NATIONAL DAY OF SERVICE AND REMEMBRANCE"

Mr. SCHUMER. Madam President, I ask unanimous consent the Committee on the Judiciary be discharged from further consideration, and the Senate now proceed to S. Res. 755.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 755) recognizing September 11, 2022, as a "National Day of Service and Remembrance".

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 755) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 8, 2022, under "Submitted Resolutions.")

NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed immediately to consideration of S. Res. 767, which was submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 767) designating the week beginning September 11, 2022, as "National Direct Support Professionals Recognition Week".

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Madam President, I rise today to mark the week beginning on September 11, 2022, as National Direct Support Professionals Recognition Week. Direct support professionals assist millions of individuals living with disabilities to perform a wide range of

essential daily tasks such as meal preparation, transportation, and medication management. Direct support professionals provide critical home- and community-based services—HCBS—that allow individuals to stay connected with their communities.

As direct support professionals stepped up during the pandemic and provided care while facing increased personal risks as frontline workers, many faced long-standing difficulties such as inadequate wages and benefits. These challenges disproportionately affect racial and ethnic minorities, who comprise 62 percent of the home care workforce, which includes direct support professionals. These issues have led to high turnover and vacancy rates, contributing to a growing shortage of direct support professionals.

Even as this shortage persists and millions of jobs in the field remain open, demand for direct support professionals is expected to increase by at least 1.4 million new direct care jobs by 2026, according to PHI. An insufficient number of direct support professionals will likely mean longer wait lists for individuals seeking assistance, force providers to turn away new referrals, or discontinue programs and services. These circumstances hurt quality of care and put further stress on family caregivers.

Under President Biden's leadership, we have taken steps to invest in home- and community-based services by building up the home care workforce and expanding access to care. I am proud to have voted for the American Rescue Plan Act, which—among many critical provisions—included \$12.7 billion for HCBS. I am also a cosponsor of the Better Care Better Jobs Act, which would build on the funding from American Rescue Plan Act by continuing enhanced Medicaid funding for HCBS for States that expand access to these services and invest in the workforce, such as the direct support professionals.

It is more important than ever that we take the time to recognize the work of those who choose to be direct support professionals. I would like to congratulate two Marylanders who were recognized this year for their work as direct support professionals: Maria Swift of Penn-Mar Humans Services received the American Network of Community Options and Resources' National Direct Support Professional of the Year Award and Tammy Wright of Consumer Direct Care Network received the Maryland State award. Maria and Tammy are making an enormous difference and I appreciate their service to others. I would also like to thank Senators Collins, Blumenthal, Brown, Casey, Kaine, King, Klobuchar, Menendez, Smith, Van Hollen, and Warren for joining me in showing our appreciation for direct support professionals across the Nation and recognizing the essential role they play in our healthcare system.

Mr. SCHUMER. I further ask that the resolution be agreed to, the preamble

be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 767) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

RECOGNIZING AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL FORENSIC SCIENCE WEEK

Mr. SCHUMER. Madam President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 768, submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 768) recognizing and supporting the goals and ideals of National Forensic Science Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 768) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, SEPTEMBER 19, 2022

Mr. SCHUMER. And, finally—I thank again my colleagues from Oklahoma and Nebraska—I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, September 19, and that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, 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 Pan nomination; further, that the cloture motions filed during today's session ripen at 5:30 p.m.; finally, that if any nominations are confirmed during Monday'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.

ORDER FOR ADJOURNMENT

Mr. SCHUMER. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senators LANKFORD and SASSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

ABRAHAM ACCORDS

Mr. LANKFORD. Madam President, 2 years ago, almost to the exact moment, I was sitting on the south lawn of the White House in the blazing Sun, where a redhead should never sit, getting a sunburn, on a hot September day in DC, watching leadership of the UAE, Bahrain, Israel, and the United States all shake hands and sign an agreement called the Abraham Accords. It was a remarkable moment in American history.

We have become so accustomed in the last 2 years to this conversation about the Abraham Accords, we lose track that it was just 2 years ago that we had one of the greatest breakthroughs in Middle East peace that we have had in decades.

In 1979, Egypt and Israel came together for a peace agreement under President Jimmy Carter and the Camp David Accords. In 1994, Jordan and Israel normalized relationships under President Clinton. But for 26 years, there were no additional peace agreements and, quite frankly, very few conversations even. It stopped. All the conversation among foreign affairs was that you had to resolve the Palestinian conflict before anything else could be resolved in the Middle East, and for 26 years, all the focus was on that.

The Trump administration came in and put the whole thing on its head and said: What if? What if we work towards peace agreements outside of the Palestinian conversation? If we set that aside, could we still normalize agreements?

Again, most people said: No, that is not possible—until 2 years ago today. Two years ago today, when the leaders of UAE, Bahrain, Israel, and the United States met together and signed an agreement, they started not just a process, they started a conversation and a dialogue. They shook hands and signed an agreement that had remarkable statements in it about religious liberty that we look at and think: The Arab world would not sign that, but they did, quite frankly, because people hadn't asked them to.

There were conversations and agreements made about energy policy, about economic development in a region of the world that many would say that no one will ever meet and this will never get better.

President Reagan once said:

Our involvement in the search for Middle East peace is not a matter of preference; it is a moral imperative.

We are a people of peace. We are a people, as a nation, passionate about religious liberty. We are a people who want to see a nation joining other nations in economic development. It is who we are. It is who we have been from the beginning, and we are at our best when we are expanding that.

Since the signing of that document, several things have happened in that 2-year time period.

The first thing that happened, really, was that in October of 2020, Sudan raised their hand and said: I want to join that agreement. Then, in December of 2020, Morocco raised their hand and said: I want to be in that agreement. It quickly went from four nations to five, to six, all in this ongoing dialogue about peace in the region.

The countries have exchanged Ambassadors since then. Again, that may not sound revolutionary, but it is in that region. The UAE, Morocco, and Bahrain all opened up Embassies in Israel—again, revolutionary. Israel opened up its Embassy—the first ever in the Gulf nations—in Abu Dhabi in January of 2021. It opens up its next Embassy in Bahrain in September of 2021.

The UAE and Israel have signed comprehensive free-trade agreements. There is now \$10 billion worth of trade in the next 5 years that has been set up between those nations. Trade has begun between Israel and Morocco. In fact, it has increased 94 percent in a year. Trade between the UAE and Israel has increased 88 percent in 1 year. Trade between Israel and Egypt, even, has increased 41 percent in the last year and between Israel and Jordan, with a longstanding agreement, has increased 55 percent.

The UAE and Morocco now have university students who are studying in Israeli universities—something we thought we would never see. The UAE has overhauled its school curriculum to increase tolerance and understanding of other faiths and other religious groups.

Dozens of daily flights are now moving in those Abraham Accord countries, bringing business and tourism. There are even real conversations about water, about energy sharing and development and large economic infrastructure projects.

There are other countries, even, in the region that have started to take notice of this. Countries like Saudi Arabia are now allowing Israeli-bound flights to fly through Saudi airspace. Now, again, that may not seem revolutionary to some, that planes get to fly over them, but, you understand, 2 years ago, that didn't happen. The Saudis made every Israeli-bound flight go around their airspace. Israel and Saudi Arabia have also participated in multi-lateral naval and air drills, alongside UAE, Bahrain, and other countries. It is an enormous shift.

If I can even say this in the region, Israel and Lebanon are very close right now to forming an agreement on what

they call the Blue Line, the border between Israel and Lebanon, including the maritime areas. What does that matter? It is a tremendous development for Lebanon, for their economic development, because there is a large natural gas field just off of Lebanon's coast, but the border has been unresolved for years.

In the conflict between nations and the trust that has collapsed, the Abraham Accords have provided an opportunity and a moment for the nations in the region to say: If peace can begin with UAE and Bahrain and Sudan and Morocco and Israel and recognition and economic development and Ambassadors can be exchanged, who else can engage in economic development?

Let's start with their neighbor Lebanon. To build trust is to also build clear borders. This is real progress in 2 years.

My challenge to the administration and to our State Department is, fan the flame. Keep going on this. We have seen nations begin to do economic development, families meeting other families, school curriculum changing to taking out anti-Semitic tropes, basically, out of their curriculum. We have seen real progress in this area. Keep going. Other nations should be welcomed to be able to join in the Abraham Accords. It is not closed. Other nations can join in that economic development.

There are four of us who began the Abraham Accords Caucus: myself, Senator ROSEN, Senator ERNST, and Senator BOOKER. We launched out the four of us and invited all of our colleagues to be able to join into it. Our focus is to be able to work with the Ambassadors of those nations to say: How can we partner together to bless what has already occurred, and how can we expand into other nations? How can we encourage increased economic development?

Now, there are still very real challenges. The work is not done by any means, but it has at least begun, and progress is taking off—this simple principle of economic engagement, going past all of the government noise and saying: What if we allowed infrastructure to be able to work together? What if we allowed tourism to be able to happen? What if we allowed businesses to work with other businesses in other nations that used to be hostile? How can we engage in such a way that would help?

The four of us in the Abraham Accords Caucus brought to the floor today a resolution to recognize this 2-year anniversary. It sat before all 100 Senators, and I don't know a single Senator who is opposed to that because we all want to see peace in the Middle East. We all want to see that kind of progress, and we all want to see this increase.

So, to our State Department, keep the work going. Keep the conversation going. To nations around the world that used to be hostile to Israel and the

region, why don't we set down the past and prepare our families for the future?

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

INFLATION

Mr. SASSE. Madam President, first, I would like to associate myself with the comments of the Senator from Oklahoma and thank him for all of the work he has done on this.

The Abraham Accords are really something to celebrate, something that we should be building on. And there is not a lot of good news right now on a whole bunch of scores, and this is worth celebrating. So commendations on your resolution.

Something we shouldn't be celebrating is inflation, and I wasn't invited, but it looks like there was one heck of a party this week at the White House.

In case folks missed it, President Biden, Majority Leader SCHUMER, Speaker PELOSI, and others gathered on the south lawn of the White House on Tuesday afternoon to clink champagne glasses and celebrate the so-called Inflation Reduction Act, passed along straight party lines last month. James Taylor even flew in for the festivities.

But at the same time that Washington politicians were patting themselves on the back, here is actual reality—not Orwellian rhetoric, not sort of made-up names for legislation to spend hundreds and hundreds of billions of dollars—here is actual reality: Americans are getting slapped in the face with yet another month of bad news. Core inflation grew another six-tenths of a percent just in the month of August, defying even the most pessimistic estimations and analyses heading into those reporting numbers.

Both the Dow and the S&P had their worst day since the very arrival of COVID.

Consumer prices are now up 8.3 percent for the year, but it is worse than that for median-income households in America. Grocery prices are 13 percent more expensive this middle of September than they were the last middle of September.

How do you think about what 13 percent inflation looks like? Here is the way I explained it to my kids: You know, if a year ago today, you went to the grocery store checkout line and you had \$100 in your pocket and you had a cart full of groceries and you paid your \$100 for the \$100 of groceries, if you showed up today at the checkout line at the grocery store with the exact same cart and the exact same hundred bucks, you would then have to awkwardly and in an embarrassed way, in front of the people behind you in line, say: I have to figure out how to take \$13 of stuff off this checkout line because the \$100 that I had last year that bought \$100 of food only buys \$87 of food right now. That is what 13 percent inflation means.

Even CNN had to admit that the White House's timing was awkward, calling the event "a bizarre split-screen moment," with President Biden taking a victory lap with a so-called Inflation Reduction Act while in the real world, inflation was tanking markets. That was actually what was happening on Tuesday. On air, the CNN anchor suggested it "feels a little hard to be celebratory." That is a kind of awkward, timid way to tell the truth.

Lots of Americans have become used to this split-screen reality where Washington says one thing, but reality is completely different. It often feels like officials in Washington are living alternate realities and then trying to convince the American people: You don't know what you are talking about. What you are actually experiencing at the checkout line when you had to put back \$13 of groceries—it is not really true. The great news is, we have wine glasses in our hands; let's clink them together.

Washington, DC, is obviously in a bubble—and not for the first time. The same folks who threw that party are the types who order lots of their food from DoorDash and therefore might actually not know what the price of eggs, milk, and meat is. They are the kind of folks who see inflation as something that happens on paper, but seeing it on paper is different than feeling it.

DC sees many problems on paper but doesn't really connect with what the American people are living. DC saw the housing crisis of 2008, 2009 as something on paper, not as reality. Why? Well, because five of the seven richest counties in America are the five suburban counties of Northern Virginia and Maryland that ring Washington, DC. Think about that. Of 3,000 counties in America, 5 of the 7 richest ones are the places that surround the city.

So in 2008, 2009, when housing was collapsing everywhere, when lots of people were going bankrupt in the country, people in this city said: I don't know what the heck you are talking about. We have massive demand. Houses sell with escalation clauses.

There are way more buyers than there are sellers, so housing prices in Washington, DC, in Northern Virginia, and in suburban Maryland went up even as the country was living that collapse.

Opioids are a crisis that a lot of people in Washington, DC, know only on paper because they don't see it around the yuppie neighborhoods of Washington, DC.

Inflation is now that kind of crisis. It is a very real thing, and yet people in this city host white wine parties to talk about how great it is passing legislation that spent hundreds of billions of dollars more, accelerating inflation, and they decided they would name it the "Inflation Reduction Act."

Let's review a little bit of history about what we have learned about inflation over the last 15 months.

More than a year ago, last summer, when Americans were already feeling their prices creep higher, the President dismissed long-term worries about inflation with this quote:

There's nobody suggesting there's any unchecked inflation on the way—no serious economist.

What?

That was an incredibly bizarre, dishonest statement, and everyone knew. When it was spoken and when speechwriters wrote it, they knew that that wasn't true.

Why did they know? Well, because inflation had gone from 1.4 to 5.5 percent in the 3 months before that statement was uttered.

Larry Summers, a longtime Democratic economist across multiple administrations and who is well respected by folks in academia and in government and in both parties, was screaming at the White House not just in private but in public that this was nonsense, that they were delusional about what was happening with inflation numbers. Yet our President said that there was nobody suggesting that unchecked inflation was on the way—no serious economist.

Here is what was actually happening in White House meeting rooms at that time. Half of the Obama economic team was coming in and telling the Biden economic team: Hey, you guys are going to get caught with your pants down. That isn't true. That spin isn't reality. Inflation is big, it is bad, and it is growing.

Yet the speechwriters said: Let's have the President go out to the podium and say there is no serious economist who believes inflation is coming.

That was in July of 2021.

In February of this year, when inflation had hit 7.8 percent, our President predicted that "inflation ought to be able to start to taper off as we go through this year." He had predicted in December that inflation had already peaked. Every one of these comments was detached from reality, and the people writing the speeches knew they were detached from reality.

The President is obviously not the only offender. Last October, with high prices already eating away at families' savings accounts, White House Chief of Staff Ron Klain applauded a tweet describing inflation and supply chain snarls as "high-class problems." That is some white wine-drunk commentary for you. This is a middle-class American problem that families in all 50 States are suffering.

A week later, the White House Press Secretary shrugged off the same problem when asked about inflation as being "the tragedy of the treadmill that's delayed." "The tragedy of the treadmill that's delayed"—ouch.

Do these people know anyone in America who has ever had to put stuff back at the checkout line at the grocery store? Because that is what I have experienced and see at Walmart and Hy-Vee right now in Fremont, NE.

Have they ever sat down with people to compare their receipts week over week or month over month—those people who are looking at their receipts, knowing that they have to put stuff back? They are not wrong, and they are not talking about a 3-month delay on a Peloton delivery.

Just 2 months later, another White House Press Secretary declared that the United States is "stronger economically than we have ever been in our history." That is what was said at the White House podium: "stronger economically than we have ever been in our history"—totally drunk stuff.

According to a Gallup poll, 56 percent of Americans now say price increases are causing financial hardships for their families. That is up from 49 percent a couple of months ago and 45 percent the previous fall.

According to a Monmouth poll, nearly 9 out of 10 Americans say the country is on the wrong track, but the White House is throwing wine and cheese parties to celebrate the Inflation Reduction Act.

Americans have watched the President announce that he plans to force noncollege graduates in Scottsbluff, NE, and Beckley, WV, to pay for the debt burden of people with masters and Ph.D.s who live in Berkeley and Bethesda. Let's be clear. Fifty-six percent of all of the student loan debt in America is held by people with graduate degrees. The majority of college loan debt in America is held by people with graduate degrees, and about a third of Americans go to college. But what we should do, Washington says, is take money from noncollege graduates and give it to folks with graduate degrees. Then let's claim it is somehow going to reduce the deficit. Drunk stuff.

Americans have watched as every basic household necessity has become more expensive, from groceries to gas. Then they hear politicians change the name of their bill to the Inflation Reduction Act and applaud themselves for spending hundreds of billions of inflationary dollars. This was on the steps of the White House on Tuesday afternoon.

Folks, this isn't just offensive; it is the kind of behavior and the kind of dishonesty that poisons democracy. Politicians are saying things here that are 180 degrees reversed from reality, and that cuts to the issue of public trust. It doesn't just matter economically; it matters civically.

The relationship between the American people and their leaders is a relationship built on trust—a trust that, when elected officials are at their desks in Washington, takes seriously the needs and desires of their constituents. We have a bunch of people in Washington, DC, who mistake the Washington, DC, elite experience, where the income of folks who work for the Federal Government is substantially higher than that of the median American. It attacks public trust. Elected officials are not special. Elected officials, quite frankly, are often

not that impressive. Elected officials are not demagogues. Public servants are supposed to be serving the public.

It is in our job description to trust that the people we represent actually know something about their struggles and their challenges and their day-to-day difficulties of making ends meet. It is in our job description to listen to them, to look at their experiences, and to take them to heart. It is in our job description to think carefully about the challenges they face and the ways we can address those challenges, always with a mindful eye to the direction established by our constitutional order and the best of our democratic traditions.

That relationship is destroyed when Washington, DC, breaks faith with the American people, when it declares: You don't know what you are talking about. You don't know what your experience is at the grocery store checkout line. There is no serious inflation, and no serious economist thinks inflation is coming.

The actual numbers are 13 percent grocery and 8½ percent overall. These are late 1970s kinds of numbers.

Politicians know best.

No, we don't.

The relationship is destroyed when self-satisfied appointees and smug bureaucrats in Washington bustle up and down Pennsylvania Avenue and decide that division is more efficient politics than competent governance. Lectures about the soul of America ring pretty hollow from practitioners of this craven kind of politics of contempt.

Americans deserve better. Starting with honesty is a pretty good start.

Here is honesty: We have an inflationary crisis on our hands, and the reality is that inflation is making life a lot more difficult and a lot more precarious for millions and millions of our neighbors. Our families and friends are feeling pain at the pump and at the checkout lines. They are watching their savings accounts and pensions be nibbled away. They haven't imagined a hardship. This is reality—experiential and economic reality.

The only thing that is misaligned is the rhetoric of this place, and Americans won't be bludgeoned into believing that they are actually thriving when they are experiencing 13 percent grocery inflation. Things are hard, and the barest minimum this White House could do is to admit it, to tell the truth, and to put away the party hats.

The American people are resilient. We are tough. We are not ready to accept this as the new normal. We are going to work our way through this, but we need less condescension and less spin. We need a lot more truth-telling from those in power. We need fewer tone-deaf, wine-glass-clinking parties from folks who have escalated inflation with reckless spending and then claimed that the American people are wrong and that this new spending will

somehow reduce inflation. Nobody really believes that.

The folks who are writing those press releases and those speeches and inviting people to parties at the White House should reconsider. They should tell the truth. It is hogwash, and they know it. More importantly, the American people know it, and we should tell them the truth.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 19, 2022, AT 3 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 3 p.m. on Monday, September 19, 2022.

Thereupon, the Senate, at 3:57 p.m., adjourned until Monday, September 19, 2022, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

ROGER B. HANDBERG, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE MARIA CHAPA LOPEZ, RESIGNED.

MARKKENZY LAPOINTE, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE ARIANA FAJARDO ORSHAN, RESIGNED.

MCLAIN J. SCHNEIDER, OF NORTH DAKOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NORTH DAKOTA FOR THE TERM OF FOUR YEARS, VICE DREW H. WRIGLEY, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DANIEL R. FOWLER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PATRICK E. MATLOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES D. TURINETTI IV

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KEENAN E. DALRYMPLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SUSAN D. BAUMGARTNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

STIGEN A. WESTBERG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BEAU D. GRAHAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KRISTEN M. BARRA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

EVANS R. WRIGHT

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 7064:

To be major

TRAVIS J. WILDER

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 7064:

To be major

DAVID LAW

RAMI SARID

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

AMY M. RESPONDEK

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

ELLEN M. NELSON

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be colonel

ERNEST L. BONNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ASHTON M. SHELTON

CONFIRMATIONS

Executive nominations confirmed by the Senate September 15, 2022:

THE JUDICIARY

SARAH A. L. MERRIAM, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

DEPARTMENT OF STATE

GEOFFREY R. PYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (ENERGY RESOURCES).

DEPARTMENT OF HOMELAND SECURITY

DAVID P. PEKOSKE, OF MARYLAND, TO BE ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION FOR A TERM OF FIVE YEARS.

DEPARTMENT OF STATE

NATHANIEL FICK, OF MAINE, TO BE AMBASSADOR AT LARGE FOR CYBERSPACE AND DIGITAL POLICY.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ROLFE MICHAEL SCHIFFER, OF NEW YORK, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

UNITED NATIONS

PATRICK LEAHY, OF VERMONT, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

JAMES E. RISCH, OF IDAHO, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH DONALD R. ALDERMAN AND ENDING WITH JOHN M. GRONDELSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 19, 2022.